COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	April 2, 2012
SUBJECT	**Official Plan Update Phase 3 (OPA 48): Statutory Public Meeting**
REPORT NUMBER	12-39

SUMMARY

Purpose of Report:
Statutory Public Meeting - To provide information about the proposed Official Plan Amendment for Phase 3 of the Five Year Official Plan Review.

Council Action:
Council will hear public delegations on the proposed amendment, ask questions of clarification and identify issues. The report is to be received and no decisions are to be made at this time.

RECOMMENDATION

"THAT Report 12-39 regarding Phase 3 of the Five Year Official Plan Review (OPA 48) from Planning & Building, Engineering and Environment dated April 2, 2012 be received."

BACKGROUND

Official Plan Amendment 48 is the third and final phase of the Five Year Review of the City's Official Plan. Detailed information about the Five Year Review including background information about Phase 1 (OPA 39 – Growth Plan Conformity) and Phase 2 (OPA 42 – Natural Heritage System) are contained within Attachment 1 (Planning Report 12-11). Report 12-11 also provides:

- a summary of the revisions made to the Official Plan since the April 2010 release;
- a summary of the comments received on the Official Plan Update draft including staff response; and
- a review of the common issues raised by the public on the 2010 draft.

REPORT

Purpose and Effect of OPA 48

OPA 48 finalizes the Five Year Update of the Official Plan. OPA 48 is being undertaken in accordance with Section 26 of the Planning Act and is intended to ensure that the Official Plan is in conformity with provincial legislation and plans

and is consistent with the 2005 Provincial Policy Statement (PPS). OPA 48 also incorporates recommendations from City plans and studies.

Subject Lands
OPA 48 applies to all land within the municipal boundaries of the City of Guelph.

Overview of Amendment
OPA 48 amends, updates or provides new policies with respect to:

- strategic directions and vision to guide growth to the year 2031;
- achievement of the City's growth management framework,
- Watershed Planning and Water Resources;
- Public Health and Safety including natural and human-made hazards;
- Mineral Aggregate Resources;
- Climate change and the City's Community Energy Plan;
- Cultural Heritage Resources;
- Transportation providing greater focus on transit, walking and cycling;
- Municipal services and infrastructure;
- Affordable Housing;
- Parks and Trails;
- Urban Design consistent with the Urban Design Action Plan;
- Land Use designations; and
- Implementation and the use of planning tools associated with height and density bonusing, the regulation of exterior building design through site plan control and the introduction of a development permit system.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well functioning and sustainable city
Goal 2: A healthy and safe community where life can be lived to the fullest
Goal 3: A diverse and prosperous local economy
Goal 4: A vibrant and valued arts, culture and heritage identity
Goal 5: A community-focused, responsive and accountable government
Goal 6: A leader in conservation and resource protection/enhancement

Connection to the 2010-2014 Strategic Plan Process
The Official Plan is a long-range planning document that provides a vision, objectives and policies for the future growth and development of the City to the year 2031. The Strategic Plan is a guiding document that helps to align activities, inform decision making on resource allocation and ultimately helps to clarify, measure, track and produce results that respond to the needs and interests of the community as whole. The Official Plan is one example of a long-range plan that will be considered through the Strategic Plan process to seek appropriate alignment.

FINANCIAL IMPLICATIONS

There is sufficient funding in the Official Plan Update budget to complete Phase 3.

COMMUNICATIONS

A Public Open House was held at City Hall on February 29, 2012 from 3pm to 8pm and the Statutory Public Open House was held on March 6, 2012 from 6pm to 8pm. Notice of the Open Houses was provided in the City News pages of the Tribune on February 2 and 9, 2012 and mailed out to agencies and to those individuals who asked to be included on our mailing list. The Public Open Houses provided the opportunity for anyone to attend to review information and background materials, ask questions of staff and provide comments.

Notice of the Statutory Public Meeting was advertised in the City News pages of the Guelph Tribune on February 23, 2012 and March 1, 2012 and mailed out to agencies and to those individuals who asked to be included on our mailing list. The Statutory Public Meeting provides the formal opportunity for anyone to provide comments to Council on proposed Official Plan Amendment 48.

NEXT STEPS

Staff will review all comments received and prepare a final recommended Official Plan Amendment for Council's consideration.

DEPARTMENTAL CONSULTATION

Corporate Administration (Strategic Planning and Corporate Initiatives)
Planning & Building, Engineering and Environment (Engineering; Building; Water Services; and Wastewater Services)
Community and Social Services (Arts, Culture and Entertainment)
Operations and Transit (Park Maintenance and Development)

ATTACHMENTS

The attachment is available on the City's website at guelph.ca/envisionguelph.

Attachment 1: Report 12-11 "Envision Guelph: Official Plan Update Phase 3 Revised Draft Policies (OPA 48)"

Click on the link for the January 30, 2012 OP Update Report (with attachments).

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COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	January 30, 2012
SUBJECT	**Envision Guelph: Official Plan Update Phase 3 Revised Draft Policies (OPA 48)**
REPORT NUMBER	12-11

SUMMARY

Purpose of Report:
To provide information related to Phase 3 of Envision Guelph – The Official Plan Update (OPA 48) and to release the Revised Draft Official Plan policies for public review.

Council Action:
To receive Report 12-11 in advance of the public consultation process related to Phase 3 of Envision Guelph.

RECOMMENDATION

"THAT report 12-11 dated January 30, 2012 from Planning & Building, Engineering and Environment regarding Envision Guelph: Official Plan Update Phase 3 Revised Draft Policies be received."

BACKGROUND

Envision Guelph, the five year update to the Official Plan, has been undertaken in three phases. The first phase consisted of OPA 39 which established a growth management framework for the City in conformity with the Provincial Growth Plan for the Greater Golden Horseshoe. OPA 39 was adopted by City Council on June 10, 2009 and was approved by the Ministry of Municipal Affairs and Housing on November 20, 2009. One modification was made by the Ontario Municipal Board on March 17, 2010 as an administrative change. OPA 39 is in full force and effect.

In the spring of 2010, staff released a draft of the balance of the Official Plan update to the public for review and comment. In May 2010, Council directed staff to proceed with the Natural Heritage System components of the Draft Official Plan amendment. Council further directed that the remainder of the Draft Official Plan Amendment be deferred to provide more time for the public to review and provide comments. Therefore, a second phase of the Official Plan update (OPA 42) which consisted of the Natural Heritage System components was adopted by Council in

July 2010 and approved by the Ministry of Municipal Affairs and Housing in February 2011. OPA 42 is currently under appeal to the Ontario Municipal Board.

Phase 3 consists of the balance of the Official Plan update and when taken together with OPA 39 and OPA 42 will constitute a complete updated Official Plan for the City.

Consistent with the City's overall growth management framework established through OPA 39, the Official Plan Update takes a more directive approach to shaping the type, form and location of future growth in Guelph than the current Official Plan. The proposed Plan directs a significant amount of growth to the urban growth centre (Downtown), identified intensification corridors and mixed-use nodes as established by OPA 39. These areas can be well-served by transit and are designed to evolve into more pedestrian-oriented places. This Plan, as a result of directing growth to specific areas, identifies those areas of the City that will experience less intensification and change. This is not to mean that these areas will not evolve over the horizon of this Plan; it is meant to indicate that change will be modest in nature and must be compatible with its immediate surrounding area. Policies in the draft Official Plan are generally more restrictive than the existing OP for these areas while still enabling the City to meet its intensification and density targets. This Plan also anticipates continued development in the Greenfield Areas, although in a denser and more mixed-use form in order to support the achievement of the City's density targets, local growth management strategy and urban design directions.

Further background information is contained within Community Design and Development Services Report 10-59 "Envision Guelph - Official Plan Update (Proposed Official Plan Amendment 42 to Address the Natural Heritage System and Comprehensive Update to the Official Plan)". This report is Attachment 1.

REPORT

PURPOSE OF THIS REPORT

This report provides a summary of the comments received since the release of the Draft Official Plan in April 2010, provides staff response to the comments and provides a summary of the proposed revisions to the policies and schedules of the draft Official Plan. Attachment 2 provides a summary of the revisions to the draft Official Plan.

PURPOSE OF REVISED DRAFT OF THE OFFICIAL PLAN UPDATE

Phase 3 finalizes the Five Year Review of the Official Plan and ensures that the Plan is in conformity with provincial legislation and plans and is consistent with the 2005 Provincial Policy Statement (PPS).

Phase 3 of the Official Plan Review:

- modifies the structure of the Official Plan;
- incorporates recommendations from City plans and studies;
- completes the municipal comprehensive review of employment lands (see Attachment 3 for details);

- enhances Urban Design policies to ensure high quality urban design consistent with the directions approved in the City's Urban Design Action Plan;
- establishes a policy direction for energy conservation, alternative and renewable energy systems, climate change and mitigation and sustainable design supportive of the City's Community Energy Plan;
- introduces an affordable housing target and associated implementation measures;
- provides greater certainty for infill and intensification within the Built-up Area of the City;
- establishes detailed policies for achieving the City's growth management framework established by OPA 39 including directing new growth at transit supportive densities within the Downtown, along Intensification Corridors and Mixed-use Nodes as conceptually identified in Official Plan Amendment 39;
- updates transportation policies to provide a greater focus on transit, walking, cycling and transportation demand management measures while continuing to ensure that the City is served by an efficient road network; and
- includes policies to enable the City to use planning tools associated with height and density bonusing, the regulation of exterior building design through site plan control and the introduction of a development permit system.

Since the fall of 2010, staff have completed an internal review of the 2010 draft, reviewed comments submitted by the public and stakeholders, met with stakeholders and property owners, conducted additional research and prepared the second draft of the proposed policies. The review included ensuring consistency with provincial legislation, policy and plans and consistency with the City's strategic directions. Discussions with stakeholders and property owners have generally been productive and the revised draft contains proposed revisions that respond to comments and concerns while continuing to be consistent with provincial requirements and City objectives. In some instances, staff have proposed to revert back to policies contained within the current Official Plan. Staff determined that the policies remain relevant, are supportive of City approved plans and studies and are consistent with provincial policy and legislation and should therefore be carried forward in the updated OP. In some cases, staff determined that the proposed direction would either create undue hardship to property owners (e.g., removal of land use designations or requirements for secondary plans prior to development) or there was insufficient background study conducted to support the proposed direction at this time.

The revised Phase 3 policies are included as Attachment 4 which, in order to provide the necessary context for the proposed policies, is presented in the form of a working consolidation of the entire OP Update including Phase 1 policies (OPA 39 - Growth Plan conformity), Phase 2 policies (OPA 42 - Natural Heritage System) and existing Official Plan policies that are proposed to be carried forward. The draft indicates which policies are carried forward from the current Official Plan (identified by comment boxes) and indicates which policies are not part of Phase 3 of the Official Plan but are included for context. The policies that are not part of Phase 3 are those OPAs that have previously been adopted by Council such as OPA 39 and OPA 42.

OVERVIEW OF KEY ISSUES AND STAFF RESPONSES

Following the release of the April 2010 draft of the Official Plan, approximately 40 comments were received related to the sections of the Official Plan that are being addressed in Phase 3. Staff met with stakeholders to obtain a better understanding of the issues and attempt to resolve issues through revisions to policies where appropriate.

A more detailed summary of the comments with a brief staff response is included in Attachment 5. Attachment 6 contains the comment letters.

The following general themes were identified in the review of the comments:

- Affordable Housing Target
- Urban Design Policies
- Prohibition of Drive-Throughs
- Community Mixed-use Area Policies

Other Issues:

- Religious establishments – Council resolution to provide a definition of small scale religious establishments within the upcoming Official Plan
- Lack of service stations in new development areas especially the south end
- High volume water users

Affordable Housing

Comment Summary: Generally, the comments related to the affordable housing strategies dealt with concerns about the proposed target and the implementation measures. The Guelph Wellington Development Association (GWDA) and the Guelph and District Homebuilders Association submitted comments on the proposed affordable housing policies. Both organizations have expressed that the proposed targets are inappropriate and that the existing housing stock should be included in the calculation of the target. The GWDA further stated that applying a Holding Zone on lands to require affordable housing would result in lands being sterilized from development and would result in housing becoming more expensive and unattainable while the affordable housing blocks remain vacant. Both organizations stressed that incentives are needed to support the construction of affordable housing.

Staff Response: The PPS requires municipalities to establish and implement minimum targets for the provision of housing which is affordable to low and moderate income households. In 2009, staff prepared an Affordable Housing Discussion Paper which outlined the method used to establish the target for Guelph. The approach uses the average price of resale homes as the benchmark for determining affordability and set the target at 36% of which 6% was for social housing and 30% was for new housing to be provided at a price 10% below the average resale price.

The approach focuses on new housing as the supply for affordable housing because the City does not have influence or control over the existing housing stock either rental or owned and cannot control the resale market. The approach of focusing on the new housing market maintains consistency with the policy in the current Official Plan that requires affordable housing to be provided in new subdivision

developments at a minimum of 25% of the units and is consistent with the practice and policies of other municipalities.

Staff have revised the affordable housing target to address only affordable ownership and affordable rental housing. The target has been revised to a total of 30% with 27% being affordable ownership housing and 3% being affordable rental housing. The target for the provision of social housing has been removed because this form of housing is not provided by the City and the City does not control nor cannot direct the amount of social housing provided in any given year. The reference to a target for accessory apartments has been revised to be clear that the City encourages the creation of accessory apartments at a rate of 90 per year but does not require this as part of the affordable housing target.

The policies in the 2010 draft of the OP proposed holding lands out of development through the use of a Holding Zone as part of a development application until they were developed for affordable housing. This policy was premised on an approach that was considered as part of proposed Bill 198 which sought to amend the Planning Act to introduce inclusionary zoning. Inclusionary zoning could regulate the required percentage of affordable housing units in all new housing developments in a municipality. Bill 198 was referred to a standing committee of parliament in 2009 and as of yet has not been passed. In response to the concerns raised by the GWDA and Homebuilders and based on staff's review of the issue, the proposed policies that would place holding zones on property or in any way hold lands out of development unless developed for affordable housing have been removed from the draft Official Plan. Instead, the revised policies indicate that detailed implementation strategies will be reviewed and developed through the preparation of a Housing Strategy and other appropriate mechanisms.

Urban Design

Comment Summary: Many of the concerns about the urban design policies related to site and building design for commercial properties and a concern that the policies are too prescriptive. Specifically, concern was expressed about policies that:

- seek to avoid blank facades;
- require enhanced building designs rather than basic corporate/franchise design;
- promote pedestrian oriented streetscapes;
- provide direction for the placement of buildings such as large buildings, multi-storey buildings and mixed-use buildings;
- seek to establish main street type development; and
- direct where parking should be located.

Other urban design comments related to residential developments included concerns about policies that:

- avoid reverse lotting on arterial and collector roads;
- discourage entrance features such as ornamental walls and signs for new subdivisions; and
- limit the width of garage doors for houses.

Staff Response: The City's urban design vision for future development was derived from the Urban Design Action Plan which was adopted by Council on May 4, 2009. The proposed policies contained within the April 2010 OP Update are intended to implement the policy direction and principles set out in the Urban Design Action Plan. Many of the policies are more detailed than those contained within the existing Official Plan. This was done intentionally to provide clarity to the preferred form of development in the City.

Staff have made minor changes to policies to improve readability, clarify intent and provide examples where appropriate. Some of the language used in the policies has been revised to provide positive direction related to the City's desired site or building design. The urban design policies are intended to guide development in a manner that reflects and supports the City's vision. The policies have been revised to provide flexibility where possible and to allow for dialogue between staff and development proponents on opportunities for enhancing urban design. The City will provide additional clarity to the City's vision and the proposed policies through the preparation of urban design concept plans for key locations such as nodes and corridors. These concept plans will provide specific examples of development scenarios that satisfy the design and land use policies in an integrated manner.

Drive-Throughs as a prohibited use

Comment Summary: Generally, the comments were opposed to the proposed prohibition of drive-throughs. The 2010 draft OP specifically prohibits drive-throughs in all land use designations other than Service Commercial. The respondents stated that policies to prohibit drive-through facilities in areas that would otherwise permit service retail commercial uses, large format retail uses, plazas and supermarkets is not a common or appropriate form of regulation applied to drive through facilities in Ontario. One respondent, Victor Labreche of Labreche Patterson and Associates Inc, provided extensive background information related to Ontario Municipal Board decisions on the subject.

One common concern was that the Official Plan is not the appropriate way to regulate drive-throughs and that the zoning by-law and urban design guidelines would be an acceptable approach.

Staff Response: City staff have met with Victor Labreche and members of the Ontario Restaurant Hotel and Motel Association (ORHMA) and reviewed the materials provided by them relating to drive-throughs. Language has been removed from the Official Plan that specifically prohibits drive-throughs as a use. Rather, policies in the Urban Design section of the Official Plan are proposed to provide direction as to design and site matters for drive-throughs to ensure compatibility with adjacent land uses and consistency with other relevant policies and objectives. A review of drive-throughs and associated regulations could be conducted as background to the Comprehensive Zoning By-law Review with the intent to regulate drive-throughs and where they may be permitted through the Zoning By-law while still including direction in the OP for their location and siting. This would allow careful consideration of the issue and allow Council, the public and stakeholders input into the process and any proposed regulations.

Community Mixed-use Centre Policies

Comment Summary: Concern with Community Mixed-use Centre policies related to:

- residential unit targets;
- requirement for a secondary plan;
- minimum building height;
- minimum total floor space index; and
- underground or structured parking.

The main concerns with the proposed policies for the Community Mixed-use Centres (CMUC) dealt with residential targets and the requirement for secondary plans. Respondents felt that the residential targets would be difficult to achieve since the majority of lands within the CMUC have development approvals already and that lands surrounding the CMUC are already designated for medium and high density housing. The addition of a residential target would take the focus away from the commercial function of the designation. The concern about secondary plans related to the need for the plan considering that many of the nodes already have development approvals and would unnecessarily delay development.

The comments also include a suggestion that there should be wording to provide for flexibility or recognition that Community Mixed-use policies will be implemented and transitioned over the long term.

Staff Response: Staff met with owners of properties designated Community Mixed-use Centre to review their concerns. As a result, staff propose a number of changes to the CMUC policies. First, the residential targets have been removed. These targets were added with the intent to encourage residential buildings in the CMUCs. However, there was no corresponding support in the policy to maintain the commercial function of the Centres. Upon review, staff determined that strict adherence to the residential targets is not needed to achieve population projections and are not needed to achieve the intensification target. Staff are supportive of the CMUC's transitioning over the long term to support a full range of uses however, at this time the support is provided through encouraging and allowing residential uses rather than requiring them. Staff have revised policies in Chapter 3 of the Plan for Community Mixed-use Nodes to make it clear that residential development is required within the overall Node as identified on Schedule 1 of the draft Official Plan, which includes the CMUC, and that concept plans for future development within the area are required to demonstrate how the uses would be integrated and would support the urban design policies of the Plan.

Second, the policy related to secondary plans for CMUCs has been deleted and replaced by a new policy that requires urban design concept plans for the Community Mixed-use Node. This achieves the same objective but allows for the planning work to be led by staff or a development proponent. This direction is more responsive to the short term planning needs for these areas while providing guidance to their long term evolution. Further, the proposed policies provide direction as to what the concept plan should include.

In terms of the concerns with the two storey minimum building height, staff have proposed revisions to the policy to state that the minimum height would be required for buildings fronting on or adjacent to arterials, collectors or identified main streets. This change maintains the City's design vision for these commercial sites while recognizing that large format retail uses are also directed to this designation.

Policies related to floor space index, both minimum and maximum, have been deleted from the Plan. Staff are of the opinion that it is premature to establish minimum and maximum floor space indexes for these sites without having conducted detailed design work for the sites. Staff now propose that where a concept plan is required and through a development application, regulations for floor space index would be addressed. This may result in these regulations being applied in the implementing zoning by-law.

The policies related to the preference for underground or structured parking are maintained in the Official Plan. These policies support the reduction of surface parking and encourage developers to consider alternatives such as underground or structured parking.

OTHER ISSUES

Council and staff have identified some issues that were to be considered through this draft of the OP Update. These include concerns about the definition of "small-scale" as it applies to religious establishments, concerns raised about the lack of service stations in the south end of the City and concerns about potential new industrial developments that have high volumes of water use and wastewater discharge.

Religious Establishments

As part of a Council decision in June 2010 related to a zoning by-law amendment application for a religious establishment, Council directed staff to provide a definition of small scale religious establishments through the Official Plan update. Staff have reviewed the matter and propose that the approach used in the current Official Plan be carried forward into the draft Official Plan. The policies for non-residential uses in residential areas would continue to refer to small-scale institutional uses without a specific definition of size. The current and draft Official Plan both contain criteria for determining if a location is appropriate for a non-residential use. These criteria are designed to ensure that inappropriate uses are not being located within residential areas. The Zoning By-law is the appropriate place for regulating specific uses, their size and site characteristics. A review of regulations for religious establishments could be conducted as part of a future Zoning By-law Update.

Religious establishments are community facilities that contribute to the creation of a complete community and add to the diversity of our neighbourhoods. These uses should continue to be permitted in areas in proximity to residents provided that they are of an appropriate scale to ensure compatibility and they are located in areas that are easily accessible by various modes of transportation.

Service Stations
The April 2010 draft of the Official Plan update restricted the location of service stations by prohibiting them as a use in many of the commercial and mixed-use designations of the Plan. Staff review concluded that this would result in areas of the City being underserviced or not serviced at all by this type of use. Staff understand that the concern about service stations is related to urban design considerations and to community energy policies related to the reduction of greenhouse gas emissions. In terms of urban design, there are specific policies related to service stations proposed in the Plan that deal with these issues and the Zoning By-law can provide further support through enhanced regulations related to site design. In terms of community energy policies, the prohibition of this type of use in areas of the City would require residents to drive longer distances to obtain the service thus negating the intended energy policy benefit. A general shift in transportation modes from automobile use to other modes is better pursued through various strategies related to encouraging and supporting those alternative modes. Making it less convenient to service vehicles is not seen as an effective strategy in this regard.

Prohibitions on service stations as a permitted use in the commercial and mixed-use designations have been removed from the Official Plan. Additionally, urban design policies have been added and refined to provide direction to zoning by-law regulations and site plan review. In recognition of the preferred policy and design direction for Community Mixed-use Centres, service stations are proposed to only be permitted as an accessory use.

High Volume Water Users
The revised draft of the Official Plan proposes to add policies to discourage non-residential development that requires high volumes of water use and/or wastewater discharge from locating within the City. This policy is being introduced to provide a greater degree of protection to the City's finite water supply and to address limits on the assimilative capacity of the Speed River.

The primary constraint to long term development in the City is the assimilative capacity of the Speed River. As such, this policy is proposed to address the allocation of wastewater treatment capacity in a manner that supports reasonable growth and provides protection to our limited water resources. The City is committed to ensuring that future development is environmentally, fiscally and socially sustainable. This approach is supported by the direction from the Provincial Growth Plan that requires municipalities to ensure that there is "sustainable water and wastewater services available to support future growth".

OVERVIEW OF REVISIONS TO THE DRAFT OFFICIAL PLAN SINCE MAY 2010
Staff have conducted an extensive review of the draft Official Plan that was released in 2010. Staff have considered all comments received along with Council directions on issues and made revisions as appropriate. Staff have also incorporated recommendations for revisions from the Ministry of Municipal Affairs and Housing and from the Grand River Conservation Authority. The Plan has also been edited for grammar, structure, flow, format and consistency. As a result,

some chapters have had major revisions whereas others have been modified slightly. Details about the revisions are contained in Attachment 2.

CONSULTATION AND NEXT STEPS

The consultation process for this phase of the Official Plan update will include a statutory open house, two public open houses and a statutory public meeting of Council. Notice of the statutory open house and public open houses will be provided in the Guelph Tribune. The open houses will be held in the month of February and the public meeting of Council is planned for March 2012. The public are asked to submit written comments on this draft of the Official Plan update on or before March 9, 2012 for consideration in a final draft that is to be presented for adoption by Council this spring.

The open houses will allow the public the opportunity to learn more about the proposed policies, review display boards and speak with staff about the Official Plan. The statutory public meeting provides a formal opportunity for the public to address Council with their comments on the draft Official Plan. Following the public meeting, staff will review any comments and prepare a final draft of the Official Plan for adoption by Council.

January 2012:	Revised Draft Official Plan Phase 3 released for public review
February 2012:	Statutory Open House and Informal Open Houses
March 2012:	Statutory Public Meeting
May 2012:	Council meeting re: decision on adoption of Official Plan Update

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well functioning and sustainable city
Goal 2: A healthy and safe community where life can be lived to the fullest
Goal 3: A diverse and prosperous local economy
Goal 4: A vibrant and valued arts, culture and heritage identity
Goal 5: A community-focused, responsive and accountable government
Goal 6: A leader in conservation and resource protection/enhancement

FINANCIAL IMPLICATIONS

There is sufficient funding in the Official Plan Update budget to complete Phase 3 including additional public open houses, the preparation of materials for consultation and reproduction of the Plan.

DEPARTMENTAL CONSULTATION

Planning & Building, Engineering and Environment (Engineering)
Planning & Building, Engineering and Environment (Building)
Planning & Building, Engineering and Environment (Water Services)
Planning & Building, Engineering and Environment (Wastewater Services)
Community and Social Services (Arts, Culture and Entertainment)
Operations and Transit (Park Maintenance and Development)

COMMUNICATIONS

Since the draft OP Update was released in April 2010, the City has met with stakeholders and individuals who have submitted comments to further clarify their concerns.

The next steps of the process include opportunities for the public to review the document with staff at public open houses, and provides the opportunity for the public to make formal presentations to Council through the statutory public meeting. Written comments are invited and encouraged.

Notice of upcoming open houses and the public meeting will be provided in the Guelph Tribune and directly mailed to anyone who requests or has previously requested notification.

ATTACHMENTS

The attachments are available on the City's website at guelph.ca/opupdate. Click on the link for the January 30, 2012 OP Update Report (with attachments).

Attachment 1:	Report 10-59 "Envision Guelph - Official Plan Update (Proposed Official Plan Amendment 42 to Address the Natural Heritage System and Comprehensive Update to the Official Plan)"
Attachment 2:	Summary of Draft Official Plan Changes since April 2010
Attachment 3:	Municipal Comprehensive Review of Employment Lands
Attachment 4:	Working Consolidation of Envision Guelph: Official Plan Update including the Revised Draft Phase 3 Policies
Attachment 5:	Policy Specific and Property Specific Comments and Staff Response Summary
Attachment 6:	Comment Letters received since April 2010

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COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Community Design and Development Services
DATE	May 20, 2010
SUBJECT	**Envision Guelph - Official Plan Update (Proposed Official Plan Amendment 42 to Address the Natural Heritage System and Comprehensive Update to the Official Plan)**
REPORT NUMBER	10-59

RECOMMENDATION

"That Report 10-59 dated May 20, 2010 from Community Design and Development Services regarding proposed Official Plan Amendment No. 42 **BE RECEIVED;**

That staff be directed to proceed with the Natural Heritage System components of the DRAFT Official Plan amendment for Council's consideration and adoption on July 27, 2010; and

That the remainder of the Draft Official Plan Amendment be deferred to provide more time for the public to review and provide comments."

BACKGROUND

Official Plan Amendment No 42 (OPA 42) is the second phase of the City's comprehensive Official Plan Update. Phase one of the Official Plan Update, Official Plan Amendment No. 39 (OPA 39), was approved in June 2009 and established a growth management framework for the City to the year 2031. OPA 39 was based on the recommendations adopted in June 2008 as part of the City's Local Growth Management Strategy, which involved extensive public and stakeholder consultation between 2006 and 2008.

OPA 39, brought the City's Official Plan into conformity with the Provincial Growth Plan for the Greater Golden Horseshoe, and set out key growth management principles which included, planning for a projected population target of 175,000 and an additional 32,400 jobs by the year 2031. OPA 39 established that future growth to 2031 would be accommodated within the current City limits and would grow at a steady average annual growth rate of 1.5%.

OPA 42 addresses recent changes to provincial legislation, e.g., the *Ontario Heritage Act*, the *Planning Act*, the *Clean Water Act,* and ensures the City's Official Plan is consistent with the 2005 Provincial Policy Statement (PPS).

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

- Natural Heritage Strategy (2009)
- Affordable Housing Discussion Paper (2009)
- Employment Lands Strategy (2008 and 2009)
- Urban Design Action Plan (2008)
- Community Energy Plan (2007)
- Strategic Plan (2007)
- Infrastructure Master Plans (various)
- Guelph and Wellington Transportation Plan (2005).

These studies have been carried out over a number of years in preparation for the Official Plan update. For example, the Natural Heritage Strategy was initiated in 2004. The development of the criteria for the Natural Heritage System underwent extensive public engagement in 2008 and 2009. In July 2009, Council directed staff to use the March 2009 Natural Heritage Strategy as the basis for the development of the Natural Heritage System and policies for inclusion in the Official Plan Update. In February 2010, the City released the draft mapping and policies for the Natural Heritage System for public review and input. The Natural Heritage System and policies included in the DRAFT OPA 42 include the refined mapping and policies resulting from the input since February 2010.

In March 2010, the Key Directions for OPA 42 were posted on the City's web site. Two public meetings were held on March 10 and 11, 2010, and a number of focused consultation sessions were held with ministries and agencies, interests groups, and the Guelph and Wellington Development Association.

The full DRAFT Official Plan was available for public review on April 19, 2010 and a series of public open houses were held on April 20, 21, and 22 at City Hall (The *Planning Act* requires one open house to be held). The purpose of the open houses was to provide the public with an opportunity to review the draft policies, proposed Schedules and related background material, and to ask questions of planning staff in order to obtain an understanding of the Draft Plan. The public have been invited to make written and/or verbal submissions on DRAFT OPA 42 to Council at the May 20th Statutory Public Meeting.

The Province and affected ministries and agencies have been circulated the Draft Official Plan and have been provided with draft policies and background material.

The City has branded the Official Plan Update and associated processes as 'Envision Guelph'. The phrase is intended to communicate the role of the Official Plan to envision the City to the year 2031.

REPORT

Purpose and Effect of Proposed OPA 42

The purpose of the proposed amendment is to address:

- recent changes to Provincial legislation;
- consistency with the 2005 Provincial Policy Statement;
- policies to implement the growth management framework articulated through OPA 39; and
- recommendations from Guelph's recent Master Plans and studies.

If approved, proposed OPA 42 would:

- update the Official Plan organization;
- replace the current Core and Non-Core Greenlands System and policies with the recommended Natural Heritage System and policies consistent with the 2005 Provincial Policy Statement;
- promote urban agriculture and community gardens;
- set out requirements for energy conservation and sustainable design;
- encourage and provide opportunities for renewable and alternative energy systems;
- establish policies to ensure high quality urban design consistent with the directions approved in the City's Urban Design Action Plan;
- update the City's transportation policies to provide a greater focus on transit, walking, cycling, transportation demand management and the use of rail for goods and people movement;
- introduce new planning tools to achieve the objectives of the Official Plan, such as density bonusing, regulation of exterior building design through site plan control, and introduce a framework for that would allow the establishment of a development permit system;
- establish an affordable housing target and implementation measures;
- provide greater certainty for infill and intensification within the Built-up Area of the City through minimum and maximum densities and by directing higher densities to arterials and collectors and other suitable areas as appropriate;
- establish minimum and maximum heights and densities designations within most designations;
- focus new growth at transit supportive densities within the Downtown, along Intensification Corridors, and Mixed Use Nodes established in Official Plan Amendment No. 39.

Overview of Proposed OPA 42

The following is brief overview of the changes proposed in the draft Official Plan. For a detailed explanation of proposed changes refer to Attachment A. The Plan chapters are organized as follows:

1. Introduction
2. Strategic Directions
3. Planning Healthy and Complete Communities
4. Protecting What is Valuable
5. Municipal Services
6. Community Infrastructure
7. Urban Design
8. Land Use
9. Implementation
10. Glossary
11. Secondary Plans
12. Schedules
13. Appendices

Chapters 1, 2, and 3

The first chapter has been revised to clearly set out the purpose and organization of the Plan and how it should be interpreted. Chapter 2 sets out the City-wide vision, guiding principles and goals that inform and set the local context for the Official Plan. The third chapter includes the growth management strategy for the City based on the policies adopted as part of OPA 39. Chapter three also sets high level policy direction for matters that are essential to building complete and healthy communities, such as natural heritage protection, energy sustainability, employment land conversion policy, transportation, servicing and community infrastructure.

Chapter 4

Chapter four indentifies matters that important to protect over the long-term. This chapter includes the Natural Heritage Policies and replaces the current Core and Non-Core Greenlands policies. The new Natural Heritage System identifies Significant Natural Areas for long term permanent protection (i.e. ANSIs, Habitat of Endangered and Threatened Species, Significant Wetlands, Surface Water and Fish Habitat, Significant Woodlands, Significant Valleylands, Significant Landform, Significant Wildlife Habitat(including Ecological Linkages), and Restoration Areas). The Natural Heritage System policies also identify Natural Areas where development may be permitted provided Environmental Impact Studies demonstrate that there will be no negative impacts to the natural features or their ecological functions. (e.g. other wetlands, cultural woodlands and locally significantly wildlife habitat). Restoration areas, wildlife crossings are identified, and environmental stewardship and monitoring programs are also outlinedto address such issues as invasive species, deer, pollinator habitat.

Water quality and quantity is identified as a significant natural resource to be protected, conserved, and enhanced in accordance with the PPS. Source water protection policies are introduced and the City's wellhead protection areas are mapped on Schedule 11.

Policies ensuring public health and safety (e.g. natural hazards, flood plains, landfill constraint areas, and potentially contaminated properties) have been updated.

The City's Community Energy targets and climate change objectives are incorporated into Chapter 4. These policies promote local generation of renewable and alternative energy, the efficient distribution of energy including district energy, and conservation

measures. Energy density is introduced and integrated into the land use and transportation planning process.

Updated Cultural Heritage policies have been included to reflect the new provisions of the Ontario Heritage Act and the PPS, e.g., provisions for the review of development proposals adjacent to designated properties, provisions for inclusion of and review of non-designated properties in the Heritage Register.

Chapters 5 and 6

Municipal Services policies (e.g. staging of services, water & wastewater, storm water management) have been updated to reflect recently competed infrastructure master plans, water conservation targets, and promotion of low impact storm water management techniques.

Appropriate provisions to recognize the role of the City's Site Alteration By-law and Termite Control By-law have been included.

Updates to the transportation polices have been made in the section entitled - 'Moving Goods and People to incorporate the Growth Management principles, appropriate provisions of the Guelph and Wellington Transportation Study, Transportation Strategy Update, and the Community Energy Plan. Greater focus is provided on active transportation (i.e. walking and cycling), transportation demand management, transit and the use of the Guelph Junction Railway for goods and passenger movement. Key "Main Streets" have been identified on Schedule 7 which will have a pedestrian and transit oriented focus, e.g. Downtown and Victoria Rd. N.

The Community Infrastructure section outlines provisions including encouragement for public art and the development of a public art policy for the City. A 36 % target for affordable housing and implementation tools have been incorporated into the Official Plan. Bonusing for density and height are proposed for development proposals that target affordable ownership for households below the 40th percentile income level. Affordable housing will be monitored through Affordable Housing Implementation Reports and the Development Priority Plan.

The Barrier Free policies have been updated to incorporate the policy direction of the Ontarians with Disabilities Act.

The Parks and Recreation Policies have been refined to include Urban Squares as a component of the Parks and Open Space System and to establish updated Parkland dedication policies recommended in the Recreation, Parks and Cultural Strategic Master Plan.

Chapter 7

Urban design polices have been updated to implement the policy direction set out in the Urban Design Action Plan. New provisions include urban squares (e.g. courtyards, plazas, piazzas) are promoted as a means of provide public space within an urban context. Detailed policies related to public art, public views, parking, vehicle-oriented uses, signage, accessibility, lighting, and areas that serve as gateways to the City are addressed. Detailed policies have been included for low,

medium and high-rise built forms as well as for commercial and industrial development.

Chapter 8
Residential

Minimum and maximum heights and densities are specified within designations permitting residential uses. The General Residential designation has been revised within the Built-up Area of the City to provide greater certainty regarding minimum and maximum densities, i.e., a minimum density of 15 units per ha and a maximum of 35 units per ha and a maximum height of 3 storeys. Additional height and density, to a maximum of 100 units/ha and a maximum height of four(4) storeys, may be permitted along arterials and collectors and may also be permitted within the General Residential Built-up Area designation, but only where bonusing is provided. The General Residential designation in the Greenfield Area would permit a minimum of 20 units per ha and a maximum of 100 units per ha, and a maximum of 5 storeys.

Intensification in the form of medium and high density designations are directed to transit supportive locations such as the Downtown, to the Mixed Use Areas, Centres and Corridors identified on Schedule 2. Medium Density would permit a maximum of 100 units per ha and a minimum of 35 units per ha. Heights are required to be between 2 and 5 storeys.

High density Residential would permit densities between 100 and 150 units per ha and heights are required to be between three (3) and ten (10) storeys.

Downtown Guelph

Policies acknowledge that the Downtown Secondary Plan is under preparation and once approved will replace the current Official Plan policies.

Mixed Use Areas, Corridors and Centres

New terminology replaces the Mixed Use Nodes, Intensification Areas and Neighbourhood Centres with Community Mixed Use Areas, Mixed Use Corridors and Neighbourhood Mixed Use Centres, respectively. The commercial policies remain unchanged with respect to retail uses. Additional Neighbourhood Mixed Use Centres have been added to Schedule 2. To achieve a mixed use character, medium and high density residential development is permitted within all three Mixed Use designations and residential unit targets have been assigned to each of the Community Mixed Use Areas and Mixed Use Corridors.

Commercial Service

Commercial Service Areas have been revised to create vehicle-oriented and commercial service focus areas. Drive-through and vehicle-oriented uses are not permitted in other land use designations and are intended to be focused within the Commercial Service designation. For this reason, additional Commercial Service Areas have been designated on Schedule 2.

Commercial–Residential Designation

The Commercial-Residential designation replaces the former Commercial Mixed Use and Mixed Office-Residential Designation and recognizes the areas within the City where a mix of commercial and residential uses co-exist. The intent of these two designations remain unchanged, and the office and/or commercial focus of specific areas have been recognized through the policy.

Employment Areas

The employment areas remain virtually unchanged with the exception that higher densities are proposed within the Greenfield area to ensure the 50 persons and jobs per ha can be achieved. Density targets of 36 jobs per ha are proposed for the industrial designations, and 70 jobs per ha, in the Corporate Business Park. Minimum heights of 2 stories are encouraged in the Greenfield Industrial and Corporate Business Park designations to reduce land consumption requirements.

Regeneration Area

Regeneration Area is introduced as a new land use designation that is intended to spark reinvestment and redevelopment within underutilized areas of the City. The Regeneration Area designation includes the former IMICO site and the north side of York Road between Watson Road and Victoria Road. This area will be subject to a detailed secondary plan. In the interim, existing uses may continue and minor expansions would be permitted until the Secondary Plan is approved to guide future redevelopment.

Other than minor wording, few substantive changes were made to the Major Institutional and Major Open Space and Parks Designations.

Major Utility

Major Utility is a new designation that includes large scale utility facilities that serve a city-wide function including, water and waste water treatment facilities, transfer stations, municipal and hydro works/offices.

Special Study Area
Two Special Study Area designations have been identified on Schedule 2, namely, the Guelph Innovation District and the area south of Clair Road to Maltby Road. These two areas make up a large portion of the Greenfield area and will be planned to accommodate a significant portion of the forecasted population and employment growth for the City.
Secondary Plans will be required to plan future development in these key areas.

Approved Secondary Plans
Secondary plan policies contained within the current Official Plan (e.g. Eastview, Goldie Mill, South Guelph and Victoria Road North) have been incorporated into the general polices of the Plan and revised, where necessary, to be consistent with the 2005 Provincial Policy Statement and conform with the Growth Plan.

The Silvercreek Junction Secondary Plan (recently approved by the OMB) is the only area that is identified on Schedule 2 as having an approved secondary plan. The Silvercreek Junction Secondary Plan is appended under Chapter 11 of the Official Plan. As additional Secondary Plans are approved, (e.g., for the Downtown, the Guelph Innovation District and the Community Mixed Use Areas) they will be added to the Official Plan as discrete plans under Chapter 11.

Exceptions
Exceptions applicable to specific properties have been identified and included in Chapter 8.

Chapters 9, 10, 11, 12, and 13
Implementation policies have been updated to enable the City to make use of planning tools provided through the Planning Act. This includes bonusing policies that would enable Council to permit additional height and density in exchange for community benefits (e.g., affordable housing, green building certification, underground or structured parking, etc), regulation of exterior building design through the site plan approval process, and setting the framework for a development permit system.

The glossary has been update, including additional terms that are consistent with the 2005 Provincial Policy Statement.

Next Steps

The full Official Plan Amendment 42, as presented at the May 20th Council meeting, constitutes the statutory public meeting required under the *Panning Act* for the second phase of the Official Plan Update. However, it has been determined that only the Natural Heritage System policies and mapping should go forward for adoption in July 2010 in order to provide more time for public input on the remainder of the Official Plan Update released on April 19,2010. The Natural Heritage System policies and mapping have been the subject of extensive public engagement and have been available to the public since February 2010.

The remainder of the Official Plan amendment will be brought back to Council for consideration early in 2011, after careful consideration of the comments received.

CORPORATE STRATEGIC PLAN

The adoption of Official Plan Amendment No. 42 is a critical step to achieving the City's Strategies goals, which include:

Goal 1: An attractive, well functioning and sustainable city
Goal 2: A healthy and safe community where life can be lived to the fullest
Goal 3: A diverse and prosperous local economy
Goal 4: A vibrant and valued arts, culture and heritage identity
Goal 5: A community-focused, responsive and accountable government
Goal 6: A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

There is sufficient funding in the Official Plan Update budget for additional public meetings and reproduction of the Plan.

Capital costs associated with additional studies and growth proposed in the draft Official Plan will be forecasted as part of the capital budget and funded in part through the development charges. The City will continue to work the Province in a collaborative partnership to present a business case and examine opportunities for government investment in public infrastructure as appropriate to ensure that the growth forecasted by the Growth Plan and the City's Official Plan can be accommodated in a fiscally sustainable manner.

DEPARTMENTAL CONSULTATION

Community Design and Development Services (Engineering)
Legal Services
Finance

COMMUNICATIONS

Many of the policy inputs to the proposed Official Plan involved an extensive public engagement processes (e.g., Natural Heritage Strategy, Affordable Housing, Growth Management Strategy). Building on the public engagement that has already taken place, a number of meetings were held in March 2010 with the public and key stakeholder groups to communicate the key policy directions contained within the OPA 42. Notice of these meetings was published in the City News section of the Guelph Tribune on February 25 and March 4, 2010, posted on the City's website, and mailed/emailed to persons and organizations that have been involved and or requested notice in Official Plan and related initiatives.

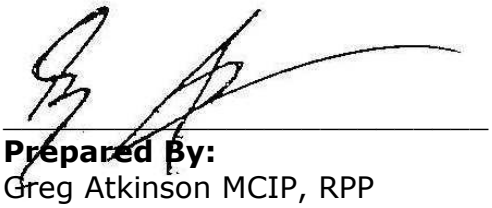
Three public open houses were held on April 20, 21 and 22 2010 where the full proposed draft Official Plan and related information and background material was available for public review. Planning staff was available to answer questions. Notice of the public open houses was published in the City News section of the Guelph Tribune on April 8 and 15, posted to the City's website, 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 in Official Plan-related initiatives.

A statutory public meeting of May 20, 2010 provides an opportunity for the public to make representations or submit written comments on the proposed Draft Official Plan amendment (OPA 42). Notice of the Council meeting was provided with the notice of public open houses.

ATTACHMENTS

Attachment A: Detailed Summary of Draft Official Plan Update Changes

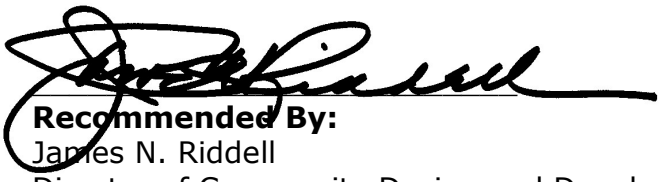
Attachment B: Proposed Official Plan Amendment No. 42 (Previously Distributed and available online at http://guelph.ca/living.cfm?smocid=2341)



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Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
Official Plan Schedules and Appendices	**Schedule 1: Growth Plan Elements** **Schedule 2: Land Use Schedule** • Natural Heritage System replaces Core and Non-Core Greenlands. • Downtown Urban Growth Centre modified to reflect Growth Plan Elements Schedule 1 (OPA 39). • The Special Study Area in east Guelph modified to reflect the Guelph Innovation District Secondary Plan Study Area, with the exception of the Service Commercial and Neighbourhood Centre designations on York Road. • The South Guelph area currently identified as Reserve Lands and including a portion of the designated Corporate Business Park west of Gordon, and the General Residential area to the east of Gordon included in a Special Study Area and will require a Secondary Plan prior to consideration of development proposals. • Additional Commercial Service designations have been added to provide further opportunities for vehicle oriented uses, e.g., north of the intersection of Laird and Clair, Arkell and Victoria, Speedvale east of Elmira Road, and Paisley and Imperial. • Additional Commercial Residential Designations to recognize site specific amendments to the Official Plan and to encourage similar such uses, e.g., along Gordon St. and Woolwich Street north of the Downtown. • Re-designation of isolated Industrial designations in keeping with the City's Phase 2 Employment Land Strategy, e.g., north of the Woodlawn Community Mixed Use Area Designation and north of the Watson Community Mixed Use Area Designation. • New Regeneration Area Designation, which includes the former IMICO site and adjacent lands, and the Service Commercial designation on the north side of York Road east of Victoria Road. • Addition of new Neighbourhood Mixed Use Designations, e.g., Clair and Victoria, Arkell and Gordon, Woolwich and Speedvale. • Establish two designations for General Residential, one within the Built-up Area and the second within the Greenfield Area with separate policies (addressed in Land Use Section). • New Medium and High Density designations throughout both the Built Up Area and the Greenfield Area - in particular along Intensification Corridors, arterials and collectors, e.g., Gordon St. and Victoria St. south of Stone Road and locations along the Guelph Junction Railway, south of Speedvale. Their identification provides more certainty for growth and are required to ensure that the Growth Plan intensification targets are achieved. • Waste Management designation renamed 'Utilities' and all major public utility facilities are included in this designation e.g., Municipal Street

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	works yard, water works and sewage treatment facility and hydro facilities. **Schedule 3 -** Incorporated the existing Downtown Land Use Schedule in new Official Plan format **Schedule 4 -** Natural Heritage System (NHS) Designations **Schedule 4A -** NHS – ANSIs, Habitat for Provincially Threatened and Endangered Species and Wetlands **Schedule 4B -** NHS Surface Water and Fish **Schedule 4C** - Significant Woodlands **Schedule 4D** - Significant Valleylands and Significant Landform **Schedule 4E –** Significant Wildlife Habitat **Schedule 5 -** Development Constraints **Schedule 6** - Staging of Development **Schedule 7** - Road and Rail Network **Schedule 8 -** Trail Network **Schedule 9 -** Bicycle Network **Schedule 10 -** Areas of Archaeological Potential **Schedule 11-** Wellhead Protection Areas **Appendices** **Appendix 1 -** Natural Heritage Strategy Ecological Land Classification **Appendix 2 -** Designated Heritage Resources
1.0 Introduction 1.1 Pupose of the Plan 1.2 Plan Organization 1.3 Interpretation 1.4 Planning Area	The introductory Chapter has been revised to clearly articulate the purpose, format, and interpretation provisions of the Plan.
2.0 Strategic Directions 2.1 Official Plam Vision 2.2 Guiding Principles 2.3 Strategic Goals of the Plan	The Mission Statement, Operating Principles, and Major Goals of the Official Plan have been updated to reflect: • Strategic Plan, • The Provincial Growth Plan, • Local Growth Management Strategy, • OPA 39, • Community Energy Plan, • 2005 Provincial Policy Statement, and • Council adopted policy documents.
3. 0 Planning Complete and Healthy Communities 3.1 Purpose of this Section	• A new chapter in the Official Plan that includes the broad objectives and growth management policies from OPA 39 (the Growth Plan Conformity Amendment). • Inclusion of growth management objectives, as adopted through OPA 39.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
3.2 Objectives 3.3 Population and Employment Forecasts 3.4 Settlement Area Boundary 3.5 Settlement Area Rural Boundary Separation 3.6 Housing Supply and Residential Density 3.7 Built-up Area and General Intensification 3.8 Urban Growth Centre 3.9 Major Transit Station Area 3.10 Intensification Corridors 3.11 Community Mixed use Nodes 3.12 Greenfield Area 3.13 Affordable Housing 3.14 Employment Lands 3.15 Making Land Use and Transportation Connections 3.16 Natural Heritage System 3.17 Culture of Conservationm 3.18 Energy Sustainability 3.19 Municipal Services 3.20 Community Infrastructure	• Establishment of broad objectives relating to the economic, cultural, natural, and social environments. • Objectives and policies relating to development around the fringe of the City's boundary. The urban fringe policies have been included in this section as they are directly connected with the objectives of the Growth Plan. • Establish general direction for sustainable transportation. • Inclusion of sustainable energy objectives and the policy direction to integrate land use planning, transportation and energy.
4.0 Protecting What is Valuable 4.1 Natural Heritage System 4.1.1 Purpose 4.1.2 Objectives 4.1.3 Genral Pollicies 4.1.4 General Permitted Uses 4.1.5 Significant	***Natural Heritage System(NHS)*** • *Replace the Core and Non-Core Greenlands designations and policies with Natural Heritage System designations and policies.* • *Integrates the PPS (2005).* • *Systems approach to recognizing and maintaining the ecological function and connectivity of the City's NHS.* • *Two Natural Heritage designations are identified on Schedule 2 (Significant Natural Areas and Natural Areas).* • *Passive uses permitted within the entire Natural Heritage System, e.g.,*

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
Natural Heritage System 4.1.6 Natural Areas 4.1.7 Wildlife Crossing Locations 4.1.8 Urban Forest 4.1. 9 Vegetation Compensation Plan 4.1.10 Natural Heritage Strewardship and Monitoring 4.2 Environmetal Impact Studies	*low impact scientific and education, fish and wildlife management.* • *Minimum buffers are required for a number of features, e.g., 30 m from a Provincially Significant wetland.* • *Minimum buffers to be established at the time of Environmental Impact Study(EIS), e.g., ANSI's, Significant Valleylands, Significant Wildlife Habitat.* • *Recognizes legally existing uses.* • *Identifies the significant portions of the Paris Galt Moraine for protection based upon 20% slope concentrations and closed depressions.* ***Significant Natural Areas*** • *Includes: ANSIs, Habitat of Endangered and Threatened Species, Significant Wetlands, Surface Water and Fish Habitat, Significant Woodlands, Significant Valleylands, Significant Landform, Significant Wildlife Habitat, and Restoration Areas.* • *Identified for long term permanent protection.* • *Development and site alteration not permitted with Significant Natural Areas except for passive recreation, educational and scientific research activities, fish and wildlife management, forest management, habitat conservation, and restoration activities.* • *Essential transportation and linear utilities may be permitted in specific features or areas i.e., Ecological Linkages, Significant Landform, Significant Valleylands, and Surface Water and Fish Habitat.* • *Stormwater management facilities permitted within certain buffers, Significant Valleylands, Ecological Linkages and Restoration Areas.* • *Renewable energy systems permitted in Significant Valleylands.* • *Municipal Wells and underground water storage permitted in the Significant Landform.* ***Natural Areas*** • *Includes Other Wetlands, Cultural Woodlands, and Habitat of Significant Species.* • *Contains features and functions that require detailed study prior to consideration for development and site alteration.* • *Development and site alteration may be permitted provided there is no negative impact to the natural features or their ecological functions.* • *Requires protection of existing trees or Vegetation Compensation Plan required for removal of trees over 10 cm DBH and healthy native shrubs or cash-in-lieu.* ***Wildlife Crossing Locations*** • *Identified to ensure wildlife crossing measures are implemented to reduce risk to wildlife and vehicles.* ***Urban Woodlands***

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	• *Establish a canopy cover target of 40% by 2031.* • *Encourages protection of plantations, hedgerows, and individual trees which are not part of the Natural Heritage System.* • *Requires protection of trees or Vegetation Compensation Plan for trees removed over 10 cm DBH or cash-in-lieu.* ***Vegetation Compensation Plan*** • *Vegetation Compensation Plan directs restoration predominantly to established buffers, Significant Valleylands, Significant Landform, Ecological Linkages and Restoration Areas.* • *Restoration may include meadow or shrub habitat.* • *Replacement planting should be indigenous species.* • *Details of the replacement requirements of the Vegetation Compensation Plan and cash-in-lieu provisions will be addressed and detailed through the Urban Forest Management Plan.* ***Stewardship and Management*** • *Policies added to address invasive species, deer, land stewardship, pollinator habitat and ecological monitoring.* ***Environmental Impact Statements (EIS)*** • *EIS provisions refined to reflect the 2005 PPS with respect to surface and groundwater features and the linkage between these features and the Natural Heritage System.* • *Clarification regarding adjacent lands analysis as part of EIS.* • *Identification of other studies required in support of EIS, e.g., Ecological Land Classification, Wetland Evaluation, Tree and Shrub Inventory, Wildlife Inventory (e.g., breeding bird study), Water Balance.*
4.3 Watershed Planning 4.4 Water Resources 4.5 Public Health and Safety 4.5.1 Natural Hazards Flood Plains Erosion and Hazardous Sites 4.5.2 Landfill Constraint Area 4.5.3 Potentially Contaminated Sites 4.5.4 Noise and Vibration	**Watershed Planning** • Updated to emphasize the role of subwatershed planning, in particular as it relates to: o the protection and improvement of surface water and groundwater features and systems, o linkages between surface water, groundwater and natural heritage features in accordance with the Provincial Policy Statement, and o as the basis for comprehensive stormwater management. **Water Resources** • Water Resources protection and conservation policies revised to incorporate 2005 PPS. • Updated to include appropriate references and provisions with respect to Source Water Protection Plan in accordance with the *Clean Water Act*. • Establish policies to restrict development and site alteration to protect,

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	restore or improve municipal water supplies, vulnerable surface water and groundwater areas and sensitive surface water and groundwater features[1] and their hydrologic function. • Require technical studies in support of development or site alteration that demonstrate how the water quality and quantity within Wellhead Protection Area and other vulnerable or sensitive areas are to be protected or improved. • Identify Well Head Protection Areas (Schedule 11) based on the following categories; 100 m from a municipal well, with 2, 5 and 25 year time of travel from a municipal well. • Include provisions to facilitate provincial funding for removal or mitigation of threats associated with existing wells and septic systems. • Policy provisions to implement the Water Conservation and Efficiency Strategy (2009). • Discourage use of potable water for outdoor watering. • Protect wetlands and other areas that contribute to groundwater. • Prohibit the placement of new underground chemical /fuel storage tanks within the City. **Public Health and Safety** **Flood Plain** • Flood Plain Two Zone and Special Policy Area policies remain substantially unchanged. **Steep Slope, Erosion Hazards** • Steep slope, Erosion Hazard Land and Unstable Soils section updated to reflect the PPS and the Conservation Authority Regulations. **Landfill Constraint** • Minor wording changes to the Landfill Constraint section to recognize the role of the Eastview landfill site as part of the City's Open Space and Parks system.

[1] Vulnerable means surface water and groundwater that can easily be changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface water and or groundwater.(PPS)

Sensitive in regard to surface water and groundwater features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to water withdrawals, and additions of pollutants.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	Potentially Contaminated Sites • Require development applications to submit documentation on the previous use of a potentially contaminated site and on lands adjacent to the site. • Revised to clarify the need for a Phase 1 Environmental Site Assessment required for all development or site alteration affecting a potentially contaminated site. • Record of Site Condition required where a change to a more sensitive land use is proposed and for development on known or suspected brownfield sites. **Noise and Vibration** • Minor modifications to reflect the provisions of the PPS and ensure impacts on sensitive land uses are minimized and or mitigated in accordance with provincial requirements. **Mineral Aggregate Resources Area Section** • Mineral Aggregate Extraction provisions removed from the Plan.
4.6 Community Energy and Climate Change 4.6.1 Objectives 4.6.2 General Policies 4.6.3 Local Generation 4.6.4 Local Sustainable Transmission 4.6.5 End Use Efficiency/Conservation 4.6.6 Transportation – Urban Form/Density 4.6.7 Corporate Leadership 4.6.8 Climate Change	**Community Energy and Climate Change** • Update the current Climate Change section of the Official Plan to promote sustainable development through conservation, efficiencies and design. • Reflect the provisions of the *Green Energy and Economy Act* which facilitates and streamlines production of energy from renewable energy systems that are no longer subject to land use planning approval. • Implement Community Energy goals through renewable and alternative energy systems, sustainable transmission, district energy, efficiencies, conservation, transportation and urban form. **Renewable Energy** • Supports renewable energy systems including solar thermal and geothermal systems. **Alternative Energy** • Permits alternative energy systems such as, combined heat and power, in all designations, except within General Residential and Medium Density Residential designations. • Permit new large scale alternative energy power generation producing greater than 10 megawatts through an amendment to the Plan. **Sustainable Transmission** • Encourage utility adaptation to emerging technology, such as smart metering and advanced telecommunication.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	District Energy • Encourage the development of guidelines and technical standards to implement district energy. • Undertake feasibility studies for district energy in conjunction with secondary plans. • Support public private partnerships to implement district energy. • Development required to be district energy ready, where district energy is planned. **Efficiency and Conservation** • Require energy/water conservation plan and completion of City sustainability checklist as part of complete application. • Outline potential municipal incentives (e.g., CIP grants, density bonusing, expediting processing of development approvals, etc.) that may be provided for meeting standards beyond Building Code requirements. • Policy direction to monitor energy efficiency to meet Energy Goals and Targets. • Encourage energy and water efficiency standards. **Sustainable Building Design** • Encourage Energy Star, LEED Building Standards or equivalent based on Canada's Natural Resources EnerGuide rating system. • Ensure building location, street and lotting patterns maximize advantage of active and passive solar systems. • Encourage building design to go beyond the current building code (e.g., multi-residential). • Building energy/water efficiency labeling required. • Encourage retrofitting of existing buildings. • Encourage use of environmentally friendly and locally sourced building materials. • Strongly encourage three stream waste separation in multiple residential buildings. • Reduce local heat island impacts (landscaping)and roof material including but not limited to green roofs. • Require sustainable exterior building design details (e.g., light coloured building facades, window glazing treatment/awnings) • Maintain and require three stream waste separation in new development. **Integrated Energy Mapping** • Use energy mapping to identify potential district Energy Areas and provide support for the establishment of minimum densities and transportation networks. • Identify land use, building development and transportation practices that directly impact energy demand.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	Corporate Leadership • Lead by design through actions such as, implementing energy and water conservation programs, supporting public /private partnerships that exhibit energy efficiencies, encouraging changes to the Building Code, preparing energy conservation and demand management plans for municipal assets, require all new municipal buildings to be LEED silver, and encourage low maintenance landscaping on City lands. **Climate Change** • Establish long term goals for zero carbon emissions.
4.7 Cultural Heritage Resources 4.7.1 Objectives 4.7.2 General Objectives 4.7.3 Heritage Designation 4.7.4 Heritage Conservation Districts 4.7.5 Development and Site Alteration Adjacent to a Designated Heritage Property 4.7.6 Non-Designated Properties Included in the Heritage Register 4.7.7 Archaeological Resources 4.7.8 Heritage Guelph 4.7.9 Heritage Trees 4.7.10 Cultural Heritage Impact Assessment 4.7.11 Scoped Cultural Heritage Impact Assessment 4.7.12 Cultural Hiertiage Conservation Plan 4.7.13 Cultural Heritage Review 4.7.14 Implementation Policies	**Cultural Heritage Resources** • Terminology refined to reflect the PPS. • Inclusion of policies for analysis of development proposed on adjacent lands to designated properties (PPS). • New provisions for inclusion of properties of heritage value and interest (non-designated) in the Heritage Register. • Provisions for the process for addition to and/or removal from the Heritage Register of properties of heritage value or interest (non-designated). • Inclusion of provisions for identification of heritage trees.
5.0 Municipal Services 5.1 Introduction 5.2 Objectives	**Municipal Services** **Staging of Development**

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
5.3 General Policies 5.4 Staging of Development 5.5 Water Supply 5.6 Waste Water Treatment 5.7 Solid Waste Management 5.8 Stormwater Management 5.9 Site Alteration 5.10 Termite Control 5.11 Electrical Transmission Lines and Pipelines 5.12 Movement of People and Goods – An Integrated Transportation Network 5.12.1 Objectives 5.12.2 General Policies 5.12.3 Barrier Free Transportation 5.12.4 Transportation Demand Management (TDM) 5.12.5 Active Transportation – Pedestrian Movement and Bicycles 5.12.6 Public Transit 5.12.7 Major Transit Station Area 5.12.8 Transit Promotion 5.12.9 Inter Regional Transit Network 5.12.10 Road Network 5.12.11 Functional Hierarchy of Roads 5.12.12 Road Design 5.12.13 Trucking and Goods Movement 5.12.14 Noise and Vibration 5.12.15 Railways 5.12.16 Airport 5.12.17 Parking 5.12.18 Coordination 5.12.19 Provincial /County Connections 5.12.20 Development Adjacent to Planned Transportation	• Staging and phasing policies/mapping (Schedule 6) updated to reflect growth management and detailed Secondary Plan processes. • Deletion of detailed Secondary Plan staging policies as these areas are built. **Water Supply, Waste Water, and Solid Waste Management** • Promotion of water conservation consistent with the City's Community Energy goals and recommendations of the Water Conservation and Efficiency Strategy Update (2009). • References to the Water Supply Master Plan (2006), Wastewater Treatment Master Plan (2009), and Solid Waste Management Plan (2008). • Policies to ensure growth can be sustained through physical servicing capacity. **Stormwater Management** • Refined stormwater management policies to reflect low impact stormwater management and appropriate reference to the Stormwater Master Plan underway. • Include policies to reflect the water quality and quantity provisions of the PPS. **Site Alteration and Termite Control** • Appropriate provisions to recognize the role of the City's Site Alteration By-law and Termite Control By-law have been included. **Movement of People and Goods** • Promotion of Transportation Demand Management. • New policy to require bicycle lanes on all arterials, wherever possible. • New policies that promote walking and cycling. • Encourage shorter trip distances through compact mixed use urban form. • New policy to reflect transit as the preferred vehicular mode of transportation in keeping with the Growth Plan and OPA 39. • Establish new average daily modal split target from current 10% (Transit Strategy) to 15% for transit, 15% walking and 3% cycling. • Introduction of 'Main Street' street type (e.g., pedestrian-oriented road in Downtown, Victoria Rd. N and in Mixed Use Nodes and Corridors). • Incorporation of applicable portions of the Guelph & Wellington Transportation Master Plan and Transportation Strategy Update. • Removal of Stone Road and College Ave extension into Wellington County. • Incorporate provisions for accessibility. e.g., sidewalks on both sides of the street (*Accessibility for Ontarians' with Disabilities Act*). • Encourage use of rail for goods and people movement.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
Corridors 5.12.21 Road Widenings 5.12.22 Intersection Improvements 5.12.23 Implementation of Transportation Initiatives	• Recognition and promotion of future role of Guelph Junction Railway for both goods and people movement. • Potential for reduced parking requirements for development within the Downtown, Mixed Use Nodes, Intensification Corridors, Major Transit Station Area, and for affordable housing.
6.0 Community Infrastructure 6.1 Community Facilities 6.2 Public Art and Culture 6.3 Affordable Housing 6.4 Barrier Free Environment 6.5 Recreation and Parks 6.5.1 Objectives 6.5.2 City Trail Network 6.5.3 Park Hierarchy 6.5.4 Urban Squares 6.5.6 Community Parks 6.5.7 Regional Parks 6.5.8 Parkland Deficiencies 6.5.9 Parkland Acquisition 6.5.10 Parkland Dedication 6.5.11 Other Agencies 6.5.12 Parks Development 6.5.13 Recreation, Parks and Culture Strategic Master Plan	**Public Art and Culture** • Encouragement of cultural facilities and incorporation of public art throughout the City. • Encourage cultural facilities such as museums, art galleries, etc. as an integral part of the City's social and cultural fabric. **Affordable Housing** Specific annual affordable housing targets, including: • 36% average annual target of all new housing to be affordable e.g., 37% Affordable Ownership, 3% Affordable Rental, 6% Social Rental. • Affordable housing to be provided throughout all areas of the City. • Implementation of the affordable housing target will be outlined in annual Affordable Housing Implementation Reports. • Accessory apartment target of approximately 90 units encouraged per year. • Bonusing for density and height are proposed for development proposals that target affordable ownership for households below the 40th percentile income level. • Affordable housing targeted in areas served by transit, shopping, parks, and other community facilities (e.g. Downtown, Community Mixed Use Areas, Intensification Corridors). • Larger developments to provide full spectrum of affordable housing (i.e. tenure and type). • Establish policies to assist in the provision of affordable housing through expedited development approvals, using surplus government lands, leveraging senior government funding, and financial assistance. • Focus on retention of exiting rental housing through rehabilitation, restriction of condominium conversion, demolition control and enforcement of the property standards by-law. **Barrier Free Environment** • Polices and terminology update in accordance with the 2005 PPS and Accessibility for Ontarian's with Disabilities Act. **Recreation and Parks** • Incorporation of Trail Master Plan (2005) – Existing and Proposed Trails (Schedule 8). • Specification of parkland per 1000 population in accordance with the recommendations of the Recreation, Parks and Cultural Strategic Master

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	Plan. • Introduction of urban squares as park space.
7.0 Urban Design 7.1 Objectives 7.2 General Policies 7.3 Sustainable Urban Design 7.4 Public Realm 7.5 Landmarks, Public Views, and Public Vistas 7.6 Gateways 7.7 Built Form: Low Rise Residential Forms 7.8 Built Form: All Built Forms other than Low Rise Residential Forms 7.9 Built Form: Buildings in Proximity to Residential and Institutional Uses 7.10 Built Form: Mid-rise Buildings 7.11 Built Form: High-rise Buildings 7.12 Built Form: Vehicle-oriented Uses 7.13 Transition of Land Use 7.14 Parking 7.15 Access, Circulation, Loading and Storage Areas 7.16 Signage 7.17 Display Areas 7.18 Lighting 7.19 Landscaping and Development 7.20 Safety 7.21 Accessibility 7.22 Urban Squares 7.23 Public Art 7.24 Development Adjacent to River Corridors	• Refined objectives reflect the Urban Design Action Plan. • Development proposals reinforce a modified grid-like street network and new cul-de-sacs only where warranted by natural site conditions. • Reverse lotting and 'eye-brow' streets adjacent to arterial and collector roads strongly discouraged. • New policies proposed to achieve a stronger pedestrian oriented environment (e.g. on-street, parking, transit priority measures, etc.). • Requirements for development to address the street edge. • City-wide gateways identified and co-ordination of street infrastructure. • Subdivision entrance features (i.e., signs etc.) and gated subdivisions strongly discouraged. • Rear lane development encouraged where appropriate. • Protection of public views to landmarks and natural areas. • Reverse lotting adjacent to natural areas discouraged. • Garage width and setback policies to minimize dominance on the streetscape. • Policies added for the design of midrise and high-rise buildings (reduce massing and encourages buildings with podiums and narrow shafts). • Design policies for automobile-oriented uses related to drive-throughs, gas stations, etc. • Underground parking and shared driveways are encouraged or strongly encouraged dependent upon densities and uses. • Addition of signage policies. • Lighting policies added addressing shielding, light spillage, lighting levels based on context/compatibility. • Updated accessibility policies. • Underground utility servicing encouraged. • Landscaping policies added. • Public art policies added. • Urban Square policies added (Urban Squares may be public or private). • Sustainable streetscape designs on adjoining roadways (e.g. non-invasive and drought and salt-tolerable plantings, bioswales, rain absorbent landscaping, granular-based pavers, street furniture, curb ramps, lay-bys, bicycle facilities, transit shelters). • Sustainable subdivision design standards (e.g., layout of street/lot patterns to maximize solar gain, limit block length, pedestrian connections, etc.). • Policies for Secondary Plans (i.e., Goldie Mills, South Guelph, Victoria Road North) generally removed or made applicable City-wide.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
8.0 Land Use Designations 8.1 All Land Use Designations General	• Recognition of public energy generation facilities and private energy generation facilities less than 10 megawatts as a permitted use as appropriate in all land uses designations except as limited by the specific designations e.g., Natural Heritage System and provided for in the *Green Energy and Green Economy Act*. • New policy direction supporting urban agriculture and community gardens.
8.2 Land Uses Designations Permitting Residential Development	• This section identifies the uses permitted in all land use designations that permit residential development and include the following uses: affordable housing, special needs housing, lodging houses, home occupations, schools, places of worship, day care centres and convenience commercial.
8.3 Residential 8.3.1 All Residential 8.3.2 General Residential 8.3.3 Medium Density Residential 8.3.4 High Density Residential	**General Residential Designation** Separate General Residential policies in the Built Up Area and the Greenfield area to ensure stable residential areas within the Built Up Area and flexibility within the Greenfield area: • Built-up Areas o Maximum density of 35 units per hectare within the Built-up Area o Maximum three (3) storey height limit o Additional height and density permitted: a) on lands adjacent to arterial and collector roads (i.e. up to a maximum height of 4 storeys and density of 100 units per hectare); and b) within the Built-up Area outside of lands adjacent to arterial or collector roads, a maximum of 4 storeys and a minimum of 15 units per ha and a maximum of 100 units per hectare may be permitted subject to development criteria and the bonusing provisions of the Official Plan (e.g. provision of affordable housing, green building certification, public art, etc.) • Greenfield Area o Greenfield Area to permit a mix of low, medium and high density residential development between 20 and 100 units per hectare to allow flexibility for a full range of housing opportunities as projected by the Growth Management Strategy. o Maximum height of 5 storeys. • Permit coach houses and garden suites without an amendment to the Zoning by-law, but subject to Site Plan Approval. • Continue to permit accessory dwellings in single and semi-detached dwellings throughout the General Residential designation. **Medium Density Designations** • Minimum density 35 units per hectare.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	• Maximum density 100 units per hectare. • Minimum height 2 storeys. • Maximum height 5 storeys. • Additional height and density may be permitted through the bonusing provisions. • Additional medium density residential designations identified on the Land Use Schedule to provide more certainty and to direct intensification along arterials and collectors (including the Guelph Junction Railway), adjacent to the Mixed Use Areas, Centres and Corridors. • Structured/underground parking encouraged. **High Density Residential** • Minimum density 100 units per hectare • Maximum density 150 units per hectare • Minimum height 3 storeys • Maximum height 10 storeys • Additional height and density may be permitted through the bonusing provisions. • Additional high density residential designations identified to provide more certainty and direct intensification along arterials and collectors, as well as along the Guelph Junction Railway, adjacent to the Community Mixed Use Nodes, and within the Intensification Corridors identified on Schedule 1 • Structured parking strongly encouraged.
8.4 Downtown Guelph	**Downtown Guelph** • No major changes, but recognition that the Secondary Plan is under preparation. • Terminology changes to reflect the Downtown as defined on Schedules 1 and 2 as the City's Urban Growth Centre. • Provisions to achieve a density of 150 persons and jobs per hectare in accordance with the Growth Plan requirements and Official Plan Amendment 39.
8.5 Mixed Use Areas, Corridors and Centres Designation 8.5.1 Community Mixed Use Area Designation 8.5.2 Mixed Use Corridor Designation 8.5.3 Neighbourhood Mixed Use Centre Designation	**Community Mixed Use Areas** • Addition of the Silver Creek Community Mixed Use Area on Schedule 1 Growth Plan Elements, on Schedule 2 and included under the Secondary Plan Section (OMB decision Jan 12, 2010). • Policy provisions to establish residential unit targets for each of the Community Mixed Use Areas. • Permit medium/high density residential uses to ensure walkable, mixed use, and transit supportive development. • Minimum height 2 storeys of usable space. • Maximum height 6 storeys.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
8.5.4 Plan Amendment Requirements 8.5.5 Impact Studies	• Underground/structured parking encouraged. • Surface parking only permitted in rear or side yard. • Drive through and auto service uses not permitted. • Retain the limitations on retail floor area and major office use within the Community Mixed Use Areas as established by the Commercial Policy Review. • Retain the provisions that small scale offices and services may be permitted in the Community and Neighbourhood Mixed Use Nodes and that Major Office would be focused in the Downtown and Mixed Use Corridors (e.g. Stone Road, Eramosa, Silvercreek). **Mixed Use Corridors** • Former Intensification Areas renamed to Mixed Use Corridor designation. (Silvercreek, Eramosa/ Stevenson and Stone Road). • Residential Unit provisions for each of the Corridors to ensure Mixed Use. • Minimum height 2 storeys of usable space. • Maximum height 5 storeys except within the Stone Road Corridor a maximum height of 8 storeys would continue to be permitted. • Residential minimum density of 100-150 units per ha. • Underground/structural parking encouraged. • Retained retail floor area provisions as established by the Commercial Policy Review. • Additional height and density may be permitted subject to the bonusing provisions of this Plan. • Provision for Secondary Plans to be developed to vision and guide future development in the Mixed Use designation. **Neighbourhood Mixed Use Centres** • Policy provisions to ensure that medium/high density residential is established to ensure walkable, mixed use, and transit supportive development. • Minimum height 2 storeys of usable space. • Maximum height 5 storeys. • Drive through and auto service uses not permitted. • Surface parking only permitted in rear or side yard. • Medium and high density residential development permitted.
8.6 Commercial 8.6.1 Commercial Service 8.6.2 Commercial Residential	**Commercial Service** • Residential uses no longer permitted in Commercial Service designations. • Focus on vehicle-oriented uses such as drive-throughs and service stations and currently permitted uses. **Commercial-Residential Areas** • Former Mixed Office-Residential and Commercial Mixed Use designations

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
	combined into Commercial Residential designation distinction between office and retail/service commercial uses retained through policy. • Maximum height 4 storeys.
8.7 Employment Areas – Industrial 8.8 Corporate Business Park 8.9 Institutional Research Park	**Employment Areas** • Insertion of employment land conversion criteria adopted through OPA 39. • higher densities are proposed within the Greenfield area to ensure the 50 persons and jobs per ha can be achieved. • Density targets of 36 jobs per ha are proposed for the Industrial designations, and 70 jobs per ha, in the Corporate Business Park. • Minimum heights of 2 stories are encouraged in the Industrial and Corporate Business Park designations to reduce land consumption. • Enhanced urban design criteria proposed to reflect the Urban Design Action Plan. • Encourage structured or underground parking in Institutional Research Park and Corporate Business Park.
8.10 Regeneration Area	**Regeneration Area** • Creation of a new land use designation that will focus on the reuse of underutilized sites (e.g. IMICO site, north of York Road between Watson Parkway and Stevenson, and on the currently designated Mixed Office–Residential designation north of York Road west of Stevenson). • Objectives of the Regeneration Area are to establish land use designations that revitalizes the area and promotes the use of the Guelph Junction Railway for goods and people movement, addresses the gateway function of York Road and aims to clean up brownfield sites. • Secondary plan required to guide future development. • Focus on high quality and sustainable design. • Allows for minor development to occur prior to Secondary Plan in accordance with the objectives of the section and existing zoning provisions.
8.11 Major Institutional Designation	• No significant changes
8.12 Open Space and Parks Designation	• Updated to reflect Guelph Trail Master Plan and Recreation, Parks & Culture Strategic Master Plan. • Refined Schedule 8 identifying existing and proposed City Trails.
8.13 Major Utility Designation	• Waste Management designation renamed 'Utilities' and all major public utility facilities placed in this designation e.g., Municipal Street works yard, water works and sewage treatment facility.

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
8.14 Special Study Areas Designation 8.14.2.1 Guelph Innovation District Special Study Area 8.14.2.2 Clair/Maltby Special Study Area	• Special Study areas are areas where detailed secondary planning is required and for which there is predominantly no underlying designation or permitted uses. • Continue to identify the Guelph Innovation District, including the lands currently designated "Institutional" within a Special Study Area designation. • Identify the South Guelph lands within a Special Study Area. • Objectives defined for each Special Study Area e.g., employment and urban village concept for new development in south Guelph and Guelph Innovation District.
8.17 Exceptions	• Exceptions to the Official Plan that have been made through site specific amendment have been identified and included.
9.0 Implementation 9.1 Official Plan Update and Monitoring 9.2 Secondary Plans 9.3 Public Engagement Notification Policies 9.4 Community Improvement 9.5 Implementation 9.6 Property Standards 9.7 Land Acquisition 9.8 Parkland Acquisition 9.9 Municipal Finance 9.10 Pre-consultation and Complete Application Requirements 9.11 Zoning By-laws 9.12 Bonusing Provisions 9.13 Plans of Subdivision, Condominium, and Part-lot Control 9.14 Committee of Adjustment 9.15 Site Plan Control 9.16 Temporary Use By laws 9.17 Interim Control By law 9.18 Holding By law 9.19 Sign By law 9.20 Demolition Control 9.21 Development Permit System	• General updating of tools and implementation measures that support successful local planning. • Public engagement policies updated to reflect current City practice of engagement residents via multiple communication mediums. • Bonusing - Additional height and density permitted (subject to Council approval) where appropriate in exchange for community benefits (e.g. Affordable housing, LEED building certification, etc.) • Policies enabling regulation of exterior design through site plan approval process. • Development Permitting System polices expanded to allow for the establishment of a development permitting system in the future (subject to more specific policies being development and a development permit by-law being passed under the Planning Act).

Detailed Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed through the City's DRAFT Official Plan Update – Amendment 42.

OFFICIAL PLAN SECTION	DRAFT POLICY DIRECTION
10. 0 Glossary 10.1 Introduction 10.2 Definitions 10.3 Glossary of Acronyms	• Definitions update in accordance with 2005 PPS, proposed natural heritage policies, recent legislative changes, and other documents. • Glossary of acronyms added to assist in understanding of Plan.
11.0 Secondary Plans	• Secondary Plan policies no longer applicable deleted from text e.g., Eastview, Victoria Road North, Goldie Mill and South Guelph • Provisions for Secondary Plans to be prepared for the Community Mixed Use Nodes, Intensification Corridors and Neighbourhood Mixed Use Nodes

ATTACHMENT B

AMENDMENT NUMBER 42 TO THE OFFICIAL PLAN FOR THE CORPORATION OF THE CITY OF GUELPH

PART A - THE PREAMBLE

The Preamble provides an explanation of the amendment including the purpose, background, basis and summary of the policies, and public participation, but does not form part of this amendment.

PART B - THE AMENDMENT

The complete amendment is attached as Attachment 1.

PART A - THE PREAMBLE

TITLE AND COMPONENTS

This document is entitled envision Guelph – Official Plan Update and constitutes Amendment 42 to the Official Plan.

PURPOSE

Official Plan Amendment No 42 (OPA 42) is the second phase of the City's comprehensive Official Plan Update. Phase one of the Official Plan Update, Official Plan Amendment No. 39 (OPA 39), was approved in June 2009 and established a growth management framework for the City to the year 2031.

The purpose of the Amendment 42 is to address:

- recent changes to Provincial legislation;
- consistency with the 2005 Provincial Policy Statement(PPS);
- policies to implement the growth management framework articulated through OPA 39; and
- recommendations from the City's recently approved Master Plans and studies.

The amendment is being processed pursuant to subsection 26 of the *Planning Act.*

BACKGROUND

The background for the preparation of the Official Plan Update has been on-going since 2006 and involved a broad spectrum of stakeholders including the Province, surrounding municipalities, City service departments, and the public. The Official Plan Update was initiated by Council on September 10, 2007.

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

- Natural Heritage Strategy (2009)
- Affordable Housing Discussion Paper (2009)
- Employment Lands Strategy (2008 and 2009)
- Urban Design Action Plan (2008)
- Community Energy Plan (2007)
- The City's Strategic Plan (2007)
- Infrastructure Master Plans (various)
- Guelph and Wellington Transportation Plan (2005).

LOCATION

The changes made through Amendment 42 apply to all land within the municipal boundaries of the City of Guelph.

BASIS OF THE AMENDMENT

Amendment 42 updates the existing 2001 Official Plan and addresses the necessary changes to incorporate recent changes to Provincial legislation, ensure consistency with the 2005 Provincial Policy Statement, incorporate policies to implement the growth management framework articulated through OPA 39, and include recommendations from the City's recently approved Master Plans and studies.

SUMMARY OF PROPOSED CHANGES

The following is brief overview of the changes proposed in the Draft Official Plan Update. The complete Official Plan Update amendment is attached as Attachment 1.

The Official Plan chapters have been reorganized as follows:

14. Introduction
15. Strategic Directions
16. Planning Healthy and Complete Communities
17. Protecting What is Valuable
18. Municipal Services
19. Community Infrastructure
20. Urban Design
21. Land Use
22. Implementation
23. Glossary
24. Secondary Plans
25. Schedules
26. Appendices

Chapters 1, 2, and 3

The first chapter has been revised to clearly set out the purpose and organization of the Plan and how it should be interpreted. Chapter 2 sets out the City-wide vision, guiding principles and goals that inform and set the local context for the Official Plan. The third chapter includes the growth management strategy for the City based on the policies adopted as part of OPA 39. Chapter three also sets high level policy direction for matters that are essential to building complete and healthy communities, such as natural heritage protection, energy sustainability, employment land conversion policy, transportation, servicing and community infrastructure.

Chapter 4

Chapter four indentifies matters that important to protect over the long-term. This chapter includes the Natural Heritage Policies and replaces the current Core and Non-Core Greenlands policies. The new Natural Heritage System identifies Significant Natural Areas for long term permanent protection (i.e. ANSIs, Habitat of Endangered and Threatened Species, Significant Wetlands, Surface Water and Fish Habitat, Significant Woodlands,

Significant Valleylands, Significant Landform, Significant Wildlife Habitat(including Ecological Linkages), and Restoration Areas). The Natural Heritage System policies also identify Natural Areas where development may be permitted provided Environmental Impact Studies demonstrate that there will be no negative impacts to the natural features or their ecological functions. (e.g. other wetlands, cultural woodlands and locally significantly wildlife habitat). Restoration areas, wildlife crossings are identified, and environmental stewardship and monitoring programs are also outlinedto address such issues as invasive species, deer, pollinator habitat.

Water quality and quantity is identified as a significant natural resource to be protected, conserved, and enhanced in accordance with the PPS. Source water protection policies are introduced and the City's wellhead protection areas are mapped on Schedule 11.

Policies ensuring public health and safety (e.g. natural hazards, flood plains, landfill constraint areas, and potentially contaminated properties) have been updated.

The City's Community Energy targets and climate change objectives are incorporated into Chapter 4. These policies promote local generation of renewable and alternative energy, the efficient distribution of energy including district energy, and conservation measures. Energy density is introduced and integrated into the land use and transportation planning process.

Updated Cultural Heritage policies have been included to reflect the new provisions of the *Ontario Heritage Act* and the PPS, e.g., provisions for the review of development proposals adjacent to designated properties, provisions for inclusion of and review of non-designated properties in the Heritage Register.

Chapters 5 and 6

Municipal Services policies (e.g. staging of services, water & wastewater, storm water management) have been updated to reflect recently competed infrastructure master plans, water conservation targets, and promotion of low impact storm water management techniques.

Appropriate provisions to recognize the role of the City's Site Alteration By-law and Termite Control By-law have been included.

Updates to the transportation polices have been made in the section entitled - 'Moving Goods and People to incorporate the Growth Management principles, appropriate provisions of the Guelph and Wellington Transportation Study, Transportation Strategy Update, and the Community Energy Plan. Greater focus is provided on active transportation (i.e. walking and cycling), transportation demand management, transit and the use of the Guelph Junction Railway for goods and passenger movement. Key "Main Streets" have been identified on Schedule 7 which will have a pedestrian and transit oriented focus, e.g. Downtown and Victoria Rd. N.

The Community Infrastructure section outlines provisions including encouragement for public art and the development of a public art policy for the City. A 36 % target for affordable housing and implementation tools have been incorporated into the Official Plan. Bonusing for density and height are proposed for development proposals that target affordable ownership for households below the 40th percentile income level. Affordable housing will be monitored through Affordable Housing Implementation Reports and the Development Priority Plan.

The Barrier Free policies have been updated to incorporate the policy direction of the Ontarians with Disabilities Act.

The Parks and Recreation Policies have been refined to include Urban Squares as a component of the Parks and Open Space System and to establish updated Parkland dedication policies recommended in the Recreation, Parks and Cultural Strategic Master Plan.

Chapter 7

Urban design polices have been updated to implement the policy direction set out in the Urban Design Action Plan. New provisions include urban squares (e.g. courtyards, plazas, piazzas) are promoted as a means of provide public space within an urban context. Detailed policies related to public art, public views, parking, vehicle-oriented uses, signage, accessibility, lighting, and areas that serve as gateways to the City are addressed. Detailed policies have been included for low, medium and high-rise built forms as well as for commercial and industrial development.

Chapter 8

Residential

Minimum and maximum heights and densities are specified within designations permitting residential uses. The General Residential designation has been revised within the Built-up Area of the City to provide greater certainty regarding minimum and maximum densities, i.e., a minimum density of 15 units per ha and a maximum of 35 units per ha and a maximum height of 3 storeys. Additional height and density, to a maximum of 100 units/ha and a maximum height of four(4) storeys, may be permitted along arterials and collectors and may also be permitted within the General Residential Built-up Area designation, but only where bonusing is provided. The General Residential designation in the Greenfield Area would permit a minimum of 20 units per ha and a maximum of 100 units per ha, and a maximum of 5 storeys.

Intensification in the form of medium and high density designations are directed to transit supportive locations such as the Downtown, to the Mixed Use Areas, Centres and Corridors identified on Schedule 2. Medium Density would permit a maximum of 100 units per ha and a minimum of 35 units per ha. Heights are required to be between 2 and 5 storeys.

High density Residential would permit densities between 100 and 150 units per ha and heights are required to be between three (3) and ten (10) storeys.

Downtown Guelph

Policies acknowledge that the Downtown Secondary Plan is under preparation and once approved will replace the current Official Plan policies.

Mixed Use Areas, Corridors and Centres

New terminology replaces the Mixed Use Nodes, Intensification Areas and Neighbourhood Centres with Community Mixed Use Areas, Mixed Use Corridors and Neighbourhood Mixed Use Centres, respectively. The commercial policies remain unchanged with respect to retail uses. Additional Neighbourhood Mixed Use Centres have been added to Schedule 2. To achieve a mixed use character, medium and high density residential development is permitted within all three Mixed Use designations and residential unit targets have been assigned to each of the Community Mixed Use Areas and Mixed Use Corridors.

Commercial Service

Commercial Service Areas have been revised to create vehicle-oriented and commercial service focus areas. Drive-through and vehicle-oriented uses are not permitted in other land use designations and are intended to be focused within the Commercial Service designation. For this reason, additional Commercial Service Areas have been designated on Schedule 2.

Commercial–Residential Designation

The Commercial-Residential designation replaces the former Commercial Mixed Use and Mixed Office-Residential Designation and recognizes the areas within the City where a mix of commercial and residential uses co-exist. The intent of these two designations remain unchanged, and the office and/or commercial focus of specific areas have been recognized through the policy.

Employment Areas

The employment areas remain virtually unchanged with the exception that higher densities are proposed within the Greenfield area to ensure the 50 persons and jobs per ha can be achieved. Density targets of 36 jobs per ha are proposed for the industrial designations, and 70 jobs per ha, in the Corporate Business Park. Minimum heights of 2 stories are encouraged in the Greenfield Industrial and Corporate Business Park designations to reduce land consumption requirements.

Regeneration Area

Regeneration Area is introduced as a new land use designation that is intended to spark reinvestment and redevelopment within underutilized areas of the City. The Regeneration Area designation includes the former IMICO site and the north side of York Road between Watson Road and Victoria Road. This area will be subject to a detailed secondary plan. In the interim, existing uses may continue and minor expansions would be permitted until the Secondary Plan is approved to guide future redevelopment.

Other than minor wording, few substantive changes were made to the Major Institutional and Major Open Space and Parks Designations.

Major Utility

Major Utility is a new designation that includes large scale utility facilities that serve a city-wide function including, water and waste water treatment facilities, transfer stations, municipal and hydro works/offices.

Special Study Area

Two Special Study Area designations have been identified on Schedule 2, namely, the Guelph Innovation District and the area south of Clair Road to Maltby Road. These two areas make up a large portion of the Greenfield area and will be planned to accommodate a significant portion of the forecasted population and employment growth for the City.

Secondary Plans will be required to plan future development in these key areas.

Approved Secondary Plans

Secondary plan policies contained within the current Official Plan (e.g. Eastview, Goldie Mill, South Guelph and Victoria Road North) have been incorporated into the general polices of the Plan and revised, where necessary, to be consistent with the 2005 Provincial Policy Statement and conform with the Growth Plan.

The Silvercreek Junction Secondary Plan (recently approved by the OMB) is the only area that is identified on Schedule 2 as having an approved secondary plan. The Silvercreek Junction Secondary Plan is appended under Chapter 11 of the Official Plan. As additional Secondary Plans are approved, (e.g., for the Downtown, the Guelph Innovation District and the Community Mixed Use Areas) they will be added to the Official Plan as discrete plans under Chapter 11.

Exceptions

Exceptions applicable to specific properties have been identified and included in Chapter 8.

Chapters 9, 10, 11, 12, and 13

Implementation policies have been updated to enable the City to make use of planning tools provided through the *Planning Act*. This includes bonusing policies that would enable Council to permit additional height and density in exchange for community benefits (e.g., affordable housing, green building certification, underground or structured parking, etc), regulation of exterior building design through the site plan approval process, and setting the framework for a development permit system.

The glossary has been update, including additional terms that are consistent with the 2005 Provincial Policy Statement.

PUBLIC PARTICIPATION

The development of the Official Plan Update has involved significant community stakeholder engagement that included surveys, public meetings, stakeholder meetings, open houses, and innovative workshops with respect to the numerous background studies.

Special Meeting to Commence Official Plan Update

A special meeting of Council was held on September 10, 2007, to initiate the Official Plan Update and provide the public with an opportunity to provide input at the outset of the process.

Background Studies

Numerous studies and initiatives have been completed with public input in support of the Official Plan update including, the Urban Design Action Plan, Affordable Housing Discussion Paper and the Natural Heritage Strategy. The Natural Heritage Strategy, in particular, is an integral part of OPA 42 and was initiated in 2004. The development of the criteria for the Natural Heritage System underwent extensive public engagement in 2008 and 2009. In July 2009, Council directed staff to use the March 2009 Natural Heritage Strategy as the basis for the development of the Natural Heritage System and policies for inclusion in the Official Plan Update. In February 2010, the City released the draft mapping and policies for the Natural Heritage System for public review and input. The Natural Heritage System and policies included in the OPA 42 include the refined mapping and policies resulting from the input since February 2010.

OPA 42 Public Engagement

In March 2010, the Key Directions for OPA 42 were posted on the City's web site. Two public meetings were held on March 10 and 11, 2010, as well as a number of focused consultation sessions with ministries and agencies, interest groups, and the Guelph and Wellington Development Association.

The full DRAFT Official Plan Update was available for public review on April 19, 2010 and a series of public open houses were held on April 20, 21, and 22 at City Hall. The purpose of the open houses was to provide the public with an opportunity to review the draft policies, proposed Schedules and related background material, and to ask questions of planning staff in order to obtain an understanding of the Draft Plan. The public has been invited to make written and/or verbal submissions on OPA 42 to Council at the May 20th Statutory Public Meeting.

The Province and affected ministries and agencies have been circulated the OPA 42 and have been provided with the background material.

Amendment 42 addresses consistency with the Provincial Policy Statement, and therefore, the Minister of Municipal Affairs and Housing is the approval authority pursuant to Section 26 of the *Planning Act.* The Minister must make a decision on Amendment 42 within 180 days of receiving the amendment, following its adoption by Council.

PART B - THE AMENDMENT

The Amendment

The amendment is attached as **Attachment 1 envision Guelph Draft Official Plan Update** and is in the form of Official Plan text, Schedules and Appendices.

Some sections completely replace the current Official Plan policies and mapping, such as the Natural Heritage Policies (which replace the existing Core and Non-Core Greenlands policies and mapping of the existing Official Plans). Other sections have been modified and undated, as well as reorganized within the new format. A "compare document" will be available for circulation with proposed Amendment 42 (within 15 days after adoption by Council).

Implementation and Interpretation

The implementation of this amendment shall be in accordance with the provisions of the *Planning Act* and applicable legislation.

Amendment 42 is available on the City's website at **guelph.ca/OPupdate**, at any branch of the Guelph Public Library, or at the Community Design and Development Services office located at 1 Carden Street on the 3rd Floor.

Details of the Amendment

The details of Amendment 42 are in **Attachment 1 – envision Guelph Official Plan Update**.

ATTACHMENT B

AMENDMENT NUMBER 42 TO THE OFFICIAL PLAN FOR THE CORPORATION OF THE CITY OF GUELPH

PART A - THE PREAMBLE

The Preamble provides an explanation of the amendment including the purpose, background, basis and summary of the policies, and public participation, but does not form part of this amendment.

PART B - THE AMENDMENT

The complete amendment is attached as Attachment 1.

PART A - THE PREAMBLE

TITLE AND COMPONENTS

This document is entitled envision Guelph – Official Plan Update and constitutes Amendment 42 to the Official Plan.

PURPOSE

Official Plan Amendment No 42 (OPA 42) is the second phase of the City's comprehensive Official Plan Update. Phase one of the Official Plan Update, Official Plan Amendment No. 39 (OPA 39), was approved in June 2009 and established a growth management framework for the City to the year 2031.

The purpose of the Amendment 42 is to address:

- recent changes to Provincial legislation;
- consistency with the 2005 Provincial Policy Statement(PPS);
- policies to implement the growth management framework articulated through OPA 39; and
- recommendations from the City's recently approved Master Plans and studies.

The amendment is being processed pursuant to subsection 26 of the *Planning Act.*

BACKGROUND

The background for the preparation of the Official Plan Update has been on-going since 2006 and involved a broad spectrum of stakeholders including the Province, surrounding municipalities, City service departments, and the public. The Official Plan Update was initiated by Council on September 10, 2007.

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

Official Plan Update

Comments on Proposal

Council Chambers, Guelph City Hall

May 20, 2010

Gene Valeriote

Valeriote Property
1968 – 1992 Gordon St

Trustee of Parents' Estate

- 80 acres
- next to Springfield golf course
- when parents bought over 60 years ago: wetlands, hardwood and mixed forests, farm or pastureland (yellow)
- planted over 10,000 trees
- established Christmas tree plantation

- waiting to settle estate for 10 years but development status still under a cloud

Supportive of NHS but causing us severe problems – need your help



Overview of Presentation

- Comments on Consequences of NHS to Valeriote property
  - Unfair burden on family – 94% of land in NHS
  - Specific areas of concern & suggested solutions
    - Special Consideration for our specific problems
- Comments on Overall Official Plan
  - Identify problems for City & suggest solutions
    - Which will also benefit us
  - Make landowners partners and willing good stewards
  - Remove small amount of land that has no natural heritage justification
- Questions

Comments on NHS Specific to Valeriote property

Specific Areas of Concern → Suggested Solutions

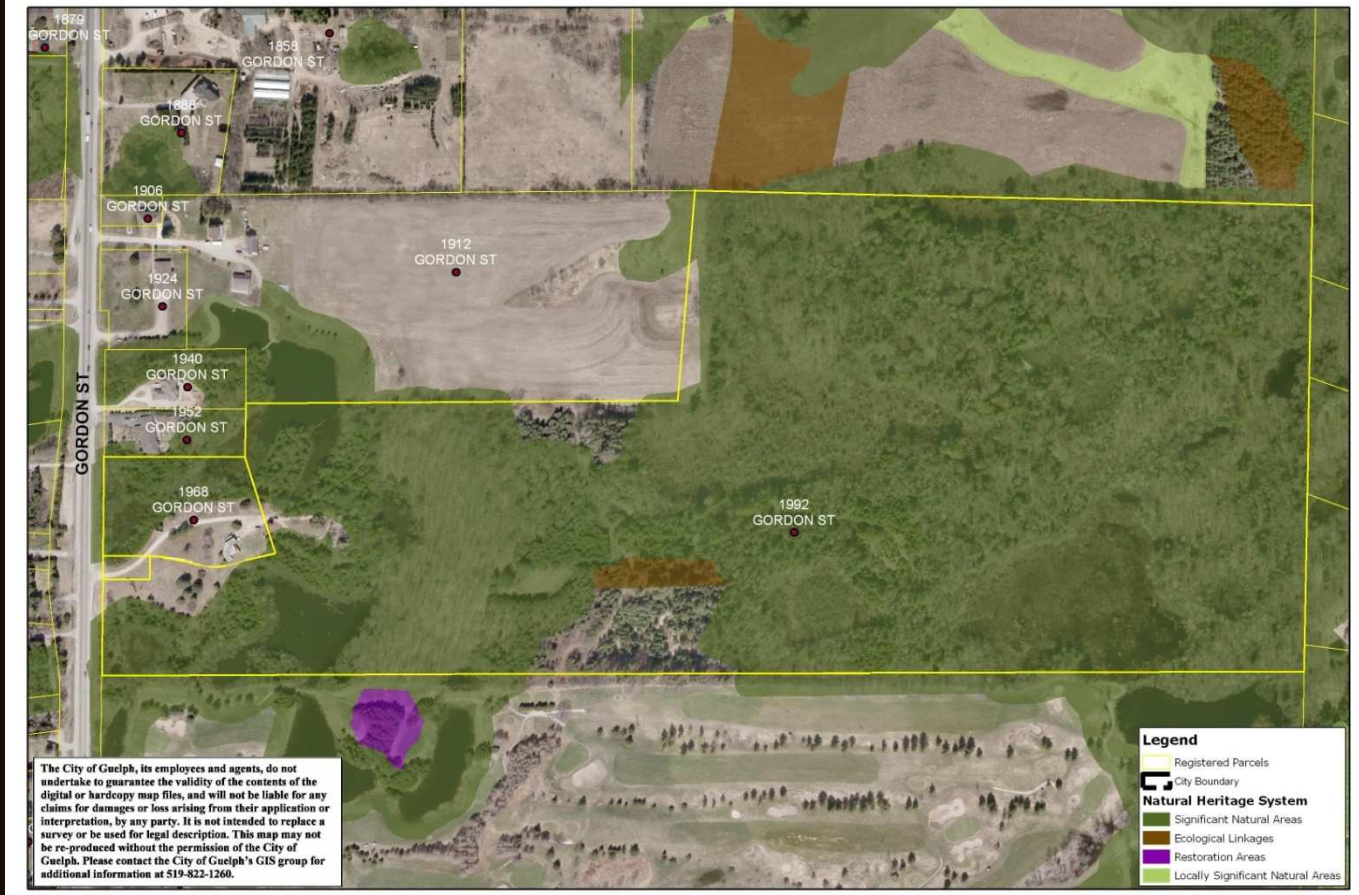
- 75 of our 80 acres placed in NHS

94% of our land

- that leaves us only 5 acres (6%) that can be developed

and that's split into 3 parcels

Four areas of concern



Comments on NHS Specific to Valeriote property

First Area of Concern: South Plantation

- green area to left and to north is cultural plantation (CUP) or cultural meadow (CUM)
- included in NHS under landform (20% slope) criterion (though CUM flat open space)
- orange stripe is linkage taken into NHS to expand corridor from 80 m to 100 m wide at narrowest point
  - maximum made minimum
  - most restrictive choice



(1) We ask that neither hill nor this linkage strip be in NHS (2 acres)

Comments on NHS Specific to Valeriote property

Second Area of Concern: Former Plantation Corridor

Why significant woodland?

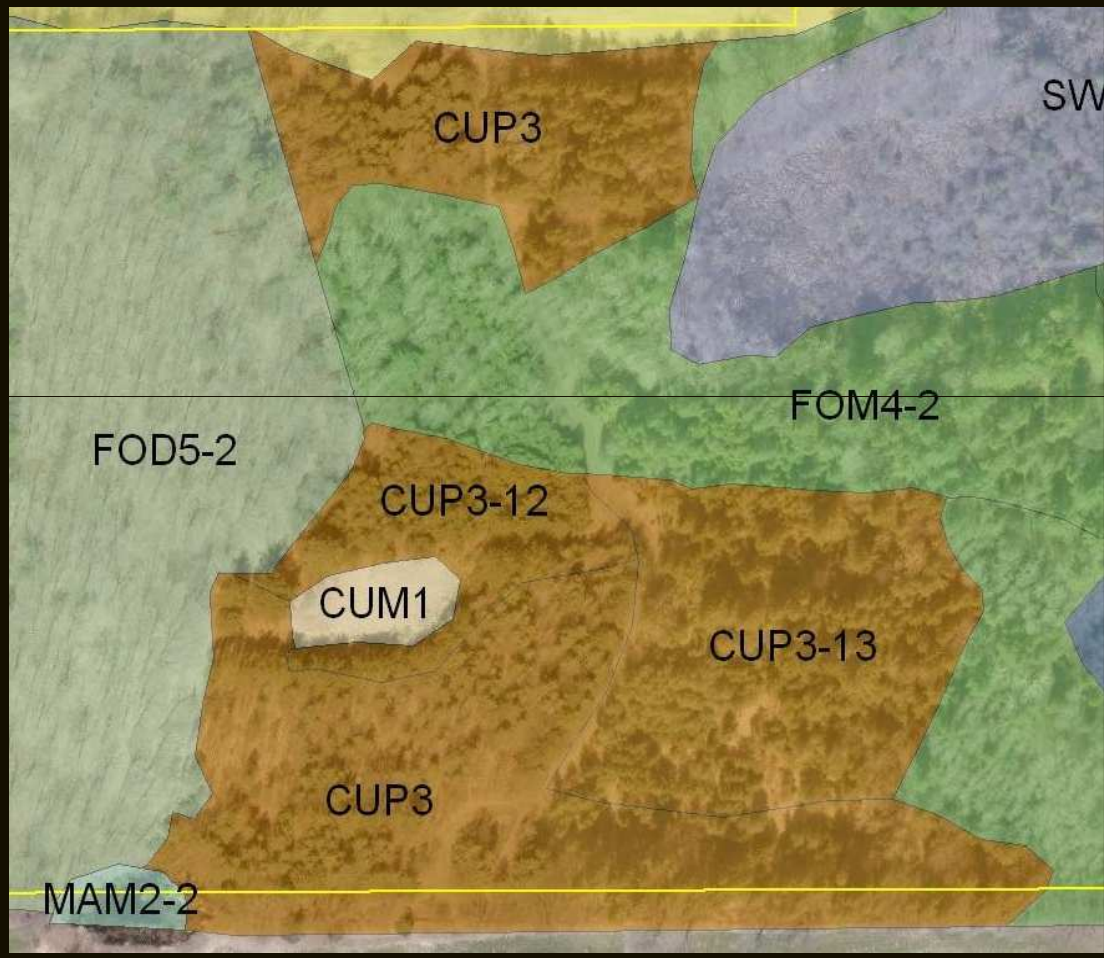
20-year old second growth

- from plantation trees

2) **We ask that the former plantation (FOM) be out of NHS but be used for a linkage corridor**

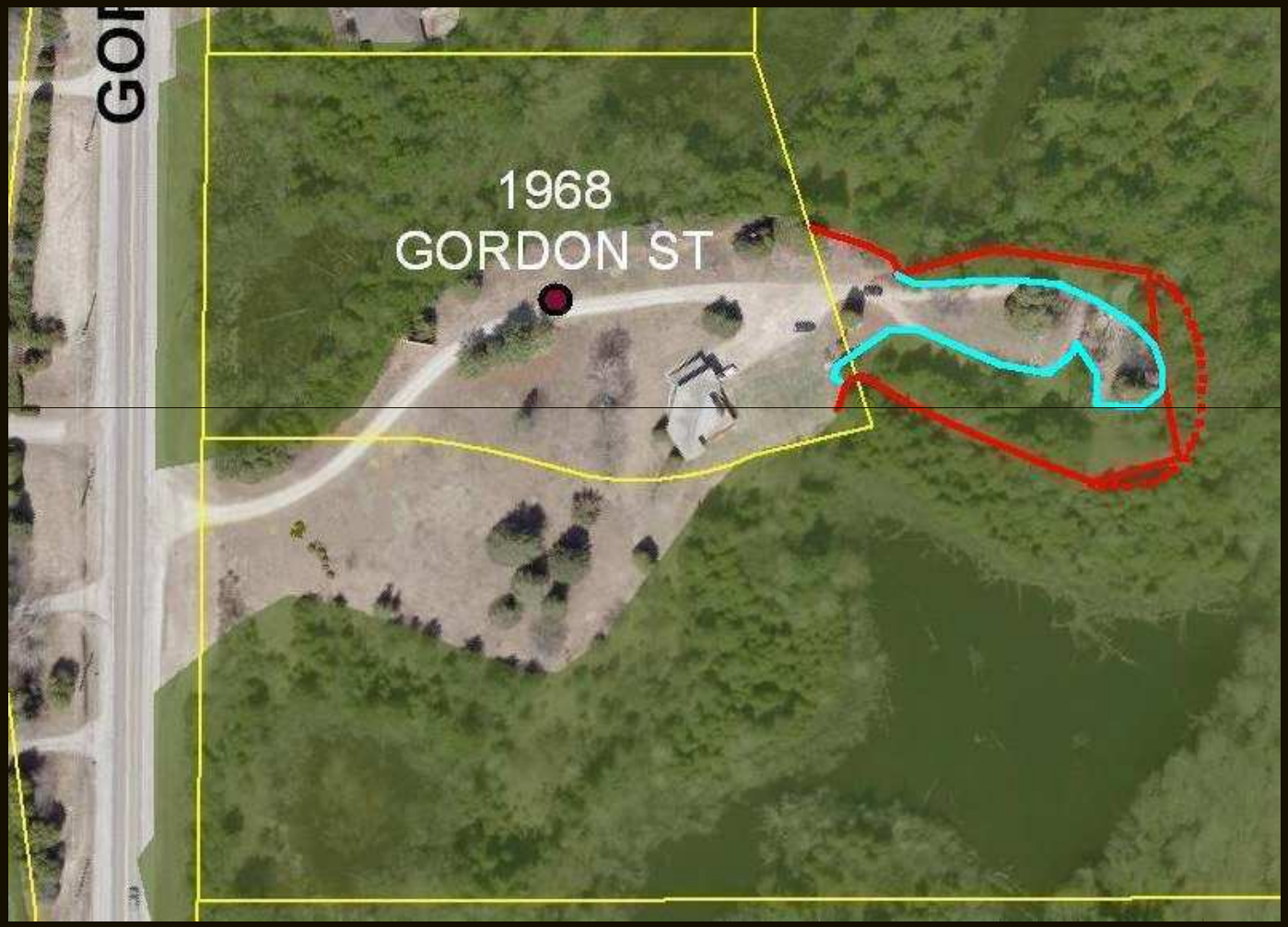
(2.5 acres but mostly linkage)

- as a linkage will be protected but should facilitate service connections & alternative emergency vehicle access between developments



Comments on NHS Specific to Valeriote property

Third Area of Concern: Front Residential



(3) We ask that NHS boundary follow the red curve to exclude grove, cottage & grounds from NHS (½ acre)

Comments on NHS Specific to Valeriote property

Fourth Area of Concern: *Dry* Wetlands

- MNR evaluated Hall's Pond Complex in 1986
- then golf course created, altering the wetlands

- ***Now some wetlands appear dry***

- MNR agreed in April to carry out re-evaluation
  - In progress

(4) We ask that Council incorporate any PSW changes into OP or permit automatic later revision of NHS if needed

Our Requests

- proposed NHS designation places huge burden on our family
  - don't penalize us for over 60 years of good stewardship
  - would be a great injustice

Asking Council to prevent it from happening with specific special considerations

And not

- to delay site-specific corrections to the development stage
  - would delay establishing what land may be developable
  - market price would be discounted for risk

Overview of Presentation

- Comments on Consequences of NHS to Valeriote property

- General Comments on Overall Official Plan
  - Balance between Conflicting Objectives
  - Identify Problems for City & Suggest Solutions
    - Which will also benefit us
  - Make landowners real partners and willing good stewards
  - Remove small amount of land that has no natural heritage justification
    - NHS Criteria / Landform

Some Official Plan Objectives

- adequate land supply within settlement area boundary to accommodate growth to 2031
  - 125,000 ⟶ 175,000 = increase of 50,000 people
- Greenfield areas
  - part of Guelph Innovation District
  - south of Clair Road to Maltby
    - must accommodate large proportion of future growth

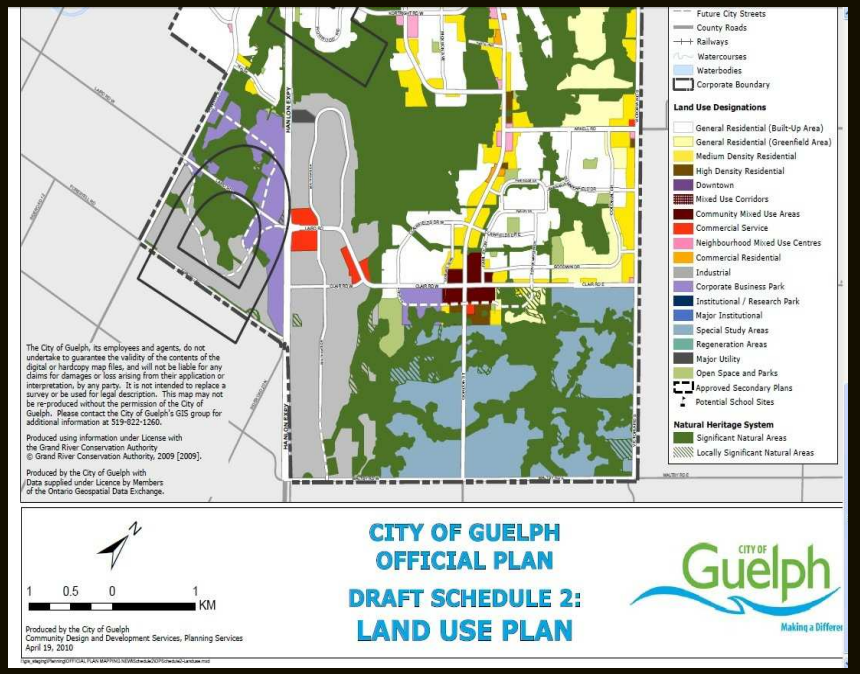
- "The NHS policies aim to strike a balance between protection of the Natural Heritage System while providing for growth & development…….

- fosters partnerships with...private land owners …promoting stewardship"

Can it be done with this Plan?

South of Clair Rd. to Maltby

	Area (ha)	% of total
NHS [+ Park] (green)	377	45%
Residential development Study Area (blue) + part other	282	34%
Other (Industrial & Commercial)	176	21%
	835	100%



Is this the right balance ?

282 ha X 50/ha = 14,000 people <u>including</u> those already living there

either the <u>density</u> must be <u>much higher</u>
or
need <u>more land</u> to build on

or both

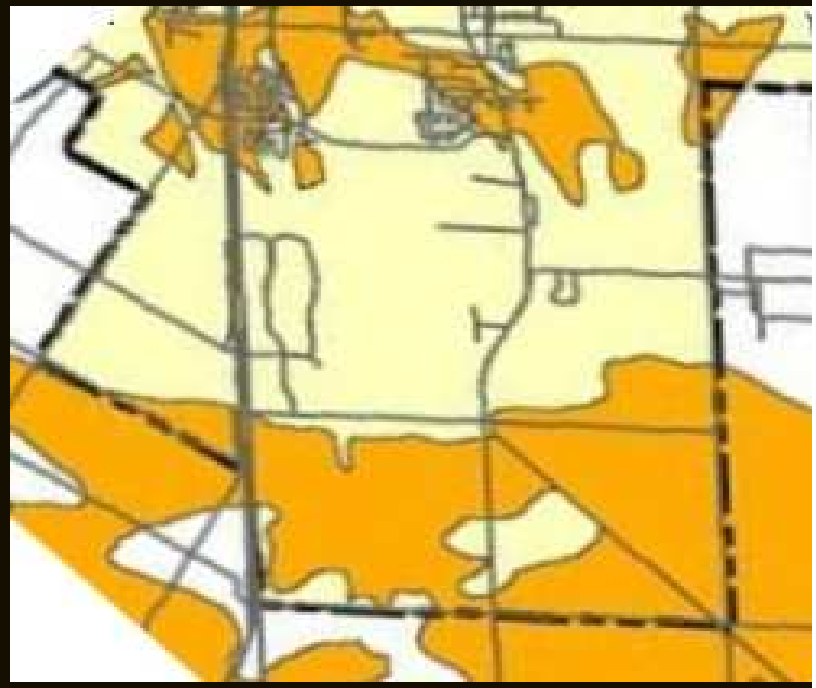
NHS Criteria
Conflicting Objectives

- **Council Meeting, July 22/09**
  - **"that staff be directed to address the protection *of* ***significant portions*** of the Paris/Galt Moraine through the Natural Heritage System and policies to be incorporated into the Official Plan Update."**

but

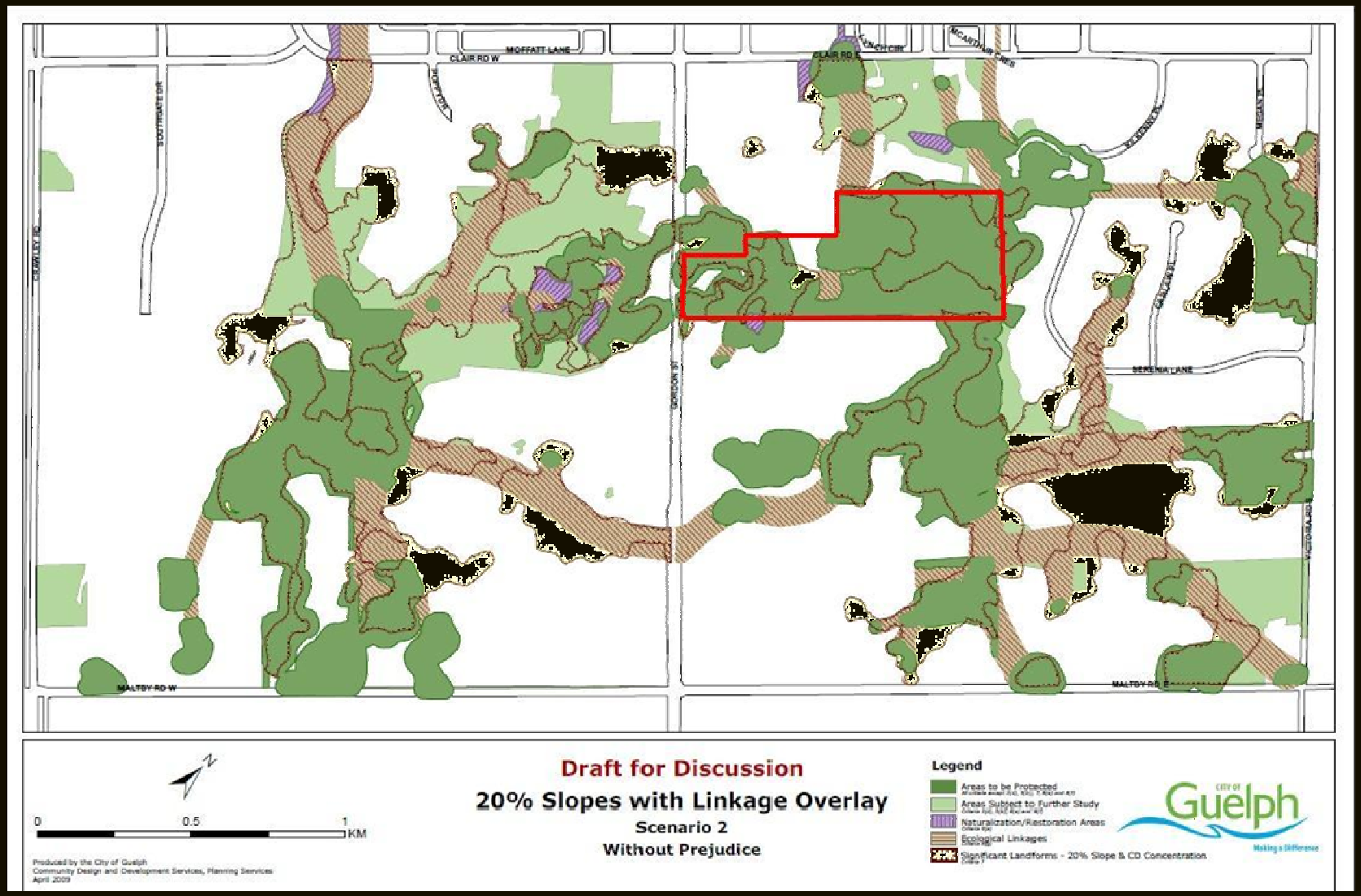
- **Need more building land**
  - **from where?**

NHS Criteria
Need a Better Balance



- **Consider Landform Criterion**
  - most of land south of Clair Rd. is on Paris/Galt Moraine
  - criterion selected to define "significant portions" of Moraine : 20% slope
  - in effect any hill south of Clair Rd. is in NHS if it has a 20% slope
- **Is a hill a Natural Heritage feature?**
  - or a flood risk-free place to build a house without disturbing wetlands?
- **Does the landform criterion really *add "significant protection"*?**
  - can we remove it and gain some building space?

What does the Landform Criterion Add?



only 40 ha with linkage overlay

NHS Criteria
The Right Balance - or Too Restrictive?

- Overlay and application of so many NHS criteria has had unintended detrimental consequences "corrected" by:
  - small gaps between protected areas made into "restoration areas"
    - areas that didn't meet other NHS criteria but filled in the gaps (more restrictive)
  - large gaps between protected areas made into linkage corridors
    - not shown on any of the maps in OP schedules (more restrictive)
  - linkage corridors were to be 50-100m wide
    - all were made 100 m wide (more restrictive)

- whenever a choice had to be made it was almost always made in favour of more protection = <u>more restriction</u>
  - less room for residential development

NHS Criteria
The Right Balance - or Too Restrictive?

- Why choose the greatest restriction?
  - difficult to remove later once embedded in Official Plan
- Why not opt for flexibility?
  - rely on EIS to place restrictions based on site-specific criteria at time of development

NHS Criteria
The Right Balance - or Too Restrictive?

- Broad Brush Approach
  - based on tentative and low-accuracy data
- Overlay of many NHS criteria --> unintended consequences
  - NHS cut off some areas – leaving them without road access
- Ad hoc choices usually made in favour of more protection
  - less room for residential development
- Overlay of landform criterion redundant
  - other criteria protected significant portion of Moraine without it

- Owners are not partners
  - no decision making ability about their land
- Flexibility needed to allow adjustments later where appropriate
  - plan too restrictive for this stage

Suggested Solutions to Building Land Shortfall while preserving integrity of NHS

- Make landowners true partners
  - the partnership is not very equal: landowners provide the assets and the City has all of the voting shares
- Landowners who feel they are real partners
  - will be good stewards
  - not angry ones
  - everybody benefits

Suggested Solutions to Building Land Shortfall while preserving integrity of NHS

- Make landowners real partners and at the same time
- Correct unintended consequences & errors
  - permit landowners (with EIS) to remove *10%* of their NHS property
  - gains 32 ha for development
    - little cost to NHS
- Eliminate Landform Criterion
  - if slope stability problem, EIS and engineering can handle it
  - gains 40 ha for development
    - on hills

34% → 43% for development

without damaging integrity of NHS

43% can be changed by varying from 10% or changing linkages

Summary of Suggested Solutions

- **General Suggestions**
  1. **eliminate 20%-slope landform criterion**
     - rely on site-specific EIS and engineering criteria
  2. **make landowners willing partners & stewards**
     - allow landowners to control 10% of their NHS land
  3. **opt for fewer restrictions in Official Plan**
     - use EIS to restrict at development stage
  4. **permit automatic revision of NHS with later better data**
     - or through secondary plan process

Summary of Suggested Solutions

Our property

- **Specific Requests (Special Consideration)**
  1. remove plantation land on hill from NHS
  2. make corridor between two plantation areas a linkage
  3. remove cedar grove & cottage area from NHS
  4. incorporate MNR changes (if any) to PSW
  - which returns 5 acres of the 75 to our discretion
    - subject to a robust permitting process
    - 1 or 2 of the 5 acres for linkage

or a combination of both general & specific requests

Extended Text for Guelph Council - Comments on Proposal for Official Plan Update
Presented by Gene Valeriote, May 20/10

S1	Thank you for the opportunity to comment on the proposed Official Plan, and specifically, the Natural Heritage part of it.
S2	I'm a Trustee for my parents' estate, which is the Valeriote property on Gordon Street on the north side of the Springfield golf course. Over 60 years ago, our parents bought this 80 acres of wetlands, hardwood & mixed forest, where they built a cottage and later a home. The area enclosed in yellow (and the front part of the property) was formerly cleared pasture and farm land, where I and my sisters helped to plant 10,000- 20,000 trees and our parents established a Christmas tree plantation. We've been waiting to settle the estate for over 10 years but the development status is still under a cloud. We are quite supportive of the NHS idea but the extent of this version is causing us a severe problem and we need your help.
S3	In this presentation, I intend to start by commenting specifically on our property first. The plan is placing a very unfair burden on our family - 94 percent of our land would go into the NHS - and there are some specific areas of concern and solutions to suggest, initially asking for special consideration for our specific problems. I then want to comment on the overall official plan to identify some problems that I see for the City and suggest some solutions, which will also benefit us. One of those is to make the landowners partners and willing stewards; the other is to remove a small amount of land that has no natural heritage justification. Then I'll be happy to answer to your questions or supply you later with more information than I have time for here.
S4	75 of our 80 acres are being placed in the NHS, based on four criteria - that's 94 percent of our land - and that leaves us with only five acres (6 %), that can be developed, and that's split into 3 parcels. There are four areas of concern which I'll identify with this slide and then look at each in more detail. First is the South Plantation area, with this orange linkage through it, then a wooded corridor between that and the North Plantation area, then a front residential area and finally, at the back and sidelines, some wetlands. I'll look at an enlargement of the South Plantation area first.
S5	Part of the South Plantation has been excluded from the NHS since it is a cultural plantation but, inside the red border, the green area to the left and north, which is also cultural plantation on hilly ground, and the cultural meadow at the top of the hill have been included in the NHS under the landform 20% slope criterion, even though that cultural meadow on the top of the hill is flat and open. The orange strip is a linkage, superimposed on the plantation to expand the corridor through here at the narrowest part from 80 metres wide to 100 m wide. Linkages are supposed to be a **maximum** of 100 m but this makes the corridor a **minimum** of 100 m. We ask that neither this hill and meadow nor the linkage strip be included in the NHS, i.e., that two acres be returned to development status.
S6	This slide shows the same area, but with the ecological land classifications (ELC) shown. This corridor between the two orange CUPs, was formerly a plantation from which we selectively harvested the trees but allowed the second growth they had produced to continue to grow for later harvesting. Since these trees had not been planted but had naturally succeeded those we did plant, the City's consultant refused to consider this a plantation and it was included in the NHS as significant woodland. We don't see why 20-year old second-growth trees should be considered significant woodland and be included in the core NHS. If it is taken out of the NHS, it can still be used for a linkage corridor and this would be an acceptable compromise for us. It will still be well protected but, as a linkage corridor, it should facilitate the connection of services between the development areas to the north and south and also provide alternative emergency vehicle access. We're asking that the former plantation (FOM) be out of the NHS but be available for a linkage corridor.
S7	The third area is the front residential area. Here we're asking that the NHS boundary continue to follow the 20% slope contour as it appears to do here and here, but then deviates in order to put this cedar grove into the NHS and also the cottage and the adjacent cleared land around the cottage. We think that neither should be in the NHS. We also think that an error in the 20%

	contour was what put the cottage in the NHS and we ask that the boundary be continued along the corrected red curve - which would add another half acre for development.
S8	The Hall's Pond complex was evaluated as PSW in 1986 and since then the golf course has been created, possibly altering some of the wetlands and lowering the water table. Some of the wetlands look dry now and MNR agreed last month to carry out a re-evaluation, which is currently in progress. We're only asking here (4) that the Council incorporate any changes made to the PSW into the official plan or permit automatic revision of the NHS later if needed.
S9	I can summarize our request by repeating that the NHS is imposing a huge burden on our family. We've been good stewards for over 60 years and being penalized for that would be a great injustice. We're asking the council to prevent that from happening. The expressed intention to use site specific corrections at the development stage is no solution because we need to sell this land to settle the estate. Postponing decisions to the development stage would mean developers would now only pay a risk-discounted very low price and later try to add value by obtaining concessions with stronger site-specific data.
S10	Now I'd like to continue to the second part - the general comments on the overall plan - by looking at the balance between conflicting objectives, identifying some problems we see for the City and suggesting solutions which we think also benefit us. We propose a way to make the landowners real partners and willing good stewards and propose removing a small amount of land from the NHS that has no natural heritage justification. For that we look at the NHS criteria especially the landform criterion.
S11	One of the objectives of the official plan is to accommodate growth of 50,000 people in the next 20 years, many of whom will have to live in Greenfield areas, the most important being the land south of Clair Rd. to Maltby, which I'll discuss in more detail. The NHS policy is to strike a balance between protection and growth & development and also promote partnership with private landowners to promote good stewardship. My question is: Can it be done with this plan?
S12	Here I've shown the area that's going to be in the natural heritage system plus the green park on Clair Road West - 377 hectares or 45 % of the total area. The amount for residential development (blue Study Area + 22 ha in other) is 282 ha, about one-third of the total. The question is, is this the right balance? At 50 people/ha, there's room for only 14,000 people south of Clair Rd, including those that are already living there. Either the density has to be a lot higher than 50 per hectare or else you need more land to build on - or both.
S13	At a Council meeting last summer staff was directed to address protection of significant portions of the Paris/Galt Moraine. Opposed to that is the need for more building land. Where will it come from?
S14	One criterion to consider is the landform criterion. Most of the land south of Clair Road is on the Paris/Galt moraine except for small strips along Clair Road and Maltby and this area around the golf course. Since the criterion of significance selected was a 20 % slope, that means that any hill south of Clair Road with a 20 percent slope is in the NHS automatically. Is a hill really a natural heritage feature that needs to be preserved? Or is a hill really a very good flood-free place to build a house - as long as most of the trees are left - without endangering wetlands? Does landform criterion add much significant protection to that already provided by other criteria? In fact, the protection of landform itself appears to go well beyond the Provincial Policy Statement.
S15	This slide shows an overlay of the natural heritage system on the landform map. All the solid coloured areas here, which make up the NHS, are protected and all are on the Moraine and so protect a significant portion of the Moraine. When the linkages are included, the black areas left are the only ones protected solely by the 20% slope criterion – and that's only 40 ha (almost 1 ha of that is on our property).
S16	What has happened is that the overlay of so many NHS criteria has had unintended detrimental consequences, which then have been corrected by various band-aids. For example, filling in small gaps between protected areas with "restoration areas" or large gaps with linkage corridors just adds restrictions beyond those required in the core NHS. The policy for linkage corridors gave a

	range of 50 m up to ideally 100 m but almost all were made 100 m wide, which is the most restrictive choice. In fact, whenever a choice had to be made, it seems to have been almost always made in favour of more protection, i.e., it was more restrictive, meaning less room for residential development.
S17	My questions are; why choose the greatest restriction? It's difficult to remove later what is embedded into the official plan. Wouldn't it be better to a choose flexibility and rely on site-specific environmental impact studies to place restrictions when development is planned, based on more accurate site- specific criteria?
S18	It seems to us to be a very broad brush approach, based on provisional data; many NHS criteria have been overlain producing unintended consequences, which have been corrected ad hoc by adding more protection; the overlay of the landform criterion is redundant; there are other redundant criteria too, also based on low accuracy data, like the wildlife criterion. Owners are not really partners - they have no decision-making ability about their own land; and the plan is too restrictive at this stage - flexibility needs to be built in to permit later adjustments where appropriate.
S19	Here are our proposed solutions to help address the building land shortfall: make the landowners true partners - the partnerships are not very equal when the landowners provide the assets and the City takes the voting shares. If landowners feel they are real partners they'll be willing to be good stewards and everybody benefits.
S20	With landowners as real partners, you can easily correct unintended consequences or errors that arise from the overlays if you permit the landowners (with an environmental impact study) to remove 10 % of their NHS property (10% is an arbitrary number for the purpose of illustration - it could be something else). 10 percent gains 32 hectares for development, which is not a great cost to the NHS and doesn't really alter its integrity but brings the landowners on side. An added solution is to eliminate the highly redundant landform criterion. If there's a slope stability problem, the environmental impact study and engineering can handle it and that would be 40 ha more for development, all on hills. That would raise the development area from 34 % to 43 % without damaging consequences to the NHS. I don't know whether 43% is the right number but that's easy to vary by playing with the 10% suggested or with the linkages.
S21	In summary, for general suggestions - eliminate the 20% slope landform criterion - let landowners develop 10 percent, or some other reasonable fraction, of the land they own that meets NHS criteria -opt for fewer restrictions in the official plan and use environmental impact studies to restrict at the development stage rather than in advance. - permit automatic revision of the NHS if later better data justify it or through the secondary plan process..
S22	There were also specific requests related to our property. These would return to our discretion, subject to a robust permitting and regulation process, 5 acres (2 ha) of the 75 that are being removed but 1 or 2 of those acres will be used for linkage corridors. Finally, we propose some combination of both general solutions and specific requests .
S23	Here is our contact information. If there is no time for questions now, I'll be happy to talk to you later, or please phone or email. My sister Eleanor lives in Hamilton and the other, Joan, lives in the house on the property we've been discussing.
S24	Thank you for your attention. I have a lot of additional detailed information that I could supply by email and I have handouts here with a somewhat extended text. If I can take questions now, I'll be happy to do so.



Brownfields or Greenfields?

Consistency in City Planning

Comment on Guelph's Draft Official Plan

Kristi Mahy (BSc. Env.)



Benefits of Brownfield Development

- Rehabilitation and reuse of empty lands
- Intensification and revitalization of downtown
- Economic growth
- Efficient use of pre-existing infrastructure



The Pitfalls of Greenfield Development

- Loss of biodiversity and greenspace
- Negative impact on climate
- Cost of installing new infrastructure
- Large distance from population concentration & related business activity



Forward Thinking Planning

- Separate “employment lands” are becoming a thing of the past
  - Businesses looking to distinguish and innovate
- Creating vibrant, dense communities
- Efficient use of resources



Policy and Practice: Consistency

- Important to follow guidelines set out in Official Plan
- Emphasis on infill and intensification of downtown core
- Develop to encourage transit, walking and cycling, not car and truck traffic
- Reserve lands for agriculture and gardening within the city



May 10, 2010

Mr. Greg Atkinson
Community Design and Development Services
City Hall
1 Carden Street, 3rd Floor
Guelph, Ontario
N1H 3A1

Dear Mr. Atkinson:

As you know, Seaton Ridge Communities Ltd. Is planning a development at 146 Downey Road. Following a series of meetings and discussions with the developer, City planning staff and the adjacent community an agreement has been reached on a 45 unit residential condominium development that we believe will fit into our neighbourhood.

I understand that City Council will be dealing with the planning report recommending adoption of a by-law to implement the agreed upon development at its meeting on June 7, 2010. Since 146 Downey Road will be covered by a site-specific zoning by-law under the provisions of the in-force Official Plan, it would be inappropriate to re-designate the site as "Medium Density Residential" in the proposed Official Plan amendments. Any future developer should e bound by the same site-specific by-law, if, for whatever reason, Seaton Ridge were unable to develop this site.

I would like to formally request that the Official Plan designation for this site remain "General Residential".

Thank you.

Sincerely yours,

Beverly Smyth

We, Karen and Wayne Lee strongly oppose the amendment that changes the designation for 146 Downey Road from General Residential to Medium Density. Please record my opposition as a resident in Ward 6.

Karen Lee

As you know, Seaton Ridge Communities Ltd. is planning a development at 146 Downey Road. Following a series of meetings and lengthy, detailed discussions between the developer, City planning staff and the adjacent community, agreement has been reached on a 45-unit residential condominium development that we believe will fit well into our neighbourhood.

I understand that City Council will be dealing with the planning report recommending adoption of a by-law to implement the agreed upon development at its meeting on June 7, 2010. Since 146 Downey Road will be covered by a site-specific zoning by-law under the provisions of the in-force Official Plan, it would be inappropriate to re-designate the site as “Medium Density Residential” in the proposed Official Plan amendments. Any future developer should be bound by the same site-specific by-law, if, for whatever reason, Seaton Ridge were unable to develop the site.

As a resident of this neighbourhood, I would like to formally request that the Official Plan designation for this site remain “General Residential”.

Thank you for your consideration,

Lynn and Luc Haman

To the City Clerk

Regarding Proposed Official Plan

To whom it may concern:

I am grateful to have this wonderful opportunity to facilitate the City in creating policy that will have direct bearing on Guelph's appearance, form and functionality. I wish to clarify comments I made at the last open house.

Of every single Guelph resident, one universal statement can be said. It is the nature of our bodies to decline and/ or age. Confronted with disease, disability, or dying, most people, in my professional experience, choose to remain in their own home, independent, as long as possible rather having to be placed in a retirement home, group home or long term care facility. However, that basic choice of independence relies upon community-based health care providers routinely and, often, daily coming to the home. Professional health care workers such as doctors, social workers, physiotherapists, occupational therapists, nurses, dieticians, speech-language pathologists, and personal support workers all have to have clear access to residents.

Unfortunately, a significant impediment is the lack of available parking for health care providers at housing complexes. Designated visitor parking is often full, if it is available at all. Consequently, health care providers frequently must waste precious time searching for a park spot, often some distance away then lugging whatever heavy equipment and supplies with them. If no parking can be found, health providers are left with somehow securing temporary permission to park.

Fortunately, this situation is easily remedied by the City. Please write policy requiring housing complexes, like apartment buildings, to create designated parking close to the main entrance.

Sincerely,

Michele Vindum MSW RSW

Mayor Farbridge, Councillors and Planning Staff:

Further to our telephone and email discussions with Mr. Greg Atkinson, we are writing to comment on the draft official plan.

(a) We are the registered owners of the northwest commercial/residential corner at College & Gordon. We are pleased to note that the draft official plan has shown this area as 'neighbourhood mixed use centre'; however, we would like clarification that the boundary of this designation includes, our contiguous holdings at this corner (both 363-369 Gordon Street as well as our additional holding at 1 College Avenue, immediately to the west of the corner.) Furthermore, the Old University CIP recommended that the corner be expanded to the north and west and accordingly, the draft OP should be specifically amended to reflect this. Can you please confirm by return mail or by memo in the OP the inclusion of these two properties in the boundary of this 'neighbourhood mixed use centre' as well as the intent to expand the corner as directed in the CIP.

(b) Again with respect to the same property, we note that the draft OP contains provisions for road widening at this corner. We are strongly opposed to any such widening. Any widening on the west side of Gordon Street or the north side of College would cause a severe and permanent loss of value, use and functionality of this important small neighbourhood site. Furthermore, any widening would be at the expense of the existing sidewalk, making it dangerous for pedestrians. Any road widening contemplated at this corner must therefore be taken on the east side of Gordon or south side of College.

(c) There is a provision for road widening at Victoria approaching Eramosa Road and Eramosa approaching Victoria Road. We would respectfully submit that the city has just completed reconstruction at this intersection and that reference be made in the OP specifically excluding any contemplated road widening at this intersection, or alternatively be taken from the City park on the northwest corner.

Please give us written response to our queries herein. Thank you.

Yours truly,

Robert Mason

Mason Real Estate Limited

To the Guelph City Council:

I am writing in respect to Schedule 7 of the draft Guelph Official Plan update. Residents of many neighbourhoods, particularly throughout the older parts of the City, are extremely frustrated by the City's lack of progress in implementing effective traffic calming measures. Road classification is part of the backbone to good traffic calming.

The example that concerns me most is Regent Street. The update in the OP provides an opportunity to reclassify it as a Local road. There are several reasons why it should not be classified as a Collector.

1. It is significantly narrower than the desired width for Collectors (which is a minimum of 8.5 metres of pavement). I wonder if in determining the width of Regent St city staff have incorrectly considered the two separate Regent Streets to be one street. Note that "lower" Regent is 5-10 metres below the elevation of "upper" Regent, and separated by a huge concrete wall. These two separate streets should not be considered to be one street. Is lower Regent proposed to be a collector as well? It neither leads from anywhere, nor goes anywhere, except to about 5 residences.

2. According to the OP, on collectors "direct access to private property may be permitted, but controlled to avoid traffic hazards." Nothing is being done to control traffic hazards for the residents of (upper) Regent St. Because it is on a hill, drivers are generally accelerating to climb it, or speeding down it. Regent is a short stretch of straight road, and it is difficult for residents exiting onto it from their driveways to see approaching vehicles in time.

3. It is very dangerous for pedestrians (and there are a lot of them) crossing at the corner of Regent and Grange. There is no sidewalk at the top of the stairs on Grange, so pedestrians have to cross at that corner. But there is no crosswalk to allow them to cross safely. Traffic volume and speeds are high as is common on collectors, and non-regulated; pedestrians do not have enough time to cross safely.

Thank you for your consideration.

Sincerely,

Meg Thorburn

Summary of Draft Official Plan Update Changes

The following summarizes the key changes proposed since the release of the 2010 draft of the Official Plan Update. Changes have been proposed based on internal staff review of the 2010 draft, consideration of comments and meetings and discussions with stakeholders and property owners.

OFFICIAL PLAN SECTION	CHANGES PROPOSED
Official Plan Schedules and Appendices (only those schedules subject to Phase 3 of the OP Update are addressed here)	**Schedule 2: Land Use Schedule** Further detail about the proposed changes listed below is contained within the Chapter 9 Summary. Designation changes: 1) General Residential (Built Up Area) name changed to Low Density Residential 2) General Residential (Greenfield Area) name changed to Low Density Greenfield Residential 3) Community Mixed Use Area name changed to Community Mixed Use Centre 4) Neighbourhood Mixed Use Centre name changed to Neighbourhood Commercial Centre 5) Commercial Residential name changed to Mixed Office Commercial 6) Regeneration Areas – deleted; properties subject to this proposed designation have had their existing designations reinstated. 7) Mixed Business added back into the Plan from the current OP 8) Reserve Lands added back into the Plan from the current OP; lands designated as Reserve Lands in the current OP have been placed within this designation. Secondary planning areas have been identified through the addition of a boundary line. Additional Open Space and Park designations have been added to the Schedule reflecting those properties zoned P.3 (Community Park), P.4 (Regional Park) and P.5 (Commercial Recreation Park). Parks are not required to be designated as Open Space and Park because municipal parks are permitted in all land use designations other than the Natural Heritage System. Potential School Site symbol added to East Guelph in general location of Stockford Drive. Hydro transformer stations removed from the Major Utility designation and reverted to their original designation because they are permitted in all designations other than Natural Heritage System. Proposed Service Commercial designation removed from properties at Laird Road and Clair Road; reverted to existing Industrial designation to reflect current uses of the properties. Proposed Service Commercial designation at northwest corner of Arkell Road and Victoria Road South reverted to existing Neighbourhood Commercial Centre designation.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
Official Plan Schedules and Appendices	Property located west of the Hanlon and north of College Avenue West (portion of Dolime lands) changed back to Reserve Lands from proposed Open Space and Park designation to reflect unique circumstances of the site. Lands within the identified Secondary Planning area south of Clair Road have been changed from the proposed Special Study Area designation to their existing designations as per the current Official Plan. Lands on the east side of Victoria Road at College Avenue East (Turf Grass Institute) have been changed back to Major Institutional from the proposed Special Study Area designation. Property located on the east side of Imperial Road North and north of Paisley Road have been changed from Community Mixed Use Centre to Neighbourhood Commercial Centre. Lands located west of Watson Road North and north of the Canadian National Railway tracks have been changed from Low Density Greenfield Residential to Industrial. The proposed High Density Residential and Medium Density Residential designations on the lands located west of Whitelaw Road and south of Paisley Road have been changed to Low Density Greenfield Residential. The proposed Medium Density Residential designation on the lands west of Gordon Street in the general location of Lowes Road has been changed to Mixed Office Commercial. The proposed Medium Density Residential designation east of Downey Road in the vicinity of Teal Drive (146 Downey Road) has been reverted to the existing Low Density Residential designation. The proposed Neighbourhood Commercial designation east of Gordon Street in the vicinity of Arkell Road has been refined to reflect recent development approvals. The Downtown designation has been modified to reflect the proposed boundaries in the Downtown Secondary Plan. The Medium Density Residential designation on Bard Boulevard has been modified to reflect existing conditions. The Service Commercial designation east of Silvercreek Parkway North and south of Paisley Road has been modified to consist of only the lands located immediately adjacent to the intersection.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
Official Plan Schedules and Appendices	**Schedule 3 - Downtown Guelph** This schedule will be added to the Plan through amendment upon completion and approval of the Downtown Secondary Plan. The Downtown area has been blacked out on schedules 7 and 8 to indicate that the detail on those schedules for the downtown area is to be contained within the Downtown Secondary Plan and its schedules. **Schedule 5 - Development Constraints** Landfill constraint areas as identified in the current Official Plan were added back onto this Schedule to provide guidance to staff and potential developers. **Schedule 6 - Staging of Development** Revised to remove registered plans of subdivision (as of December 2011) from Stage Two and add them into the Stage One areas. Registered Plans of subdivision either already have services or will be serviced in the immediate future and therefore belong within Stage One. **Schedule 7 - Road and Rail Network** Main Streets removed from Schedule. Policy direction for main streets indicates that they may be identified within Nodes and Corridors through concept plans. Main Streets are not a classification of road rather; they are a specific design treatment on arterial or collector roads. **Schedule 8 - Trail Network** Proposed trail removed along Hanlon Pkwy west of Silvercreek Pkwy South. Upon staff review, it was determined that this trail connection is unlikely given area constraints and the approved development of the subject lands. **Schedule 9 - Bicycle Network** This schedule will not be included in the Official Plan at this time. It will be added through amendment to the Plan upon completion and approval of the ongoing Bicycle Transportation Plan. **Schedule 10 - Areas of Archaeological Potential** This schedule is proposed to be deleted because the source data is out of date and there are no recent or planned updates. The policies for archaeological resources will guide the need for studies related to archaeological potential. **Schedule 11- Wellhead Protection Areas** In light of the removal of schedules 9 and 10, this schedule is to be renumbered Schedule 9. This schedule will be updated upon completion and provincial approval of the Source Protection Plan. **Appendices** **Appendix 2 - Designated Heritage Resources** Proposed to be deleted from the Plan. This appendix would require frequent updating to remain current. Staff will maintain a map of designated properties as a resource.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
1. Introduction	Minor revisions were made to this chapter to include an introduction to the new Transportation chapter.
2. Strategic Directions	An introduction has been added to this chapter describing the Official Plan's vision and the proposed urban structure of the City to the year 2031. The strategic goals of the Plan have been reordered to reflect the organization of subject matters in the Plan by chapter.
3. Planning Complete and Healthy Communities	Generally, this chapter was revised to retain OPA 39 in its approved form with some minor changes to correct grammar or reflect decisions made since OPA 39 was approved (e.g., establishing the boundary of the Major Transit Station Area as Downtown). The 2010 draft proposed moving some policies out of Chapter 3 and proposed some revisions to wording of policies. This draft has generally reverted OPA 39 back to its original structure. A new section called Complete and Healthy Community has been added to provide further policy support to the connection between land use planning and health. A description and policy have been added related to the Non-settlement Areas identified on Schedule 2. Major Transit Station Area policies have been moved into Chapter 3 from Chapter 5 of the 2010 draft for consistency with OPA 39. Policies have been added to the Community Mixed Use Nodes section to require concept plans for major development proposals within the Node and to provide direction as to what the concept plan would address. The concept plans replace the requirement for Secondary Plans as proposed in the 2010 draft. Employment land conversion policies have been moved back to Chapter 3 from Chapter 8 of the 2010 draft for consistency with OPA 39. Policies added to allow for comprehensive reviews for employment land conversion within regeneration areas and downtown as per the PPS. Policy added to describe regeneration areas. A new section has been added called Managing Growth. This section includes the staging of development and Development Priorities Plan (DPP) policies that were contained within Chapter 5 of the 2010 draft. The staging of development policies were revised to better reflect the future provision of servicing into new development areas and to be clear about where a secondary plan is required. The policies for the DPP have been revised to explain the purpose and role of the DPP.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
4. Protecting What is Valuable	Phase 3 of the OP Update does not include any of the policies that were approved through OPA 42 and that are still under appeal. **<u>Watershed Planning and Water Resources</u>** Watershed Planning and Water Resources sections have been combined to remove duplication between the policies in these sections. Revisions include the addition of policies for watershed planning to be consistent with the PPS. Source Protection planning policies have been revised to provide interim policies until a Source Protection Plan is developed and approved by the Province. Once the Source Protection Plan is approved, policies will be introduced into the OP through a future amendment. **<u>Public Health and Safety</u>** <u>Flood Plains</u> Flood plain policies have been substantially revised since the 2010 draft. The GRCA provided comments including recommendations for changes. The proposed policies have been vetted by the GRCA and are consistent with the PPS. This draft retains the majority of policies in the current OP as recommended by the GRCA. <u>Erosion Hazards and Hazardous Sites</u> Revisions to this section have been made based on changes recommended by the GRCA. <u>Landfill Constraint Area</u> This section and associated Schedule 5 have been revised to address and identify former landfill sites as per the current OP. <u>Potentially Contaminated Properties</u> The policies contained with the 2010 draft have been entirely deleted and replaced. The policies in this section have been drafted based on current best practices and provincial regulations. The need for revisions was identified through the background work to the ongoing Brownfield Community Improvement Plan update (forthcoming in early 2012). <u>Noise and Vibration</u> This section has been substantially revised from the 2010 version to better reflect the policies in the current OP and to improve clarity and readability. <u>Mineral Aggregate Resources</u> This section has been added to address comments from the Ministry of Municipal Affairs and Housing on behalf of the Ministry of Natural Resources. The Ministry requested that the OP contain policies related to resource recovery as per the PPS. <u>Community Energy and Climate Change</u> This section has been significantly redrafted based upon staff review in consultation with the City's Program Manager for Community Energy.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
4. Protecting What is Valuable	The intent of the revisions is to streamline the content and avoid duplication of policies contained within other sections of the plan. Staff's review focused on taking an integrated approach to this version of the Official Plan which threads sustainability, climate change and energy policies throughout the Plan. It is important to note that the entire Official Plan addresses sustainability including climate change adaptation and mitigation. The policies of this section are supportive of the implementation of the Community Energy Plan and provide direction regarding meeting the targets of the CEP. <u>Cultural Heritage Resources</u> This section has been revised based on staff review to improve the readability of policies, strengthen policies were appropriate and clarify the City's approach to the conservation of cultural heritage resources. The policies in this section bring the Official Plan into conformity with the Ontario Heritage Act and the Provincial Policy Statement. The revisions to policies also recognize recent resources that have been produced by the federal and provincial governments e.g., Ontario Heritage Toolkit (2006), Heritage Places of Worship (2011), Standards and Guidelines for Consultant Archaeologists (2010) and Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada (2010).
5. Movement of People and Goods – An Integrated Transportation System	Chapter 5 from the 2010 draft has been split into two Chapters in this version. Chapter 5 provides policies for the transportation system. Chapter 6 provides policies for municipal services (described below). Revisions to the policies in this chapter were mainly related to changes to better reflect City standards and practices. The Major Transit Station Area policies were moved to Chapter 3 as these policies were part of OPA 39. Policies for the functional hierarchy of roads were revised related to main streets. The revisions clarify that certain portions of arterial and collector roads may be subject to alternative urban form standards and guidelines in recognition of their planned function in the context of nodes and corridors as identified on Schedule 1. Airport policies were included in the 2010 draft and have been deleted in this version because the Guelph Air Park is not defined as an airport in terms of provincial or federal requirements. Any necessary protection of the function of the airport would occur through zoning regulations. Road widening and intersection improvement tables were reviewed to ensure that all proposed widening and improvements are included in the table.
6. Municipal Services	This chapter has been revised to remove duplication between policies in this chapter and policies in Chapter 4 related to watershed and subwatershed planning. Policies have also been revised to support implementation of

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
6. Municipal Services	completed City studies and Master Plans. <u>General Policies</u> Reference to public service facilities have been removed from the policies in this section and placed in Chapter 7 because it refers to things such as recreation, police, fire and cultural services not infrastructure. Policies were added related to the allocation of water and wastewater capacity. Some policies were revised to more closely match wording in the PPS. The staging of development policies were moved to Chapter 3 because they are a component of growth management. <u>Stormwater Management</u> Policies specific to the Special Study Area have been moved from this section and included in Chapter 9 under the Special Study Area designation. <u>Termite Control</u> Termite policies have been revised to reflect current City regulations.
7. Community Infrastructure	**<u>Affordable Housing</u>** The affordable housing target has been revised to only include affordable ownership and rental housing. The target is 30% reduced from 36% with the removal of social housing (further detail is contained with the staff report). The reference to an Affordable Housing Implementation Report has been removed from the draft. Staff recommend that references to City initiated reports and studies other than the Housing Strategy be deleted from this draft. The requirement for additional studies would be determined based on the outcomes of a future Housing Strategy. All policies related to placing holding zones on land or otherwise holding lands out of development unless developed as affordable housing have been deleted. Implementation strategies are to be developed as part of the Housing Strategy. <u>Affordable Housing General Policies</u> References to social housing have been removed because the City is not responsible for the delivery or management of social housing. <u>Retention of Existing Housing</u> The policy related to demolition only being permitted if a structure is deemed to be unsound has been deleted. This policy is beyond the authority provided to the City from the Planning Act and the Ontario Heritage Act. <u>Affordable Housing Implementation Policies</u>

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
	This section has been revised to reflect the City's need to conduct additional work related to the development of an implementation strategy. This version maintains policies related to administration, communication and monitoring. **Barrier Free Environment** This section was deleted from this chapter and the policies were combined with the Accessible Design policies in Chapter 8 Urban Design to remove duplication. **Open Space Parks and Trails** Revisions to this section were focused on improving the readability and flow of the section. The Parkland Acquisition section was deleted because the policies are operational in nature and could be changed at any time. These types of policies are more appropriate to be described in the Recreation, Parks and Culture Strategic Plan. The Park Development section has been deleted because these policies are covered in the Secondary Plan policies in Chapter 10 Implementation.
8. Urban Design	Policies in this Chapter have been revised and clarified in response to comments from the GWDA and developers. More direction has been given regarding the implementation of Urban Design initiatives through such strategies as urban design guidelines, design review and the submission of urban design briefs The policy related to gateways to new neighbourhoods has been revised to provide direction to developers. The policy related to the width of garages has been revised to indicate that garages should generally not exceed 50% of the width of the house and that the zoning by-law would regulate width. The policy related to blank facades has been revised to indicate that principal entrances should be oriented to streets and entrances should be provided from adjacent streets and walkways. More design direction has been provided regarding drive-throughs and service stations. Policies for drive-throughs have been revised to provide direction to siting and location of drive-throughs and to provide design direction for future zoning by-law regulations. Urban Design Implementation New section describing how the City will ensure that good urban design is achieved and consistently applied. Policy support has been included for the

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
	preparation of urban design guidelines for the City or specific areas.
9. Land Use Designations	This chapter has been thoroughly revised to provide clarity to the intent of policies, to provide direction related to height and density and to reinstate, where appropriate, designations and their associated policies that were deleted from the OP in the 2010 draft. **All Land Use Designations excluding Natural Heritage System** Objectives These objectives were deleted because they are very general in nature and the objectives under each section and designation provide greater detail. General Policies Revisions were made to policies related to renewable and alternative energy systems to address those projects that are exempt and non-exempt projects from Planning Act approval. Urban Agriculture New policies have been added to provide additional support for urban agriculture and to acknowledge broader food system issues. Municipal Parks and Recreation Facilities This subsection was deleted because it did not add anything new to the section. Land Use Designations Permitting Residential Uses This section has been revised to streamline policies and maintain existing OP policies as appropriate. **Residential Designations** Development Criteria Revised to reduce duplication. The 2010 draft had two sections that provided very similar policy direction. These two sections have been combined. Non-residential uses in residential areas These policies have been moved under the Residential Designation heading. The 2010 draft placed these policies under the Residential Uses heading and directed these policies at any designation that permitted any form of residential use. However, the intent of these policies is to permit a range of non-residential uses within residential designations such as schools, convenience commercial and small-scale institutional uses. This version of the OP reverts the policies back to what is contained within the existing Plan because these permissions do not need to be extended to mixed use and commercial designations because a mix of uses is already permitted. Schools

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
9. Land Use Designations	The policies for schools have been revised to revert back to the existing OP to recognize that potential school sites may be identified for any of the school boards that operate within the City. <u>General Residential – Built Up Area Designation</u> Name has been changed to Low Density Residential to distinguish from the General Residential designation in the current OP. Policies for Lot Creation were moved to the Development Criteria section of this Chapter. <u>General Residential – Greenfield Area Designation</u> Named changed to Low Density Greenfield Residential to distinguish from the General Residential designation in the current OP. The maximum height has been changed to 6 storeys from 5 storeys. The maximum density has been decreased to 60 units per ha from 100 units per ha to provide clear distinction between this designation and Medium Density Residential. <u>Medium Density Residential</u> The permitted uses have been revised to remove detached and semi-detached dwellings as a permitted use as per the current OP. The maximum height has been changed to 6 storeys from 5 storeys for consistency with Zoning Regulations for apartments and Urban Design policies in the draft OP for mid-rise buildings. <u>High Density Residential</u> The permitted uses have been revised to remove medium density housing forms because they are not consistent with the density provisions of this designation. **<u>Commercial and Mixed Use</u>** <u>Market Impact Studies</u> This subsection has been moved to the beginning of the section and revised to be consistent with the current OP. A new policy has been added to indicate that the City may contract a qualified consultant to peer review impact studies at the applicant's expense. <u>Community Mixed Use Area</u> Name changed to Community Mixed Use Centre to be clear that the primary permitted use in this designation is expected to be commercial in nature. Policies have been revised to be consistent with the current OP where appropriate. New policies have been added related to site design matters such as parking. Total Gross Floor Area policies have been revised to indicate "total" gross floor area permissions rather than "new". This is a matter of clarification of

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
9. Land Use Designations	interpretation and is consistent with the Council approved Commercial Policy Review. The use of "new" has been problematic for Staff and development proponents in terms of determining what development is considered "new". In the current OP "new" was defined as the date the inventory was conducted for the Commercial Policy Review. Using "total" leaves no room for interpretation as to what buildings would be included in the calculation of gross floor area. Policies for the OMB approved Silvercreek Junction Community Mixed Use Centre have been included in this section. The policy requiring a Secondary Plan for CMUCs has been deleted and replaced by policies in Chapter 3 related to concept plans for the Nodes identified on Schedule 1. Building height policies have been revised to indicate that the minimum height of 2 storeys is required along arterial and collector roads and main street areas. Residential targets have been deleted. Policies continue to encourage residential development. The achievement of a mix and range of uses including residential is planned to occur within the overall Node as identified on Schedule 1. A mandatory target for residential is not necessary to achieve the Community Mixed Use Node objectives. Maximum height has been changed to 10 storeys from 6 storeys. This change is reflective of the direction to intensify these nodes and is consistent with maximum heights permitted in High Density Residential designations which are located adjacent to many of the CMUCs. Minimum and maximum floor space index policies have been deleted. Prohibitions of drive-throughs have been deleted. Vehicle repair and service stations are now permitted as an accessory use. <u>Mixed Use Corridor</u> Policies have been revised to be consistent with the current OP as appropriate. Policies prohibiting drive-throughs, vehicle repair and service stations have been deleted. Residential targets have been deleted. Residential uses continue to be encouraged in the corridor. Policies for minimum and maximum FSI have been deleted. The maximum height has been changed to 6 storeys from 5 storeys. <u>Neighbourhood Mixed Use Centre</u> Name changed to Neighbourhood Commercial Centre as per the current OP to reflect that the primary use within this designation is commercial to serve the needs of the neighbourhood. Revisions made to be consistent with the current OP as appropriate. Floor space index policies have been deleted. Maximum height has been changed to 6 storeys from 5 storeys. <u>Commercial Service Designation</u> Name changed to Service Commercial to be consistent with the current OP and common usage of the term. Many policies have been revised to be consistent with the current OP where

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
9. Land Use Designations	appropriate. Commercial Residential Designation Named changed to Mixed Office/Commercial to better reflect the two designations from the current OP that were combined to created this designation. Policies have been revised to provide clarity, improve readability and better reflect the policy directions of the original designations and policy directions for establishing this designation in other areas of the City. **Employment Areas Designations** Conversion policies moved to Chapter 3 to be consistent with OPA 39. Industrial Policies have been revised to be consistent with the current OP as appropriate. Corporate Business Park Policies have been revised to be consistent with the current OP as appropriate. New policy added for Hanlon Creek Business Park to allow a limited range of service commercial uses at the main entrance to the Park to serve the needs of employees and businesses within the Park. This direction supports discussions between the City and the landowner and supports the City's desire to provide services to support employment areas. Institutional Research Park Policies have been revised to be consistent with the current OP as appropriate. The policy related to requiring an urban design study to provide direction to development in the area has been deleted because the Park is almost fully developed. Regeneration Areas This designation has been deleted. Staff are of the opinion that the proposed new designation is overly restrictive to landowners in the area and prematurely removes land use designations. The requirement for a secondary plan could discourage desirable site specific redevelopment proposals. The recommended approach is to re-instate existing designations in the area and consider a City initiated planning study for the area. Mixed Business This designation has been added back into the Official Plan. Policies are consistent with the current OP with minor revisions. **Major Institutional** Policies have been revised for consistency with current the OP as appropriate.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
9. Land Use Designations	**Open Space and Park** Revisions have been made for clarity and to remove duplication with policies in Chapter 7. **Major Utility** Minor revisions have been made to be clear that the policies apply to all uses within the designation. **Special Study Area** Revised to apply only to the Guelph Innovation District (GID) and the former IMICO site on Beverly Street. Policies for the GID have been revised to be consistent with the current OP as appropriate and reflect the ongoing secondary planning process. **Reserve Lands** This designation has been reinstated into the Official Plan for lands in South Guelph (Clair/Maltby) and lands west of the Hanlon (the Dolime lands). Policies have been revised from the current OP to indicate that a secondary plan is required for the lands in South Guelph (Clair/Maltby) prior to any development. **Site Specific Policies** Revisions have been made to re-instate the following site specific policies that were deleted in the 2010 draft: 127 and 135 Ferguson Street 122 Harris Street 133 and 135 Bagot Street 35 and 40 Silvercreek Parkway have been added as a site specific exemption. The 2010 draft included it as an approved Secondary Plan however; a secondary plan was not completed for this site. These policies are the result of an Ontario Municipal Board decision on an Official Plan Amendment and this approach ensures consistency with that decision.
10. Implementation	Secondary Plan Revised to provide policy direction as to what a secondary plan would address and include. Community Improvement Plan Policies deleted and replaced with policies approved through OPA 47. Bonusing Provisions Name of this section has been changed to Height and Density Bonus Provisions to be consistent with Planning Act terminology. Policies revised to be consistent with wording in the Planning Act.

Summary of Draft Official Plan Update Changes

OFFICIAL PLAN SECTION	CHANGES PROPOSED
10. Implementation	<u>Interim Control By-law</u> Policy changed back to policy in current OP. <u>Plans of Subdivision, Condominium and Part-Lot Control</u> Reference to condominium deleted because the Planning Act does not address plans of condominium. The proposed policies state that plans of condominium would have regard for Planning Act provisions. Policy related to lapsing of draft plan approval revised to be consistent with the Planning Act. <u>Site Plan Control</u> Revised to use wording consistent with Section 41 of the Planning Act. <u>Parkland Acquisition</u> Policies deleted because they are operational in nature and were a duplicate of policies contained in the Open Space System section. This draft deletes the policies in both sections. <u>Complete Application Requirements</u> Revisions to the policies for preconsultation to be consistent with the Planning Act. References to City staff were revised to reflect current titles and department names.
11. Glossary	Amendments to the Glossary were made to ensure that the definitions were consistent with provincial plans or legislation, approved city documents or the common usage of the term. New terms were added to provide clarity to policies.
12. Secondary Plans	This chapter is where future Secondary Plans will be inserted into the Official Plan upon approval. The policies for Silvercreek Junction were deleted from this Chapter because a secondary plan was not completed for these lands. These lands were subject to an Official Plan Amendment approved by the OMB.

Employment Lands – Municipal Comprehensive Review

The 2005 Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe introduced policies restricting the conversion of employment lands. The Growth Plan policies apply to lands within employment areas but not to those within downtown areas or regeneration areas. For downtown areas and regeneration areas the policies of the PPS apply.

The Growth Plan only permits the conversion of lands within employment areas to non-employment uses at the time of a municipal comprehensive review. A municipal comprehensive review consists of an official plan review or an official plan amendment that has been initiated by a municipality and comprehensively applies the policies of the Growth Plan. The PPS requires a comprehensive review consisting of an official plan amendment that is initiated or adopted by a planning authority. This means that a conversion may be proposed by a private proponent provided that the conversion requirements of the PPS are satisfactorily addressed and an OPA is adopted by the City.

OPA 39 introduced policies into the Official Plan to restrict employment land conversions as per the Growth Plan. The background work to the 5 year review of the Official Plan included the preparation of the "City of Guelph Employment Lands Strategy Phase 2 (2010)" which addresses the municipal comprehensive review requirements of Section 2.2.6.5 of the Growth Plan.

The Employment Lands Strategy Phase 2 concluded that:

- By 2031, there would be a surplus of 44 net hectares (adjusted for conversions) of currently designated employment land.

- The availability of market-ready serviced industrial land within the city is very limited, especially for larger sites.

- The city must maintain a healthy supply (equivalent to 5 years absorption) of designated employment lands to provide sufficient choice by location, access, size and configuration, land use designation, zoning, price, etc.

- 5 sites totalling 28 net hectares are recommended for conversion to non-employment lands. These sites are fragmented or isolated from surrounding employment areas, small in size, poorly configured and have poor marketability for employment lands development.

The Draft Official Plan has been modified to incorporate the recommendations of the Employment Lands Strategy including:

- Updates to the Employment Land Conversion policies in Chapter 3 to include regeneration areas as lands that may be considered for employment land conversion as per the PPS through a comprehensive review. The new policies include a description of lands that would be considered as regeneration areas for the purposes of the employment land conversion policies.

- Modifications to Schedule 2 Land Use Plan to reflect the recommendations for conversion and the recommendations to maintain all current employment designations in the south Guelph area. The previous draft of the Official Plan removed employment designations in south Guelph and placed the lands within a Special Study Area designation.

- Updates to the policies for the Industrial Designation to direct warehousing and transportation/distribution uses to the Built-up Area where convenient access to transportation corridors is available. This supports the achievement of the density targets for the Greenfield area by directing these uses which generate low numbers of employees to areas where the density target does not apply.

The draft Official Plan, through Schedule 2 Land Use Plan and associated policies, confirms that the lands designated for employment uses are required to meet the City's projected employment land needs to the year 2031. Council adoption of Phase 3 of the Official Plan Update will confirm the recommendations of the Employment Lands Strategy Phase 2 and will fulfill the municipal comprehensive review requirements of the Growth Plan. The City will assess the need to review these recommendations at the time of the next 5 year review or through a separate City initiated amendment as part of the Secondary Planning process for the Clair Road/Maltby Road area in accordance with the Provincial Growth Plan.



envision GUELPH

City of Guelph Draft Official Plan

(Working Consolidation)

January 30, 2012 - OP Update Phase 3 (OPA 48)

growth ▸ community ▸ environment

CITY OF Guelph Making a Difference

Note to Reader:

The following provides a general guide to reading the draft proposed policies for Phase 3 of the Official Plan Update (OPA 48). The document is a consolidated working copy of the full Official Plan including OPA 42 which is currently under appeal.

This document does not track changes between the previous draft released April 2010 and this draft. However, Council Report 12-11 provides a summary of the changes to the draft policies.

1) Comment boxes are included in the margin of this document to provide information about the source of a policy including the policy number reference if the policy is taken from the current Official Plan.

Comments indicate whether the policy is:

- **Existing** – meaning that the policy is being carried forward from the current Official Plan without change.
- **Existing Reworded** – meaning that changes to the wording of a policy from the current Official Plan have been made or minor edits to the structure of the policy have been made.
- **Existing Revised** – meaning that the changes to the policy are considered to be more substantial than rewording.
- "**Based on" or "From"**– this suggests that the proposed policy carries forward the direction of a policy from the current Official Plan, from a provincial document or from an approved City study or plan.
- **New** – this is used to indicate specific portions of a policy that are new while the remainder is taken from the current Official Plan or is used to indicate a new policy where the source is: a City approved study or plan; provincial policy or legislation; or from another identified source document.

Any policies that do not have a comment box attached to them are new to the Official Plan.

2) Colour coding of the text is used to clearly identify policies that are not part of Phase 3 of the Official Plan Update or are not being amended through Phase 3.

- **Orange highlighting** – indicates that the policy is taken from the current Official Plan and is not proposed to be amended in Phase 3 other than changes to the numbering of the policy.

- **Blue highlighting** – indicates that the policy is taken from OPA 39: Conformity with the Planning Framework of the Growth Plan for the Greater Golden Horseshoe (Phase 1 of the Official Plan Update). OPA 39 was adopted by City Council on June 10, 2009 and was approved by the Ministry of Municipal Affairs and Housing on November 20, 2009. One modification was made by the Ontario Municipal Board on March 17, 2010 as an administrative change. OPA 39 is in full force and effect.

- **Green highlighting** – indicates that the policy is taken from OPA 42: Natural Heritage System (Phase 2 of the Official Plan Update). OPA 42 was adopted by Council in July 2010 and approved by the Ministry of Municipal Affairs and Housing in February 2011. OPA 42 is currently under appeal to the Ontario Municipal Board.

- **Purple highlighting** – indicates that the policy is taken from OPA 47 which introduced new policies for Community Improvement Plans into the Official Plan. OPA 47 was approved by City Council and came into full force and effect on October 26, 2011.

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1 Introduction

1.1 Purpose of the Official Plan

This document constitutes the Official Plan for the City of Guelph. It may be referred to as the "Official Plan" or the "Plan."

This Plan has been prepared and enacted in accordance with the provisions of the *Planning Act.* This Plan updates the previous Official Plan for the City of Guelph, which was adopted by City Council on November 1, 1994, approved by the Minister of Municipal Affairs on December 20, 1995 and comprehensively updated by the City on December 17, 2001. In addition, the Plan includes the detailed provisions required to ensure conformity with the *Growth Plan for the Greater Golden Horseshoe* (2006), consistency with the *Provincial Policy Statement* (2005) and applicable Provincial legislation.

The Official Plan:

a) Establishes a vision, guiding principles, strategic goals, objectives and policies to manage future land use patterns that have a positive effect on the social, economic, cultural and natural environment of the City.

b) Promotes long-term community sustainability and embodies policies and actions that aim to simultaneously achieve social well-being, economic vitality, cultural conservation and enhancement, environmental integrity and energy sustainability.

c) Promotes the public interest in the future *development* of the City and provides a comprehensive land use policy basis which will be implemented through the *Zoning By-law* and other land use controls.

d) Guides decision making and community building to the year 2031.

1.2 Plan Organization

The Official Plan consists of written text, figures and tables within the text, schedules and definitions.

The Official Plan is composed of thirteen parts including Schedules.

Part One, 'Introduction', establishes the context for the Official Plan. This section sets out the purpose and provides a description of how the Plan is structured and how it should be read and interpreted.

Part Two, 'Strategic Directions', establishes the Vision, Mission, Guiding Principles and Strategic Goals of the Plan.

Part Three, 'Planning a Complete and Healthy Community', provides an overview of the City's urban structure, establishes a Growth Management Strategy and sets out general policies that are intended to provide an overall guiding framework for the detailed policies of subsequent sections of the Official Plan.

Part Four, 'Protecting What is Valuable', establishes policies and *development* criteria that address natural heritage protection, cultural heritage conservation, water resource protection, energy conservation measures and health and safety provisions aimed at ensuring a diverse, healthy environment.

Part Five, 'Movement of People and Goods – An Integrated Transportation System', provides policies for the City's transportation system to facilitate efficient, safe, convenient and energy efficient movement of goods and people throughout the City.

Part Six, 'Municipal Services', provides policies for municipal services including water, wastewater, solid waste and stormwater.

Part Seven, 'Community Infrastructure', sets out a policy framework for the efficient and adequate provision of physical and social infrastructure to sustain and support growth and quality of life.

Part Eight, 'Urban Design', provides detailed policy on how the City will be built. It sets out objectives and policies that focus on creating adaptable and well-designed infrastructure networks, buildings, sites, neighbourhoods and open spaces.

Part Nine, 'Land Use' sets out objectives, policies, permitted uses and design and *development* criteria for land use designations within the City as set out on Schedule 2.

Part Ten, 'Implementation', provides the operational framework and tools necessary to achieve the goals and objectives and implement the policies of this Plan.

Part Eleven, 'Glossary' provides definitions for words that are *italicized* in the text of this Plan. A list of acronyms used in the Plan is also provided.

Part Twelve, 'Secondary Plans', lists the Secondary Plans that have been adopted by Council and form part of the Official Plan.

Part Thirteen, 'Schedules', contains maps that correspond to policies within the Plan.

The Appendices are not part of the Plan but provide important background to the Plan.

1.3 Interpretation

1. The Plan must be read in its entirety as a comprehensive policy framework to be used in land use evaluation and decision making by Council, committees appointed by Council, Boards and Commissions having jurisdiction within the City, and by staff and the public, including the Ontario Municipal Board.

2. All schedules form part of the Plan and must be read in conjunction with the text of the Plan.

3. Words that are italicized in the text are either defined in the Glossary or are the title of a report, plan, legislation or regulation.

4. This Plan consists of text, tables, figures and schedules. Diagrams, appendices and photographs are provided for descriptive purposes and are not part of the Plan.

5. In the event of a conflict between a general and an area specific policy, the area specific policy shall prevail.

6. In this Plan words used in the singular number shall include the plural and words used in the plural number shall include the singular.

Boundaries

7. The boundaries of the designations on the Schedules to the Plan shall be considered approximate, except where they coincide with roads, railways, former township lots and concession lines, major water courses or other well defined natural or physical features. Where the general intent of the Plan is maintained, minor boundary adjustments will not require an amendment to this Plan.

8. In the case of discrepancy between the maps and related text policy, the policies will take precedence.

Symbol

9. Where the designations on the Schedules to the Plan are delineated by symbols, their extent and location are to be considered flexible and interpreted in accordance with the policies of this Plan. Minor adjustments in their location will not require an amendment to this Plan.

Permitted Uses

10. Permitted uses are intended to indicate the possible range and types of uses permitted and are not intended to be all encompassing. Uses that are not listed but are considered similar to those listed and conform to the objectives and policies of the land use designation may be recognized as a permitted use. However, specific uses that are not listed and cannot reasonably be interpreted to be similar to a permitted use will not be considered a permitted use.

Numerical Provisions

11. Numerical provisions in this Plan are approximate, except where they refer to minimum setbacks from the *Natural Heritage System*. Minor variations from other numerical figures will not require an amendment to this Plan where it can be demonstrated that the objectives of the Plan will be met.

Amendments to the Plan

12. Where a goal, objective, policy, land use designation or a schedule is proposed to be changed, added, deleted or the meaning of which is significantly altered, an amendment to this Plan shall be required.

13. Changes to the text, tables, figures or schedules to this Plan to correct grammatical or reference errors or updates, punctuation, formatting, numbering or sequencing or modification of illustrations may be made without an amendment to this Plan.

14. When considering an application to amend the Official Plan, Council shall consider the following matters:

    i) the conformity of the proposal to the strategic directions of this Plan and whether the proposal is deemed to be in the overall interests of the City;
    ii) consistency with applicable provincial legislation, plans and policy statements;
    iii) suitability of the site or area for the proposed use, particularly in relation to other sites or areas of the City;
    iv) *compatibility* of the proposed use with adjacent land use designations;
    v) the need for the proposed use, in light of projected population and employment targets;
    vi) the market feasibility of the proposed use, where appropriate;
    vii) the extent to which the existing areas of the City designated for the proposed use are developed or are available for *development*;
    viii) the impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the *Natural Heritage System*;
    ix) the financial implications of the proposed *development*;
    x) other matters as deemed relevant in accordance with the policies of this Plan.

Comment [MM1]: Existing OP 9.3.2 reworded

Provincial Plans and Legislation

15. Where any legislation, *Provincial Plan*, policy or regulation or portion thereof is referred to in this Plan, such reference shall be interpreted to refer to any subsequent renaming or amendment(s) to these documents or successors thereof.

By-laws

16. No By-law may be passed, and no public work may be undertaken, which does not conform to this Plan.

1.4 Planning Area

The Plan applies to all lands within the corporate boundary of the City of Guelph.

2 Strategic Directions

2.1 Introduction

The Official Plan is a future oriented document that sets out a course for the desired development of Guelph to 2031. It recognizes that future objectives can only be achieved through a strategic vision, policies and actions. Ultimately, the Official Plan establishes a framework to retain and improve the quality of life for residents of the City of Guelph. The high quality of life in the City has historically been recognized as one of its greatest strengths and is a characteristic that sets this community apart from others. The high quality of life in the City is related to a healthy natural ecosystem, community services and facilities, educational and employment opportunities, the availability of infrastructure supportive of alternative forms of transportation, the community's relative safety, the vibrancy of its neighbourhoods and the character of its downtown. A high quality of life is the key to the enjoyment of city living and is necessary to assure continued competitiveness in an increasingly globalized economy.

Vision
The integration of energy, transportation and land use planning will make a difference in the environmental sustainability, cultural vibrancy, economic prosperity and social well-being of Guelph.

Connecting with our Past
Guelph is a historic city, founded in 1827 and originally planned by John Galt. The City was initially designed in a fan shape, radiating outward from the Speed River. The rivers and topography influenced the design of the City and allowed for scenic views and focal points particularly within the downtown. Many of the City's early buildings were constructed of locally quarried limestone providing visual unity to the older areas of the City and a rich legacy to protect.

The City's future depends on carefully balancing yesterday's legacy, today's needs and tomorrow's vision. This balance can be achieved by respecting the history that enriches local architecture and culture, enhancing the integrity of natural systems and promoting an atmosphere of innovation and creativity. Protecting Guelph's existing character while introducing innovative development is part of creating a vibrant city.

Planning in the 21st Century

Development in Guelph over the next 20 years will be significantly different from that which occurred in the post World War II era. A shift in focus to creating a *complete community* sets the tone for the policies of this Official Plan. Planning has experienced significant change at the provincial level in recent years with the introduction of the *Growth Plan* for the Greater Golden Horseshoe. The *Growth Plan* implements the Government of Ontario's vision for building stronger, prosperous communities by better managing growth to the year 2031.

This vision is shared by the City of Guelph and had its origins in the SmartGuelph community consultation process that commenced in 2001. SmartGuelph was the City's response to the emerging Smart Growth concept which preceded Places to Grow at the provincial level. SmartGuelph recognized the relationship between

patterns of development, quality of life and economic competitiveness. City Council along with a group of concerned citizens conducted extensive consultations with the community to plan for the future direction of growth in the City. The process culminated in 2003 with Council's adoption of a set of principles. The SmartGuelph principles provided background guidance to the City's growth management policy program that ultimately informed the policies of this Official Plan.

Towards 2031

Guelph in 2031 will be a community of approximately 175,000 people and 92,000 jobs. The city will manage population growth within its current boundaries in a manner that ensures water supply and wastewater treatment are sustainable. New development will respect the existing character of Guelph and retain the qualities that set Guelph apart from its neighbours. The City will continue to diversify its employment base and will continue to be recognized as a leader in agri-food and innovation, advanced manufacturing and environmental technologies.

SmartGuelph Principles

The SmartGuelph principles serve as touchstones to constantly remember what is important and guide community building discussions that will shape the future of the City. Each of the Guiding Principles presents key descriptive words that are followed by a brief explanation of the principle.

a) Inviting and Identifiable

A distinctively appealing city, scaled for people, with a strong sense of place and a pervasive community spirit which respects and welcomes diversity.

b) Compact and Connected

A well-designed city with a vital downtown core and a commitment to mixed-use and higher density *development*; a safe community conveniently connected for walkers, cyclists, users of public transit and motorists.

c) Distinctive and Diverse

A culturally diverse city with a rich mix of housing, unique neighbourhoods, preserved heritage architecture, attractive common spaces, and educational and research institutions integrated into city life; with an abundance of recreational choices and art, ethnic and cultural events.

d) Clean and Conscious

A city with a healthy and sustainable environment, vigilantly demonstrating environmental leadership; a citizenry that values environmental and social advocacy, participation and volunteerism.

e) Prosperous and Progressive

A city with a strong and diverse economy, a wealth of employment opportunities, robust manufacturing, a thriving retail sector and the good sense to invest a meaningful portion of its prosperity in research and *development* and the advancement of education, training, wellness, art and culture.

f) Pastoral and Protective

A horticulturally rich city where gardens abound; a city that preserves and enhances its significant natural features, rivers, parks and open spaces and makes the planting and preservation of trees a priority; a city committed to the preservation of nearby agricultural farmland.

g) Well-Built and Well-Maintained

A city willing and able to invest in high-quality infrastructure and public buildings, ensuring they are beautifully designed and maintained, engineered to last and civilizing in their effect on the community.

h) Collaborative and Cooperative

A city with an effective and collaborative leadership that consults with citizens and other municipalities, manages growth based on the "quadruple bottom line" (environmental, cultural, economic, social), and makes decisions about *development*, city services and resource allocation consistently in keeping with these core principles.

2.2 Strategic Goals of the Plan

The following Strategic Goals are general statements of intent that describe a desired future condition. The goals are consistent with the principles set out in Section 2.1 and provide a broad framework for more specific Official Plan policy that will inform planning and *development* within the City. The strategic goals are focused on sustainability and supportive of the quadruple bottom line – ecological, social, cultural and economic – in decision making. The Strategic Goals are themed to align with the Chapters of the Official Plan.

The following are the strategic goals of the Official Plan:

1. Planning a Complete and Healthy Community:

a) Utilize an interdisciplinary approach to planning whereby decisions are made with an understanding of the ecological, social, cultural and economic interrelationships and implications for any particular course of action.

Comment [MM2]: Existing OP 2.3.23

b) Ensure an appropriate range and mix of employment opportunities, local services, *community infrastructure*, housing including *affordable housing* and other land uses are provided to meet current and projected needs to the year 2031.

c) Provide for urban growth and land use patterns that ensures efficient use of public expenditures and municipal financial sustainability over the long term.

Comment [MM3]: Existing OP 2.3.5 reworded

d) Ensure that *development* is appropriately staged and phased to meet the goals, objectives and policies of this Plan, in particular the City's growth management strategy and targets, municipal fiscal sustainability, the logical and planned expansion and provision of municipal services and community infrastructure and the avoidance of premature *development*.

e) Encourage steady and diverse economic growth while striving to achieve a balanced tax assessment ratio and a wide range of employment opportunities.

Comment [MM4]: Existing OP 2.3.7 reworded

f) Promote opportunities for employment in the emerging high-tech "knowledge based" sectors including environmental management and technology and agri-food technology.

Comment [MM5]: Existing OP 2.3.8

g) Foster sustainable local food systems.

h) Preserve and enhance a safe, liveable and healthy community.

Comment [MM6]: Existing OP 2.3.1 reworded

2. Protecting what is Valuable

a) Ensure that land use planning provides for a diverse and inclusive city.

b) Protect and, where possible, enhance *natural heritage features* and functions and biodiversity of the City's *Natural Heritage System* and support linkages between and among such systems and features within the City and beyond.

Comment [MM7]: Existing OP 2.3.11 reworded

c) Enhance the visual identity of the City through protecting and celebrating the City's *cultural heritage resources*.

Comment [MM8]: Existing OP 2.3.13 reworded

d) Establish and implement policies and actions that will contribute to achieving the targets of the City's Community Energy Plan.

e) Support an integrated approach to meeting the energy needs of the community by designing places and buildings in a way that minimizes consumption of energy and water and production of waste whereby supporting an increasingly low carbon footprint.

f) Promote opportunities for the use and generation of renewable and *alternative energy systems*.

g) Decouple energy consumption from population growth.

h) Advance innovation by building on the synergies between infrastructure, built form and climate change imperatives.

3. Transportation

a) Develop a safe, efficient, convenient and sustainable transportation system that provides for all modes of travel including cycling and walking to support sustainable land use patterns.

Comment [MM9]: Existing OP 2.3.9 reworded

4. Municipal Services

a) Direct *development* to those areas where full municipal services and related *infrastructure* are existing or can be made available, while considering existing land uses, *natural heritage* systems, *development* constraints, fiscal sustainability, *development* costs and related factors.

Comment [MM10]: Existing OP 2.3.4 reworded

b) Protect, maintain, enhance and sustainably manage the finite *groundwater* and surface water resources that are needed to support the City's existing and planned growth and natural systems.

Comment [MM11]: Existing OP 2.3.21 reworded

c) Promote the effective management of waste to ensure protection of the natural and built environment.

Comment [MM12]: Existing OP 2.3.20 reworded

5. Community Infrastructure

a) Ensure an accessible, connected open space, park and trail system and sustainable network of recreational facilities necessary to promote a physically active and healthy community that meets resident needs for active and passive recreation activities.

Comment [MM13]: New Policy, based on Existing OP 2.3.17

b) Provide an appropriate supply and distribution of community facilities to meet the social, health and education needs of existing and future residents in a manner that maximizes accessibility.

c) Ensure that an adequate supply, range and geographic distribution of housing types including *affordable housing*, *special needs housing* and supporting amenities are provided to satisfy the needs of the community.

Comment [MM14]: Existing OP 2.3.16 Reworded

6. Urban Design

a) Preserve, enhance and protect the distinct character of the City and the sense of a community of neighbourhoods.

b) Build a compact, mixed-use and *transit-supportive* community.

c) Plan and design an attractive urban landscape that reinforces and enhances Guelph's sense of place and identity while encouraging innovative design and *development* opportunities.

Comment [MM15]: Existing OP 2.3.22 reworded

d) Encourage *intensification* and *redevelopment* of existing urban areas that is *compatible* with existing built form.

Comment [MM16]: Existing OP 2.3.6 reworded

7. Downtown

a) Strengthen the role of the *Downtown* as a major area for investment, employment and residential uses such that it functions as a vibrant focus of the City.

Comment [MM17]: Existing OP 2.3.15 reworded

8. Implementation

a) Promote informed public involvement and engagement in a user-friendly planning and *development* process.

Comment [MM18]: Existing OP 2.3.19 reworded

3 Planning a Complete and Healthy Community

The *Growth Plan for the Greater Golden Horseshoe* (*Growth Plan*) was released on June 16, 2006 in accordance with the *Places to Grow Act*, 2005. The *Growth Plan* establishes a framework for implementing the Provincial Government's vision for building stronger more prosperous communities by managing projected growth to the year 2031. The following objectives, policies and Schedule 1, entitled "Growth Plan Elements", constitute an integrated approach to implementing the *Growth Plan* while reflecting the City's vision for the development of a healthy and liveable *complete community* to the year 2031.

Comment [MM19]: OPA 39 2.4.1, last statement revised.

Objectives

Comment [MM20]: OPA 39, 2.4.2 with additions as indicated below

The City aims to build a compact, vibrant and *complete community* for current and future generations that meet the following objectives:

a) To provide for an adequate supply of land within the City's *settlement area* boundary to accommodate projected growth to the year 2031.

b) To direct growth to locations within the *built-up area* where the capacity exists to best accommodate expected population and employment growth.

c) To plan the *greenfield area* to provide for a diverse mix of land uses at *transit-supportive* densities.

d) To maintain a healthy mix of residential and employment land uses at approximately 57 jobs per 100 residents.

e) To maintain a strong and competitive economy by preserving existing *employment areas* and identifying areas for future employment uses.

f) To support a *multi-modal* transportation network and efficient public transit that links the City's *Urban Growth Centre* to the rest of the community and surrounding municipalities.

g) To reduce overall energy demand with an integrated approach to planning.

Comment [MM21]: New policy CEP related.

h) To plan for *community infrastructure* to support growth in a compact and efficient form.

i) To ensure that sustainable energy, water and wastewater services are available to support existing *development* and future growth.

j) To promote protection and enhancement of the City's *Natural Heritage System*.

k) To support the protection and/or conservation of water, energy, air quality and *cultural heritage resources*, as well as innovative approaches to waste management.

l) To support transit, walking and cycling for everyday activities.

m) To promote opportunities to increase movement of goods by rail.

Comment [MM22]: New

n) To support *urban agriculture* in appropriate locations throughout the City as a means of encouraging local food production and distribution, reducing transportation needs and fostering community spirit.

Comment [MM23]: New

3.1 Complete and Healthy Community

Comment [MM24]: New from Places to Grow GPGGH and OPPI Healthy Communities Handbook

1. Planning for a *complete community*, as a central theme to this Plan, is focused on the achievement of a well-designed, compact, vibrant city that provides convenient access to:

   i) an appropriate mix of employment opportunities;
   ii) a range of housing options;
   iii) local services and *community infrastructure* including *affordable housing*, schools, recreation and open space; and
   iv) public transportation and options for safe, non-motorized travel.

2. This Plan recognizes that components of land use planning influence human health, activity and social well-being. The policies of this Plan are collectively aimed at designing the built environment in a manner that will promote sustainable, healthy, active living.

3.2 Population and Employment Forecasts

Comment [MM25]: OPA 39 2.4.3

1. By the year 2031, Guelph is expected to be a city of approximately 175,000 people. Growth will be planned to be moderate, steady and managed to maintain a compact and human-scale city for living, working, shopping and recreation.

2. The City will accommodate growth by:

   i) planning for a population forecast of 175,000 people by the year 2031;
   ii) promoting a steady rate of growth equivalent to an average population growth rate of 1.5% annually, which will allow growth to keep pace with the planning of future physical *infrastructure* and *community infrastructure;* and
   iii) ensuring the employment growth in the City is planned to keep pace with population growth by planning for a minimum of 92,000 jobs by the year 2031.

3.3 Settlement Area Boundary

Comment [MM26]: OPA 39 2.4.4

1. The City's future development to the year 2031 will be accommodated within the City's *settlement area* boundary identified on Schedule 1 of this Plan.

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

   i) promoting *compact urban form;*
   ii) intensifying generally within the *built-up area*, with higher densities within Downtown, the community mixed-use nodes and within the identified *intensification corridors*; and
   iii) planning for a minimum density of 50 residents and jobs per hectare in the *greenfield area.*

3. A *settlement area* boundary expansion is not planned for before 2031.

Comment [MM27]: OPA 39 2.4.4.2

3.4 Non-Settlement Area

Comment [MM28]: New, to describe area of the City where the Province has agreed that specific conservation lands and former landfill do not need to be included in the P2G density calculations.

1. *Non-settlement areas* are identified on Schedule 1. For the purposes of this Plan, these lands are identified as not being available for urban development and are not included in determining the City's achievement of the *greenfield area density targets*.

3.5 Urban-Rural Interface: Planning Coordination

Objective

a) To promote a clear demarcation between the urban uses within the *settlement area* boundary of the City and the agricultural/rural lands within the surrounding townships.

Comment [MM29]: Existing OP 3.10 a) reworded

Policies

1. The City will review and provide comments on *development* applications processed by the County of Wellington, the Townships of Guelph-Eramosa and Puslinch within the County of Wellington Official Plan's "Urban Protection Area" (generally considered being within one kilometre of the City of Guelph boundary).

Comment [MM30]: Existing OP 3.10.1 reworded

2. The City will rely upon the provisions of the County of Wellington's Official Plan and the Provincial Policy Statement and applicable *Provincial Plans*, regulations and guidelines to discourage *development* within the "Urban Protection Area" of the surrounding Townships.

Comment [MM31]: Existing OP 3.10.2 reworded

3. Consultation between the City and the County of Wellington will be encouraged to prepare a co-ordinated planning approach in dealing with issues which cross municipal boundaries including:

   i) river, watershed, subwatershed and source water protection issues;
   ii) transportation, trails, infrastructure and other *public service facilities*;
   iii) connectivity with the *Natural Heritage System* within the City; and
   iv) other land use planning matters requiring a co-ordinated approach.

Comment [MM32]: Existing OP 3.10.4 reworded

3.6 Housing Supply

1. To provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents, the City shall:

   i) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification* and *redevelopment* and on lands which are *designated and available* for residential development; and

   ii) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of *residential units* available through lands suitably zoned to facilitate *residential intensification* and *redevelopment* and land in draft approved and registered plans.

Comment [MM33]: Existing OP 7.2.1 revised for consistency with PPS Section 1.4.1 a & b

3.7 Built-up Area and General Intensification

Comment [MM34]: From OPA 39 2.4.5 reworded

1. To ensure *development* proceeds in accordance with the objectives of Section 3.1 and to achieve the *intensification targets* of this Plan, significant portions of new residential and employment growth will be accommodated within the *built-up area* through *intensification.*

2. The *built-up area* is identified on Schedule 1 of this Plan. The *built-up area* has been delineated in accordance with Section 2.2.3.5 of the *Growth Plan* and is based on the limits of the developed urban area as it existed on June 16, 2006. The *built-up area* will remain fixed in time for the purpose of measuring the density and *intensification targets* of the *Growth Plan* and the Official Plan.

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

   i) by 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's *built-up area* as identified on Schedule 1. Provision may be made for the fulfilment of this target sooner than 2015;

   ii) the City will promote and facilitate *intensification* throughout the *built-up area*, and in particular within the *Urban Growth Centre* (Downtown), the community mixed-use nodes and the *intensification corridors* as identified on Schedule 1 "Growth Plan Elements";

   iii) vacant or underutilized lots, *greyfield* and *brownfield sites* will be revitalized through the promotion of *infill development, redevelopment* and expansions or *conversion* of existing buildings;

   iv) the City will plan and provide for a diverse and *compatible* mix of land uses, including residential and employment uses to support vibrant communities;

   v) a range and mix of housing will be planned, taking into account *affordable housing* needs and encouraging the creation of *accessory apartments* throughout the *built-up area;*

vi) *intensification* of areas will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas;
vii) the City will plan for high quality public open space with site design and urban design standards that create attractive and vibrant spaces;
viii) *development* will support transit, walking and cycling for everyday activities; and
ix) the City will identify the appropriate type and scale of *development* within *intensification areas* and facilitate infill development where appropriate.

3.8 Urban Growth Centre (Downtown)

Comment [MM35]: OPA 39 2.4.6 reworded

1. The *Urban Growth Centre* is Downtown as identified on Schedule 1. The precise boundary of the *Urban Growth Centre* will be clearly defined through a detailed Secondary Plan for Downtown. The *Urban Growth Centre* is hereafter referred to as Downtown.

2. Downtown will continue to be a focal area for investment in office-related, employment, commercial, recreational, cultural, entertainment and institutional uses while attracting a significant share of the City's residential growth.

3. Downtown will be maintained and strengthened as the heart of the community and will be the preferred location for *major office* and major institutional uses as well as major transit infrastructure including a major transit station.

Comment [MM36]: Add "major" here because institutional uses are encouraged to be dispersed throughout the City to meet residents needs within walking distance of where they live

4. Downtown will be planned and designed to:

   i) achieve a minimum *density target* of 150 people and jobs combined per hectare by 2031, which is measured across the entire Downtown;
   ii) serve as a high density major *employment area* that will attract provincially and potentially nationally and internationally significant uses;
   iii) provide for additional residential *development*, including *affordable housing*, *major offices*, commercial and appropriate institutional *development* in order to promote *live/work* opportunities and economic vitality in Downtown;
   iv) maintain, enhance and promote *cultural heritage resources*, the *Natural Heritage System*, unique streetscapes and landmarks within Downtown;
   v) develop additional public *infrastructure* and services, public open space, tourist, recreational, entertainment and cultural facilities within Downtown; and
   vi) accommodate a major transit station and associated *multi-modal* transportation facilities within Downtown, which facilitates both inter and intra-city transit service.

3.9 Major Transit Station Area

Comment [MM37]: OPA 39 2.4.7 reworded

1. In keeping with the vision for a complete and *transit-supportive* community, Downtown is identified as a *major transit station area*. The *major transit station area* will support both inter-city transit service as well as local transit service and function as the central hub providing connections within and outside the City.

2. The *major transit station area* will generally be planned and designed to:

Comment [MM38]: OPA 39 - definition deleted from the policy since it is a defined term.

   i) achieve increased residential and employment densities that support and ensure the viability of existing and planned transit infrastructure and service;
   ii) achieve a mix of residential, office, institutional and commercial development, where appropriate; and
   iii) provide access from various transportation modes to the transit facility including consideration of pedestrians, bicycle parking and commuter pick-up/drop-off areas.

3.10 Intensification Corridors

Comment [MM39]: OPA 39 2.4.8

1. *Intensification Corridors* are identified on Schedule 1 of this Plan and will be planned to provide for mixed-use *development* in proximity to transit services at appropriate locations.

2. *Intensification Corridors* will be planned to achieve:

   i) increased residential and employment densities that support and ensure the viability of existing and planned transit service levels;
   ii) a mix of residential, office, institutional and commercial *development* where appropriate; and
   iii) a range of local services, including recreational, cultural and entertainment uses where appropriate.

3. *Development* within *intensification corridors* identified on Schedule 1 will be directed and oriented towards arterial and collector roads.

Comment [MM40]: New

3.11 Community Mixed-use Nodes

Comment [MM41]: OPA 39 2.4.9

1. Community Mixed-Use Nodes are identified on Schedule 1. These areas will be planned for higher density mixed-uses including residential and employment uses, as well as a wide range of retail, service, entertainment, recreational and commercial uses that serve the local and wider community.

2. The Community Mixed-Use Nodes will be planned and designed to:

   i) be well served by transit and facilitate pedestrian and cycling traffic;
   ii) provide a mix of commercial, offices and residential *development* in a higher density *compact urban form* that supports *walkable communities* and *live/work* opportunities; and

iii) allow complementary uses such as open space, institutional, cultural and educational uses, hotels and *live/work* studios.

3. Community Mixed-Use Nodes will evolve over the Plan horizon and beyond through *intensification* and *redevelopment* to provide a compact built form. Commercial uses within the Nodes will be integrated more fully with surrounding land uses and will accommodate mixed-use buildings.

Comment [MM42]: New

4. New major *development* within areas identified as Community Mixed-Use Nodes will demonstrate through concept plans how the proposed *development* meets the policies and objectives of this Plan.

Comment [MM43]: New

5. Concept plans will be developed by the City or by a *development* proponent in consultation with the City prior to the approval of new major *development* proposals within Community Mixed-Use Nodes. The concept plan will include but not be limited to the following:

Comment [MM44]: New

i) linkages between properties, buildings and uses of land both within and adjacent to the Node;
ii) identification of an appropriate location for a Main Street area;
iii) locations of new public and/or private streets and laneways;
iv) locations of open space on the site such as urban squares;
v) general massing and location of buildings that establish a transition to the surrounding community;
vi) pedestrian, cycling and transit facilities; and
vii) *heritage attributes* to be retained, conserved and/or rehabilitated.

6. Applications for *Zoning By-law* amendments and site plans, or any phases thereof, for properties subject to a concept plan shall demonstrate to the City's satisfaction that the proposed *development* is generally consistent with the concept plan.

Comment [MM45]: New

3.12 Greenfield Area

Comment [MM46]: OPA 39 2.4.10

1. The *greenfield area* is identified on Schedule 1 of this Plan. The *greenfield area* will be planned and designed in a manner which will contribute to the City's overall vision of a diverse and *complete community*. *Development* within the *greenfield area* must be compact and occur at densities that support *walkable communities*, cycling and transit and promote *live/work* opportunities.

2. The *greenfield area* will be planned and designed to:

i) achieve an overall minimum *density target* that is not less than 50 residents and jobs combined per hectare in accordance with the *Growth Plan* policies. The *density target* will be measured in accordance with the provisions of subsection 2.2.7.3 of the *Growth Plan* over the entire designated *greenfield area* to be developed;
ii) ensure that new *development* is designed to promote energy conservation, *alternative* and/or *renewable energy systems* and water conservation;

iii) create street configurations, densities and an urban form that supports walking, cycling and the early integration and sustained viability of transit services;
iv) provide a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;
v) create high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling;
vi) promote, where appropriate through secondary planning, the *development* of identifiable, pedestrian oriented neighbourhood scale 'urban villages' through the use of medium and high density, street-related built form that contains a mix of commercial, residential and employment uses, as well as supporting *live/work* opportunities. These centres will be designed around active public spaces and streets, and pedestrian access that is well-linked to the surrounding neighbourhood through walking, cycling and public transit; and
vii) develop and implement policies, including phasing policies and other strategies to achieve the *intensification* and *density targets* of this Plan.

3.13 Affordable Housing

Comment [MM47]: OPA 39 2.4.11

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

i) establishing and implementing minimum housing targets for the provision of housing that is affordable to *low and moderate income households*, in consultation with the County of Wellington; and
ii) permitting and facilitating all forms of housing required to meet social, health and well-being requirements, including *special needs* requirements of current and future residents.

3.14 Employment Lands

Comment [MM48]: OPA 39 2.4.12

1. As part of fostering a complete and healthy community, the City shall promote economic development and competitiveness and ensure that there is an adequate supply of land for a variety of employment uses to accommodate the forecasted growth in Section 3.3 of this Plan by:

i) planning to accommodate the employment growth forecast of a minimum of 92,000 jobs city-wide by the year 2031;
ii) providing for an appropriate mix and range of employment uses including industrial, commercial and institutional uses to meet long term needs;
iii) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and *ancillary uses* and takes into account the needs of existing and future businesses;
iv) planning for, protecting and preserving *employment areas* for

current and future uses;

v) ensuring the necessary infrastructure is provided to meet current and future employment needs;

vi) directing *major office* and appropriate major institutional uses to primarily locate Downtown or in areas with existing frequent transit service or existing or planned higher order transit service; and

vii) planning for and facilitating the *development* of employment lands that are *transit-supportive*, are compact in built-form and minimize surface parking.

2. To ensure that adequate land is available to meet future employment needs, the *conversion* of lands within e*mployment areas* to non-employment use(s) may only be permitted through a *municipal comprehensive review* where it has been demonstrated that:

i) there is a need for the *conversion* at the proposed location on the basis that there are no alternative location(s) within the City where the use could be accommodated in conformity with the Official Plan;

ii) the *conversion* will not compromise the City's ability to meet the employment forecasts of this Plan;

iii) the *conversion* will not adversely affect the overall viability of the *employment area* and achievement of the *intensification target*, *density targets* and other policies of this Plan;

iv) there is existing or planned *infrastructure* to accommodate the proposed *conversion*;

v) the lands are not required over the long term for the employment purposes for which they are designated; and

vi) cross-jurisdictional issues have been considered.

3. For the purposes of policy 3.14.2, *major retail uses* are non-employment uses.

4. Policy 3.14.2 only applies to *employment areas* that are not Downtown or regeneration areas. For *employment areas* that are Downtown or regeneration areas, Policy 1.3.2 of the Provincial Policy Statement, 2005 applies.

5. Regeneration areas are areas where a transition of use from industrial to another use is anticipated during the planning horizon of this Plan. Typically, these areas consist of isolated or fragmented sites outside of established or proposed industrial or business parks. The transition of use may be desirable to support improved land use compatibility or to promote reinvestment in underutilized areas of the City. The City may conduct planning studies to determine appropriate future uses for regeneration areas.

3.15 Transportation

1. The City's transportation system will be planned and managed to:

Comment [MM49]: OPA 39 2.4.12 f) Revised for consistency with Places to Grow and direction for Downtown Secondary Plan

Comment [MM50]: 2.4.12.1 of OPA 39 with revisions. First part of sentence is new.

Comment [MM51]: Modified to be consistent with OPA 39

Comment [MM52]: OPA 39 2.4.12.2 with updated policy # reference

Comment [MM53]: OPA 39 2.4.12.3 with rewording to be consistent with P2G.

Comment [MM54]: New policy to explain what regeneration areas are.

Comment [MM55]: OPA 39 2.4.13

i) provide connectivity among transportation modes for moving people and goods;
ii) offer a balance of transportation choices that reduces reliance upon any single mode and promotes transit, cycling and walking;
iii) be sustainable, by encouraging the most financially and environmentally appropriate mode for trip-making;
iv) offer *multi-modal* access to jobs, housing, schools, cultural and recreational opportunities and goods and services;
v) provide for the safety of system users; and
vi) ensure coordination between transportation system planning, land use planning and transportation investment.

2. In planning for the development, optimization and/or expansion of new or existing *transportation infrastructure* the City will:

i) consider increased opportunities for moving people and goods by rail, where appropriate;
ii) consider separation of modes within *transportation corridors*, where appropriate;
iii) use transit infrastructure to shape growth and planning for high residential and employment densities that ensure the efficiency and viability of existing and planned transit service levels;
iv) place priority on increasing the capacity of existing transit systems to support *intensification areas*;
v) expand transit service to areas that have achieved, or are planned to achieve, *transit-supportive* residential and employment densities, together with a mix of residential, office, institutional and commercial *development*, wherever possible;
vi) facilitate improved linkages from nearby neighbourhoods to Downtown and other *intensification areas*; and
vii) increase the *modal share* of transit.

3. The City will develop and implement *Transportation Demand Management* (TDM) policies within this Plan and other transportation planning documents with the objective to reduce trip distance and time and increase the *modal share* of alternatives to the automobile.

Comment [MM56]: OPA 39 2.4.13.2

4. Public transit will be the first priority for vehicular *transportation infrastructure* planning and transportation investments.

Comment [MM57]: OPA 39 2.4.13.3 revised

5. The City will ensure that pedestrian and bicycle networks are integrated into transportation planning to:

Comment [MM58]: OPA 39 2.4.13.5

i) provide safe, comfortable travel for pedestrians and cyclists within existing communities and new *development*; and
ii) provide linkages between *intensification areas*, adjacent neighbourhoods and transit stations, including dedicated lane space for cyclists on the major street network where feasible.

3.16 Natural Heritage System

1. One of the City's most valuable assets is its *natural heritage system*. The City takes an environment first approach and is committed to protecting, maintaining, enhancing and restoring the diversity, function, linkages and connectivity between and among *natural heritage features* and areas, and surface water and ground water features within the City over the long term.

2. *Development* will be prohibited within defined features in accordance with the *Natural Heritage System* provisions of this Plan.

3. The City will ensure that water quality and quantity is protected, improved or restored.

3.17 Culture of Conservation

1. The City will develop and implement policies and other strategies in support of the following conservation objectives:

   i) water conservation including water demand management for the efficient use of water and water recycling to maximize the reuse and recycling of water;
   ii) a sustainable *groundwater* supply and wastewater system that ensures water quality and quantity is protected, improved or restored;
   iii) energy conservation;
   iv) protection of air quality, including the reduction of emissions;
   v) integrated waste management to enhance waste reduction, composting and recycling and the identification of new opportunities for source reduction, reuse and diversion where appropriate; and
   vi) conservation of *cultural heritage* and *archaeological resources*, where feasible.

3.18 Energy Sustainability

1. The City will reduce energy consumption and promote *renewable* and *alternative energy systems* by developing policies and programs for:

   i) implementing energy conservation for municipally owned facilities;
   ii) identifying and implementing opportunities for renewable and alternative energy generation and distribution;
   iii) developing and implementing energy demand management to reduce energy consumption;
   iv) establishing land use patterns and urban design standards that encourage and support energy-efficient buildings and opportunities for *district energy*; and
   v) conserving energy by encouraging renovation and efficient design of buildings and *development*.

Comment [MM59]: OPA 39 2.4.14

Comment [MM60]: Modified by OPA 42

Comment [MM61]: OPA 39 2.4.14.1 only 2nd sentence, first sentence deleted

Comment [MM62]: OPA 39 2.4.14.2

Comment [MM63]: Section modified from OPA 39, OPA 39 2.4.15

Comment [MM64]: OPA 39, 2.4.15

Comment [MM65]: OPA 39 2.4.15 c) revised, detail covered under Energy Sustainability

Comment [MM66]: OPA 39 2.4.15 f) reworded

Comment [MM67]: New section, not included in OPA 39, based on OPA 39 2.4.15c)

3.19 Water and Wastewater Systems

Comment [MM68]: OPA 39 2.5.16

1. Construction of new, or expansion of existing, municipal or private communal water and wastewater systems should only be considered where the following conditions are met:

   i) strategies for water conservation and other water demand management initiatives are being implemented in the existing service area; and
   ii) plans for expansion or for new services are to serve growth in a manner that supports achievement of the *intensification* and *density targets* of this Plan.

3.20 Community Infrastructure

Comment [MM69]: OPA 39, 2.4.17

1. Infrastructure planning, land use planning and infrastructure investment will be co-ordinated to implement the objectives of this Plan.

Comment [MM70]: OPA 39, 2.4.17.1 revised

2. Planning for growth will take into account the availability and location of existing and planned *community infrastructure* so that *community infrastructure* can be provided efficiently and effectively.

Comment [MM71]: OPA 39, 2.4.17.2

3. An appropriate range of *community infrastructure* should be planned to meet the needs resulting from population changes and to foster a *complete community*.

Comment [MM72]: OPA 39, 2.4.17.3

4. Services planning, funding and delivery sectors are encouraged to develop a *community infrastructure* strategy to facilitate the co-ordination and planning of *community infrastructure* with land use, *infrastructure* and investment through a collaborative and consultative process.

Comment [MM73]: OPA 39, 2.4.17.4

5. The City will work with the Grand River Conservation Authority, non-governmental organizations and other interested parties to encourage and develop a system of publicly accessible parkland, open space and trails, including shoreline areas that:

   i) clearly demarcate where public access is and is not permitted;
   ii) is based on a co-ordinated approach to trail planning and development; and
   iii) is based on good land stewardship practices for public and private lands.

Comment [MM74]: OPA 39, 2.4.14.3

6. The City will encourage an urban open space system that may include rooftop gardens, urban squares, communal courtyards and public parks.

Comment [MM75]: OPA 39 2.4.14.4

3.21 Managing Growth

Comment [MM76]: Existing OP 4.2 revised based on Local Growth Management Strategy

Objectives

a) To ensure *development* is staged in a logical and economical manner in keeping with the City's growth management objectives.

Comment [MM77]: Existing OP 4.1 d reworded

b) To manage the rate and timing of growth and monitor the achievement of the City's growth management objectives through an annual Development Priorities Plan.

Comment [MM78]: New, objective specific to Development Priorities Plan

3.21.1 Staging of Development

1. *Development* will be staged relative to a program for orderly extension, repair and upgrading of municipal trunk storm and sanitary sewers and watermains.

Comment [MM79]: Existing OP 4.2.1 reworded

2. The rate and direction of *development* in the City will be guided by the growth management objectives and policies of this Plan including the City's ability to provide and extend municipal services as required and by the City's ability to meet the financial obligations for the provision of required services. Schedule 6 outlines in general terms the sequencing of servicing infrastructure within the City.

Comment [MM80]: Existing OP 4.2.1 Revised.

i) Stage 1
Stage 1 includes the *built-up area* of the City and other areas of the City where municipal trunk storm and sanitary sewers and watermains are presently available. The *built-up area* included within Stage 1 will continue to be the subject of development over the planning period to meet the minimum *intensification target* of this Plan. Priority for the upgrading of municipal services will be given to Downtown and *intensification areas*.

ii) Stage 2
The Stage 2 area represents the logical extension of municipal services to support new urban development. The annual Development Priorities Plan will be used to identify priorities for the servicing of new *plans of subdivision*. The provision of servicing in Stage 2 areas will be governed by the City's capital budget process.

iii) Stage 3
The Stage 3 area corresponds generally to the area known as the Guelph Innovation District. This area is within the Eramosa/Blue Springs subwatershed planning area and is subject to a secondary plan process. The provision of servicing into this area will be identified through the Secondary Plan and through updates to subwatershed studies.

iv) Stage 4
The Stage 4 area provides the long term land supply for urban development and is not anticipated to be developed until the latter half of the planning horizon of this Plan and potentially beyond. A subwatershed study, secondary plan and related supportive studies are required for the entire Stage 4 area prior to any *development* occurring in this area. The provision of servicing into this area will be

identified through the secondary plan process.

3. *Development* proposals will be evaluated based on their impact on existing municipal services. The City shall restrict or prohibit *development* where municipal services are not of sufficient capacity or are otherwise inadequate to service the proposed use of the lands.

Comment [MM81]: Based on existing OP 4.2.2 a)

4. Secondary Plans, implementing *Zoning By-laws* and associated amendment processes, will be used as a regulatory mechanism to prevent pre-mature *development* of land that would not have adequate municipal services.

Comment [MM82]: Based on existing OP 4.2.2

5. The extension of municipal trunk services to support new urban *development* within the *greenfield area* will be assigned to those areas where maximum efficiencies are achieved. The staging and other provisions of this Plan along with the City's Master Plans respecting water, wastewater and *transportation infrastructure* service provision and the annual Development Priorities Plan will be used to guide *development*. The City will provide new *infrastructure* where the City's staging policies and infrastructure financing capability are aligned.

Comment [MM83]: Existing OP 4.2.2 b) revised based on DPP and Council direction.

3.21.2 Development Priorities Plan

1. The City will prepare a *Development Priorities Plan* (DPP) on an annual basis to manage and monitor growth and to define and prioritize the rate, timing and location of *development* in the City. Generally, the DPP:

Comment [MM84]: Existing OP 4.2.3 Revised. Policy updated based on DPP 2011 report

   i) monitors *development* activity to ensure that growth is consistent with population forecasts, intensification targets for the *built-up* area and *density targets* for the *greenfield area*;
   ii) tracks the supply of *residential units* in accordance with the housing supply policies of this Plan;
   iii) sets an annual limit for the creation of potential *dwelling units* from registered *plans of subdivision*; and
   iv) assists with the integration of financial planning of growth related capital costs with land use planning and the timing of development in new growth areas.

2. The Development Priorities Plan will set out specific criteria for determining priorities for the rate, timing and location of development. The criteria will, at a minimum, address the following:

Comment [MM85]: New based on 2011 DPP Report

   i) the realization of the goals, objectives and policies of the Official Plan;
   ii) servicing capacity and availability of servicing;
   iii) co-ordination and orderly provision of municipal services and community facilities;
   iv) the City's financial considerations;

v) an effective and efficient growth pattern in both new and older, established areas of the City;
vi) achievement of the *density targets* for the *greenfield area*;
vii) achievement of the *intensification target* for the *built-up area*;
viii) provision of a mix of housing types and densities including *affordable housing*; and
ix) satisfaction of sustainability criteria and goals of the Community Energy Plan.

4 Protecting What is Valuable

Comment [MM86]: OPA 42, text is as appears in final decision from ministry. Numbering has been changed for purposes of this document to reflect Chapter 4 instead of Chapter 6 and schedule numbering..

This part of the Plan addresses the features, resources and built form that are highly valued and essential to the protection of the natural and *cultural heritage resources*, ensure health and safety, enhance energy sustainability and enhance the quality of life within the City and includes:

- the *Natural Heritage System*
- Water Resources
- Public Health and Safety
- Community Energy Planning
- *Cultural Heritage Resources*.

4.1 Natural Heritage System (NHS)

The City's *Natural Heritage System (NHS)* is comprised of a combination of *natural heritage features*, including Significant Natural Areas and *established buffer*, Natural Areas, *Ecological Linkages*, *Restoration* Areas and Wildlife Crossings as identified on Schedule 4. Together, these elements maintain local biological, hydrological and geological diversity, *ecological functions*, connectivity, support viable populations of indigenous species, and sustain local biodiversity.

A diverse and well-connected *Natural Heritage System* contributes to the City's environmental, social, cultural and economic values. The wide range of ecological services provided by the *Natural Heritage System* includes, but is not limited to, the protection of *natural heritage features* and *ecological functions*, biodiversity and water resources, reduced need for engineered stormwater management, attenuation of air and water pollutants, moderation of the urban heat island effect, the provision for natural and open spaces for leisure activities and aesthetic enjoyment, and opportunities for residents and visitors to experience nature in the City.

4.1.1 Purpose

The purpose of the *Natural Heritage System* is to protect *natural heritage features and areas* for the long term, and maintain, restore and where possible, improve the bio-diversity and connectivity of *natural heritage features* and *ecological function* of the *Natural Heritage System* in the long term, while recognizing and maintaining linkages between and among *natural heritage features and areas* and surface water and *groundwater features*.

In order to achieve this purpose, the *Natural Heritage System*:

i) provides permanent protection to the Significant Natural Areas, *established buffers*, and *Ecological Linkages*,
ii) identifies Natural Areas for further study to determine the *features* and functions that should be incorporated into the *Natural Heritage System for* permanent protection or alternatively, identify the areas that may be developed; and

iii) identifies wildlife crossings to ensure that mitigative measures are undertaken to minimize any harm to wildlife, the public and/or property.

The NHS policies aim to strike a balance between protection of the *Natural Heritage Strategy* while providing for limited compatible *development*. The NHS fosters partnerships with public agencies, community organizations and private land owners by promoting stewardship and enjoyment of these natural assets.

The *Natural Heritage System* is identified on Schedules 2 and 4 and consists of:

1. Significant Natural Areas (and the established and *minimum buffers*); and
2. Natural Areas.

The components that make up the *Natural Heritage System* are listed below and are illustrated on Schedules 4 and 4A through 4E and must be read in conjunction with Schedule 2.

Each of the *Natural Heritage System* components has specific policies as outlined in this section. Where *minimum buffers* are identified on Table 4.1, the designations on Schedule 2 may include the *minimum buffers* except where existing *development* has been previously approved within the *minimum buffers*.

1. Significant Natural Areas
   - *Significant Areas of Natural and Scientific Interest(ANSI)*
   - *Significant Habitat for Provincially Endangered and Threatened Species*
   - *Significant Wetlands*
   - *Surface Water Features and Fish Habitat*
   - *Significant Woodlands*
   - *Significant Valleylands*
   - *Significant Landform*
   - *Significant Wildlife Habitat(including Ecological Linkages)*
   - Restoration Areas

2. Natural Areas
   - *Other Wetlands*
   - *Cultural Woodlands*
   - Habitat for Significant Species

3. Wildlife Crossings, as identified on Schedule 4.

4.1.2 Objectives

a) To implement a systems approach that ensures interconnectivity between and among *natural heritage features and areas*, surface water and *groundwater features*, and that maintains *ecological* and *hydrologic functions.*

b) To identify Significant Natural Areas for long term protection.

c) To identify Natural Areas for further study to determine whether long term protection is warranted.

d) To protect *endangered* and *threatened species* and their significant habitats.

e) To recognize that the *Natural Heritage System* contributes to important *ecosystem services* that benefit current and future generations.

f) To protect, maintain, enhance and restore the *Natural Heritage System* to the greatest extent possible, while providing for compatible *development* and activities as identified that do not negatively impact the *natural heritage features* and their *ecological* or *hydrologic functions* now and in the long term.

g) To protect and enhance *tree canopy cover* while providing for meadow habitat at appropriate locations to ensure biodiversity is maintained.

h) *To protect significant portion*s of t*he Paris-Galt Moraine* identified by the City in recognition of its role in contributing to *wildlife habitat* and *ecological linkages*, continuity of the *Natural Heritage System*, *surface water and groundwater features*, *biodiversity*, *aesthetic value in the lands*cape, and local geologic uniqueness.

i) To ensure that the criteria identifying the *Natural Heritage System* are applied in a transparent and consistent manner.

j) To implement an ecosystem based approach on a watershed and subwatershed basis.

k) To provide clear mechanisms for assessing the potential immediate and long term impacts of *development*, *site alteration* and *other activities* on the *Natural Heritage System*.

l) To recognize that *natural heritage features and areas* in urban settings are subject to a variety of impacts and stresses, and seek to identify opportunities to mitigate against these influences through ongoing stewardship, monitoring and ecological management.

m) To foster appreciation and local stewardship of the *Natural Heritage System*.

n) To support the ongoing monitoring and management of the City's *Natural Heritage System* to ensure its long-term sustainability and resilience in relation to the impacts and stresses associated with being in an urban context, as well as other factors, such as climate change.

4.1.3 General Policies

1. The City shall ensure the long term protection of the *Natural Heritage System* and associated *ecological* and *hydrological functions*.

Significant Natural Areas

2. *Development* or *site alteration* shall not be permitted within Significant Natural Areas or their *minimum buffers*, as illustrated on Schedule 2. Exceptions are identified in the General Permitted Uses listed below and within the Significant Natural Areas policies.

3. *Development* or *site alteration* may be permitted within the adjacent lands to Significant Natural Areas provided it has been demonstrated through an *Environmental Impact Study (EIS)* or *Environmental Assessment (EA)* that there will be no *negative impacts* on the protected *natural heritage features* or their associated *ecological functions*. Exceptions are identified in the General Permitted Uses listed below and within the Significant Natural Areas policies.

Natural Areas

4. *Development* or *site alteration* may be permitted within all or parts of identified Natural Areas, provided it has been demonstrated through an EIS or EA that all, or parts of such areas do not meet the criteria in Section 4.1.6 that require their protection. Exceptions are identified in the General Permitted Uses listed below and within the Natural Areas policies.

5. *Development* or *site alteration* may be permitted within the adjacent lands of Natural Areas provided it has been demonstrated through an EIS or EA that there will be no *negative impacts* on the protected *natural heritage features* or their associated *ecological functions*. Exceptions are identified in the General Permitted Uses listed below and within the Natural Areas policies.

6. The City will work with the County to maintain connectivity between the *Natural Heritage System* within the City and the County.

4.1.4 General Permitted Uses

1. *Development* and *site alteration* shall not be permitted within the *Natural Heritage System* and *established buffers* to *natural heritage features,* except for the following uses:

   i) legally existing uses, buildings or structures;
   ii) *passive recreational activities*;
   iii) low impact scientific and educational activities;

iv) fish and wildlife management;
v) f*orest management;*
vi) *habitat conservation;* and
vii) *restoration* activities.

2. Notwithstanding the provisions of Section 4.1.4, an EIS may be required for the construction of trails and walkways, *fish and wildlife management*, and *habitat conservation*, where the proposed work has the potential to result in *negative impacts* to the *Natural Heritage System*.

3. The above uses may be further limited or expanded upon through the specific policies of the Significant Natural Areas and Natural Areas.

4. If, through the preparation and review of a *development* application, it is found that important *Natural Heritage features* or functions have not been adequately identified or new information has become available, the applicant may be required by the City to prepare a scoped EIS of the *natural heritage features* and functions in consultation with the City of Guelph, and where appropriate the OMNR and the GRCA. If the *natural heritage features* or *ecological functions* meet the criteria of the NHS, the applicable Natural Heritage policies shall apply.

5. Where two or more *Natural Heritage System features* or areas overlap, the policies that provide the most protection to the *natural heritage feature* or area shall apply.

6. Permitted *development* and *site alteration* within and adjacent to the *Natural Heritage System* (as outlined in Table 4.1) shall be required to demonstrate, through an EIS or EA to the satisfaction of the City, in consultation with the Grand River Conservation Authority (GRCA), the Province and federal government, as applicable, that there will be no *negative impacts* on the *natural heritage features and areas* or their *ecological* and *hydrological functions*.

4.1.4.1 Adjacent Lands and Buffers

Adjacent Lands are those lands contiguous to a specific natural heritage feature or area where it is likely that *development* or *site alteration* would have a negative impact on the *natural heritage feature or area*. Generally, an EIS/EA is required to assess potential impacts of the proposed activities, and recommend appropriate setbacks (i.e., *established buffers*) from the Natural Heritage feature within the *adjacent lands*, to ensure no *negative impacts* (see Table 4.1). The *minimum buffers* apply within the adjacent lands and are identified to prevent damage and degradation to the identified *Natural Heritage features* and are part of the *Natural Heritage System*.

1. *Adjacent lands* and *minimum buffers* for all components of the *Natural Heritage System* are identified on Table 4.1.

2. *Development and site alteration* within the *minimum buffers* are subject to the Significant Natural Areas and Natural Areas policies.

3. The final width of *established buffers* may be greater than the *minimum buffers* identified on Table 4.1 and shall be established through an approved EIS or EA, or through approved *Subwatershed Plans* or Secondary Plans.

4. *Adjacent lands* and *buffers* shall be measured from the field-verified edge of an identified feature or area (e.g. drip line of a woodland, boundary of a wetland).

5. With the exception of the uses permitted by this Plan, established *buffers* shall be restored to, or maintained in a natural state in support of the *ecological* and /or *hydrological functions* of the adjacent protected *natural heritage features and areas*.

6. *Minimum buffers* identified on Table 4.1 have generally been incorporated into the Significant Natural Areas designation on Schedules 1 and 2 except where existing *development* has been permitted.

7. New *development* including redevelopment will be subject to the provisions of this plan.

Table 4.1 Minimum Buffers and Adjacent Lands to the Components of the Natural Heritage System

Significant Natural Areas	Width of Minimum Buffers	Width of Adjacent Lands
Significant Areas of Natural and Scientific Interest (ANSIs)	To be established through an EIS or EA in consultation with the Ontario Ministry of Natural Resources (OMNR)	50 m -120m
Significant Habitat for Provincially Endangered and Threatened Species	To be established through an EIS in consultation with MNR or Recovery Plans where available	120 m
Significant Wetlands *i. Provincially Significant Wetlands* *ii. Locally Significant Wetlands*	i. 30 m ii. 15 m	i. 120 m ii. 120 m
Surface Water and *Fish habitat* i. Cold/cool water *fish habitat* ii. Warm water fish habitat, permanent and *intermittent streams and undetermined fish habitat*	i. 30 m ii. 15m	i. 120 m ii. 120 m
Significant Woodlands	10 m from the drip line	50 m
Significant Valleylands	To be established by an EIS.	50 m
Significant Landform	No buffer required	50 m
Significant Wildlife Habitat i. Deer Wintering Areas and Waterfowl Overwintering Areas *ii.* Significant Wildlife Habitat *iii. Ecological Linkages*	i. To be established through an EIS. ii. No buffer required. iii. No buffer required	i. 50 m ii. 50 m *iii.* 50 m
Restoration Areas	No buffer required	No Adjacent Lands

Natural Areas	Width of Minimum Buffers	Width of Adjacent Lands
Other Wetlands	To be established through an EIS.	30 m.
Cultural Woodlands	To be established through an EIS.	50 m
Potential Habitat for Significant Species (excluding provincially *Endangered* and *Threatened Species*)	To be established through an EIS.	50 m

4.1.4.2 Existing Uses

1. Legally existing uses, existing utilities, facilities and *infrastructure* and their *normal maintenance* are recognized and may continue within the *Natural Heritage System.*

2. An expansion of a legally existing building or structure may be permitted within the *Natural Heritage System* without an amendment to this Plan provided that it can be demonstrated, to the satisfaction of the City and the GRCA, where applicable, through an EIS, that the objectives of the designation can be met and that the proposed expansion will not have a negative impact on the *natural heritage features* or *ecological functions* for which the area is identified. Existing uses will be discouraged from expanding further into Significant Natural Areas and *minimum buffers*. Such expansions shall be minor in proportion to the size and scale of the building or use and shall not result in further intensification of the use.

3. *Development*, *site alteration* or activities carried out within the *Natural Heritage System*, without prior approval by the City, which result in reduction in the extent of the *natural heritage features* or the associated *ecological* function will not be recognized as a new existing condition. *Restoration* of the disturbed area shall be required to the satisfaction of the City. If the unapproved *development* or *site alteration* is carried out in conjunction with a *development* application, *restoration* will be required prior to or as a condition of approval of any permitted *development*.

4.1.4.3 Study Requirements Within and Adjacent to the Natural Heritage System

1. The scope of the required EIS will depend on the scale and nature of the proposed *development* and/or *site alteration* and the specific *natural heritage features* potentially impacted.

2. Within the *Built–Up* Area identified on Schedule 1, the study requirements on the *adjacent lands* may be reduced by the City under limited circumstances where existing *development* exists between the proposed *development* and the *natural heritage feature or area*.

4.1.4.4 Interpretation

1. The boundaries of the *natural heritage features and areas* that make up the *Natural Heritage System* are based on criteria for designation and the best information available at the time of completion of this Plan.

2. In the event that there is a discrepancy between the Schedules and the policies, the policies shall prevail.

3. Species designations and rankings change over time. As new information becomes available and is assessed at the national, provincial, and local level, the most current species designations shall apply and will not require an amendment to this Plan.

4. Boundaries of *natural heritage features and areas* that make up the *Natural Heritage System* shown on Schedules 1, 2, 4, and 4A-E and shall be delineated using the criteria for designation and the most current information, and are required to be field verified and staked as part of an EIS or EA, to the satisfaction of the City, in consultation with the Ontario Ministry of Natural Resources (OMNR) and/or the Grand River Conservation Authority (GRCA), as applicable. Once confirmed in the field, and approved by the City, boundaries of *natural heritage features and areas* and *established buffers* shall be required to be accurately surveyed and illustrated on all plans submitted in support of *development* and *site alteration* applications. Such boundary interpretations will not require an amendment to this Plan. Minor refinements to the boundaries may be made on the basis of the criteria for designation, without an amendment to this Plan.

5. Where land is under private ownership within the *Natural Heritage System* or determined through subsequent *EIS* to meet the criteria for inclusion in the *Natural Heritage*

System, nothing in this Plan will be construed to imply that such lands are open for public use or that the City or other public agency are obliged to purchase the lands.

6. The City may consider alternative means to protecting and managing the *Natural Heritage System* including, but not limited to:

   i) partnerships with the GRCA and other public or non-profit agencies;
   ii) entering into agreements such as conservation easements;
   iii) conveyance of land to the City, a public agency or a land trust; and
   iv) implementing municipal by-laws.

4.1.5 Significant Natural Areas

This section outlines specific objectives, criteria for designation and policies for Significant Natural Areas and their *buffers*. Specific policies related to *Natural Heritage System* management and stewardship are provided in Section 4.

4.1.5.1 Significant Areas of Natural and Scientific Interest (ANSI)

4.1.5.1.1 Objectives

a) To protect Significant *Areas of Natural and Scientific Interest (ANSIs)* identified by the Ontario Ministry of Natural Resources (OMNR) for their life science or earth science values related to *natural heritage features*, scientific study or education and significance within the Province.

b) To promote the value and importance of ANSIs within the City through education and stewardship.

4.1.5.1.2 Criteria for Designation

1. Provincially Significant Earth Science *ANSIs* as identified by the OMNR;
2. Provincially Significant Life Science *ANSIs* as identified by the OMNR;
3. Regionally Significant Earth Science *ANSIs* as identified by the OMNR; and
4. Regionally Significant Life Science *ANSIs* as identified by the OMNR.

4.1.5.1.3 Policies

Provincially and Regionally Significant Earth Science ANSIs

1. *Development* and *site alteration* shall not be permitted within a provincially or regionally significant Earth Science *ANSI* and *established buffer*, except for uses permitted by the General Permitted Uses of Section 4.

2. *Buffers* to a provincially and regionally significant Earth Science *ANSI* will be determined through an EIS or EA to the satisfaction of the City and the OMNR.

3. *Development* and *site alteration* may be permitted *adjacent* to a provincially and regionally Significant Earth Science ANSI where it has been demonstrated, through an EIS or EA, to the satisfaction of the City and the MNR, that there will be no *negative impacts* on the geological features, or the interpretative and scientific value for which the ANSI was identified.

Provincially and Regionally Significant Life Science ANSI

4. *Development* and *site alteration* shall not be permitted within a provincially or regionally Significant Life Science *ANSI* or *established buffers*, except for uses permitted by the General Permitted Uses of Section 4.

5. *Buffers* to provincially and regionally significant Life Science ANSI's will be determined through an EIS study to the satisfaction of the City and the OMNR.

6. *Development* and *site alteration* may be permitted *adjacent* to a provincially and regionally Significant Life Science ANSI where it has been demonstrated, through an EIS or EA, to the satisfaction of the City and the OMNR, that there will be no *negative impacts* on the *natural heritage features* or on their *ecological functions* for which the ANSI was identified.

4.1.5.2 Significant Habitat for Provincially Endangered and Threatened Species

4.1.5.2.1 Objectives

a) To protect the *Significant Habitat of Provincially Endangered and Threatened Species*.

b) To work with the OMNR to identify and protect *Significant Habitat* for *Provincially Endangered and Threatened Species* in the City, and potentially implement mitigative measures to support the long-term sustainability of the species.

4.1.5.2.2 Criterion for Designation

1. The *Significant Habitat of Provincially Endangered and Threatened Species* as approved by OMNR.

4.1.5.2.3 Policies

1. *Development* and *site alteration* shall not be permitted within the *Significant Habitat of Provincially Endangered and Threatened Species* and *established buffers*, except for uses permitted by the General Permitted Uses of Section 4 in accordance with provincial requirements.

2. The extent of the *significant habitat* and *buffers* for the species in question will be established to the satisfaction of the City, in consultation with the OMNR or its designate, and will be consistent with any applicable Recovery Strategy for the species identified.

3. In cases where the *Significant Habitat of Provincially Endangered and Threatened Species* is defined, decisions shall be consistent with the extent of the habitat required.

4.1.5.3 Significant Wetlands

4.1.5.3.1 Objectives

a) To protect *Provincially Significant Wetlands* (PSWs) and *Locally Significant wetlands* (LSWs) and their *established buffers*.

b) To recognize the important role that *Significant Wetlands* play in maintaining the ecological health of the *Natural Heritage System* including moderating the flow of water, contributing to *groundwater* recharge, improving water and air quality, storing carbon, and providing habitat for a broad range of species.

c) To work with various government agencies, (e.g. the GRCA and the OMNR) to protect *Significant Wetlands* through integrated land use planning, site design, and implementation of best management practices.

4.1.5.3.2 Criteria for Designation

1. *Provincially Significant Wetlands* (PSWs) as designated by OMNR, and a 30m *minimum buffer*.

2. *Locally Significant Wetlands* (LSWs), and a 15m *minimum buffer* for:

   i) evaluated *wetlands* or *wetland* complexes of at least 2 ha identified by OMNR that do not meet provincial criteria for significance but are considered significant at the City level; and
   ii) unevaluated *wetlands* identified by the City in consultation with the GRCA that are at least 0.5 ha in size.

4.1.5.3.3 Policies

1. *Development* and *site alteration shall not be* permitted within *Significant Wetlands, or established buffers* except for uses permitted by the General Permitted Uses of Section 4.

2. The *established buffer* will be determined through an EIS, and may be greater than the minimums identified on Table 4.1.

3. *Significant Wetland features* or ecological function that are impaired during the *development* process will require mitigation, including remedial measures to restore wetland features and ecological function.

4. In addition to the uses permitted by the General Permitted Uses of Section 4, the following additional uses may be permitted within the

established buffers to *Significant Wetlands* where it has been demonstrated through an EIS or EA to the satisfaction of the City, in consultation with the GRCA and/or the OMNR, that there will be no *negative impacts* on the *Significant Wetland* or its *ecological* and *hydrological functions* and *no feasible alternative exists*:

i) *essential* public and private *linear infrastructure* lines and their *normal maintenance*; and
ii) stormwater management facilities and structures and their *normal maintenance*, where *low impact development* measures have been implemented to the extent possible outside the buffer and provided they are located a minimum distance of 15 m from a PSW and 7.5 m from a LSW. *Established buffers will be naturalized* or *restored* with site-appropriate indigenous plants.

5. Notwithstanding the General Permitted Uses of Section 4, trails within *Significant Wetlands* are subject to the following additional limitations. The formalization of existing ad hoc trails through formal trails and walkways may be permitted within *Significant Wetlands* and their *established buffers* where:

i) they are considered *essential* to the City's trail system or integral to the scientific, educational or passive recreational use of the property;
ii) no reasonable alternati*ve locati*on exists;
iii) the environmental impacts of the proposed trails have been assessed and mitigated through design that minimize impacts to the *natural heritage features* and *ecological functions*; and
iv) where appropriate, they consist primarily of boardwalks and viewing platforms and are accompanied with educational signs.

4.1.5.4 Surface Water Features and Fish Habitat

4.1.5.4.1 Objectives

a) To protect, improve or restore the quality and quantity of *Surface Water* features and *Fish Habitat.*

b) To maintain and where possible enhance linkages and related functions among surface water features, *groundwater features*, *hydrologic functions* and *natural heritage features*.

c) To maintain, protect and enhance all types of *Fish Habitat*, as defined by the federal *Fisheries Act.*

4.1.5.4.2 Criteria for Designation

1. Cold and Cool Water *Fish Habitat* as identified by the OMNR/GRCA and a 30 m *minimum buffer*.

2. Warm water and undetermined *Fish Habitat* as identified by the OMNR/GRCA and a 15 m *minimum buffer*.

3. Permanent and *intermittent streams*, as identified by the City and/or the OMNR/GRCA and a 15 m *minimum buffer*.

4.1.5.4.3 Policies

1. *Developme*nt and *site alteration* shall not be permitted within *Surface Water Features* and *Fish Habitat* or *established buffer,* except for uses permitted by the General Permitted Uses of Section 4.

2. In addition to the General Permitted Uses of Section 4, the following additional uses may be permitted within *Surface Water Features*, *Fish Habitat* and *established buffer:*

    i) *essential* public and private *linear infrastructure* lines and their *normal maintenance*, provided no feasible alternative exists;
    ii) *essential transportation infrastructure* including roads and sidewalks and their *normal maintenance*, provided no feasible alternative exists;
    iii) flood and erosion control facilities or other similar works and their *normal maintenance*; and
    iv) stormwater management facilities and structures and their *normal maintenance*.

3. These additional uses may only be permitted where it has been demonstrated through an EIS, EA or subwatershed study, to the satisfaction of the City, in consultation with the MNR and/or the GRCA, and/or the Department of Fisheries and Oceans (DFO), that:

    i) there will be no *negative impacts* on the water resources, *fish habitat* or related e*cological* and *hydrological functions;*
    ii) there will be no net loss of *fish habitat*, and no harmful alteration, disruption, or destruction of *fish habitat*;
    iii) where authorization for the harmful alteration, disruption, or destruction of *fish habitat* has been obtained from DFO under the Fisheries Act using the guiding principle of no net loss of productive capacity, and the impact of *development* on *fish habitat* will be avoided or fully mitigated; and if not, the loss of *fish habitat* will be adequately compensated for through a compensation plan approved by the GRCA and/or the DFO; and
    iv) all applicable protocols or policies of the provincial and federal government have been met.

4. The *established buffer* is to be determined through an EIS or EA and may be greater than the recommended *minimum buffer*.

5. For permanent and *intermittent streams* and *fish habitat*, the buffer will be measured from the *bankful channel*.

6. Construction within or across *surface water features* or *fish habitat* shall:

    i) adhere to OMNR fisheries timing windows so as to avoid or minimize impacts on fish, wildlife and water quality; and
    ii) implement the best management practices related to construction.

7. Opportunities to restore permanent and *intermittent stream* and *fish habitat* shall be encouraged and supported.

8. Where *fish habitat* is undetermined, an EIS, EA or subwatershed study, shall assess and determine, to the satisfaction of the City and

the GRCA, the presence and type of *fish habitat* and the level of protection required.

9. The City will continue to investigate the feasibility of removing/modifying structural barriers to fish passage in the Speed and Eramosa Rivers and their tributaries in order to permit natural stream processes, improve *fish habitat* and the *restoration* of natural stream morphology.

4.1.5.5 Significant Woodlands

4.1.5.5.1 Objective

a) To protect, maintain and enhance S*ignificant Woodlands* for the ecological, social, economic and environmental services they provide including but not limited to enhancing biodiversity, providing *wildlife habitat*, moderating temperatures, erosion control and pollution filtration.

4.1.5.5.2 Criteria for Designation

1. *Woodlands* (not identified as *cultural* woodlands or *plantations*) of 1 ha or greater in size, and a 10 m *minimum buffer*.

2. *Woodlands* 0.5 ha in size or greater consisting of Dry-Fresh Sugar Maple Deciduous Forest and a 10 m *minimum buffer*, or

3. *Woodland* types ranked as S1 (Critically Imperiled), S2 (Imperiled) or S3 (Vulnerable) by the OMNR Natural Heritage Information Centre, and a 10 m *minimum buffer.*

4.1.5.5.3 Policies

1. *Development* and *site alteration* shall not be permitted within *Significant Woodlands* and *established buffers* except for uses permitted by the General Permitted Uses of Section 4.

2. All *Significant Woodlands* require a *minimum buffer* of 10 m from the drip line of the trees at the woodland edge, except where existing *development* precludes it. The *established* buffer is to be determined through an EIS, and may be greater than the 10 m *minimum buffer*.

3. In addition to the General Permitted Uses of Section 4, stormwater management facilities and structures may be permitted in the *established buffers to Significant Woodlands* where it has been demonstrated through an EIS or EA study, to the satisfaction of the City that there will be no *negative impacts* on the feature or its *ecological* and *hydrological functions* and provided a minimum distance of 5 m from the *woodland* is maintained. Buffers outside stormwater management facilities shall be naturalized with site-appropriate indigenous species.

4. Notwithstanding the General Permitted Uses of Section 4, trails within *Significant Woodlands* are subject to the following additional limitations. Formalization of existing ad hoc trails through construction of formal trail(s) and walkway(s) *may be permitted within Significant Woodlands* and their *established buffers* where:

   i) they are considered *essential* to the City's trail system or integral to the scientific, educational or passive recreational use of the *property;*
   ii) *no reasonable* alternative *location exists;*
   iii) *the environmental impacts of the proposed* trails have been assessed and mitigated through design that minimizes impacts to the *natural heritage features* and *ecological functions*; and
   iv) they are accompanied with educational signs.

4.1.5.6 Significant Valleylands

4.1.5.6.1 Objectives

a) To protect *Significant Valleylands* associated with the Speed and Eramosa Rivers, including the remnant representative valley features and apparent valleys associated with the river system and their tributaries.

b) To support flood protection, erosion control, and *passive recreational activities* within *Significant Valleylands*.

4.1.5.6.2 Criteria for Designation

1. Undeveloped areas within the regulatory

floodplain areas, *riverine flooding hazards*, *riverine erosion hazards*, as identified by the GRCA.

2. The remnant portions of the Speed and Eramosa Rivers, identified by the City that are relatively undisturbed and represent the quality and diversity of the physical expression of the river system on the landscape and measured to the uppermost break in slope associated with the valley and including the terraces on the valley slopes.

4.1.5.6.3 Policies

1. *Development* and *site alteration* shall not be permitted within *Significant Valleylands* and *established buffers* except for uses permitted by the General Permitted Uses of Section 4.

2. In addition to the General Permitted Uses of Section 4, the following additional uses may be permitted within *Significant Valleylands* and *established buffers* where it has been demonstrated through an EIS or EA, to the satisfaction of the City, and where applicable the GRCA, that there will be no *negative impacts* on the natural characteristics of the valley features or its *ecological* or *hydrological functions*, nor will there be increased susceptibility to *natural hazards*:

    i) *essential* public and private *linear infrastructure* lines and their *normal maintenance*, provided no feasible alternative exists;
    ii) *essential transportation infrastructure* including roads and sidewalks and their *normal maintenance;*
    iii) flood and erosion control facilities or other similar works;
    iv) *renewable energy* systems; and
    v) stormwater management facilities and structures and their *normal maintenance* in accordance with the *surface water features* and *fish habitat* policies of this Plan.

3. Where the *Significant Valleylands* are disturbed, the City promotes the *restoration*/*naturalization* of the *Significant Valleylands* aimed at improving water quality and quantity, ensuring bank and slope stabilization, and enhancing

wildlife habitat.

4.1.5.7 Significant Landform

4.1.5.7.1 Objectives

a) To identify and protect the *significant* portions of the *Paris Galt Moraine* within the City that play a role in contributing to:

   i) important environmental services including, surface water *features* and *groundwater* resources, providing *wildlife habitat* and linkages, and supporting biodiversity; and
   ii) the City's geologic and aesthetic uniqueness.

b) To protect vulnerable surface water and ground water resources, maintain and enhance linkages, connectivity and related functions between and among *natural heritage features and areas*, surface water and *groundwater features* and related *hydrological functions* within the *Paris Galt Moraine*.

4.1.5.7.2 Criterion for Designation

1. Hummocky topography of the *Paris Galt Moraine* that exhibit slope concentrations where the slope is 20% or greater and located in association with closed depressions identified by the GRCA, and in proximity to other *natural heritage features* or areas included in the *Natural Heritage System.*

4.1.5.7.3 Policies

1. *Development* and *site alteration* shall not be permitted within the *Significant Landform* except for uses permitted by the General Permitted Uses of Section 4.

2. In addition to the General Permitted Uses of Section 4.1, the following uses may be permitted within the *Significant Landform* where it has been demonstrated through an EIS or EA to the satisfaction of the City, in consultation with the GRCA, where appropriate, that there will be no *negative impacts* to the natural characteristics and contours of the landform feature or its *ecological* and *hydrological functions*:

i) *essential* public and private *linear infrastructure* lines and their *normal maintenance*, provided no feasible alternative exists;
ii) *essential transportation infrastructure* such as, roads and sidewalks and their *normal maintenance*, provided no feasible alternative exists and the natural contours are maintained outside the right-of-way to the greatest extent possible; and
iii) municipal water supply wells, underground water storage and associated small scale structures (e.g. pumping facility).

3. *Essential* public and private *linear infrastructure* and underground water supply storage shall be required to demonstrate that:

i) the natural contours will be maintained or restored;
ii) local hydrological regimes will be maintained;
iii) works will not result in loss in connectivity within the *Natural Heritage System*; and
iv) vegetation removal will be minimal and/or removed vegetation will be restored.

4. Where a Significant Landform feature also meets the criteria for an Ecological Linkage, the Ecological Linkage policies shall also apply.

5. The boundaries of *Significant Landform* must be confirmed on a site-specific basis by a topographic survey certified by a professional Ontario Land Surveyor.

6. Minor modifications to the boundaries of the *Significant Landform* may be made without an amendment to this Plan provided it is demonstrated through an EIS or EA with a topographic survey, to the satisfaction of the City that:

i) there will be a no net loss of total area of the *Significant Landform* on the property(ies) affected by the *development* application;
ii) the areas identified for protection abut other protected components of the *Natural Heritage System* and maintain continuity of the *Significant Landform*;

iii) modification to the originally identified areas does not result in loss of connectivity within the *Natural Heritage System*;
iv) the alternative areas identified for protection contain hummocky topography of the *Paris Galt Moraine* with slopes of at least 15%; and
v) pre-*development* hydrological regimes on the site as a whole will be maintained.

4.1.5.8 Significant Wildlife Habitat (including Ecological Linkages)

4.1.5.8.1 Objectives

a) To protect and enhance *Significant Wildlife Habitat* and support the local occurrence of the full range of significant wildlife species that occur within the City.

b) To recognize, protect and enhance *ecological linkages* between and among *natural heritage features and areas* including surface water and *groundwater features*.

4.1.5.8.2 Criteria for Designation

1. Deer wintering and waterfowl overwintering areas identified by the OMNR.

2. *Identified habitat* of species considered provincially significant by the Natural Heritage Information Centre (OMNR) (i.e. ranked as S1, S2 or S3).

3. *Identified habitat* of species designated as globally significant, nationally *endangered* or *threatened* by COSEWIC but not protected by regulation under Ontario's *Endangered Species* Act (e.g. Western Chorus Frog, Great Lakes / St. Lawrence – Canadian Shield population).

4. *Identified habitat* of species designated as *Special Concern* (SC) by COSEWIC or COSSARO at the federal or provincial level.

5. *Ecological linkages* (i.e. areas that provide connectivity between *natural heritage features and areas* including surface water and *groundwater features.*

4.1.5.8.3 Policies

1. *Development* and *site alteration* shall not be permitted within *Significant Wildlife Habitat* or the *established buffers* except for uses permitted by the General Permitted Uses of Section 4.

2. In addition to the General Permitted Uses of Section 4, the following additional uses may be permitted within *Significant Wildlife Habitat* where it has been demonstrated through an EIS, or EA, to the satisfaction of the City, in consultation with OMNR, that there will be no *negative impacts* on the identified *wildlife habitat*:

    i) *essential* public and private *linear infrastructure* lines and their *normal maintenance*; and
    ii) flood and erosion control facilities and their *normal maintenance*, provided no feasible alternative exists.

3. The extent of the habitat and *buffers* for *Significant Wildlife Habitat* will be established through an EIS or EA, to the satisfaction of the City, in consultation with the OMNR or its designate, and will be consistent with the status, habitat requirements and any applicable Recovery Strategy for the species identified.

4. Additional areas of *Significant Wildlife Habitat* may be identified through detailed studies based on criteria established by OMNR for Ecoregion 6E. These additional areas will be subject to the General Policies and may require an EIS by the City.

5. *Ecological Linkages* should be at least 50 m wide but ideally closer to 100 m except where existing narrower linkages have been approved or identified on Schedule 10.

6. *Ecological Linkages* may incorporate remnant natural or semi-*natural heritage features* in the landscape (e.g. *plantations* and *hedgerows*).

7. *Ecological Linkages* shall be maintained, and where appropriate, enhanced to ensure connectivity and diversity of the *Natural Heritage System.*

8. Portions of *Ecological Linkages* may be maintained as open meadow to provide habitat for meadow species including birds, butterflies and other insects, while other portions may be allowed to naturalize or be actively restored to allow regeneration into wooded areas.

9. *Development* and *site alteration* on lands adjacent to *Ecological Linkages* may be permitted provided it has been demonstrated through an EIS or EA, to the satisfaction of the City that there will be no *negative impacts* on the *Ecological Linkages* and its ecological and *hydrological functions*.

10. In addition to the General Permitted Uses of Section 4, the following uses may be permitted within *Ecological Linkages*, where it has been demonstrated through an EIS or EA to the satisfaction of the City, that there will be no *negative impacts* on the natural heritage feature or its ecological and *hydrological functions*:

    i) *essential* public and private *linear infrastructure* lines;
    ii) *transportation infrastructure such as roads and* sidewalks and their *normal maintenance*, provided no feasible alternative exists; and
    iii) stormwater management facilities and structures and their *normal maintenance*.

11. Notwithstanding the above policies, the location of *Ecological Linkages* identified on Schedule 4 may be refined or additional linkages added through an EIS, EA or *Subwatershed Plan* that demonstrates, to the satisfaction of the City, in consultation with the GRCA that:

    i) the proposed change should not result in a linkage less than 50 m wide;
    ii) the linkage will provide connectivity between *Significant Natural Areas*;
    iii) the linkage is designed based on the most current conservation biology principles; or
    iv) proposed changes to the location or width of the linkage do not result in loss in connectivity within the *Natural Heritage System*.

12. Where *Ecological Linkages* are located such that wildlife will need to cross a road, these areas shall also be identified as wildlife crossings and mitigative measures shall be required in accordance with the provisions of Section 4.1.7 (Wildlife Crossings).

4.1.5.9 Restoration Areas

Restoration Areas are identified on Schedule 4 and are generally located on public lands, and identify potential areas where *restoration* may be directed.

4.1.5.9.1 Objectives

a) To identify opportunities for *restoration* throughout the City, including opportunities to increase and/or maintain open meadow landscapes for pollinators, birds and other wildlife to ensure diversity within the *Natural Heritage System*.

b) To identify areas where replacement trees and shrubs will be focused in conjunction with Tree Compensation Plans.

c) To provide opportunities to increase the City's *tree canopy cover*.

4.1.5.9.2 Criteria for Designation

1. Existing and new stormwater management areas abutting the *Natural Heritage System.*

2. Areas within City parkland (including portions of the Eastview Community Park) and GRCA lands which are not intended for active uses.

3. Isolated gaps within the *Natural Heritage System*.

4.1.5.9.3 Policies

1. *Development* and *site alteration* shall not be permitted within Restoration Areas except for the uses permitted by the General Permitted Uses of Section 4.1.

2. In addition to the uses permitted by the General Permitted Uses of Section 4, stormwater management facilities and their *normal maintenance*, and *renewable energy systems*

may be permitted.

3. The primary use of the lands within the Restoration Areas will be *restoration* and existing or approved stormwater management facilities and their *normal* maintenance.

4. Opportunities for *restoration* on pub*lic and private* lands abutting the *Natural Heritage System* beyond those identified in Schedule 4 will be encouraged.

5. Outside active stormwater management facilities, Restoration Areas may be maintained, restored or managed to provide habitat for birds, butterflies, and other insects that play an important role in pollination.

6. New Restoration Areas may be added without an amendment to this Plan where new stormwater management facilities are approved in accordance with the provisions of this Plan and are located adjacent to the *Natural Heritage System.*

7. The City will undertake a study to prioritize and develop a management plan for Restoration Areas in the City.

4.1.6 Natural Areas

Natural Areas contain features that require further study and that may potentially meet the criteria for *Significant Natural Areas. Natural heritage features* identified as requiring further study include *Other Wetlands,* Cultural Woodlands, and Habitat for Significant Species (excluding provincially *endangered and threatened species*).

4.1.6.1 Other Wetlands

4.1.6.1.1 Objectives

a) To identify and assess *Other Wetlands* to determine if they meet the criteria for *Significant Wetlands*.

b) To protect *Other Wetlands* that contribute to the City's biodiversity or the ecological and *hydrological functions* of the *Significant Natural Areas*.

4.1.6.1.2 Criterion for Designation

1. Unevaluated wetlands 0.2 to 0.5 ha in size.

4.1.6.1.3 Policies

1. *Development* and *site alteration* may be permitted within *Other Wetlands in accordance with the underlying designation* where it has been demonstrated, to the satisfaction of the City, through an EIS, that the wetland does not meet one or more of the following criteria:

    i) located within a *floodplain* or riparian community;
    ii) identified as part of a *Significant Natural Area* in the City;
    iii) a bog or fen;
    iv) *Fish Habitat*;
    v) Significant *Wildlife Habitat*;
    vi) Confirmed *Habitat for Significant Species* (as identified by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Committee on the Status of Species at Risk in Ontario (COSSARO), the Natural Heritage Information Centre (NHIC), and the Significant Plant List or Significant Wildlife List for Wellington County (Dougan & Associates, Guelph Natural Heritage Strategy, March 2009) and any updates to those lists);
    vii) part of an ecologically functional corridor or linkage between larger wetlands or *Significant Natural Areas*; or
    viii) is part of a seep or spring or is hydrologically linked to a PSW or LSW.

2. *Development* and *site alteration* shall not be permitted within *Other Wetlands* and their *established buffers* except for uses permitted by the General Permitted Uses of Section 4, where an EIS demonstrates that the *Other Wetland* meets at least one of the above criteria.

3. For *Other Wetlands* that meet the above criteria:

    i) buffers are to be determined through an EIS, but should be at least 15 m from the limits of the *feature* wherever possible;

and

ii) features or ecological function that are impaired during the *development* process will require mitigation, including remedial measures to restore wetland features and ecological function.

4. In addition to the General Permitted Uses of Section 4, the following additional uses may be permitted within the *established buffers* to *Other Wetlands* identified for protection where it has been demonstrated through an EIS or EA to the satisfaction of the City, in consultation with the GRCA, that there will be no *negative impacts* on the *wetlands* or their *ecological functions*:

   i) *essential* public and private *linear infrastructure* lines and their *normal maintenance*, provided no feasible alternative exists; and
   ii) stormwater management facilities and structures and their *normal maintenance*, provided they are *naturalized* or *restored* with site-appropriate indigenous plants.

5. In addition to the General Permitted Uses of Section 4, the construction of new trails and walkways, and formalization of existing trails may be permitted within *Other Wetlands* and their *established buffers* where:

   i) they are considered *essential* to the City's trail system or integral to the scientific, educational or passive recreational use of the property;
   ii) no reasonable alternative location exists;
   iii) the environmental impacts of the proposed trails have been assessed and mitigated through design that minimize impacts to the feature and its functions; and
   iv) they consist primarily of boardwalks and viewing platforms and are accompanied with educational signs.

4.1.6.2 Cultural Woodlands

Cultural Woodlands are defined in the Glossary and where known are identified on Schedule 4C. These woodlands are generally considered of less ecological value than those categorized *Significant Woodlands*, however the City recognizes the environmental benefits and services they provide.

4.1.6.2.1 Objectives

a) To promote the protection and management of *Cultural Woodlands* where appropriate, in order to encourage their succession to a mixed woodland community.

b) To protect *Cultural Woodlands* that support the *ecological functions* of the *Natural Heritage System*.

c) To protect healthy non-invasive trees within *Cultural Woodlands* to the fullest extent possible.

d) To recognize that *Cultural Woodlands* contribute to environmental services such as moderating temperatures, erosion control and pollution filtration.

e) To compensate for loss of trees from *Cultural Woodlands*, where *development* and *site alteration* is permitted.

4.1.6.2.2 Criterion for Designation

1. *Cultural Woodlands* equal to or greater than 1 ha in size.

4.1.6.2.3 Policies

1. *Development* and *site alteration* may be permitted in accordance with underlying designation within all or part of a *Cultural Woodland* where it has been demonstrated through an EIS or EA, to the satisfaction of the City, that the *cultural woodland* or part thereof:

    i) does not meet the criteria for one or more S*ignificant Natural Areas;* and
    ii) is dominated by non-indigenous *species* (i.e., 60% or more).

2. *Development and site alteration* within or adjacent to a *Cultural Woodland* shall also require a Tree Inventory and Tree Preservation Plan in accordance with Section 6.2.5.

3. Healthy non- invasive trees in *Cultural Woodlands* should be protected to the fullest extent possible.

4. Buffers to *Cultural Woodlands* or portions thereof, that meet the criteria for *Significant Natural Areas* will be determined through an EIS or EA, to the satisfaction of the City.

5. *Stormwater* management facilities and structures may be permitted in the established buffers to *Cultural Woodlands* that meet the criteria for *Significant Natural Areas* where it has been demonstrated through an EIS or EA, to the satisfaction of the City that there will be no *negative impacts* to healthy non-invasive vegetation within the woodland.

6. In addition to the General Permitted Uses of Section 4, new trails and walkways, and formalization of existing trails may be permitted within *Cultural Woodlands* subject to an EIS.

7. A *Vegetation Compensation Plan* shall be required for the replacement of all healthy, non-invasive trees measuring over 10 cm dbh, that are proposed to be removed. The *Vegetation Compensation Plan* requirements are addressed under the Urban Forest provisions of this Plan.

4.1.6.3 Potential Habitat for Significant Species

A number of nationally, provincially and locally significant species (excluding provincially *endangered* or *threatened* species) have been documented and are known to breed within the City. However, the habitat requirements of these species are extremely variable and best determined on a case by case basis. The areas protected as *Significant Natural Areas* are intended to provide habitat for the majority of the significant species known to occur in the City. However, there are some species with unique or specialized habitat needs that will need to be considered and accommodated as *development* proceeds in the City.

Furthermore, the status for federally and provincially significant species is updated regularly, and studies need to reflect these updates as they apply to the species within the City.

4.1.6.3.1 Objectives

a) To identify and protect the habitat of globally, nationally, provincially and locally significant wildlife species (not designated as provincially *endangered* or *threatened).*

b) To ensure that where the existing protected areas within the *Natural Heritage System* do not provide adequate habitat for the given species, that suitable additional habitat is identified and protected.

4.1.6.3.2 Criteria for Designation

1. Potential habitat of species designated as globally significant, nationally *endangered* or *threatened* by COSEWIC but not protected by regulation under Ontario's *Endangered Species* Act.

2. Potential habitat of species designated as *Special Concern* (SC) by COSEWIC or COSSARO at the federal or provincial level.

3. Potential Habitat of species considered provincially significant by the Natural Heritage Information Centre (NHIC) (i.e. ranked as S1, S2 or S3).

4. Locally significant species which are considered significant in Wellington County (as identified in the *Significant Plant List* and the *Significant Wildlife List* for Wellington County (Dougan & Associates, Guelph Natural Heritage Strategy, March, 2009)), and any updates to these lists.

4.1.6.3.3 Policies

1. *Development* and *site alteration* shall not be permitted within the potential habitat of globally significant, nationally *endangered* or *threatened* species identified by COSEWIC (not protected by regulation under Ontario's *Endangered Species* Act), species of *special concern* at the federal and provincial level and provincially significant species, and their *established buffers*, except for uses permitted by the General Permitted Uses of Section 4.

2. The extent of the habitat and *buffers* required for globally significant, nationally endangered or threatened species, or species of *special concern* at the federal and provincial level will be established through an EIS or EA, to the satisfaction of the City, in consultation with the OMNR or other appropriate agencies, and shall be consistent with any applicable Recovery Strategy for the species identified. The extent of habitat required for protection will depend upon the species being considered and their status.

Where the habitat is identified and confirmed, as meeting the criteria for Significant Wildlife Habitat, it will be protected.

3. *Development* and *site alteration* may be permitted within all or portions of the habitat of locally significant wildlife species and *established buffers where* it has been demonstrated through an EIS or EA, to the satisfaction of the City, that there will be no *negative impacts* on the local habitat that is necessary for the maintenance and survival of the species.

4. The identification of species considered locally significant in Wellington County will be subject to review and may be updated from time to time through scientific analysis and peer review.

5. Open meadow species and associated habitat are in decline and their protection will be encouraged and supported, where appropriate.

4.1.7 Wildlife Crossing Locations

4.1.7.1 Objective

a) To minimize and mitigate impacts to wildlife, property damage and threats to human safety (e.g., deer collisions) at locations where wildlife are known or likely to cross roadways.

4.1.7.2 Criteria

1. Confirmed locations where deer and amphibians cross roadways within or abutting City boundaries.

2. Areas where habitat is found on both sides of the roadway where wildlife is likely to cross.

4.1.7.3 Policies

1. At known, confirmed or potential wildlife crossing locations or at locations determined through detailed study in conjunction with *development* or *site alteration* applications:

   i) the City will implement species-appropriate mitigation measures to minimize the impacts to wildlife and property damage; and
   ii) the City will require mitigation measures identified through the EIS or EA, to the satisfaction of the City,

to be implemented through the related *development*.

2. Where the City is undertaking public *infrastructure* improvements, where warranted species-appropriate mitigative measures will be implemented to minimize the incidence of human-wildlife conflict (e.g., culverts under roads to accommodate amphibian and reptile migration).

3. Where warranted, the City will proactively post signage to warn vehicular traffic of the potential for wildlife crossing such as deer.

4. The City will develop wildlife crossing guidelines that identify appropriate mitigation measures.

4.1.8 Urban Forest

The City's Urban Forest, includes *plantations* and smaller wooded areas less than one 1 ha, *hedgerows* and individual trees that are not included in the City's *Natural Heritage System*. *plantations* and *hedgerows* are identified on the Ecological Land Classification Map attached as Appendix 1.

These wooded areas and trees provide various benefits and services to the City including reduction of air pollution, moderation of the urban heat island effect, carbon sequestration, shade, habitat for urban adapted wildlife and mental health benefits.

It is also recognized that in some cases wooded areas in the urban matrix are degraded (e.g., dominated by *invasive species*) and that new *development* may provide opportunities for enhancement and *restoration* of portions of these *features*, and/or retention of mature and healthy non-invasive trees as part of the proposed *development* or *site alteration*.

4.1.8.1 Objectives

a) To ensure that opportunities for protection of trees outside the City's *Natural Heritage System* but within the Urban Forest are fully considered through the planning process and implemented wherever possible.

b) To recognize that the Urban Forest provides important *ecosystem services* that benefit current and future generations by:

   i) identifying opportunities for protection, enhancement and *restoration* wherever possible; and
   ii) supporting initiatives that provide for ongoing management and stewardship of the Urban Forest.

c) To maintain and increase *tree canopy cover* within the City, with a target of 40% by 2031.

4.1.8.2 Policies

Plantations and *hedgerows* will be required to be identified through an Ecological Land Classification (ELC) in conjunction with proposed *development* applications.

1. Healthy non-invasive trees within the *urban forest* shall be encouraged to be retained and integrated into proposed *development*. Where these trees cannot be retained, they will be subject to the *Vegetation Compensation Plan* addressed in Policy 4.1.9.

2. Where the City is undertaking infrastructure work, healthy non-invasive trees within the urban forest will be retained to the fullest extent possible. Where trees are required to be removed, relocation or replacement plantings will be provided by the City.

3. *Development* and implementation of woodlot management plans may be required prior to the conveyance of woodlands to the City.

4. Tree destruction or removal of trees on private property will be regulated by the City's tree by-law.

5. Invasive, non-indigenous trees, shrubs and ground covers, such as European buckthorn, will be encouraged to be eradicated without the need for compensation through the *Vegetation Compensation Plan*.

4.1.8.2.1 Plantations

1. *Development* and *site alteration* may be permitted within all or part of a *plantation* where it has been demonstrated to the satisfaction of the City, that the *plantation* or part thereof:

   i) does not meet the criteria for a *Significant Natural Area (e.g., Significant Woodland*) within the *Natural Heritage System;* and
   ii) that the plantation does not support an *Ecological Linkage* within the *Natural Heritage System*.

2. *Development* and *site alteration* within a plantation shall also require a Tree Inventory and a Tree Protection Plan in accordance with Section 4.2.5.

3. A *Vegetation Compensation Plan* shall be required for the replacement of all healthy non-invasive trees measuring over 10 cm dbh, proposed to be removed.

4.1.8.2.2 Hedgerows and Trees

1. *Development* and *site alteration* may be permitted to impact *hedgerows* and individual trees provided it has been demonstrated, to the satisfaction of the City, that the *hedgerows* and trees cannot be protected or integrated into the urban landscape.

2. Tree Inventory and *Vegetation Compensation Plans* shall be required for all new *development* and *site alterations.*

4.1.9 Vegetation Compensation Plan

1. The detailed requirements for a *Vegetation Compensation Plan* will be developed by the City through the Urban Forest Management Plan. The requirements, once developed, will be applied to determine appropriate vegetation compensation for the loss of trees through *development* and *site alteration*.

2. The *Vegetation Compensation Plan* shall identify, to the satisfaction of the City, where the replacement vegetation will be planted. Where replanting is not feasible on the subject property, the planting may be directed off-site to lands identified in consultation with the City, including lands within the *Natural Heritage System* and may include:

   i) *Established buffers*,
   ii) *Significant Valleylands*,
   iii) *Significant Landform*,
   iv) *Ecological Linkages*, or
   v) Restoration Areas.

3. All replacement vegetation should be indigenous species and compatible with the site conditions within which they are proposed. In some cases, re-vegetation may consist of a combination of trees, shrubs and herbaceous species, or may consist exclusively of indigenous herbaceous species and grasses where the *restoration* objective is to establish a meadow habitat.

4. The vegetation compensation plantings do not replace the normal landscape planting requirements as part of the approval of any *development* or *site alteration*.

5. A *Vegetation Compensation Plan* is required to be implemented through on site or off site plantings or cash in lieu equal to the

value of the replacement vegetation will be required by the City.

4.1.10 Natural Heritage Stewardship and Monitoring

4.1.10.1 Objective

a) To manage *the City's Natural Heritage System and Urban Forest* through stewardship, monitoring and partnerships between the City, GRCA, the OMNR, private landowners and community organizations.

4.1.10.2 Policies

4.1.10.2.1 Invasive Species

1. Management and control of non-indigenous and *invasive species* will be undertaken on City owned and managed properties.

2. Plantings on municipal properties shall be indigenous species where feasible and appropriate, except where harsh environmental conditions would limit their survival.

3. Management and control of non-indigenous, *invasive species* is encouraged on lands owned by other public agencies and utilities.

4. Plans prepared in conjunction with *development* and *site alteration* applications will require indigenous plants, trees and shrubs except where harsh environments conditions would limit their survival.

5. Indigenous species will be encouraged on private lands and particularly on those *adjacent* to the *Natural Heritage System.*

4.1.10.2.2 Deer

1. Deer wintering habitat for the safety of deer and residents, will be monitored and addressed, as appropriate, in conjunction with the OMNR.

2. The City in consultation with the OMNR, will explore the *development* of a deer management program.

4.1.10.2.3 Land Stewardship

1. Public agencies, community organizations, and private landowners are encouraged to protect

and enhance the City's *Natural Heritage System* and the Urban Forest.

2. The City will work with the GRCA and other public and private organizations to promote stewardship and leverage funding to support land stewardship activities.

3. Opportunities for plant rescue activities for plants, other than those identified for habitat protection in accordance with the *Significant* Natural Area and Natural Area policies will be encouraged. Such rescue activities may only occur with the consent of the land owner and only in situations where the plant is within an area approved for *development* in accordance with the Significant Natural Area and Natural Area policies of this Plan, and under the supervision of a professional in the field of Botany.

4. Encroachment into the City's *Natural Heritage System* will be discouraged through education and appropriate provisions.

5. The City will promote stewardship of the *Natural Heritage System* and the Urban Forest.

4.1.10.2.4 Pollinator Habitat

1. The City recognizes the role that *pollinator habitat* plays in supporting ecosystem functions.

2. Opportunities to protect, maintain and enhance *pollinator habitat* within City parks, Restoration Areas and *Ecological Linkages*, lands *adjacent* to stormwater management facilities and open space areas will be encouraged.

4.1.10.2.5 Ecological Monitoring

1. A City-wide environmental monitoring program will be developed and implemented to assess the effectiveness of the policies, decisions and programs in meeting the objectives of the *Natural Heritage System and the Urban Forest.*

2. Opportunities for collaborating with the GRCA and the OMNR will be incorporated into the environmental monitoring program (e.g. fisheries, *threatened species*).

3. Short-term, site–specific monitoring may be required as a condition of the planning approval process and the results will be integrated into the City-wide monitoring program, where applicable.

4.2 Environmental Study Requirements

4.2.1 Objectives

a) To ensure that EIS, *EAs* or other comparable environmental studies are carried out to assess the potential impacts of *development* and *site alteration* on *Natural Heritage System, surface water and groundwater features, and the related hydrologic and ecologic functions* and linkages between these features.

b) To ensure that *development* or *site alteration* does not result in negative-impacts, in the short term or long term to the *Natural Heritage System, surface water and groundwater features, and the related hydrologic and ecologic functions* and linkages between these features.

c) To provide a mechanism for monitoring the potential impacts and establish strategies and mitigation measures to minimize *negative impacts* on the *Natural Heritage System, surface water and groundwater features, and the related hydrologic and ecologic functions* and *linkages* between these *features*.

d) To support the Grand River Conservation Authority and the Provincial ministries with respect to provincial regulations and policies regarding natural heritage feature, surface water and *groundwater features* and the related ecological and hydrological functions and linkages between these features.

e) To implement the EIS/EA process in the planning and implementation of municipal *infrastructure* in a manner that assesses impacts, considers all reasonable alternatives and avoids or minimizes impacts on the *Natural Heritage System, surface water and groundwater features, and the related hydrologic and ecologic functions* and linkages between these features.

4.2.2 General Policies

1. Where *development* or *site alteration* m*ay negatively impact* the *Natural Heritage System, surface water and groundwater features* or related *ecological or* hydrological functions or the linkages between these features, the proponent shall prepare an EIS.

2. The mapping associated with the *Natural Heritage System* (as provided in Schedules 4, 4A through 4E), or *Subwatershed Plans* may be refined or updated through new or more detailed

information brought forward through EIS in accordance with the provisions of this Plan.

3. The scope of an EIS must be determined in consultation with the City, the GRCA and applicable Provincial ministry, where one or more of the potentially impacted features or functions fall under their jurisdiction.

4. A scoped EIS, that entails a more narrowly defined assessment may be required by the City where *development* or *site alteration* is:

   i) minor in nature or small scale and provided *negative impacts* are anticipated to be negligible;
   ii) located in a previously disturbed area; or
   iii) located in an area where recent previous studies have been prepared that provide sufficient detailed information.

5. Consultation with the GRCA is required where any GRCA-regulated lands or wetlands may be impacted by proposed *development* or *site alteration.*

6. An EIS shall be prepared and submitted to the City in support of *development* and *site alteration* that is proposed within or adjacent to the *natural heritage features* identified on Table 4.1.

7. The City shall not permit *development or site alteration within the Natural Heritage System or* on *adjacent lands* to a *natural heritage feature*, until the required EIS and Environmental Implementation Report (EIR) has been reviewed and approved by the City, in consultation with the Environmental Advisory Committee, and where applicable the GRCA, and a provincial ministry or agency.

8. Proposed *development* or *site alteration* shall not be approved where it is in conflict with the provisions of this Plan.

9. Environmental studies include:

   i) EIS;
   ii) EIR;
   iii) EA; and
   iv) Detailed EIS completed in conjunction with Secondary Plans.

10. An EIS and EIR shall be carried out by professional(s) qualified in the field of environmental and hydrological sciences and shall be acceptable to the City, in consultation with the City's Environmental Advisory Committee, the GRCA and provincial ministry or agency, as applicable.

11. Prior to commencement of the study, terms of reference, acceptable to the City, shall be prepared in consultation with the Environmental Advisory Committee, GRCA, and provincial ministry or agency, as applicable.

12. EIS and EIRs shall be completed in accordance with Guidelines prepared by the City, as updated from time to time and approved by the City.

13. Additional studies may be required to be submitted in conjunction with an EIS and/or EIR as determined by the City and in accordance with the complete application provisions of this Plan.

4.2.3 Environmental Impact Studies (EIS)

1. The EIS shall as a minimum address the following:

i) a description of and statement of the rationale for the *development* and *site alteration* and where appropriate, alternatives to the proposal;
ii) a description of the proposed *development* or *site alteration*, including a detailed location map and property survey showing proposed buildings, existing land uses and buildings, existing vegetation, fauna, site topography, drainage, hydrology, soils, hydrogeological conditions, habitat areas and other applicable matters;
iii) a description of adjacent land use and the existing regulations affecting the *development* proposal and *adjacent lands*;
iv) a description of the *Natural Heritage System*, *surface water and groundwater features*, *hydrologic functions* and the linkages and related *ecological functions* between these features;
v) a description of all *natural heritage features* and their *ecological and hydrological functions* that might directly or indirectly be *negatively impacted*;
vi) a description of the potential *negative impacts* that might reasonably be caused to the *natural heritage feature*, surface water and *groundwater features*, and their associated *ecological and hydrological functions* and any linkages between these features and functions. The description shall also include a statement of the *significance* of the *natural heritage feature*;
vii) a description of alternates to the proposed *development* or *site alteration* that has the potential to impact a natural heritage feature or area, including an assessment of the advantages and disadvantages of each;
viii) a description of the constraints to *development* and *site alteration* and mitigative measures necessary to prevent, mitigate or remedy any potential *negative impacts;*
ix) where appropriate, measures to provide for the enhancement of *Natural Heritage System*, *surface water*

and groundwater features and related *ecological function and hydrological functions* and including the linkages between these functions;

x) a description of any short and or long term monitoring that will be undertaken by the proponent to determine if *negative impacts* to the *Natural Heritage System*, *surface water and groundwater features* or related *ecological function or* hydrological functions or the linkages between these functions are occurring which may require remediation measures; and

xi) any other information required by the City, in consultation with the City's Environmental Advisory Committee, the GRCA or any provincial ministry or agency that is considered necessary to assess the potential impact of the proposed *development or site alteration.*

2. The EIS supplements and provides more detail than the broader *watershed* and subwatershed studies.

4.2.4 Environmental Implementation Report

1. The City will require, as a condition of *development* or *site alteration*, and prior to final decision on any *development* or *site alteration*, that an Environmental Implementation Report shall be prepared and submitted to the City for approval. This EIR will serve as a summary document containing information, including but not limited to the following:

   i) a description of how all the conditions of the decision have been met;

   ii) how municipal *infrastructure* servicing, including but not limited to trails, stormwater management facilities and the protection of *natural heritage system* and the associated *ecological and hydrological functions* have been addressed; and

   iii) any other special requirements that are required to protect the overall natural environment of the area.

2. The City's Environmental Advisory Committee will review EIS and EIR to offer advice on environmental matters.

4.2.5 Tree Inventory and Tree Preservation Plan

1. Tree Inventory and Tree Preservation Plans shall as a minimum include:

   i) a Tree Inventory measuring all trees over 10 cm diameter at breast height (dbh), including the size, species composition and health, and indigenous shrubs in accordance with the City's tree inventory guidelines;

   ii) a Tree Preservation Plan identifying healthy indigenous, and non-invasive trees to be protected, including those

that may be transplanted (e.g. smaller specimens);

iii) the protective measures required for tree protection during construction; and

iv) measures for avoiding disturbance to any breeding birds during construction.

4.3 Watershed Planning and Water Resources

Protection, conservation and enhancement of the City's water resources are integral to sustaining the environmental, social and economic well-being of the community. The City employs a *watershed*/subwatershed based planning approach to inform broader scale natural heritage, land use and infrastructure planning policy. The City emphasizes water resource protection and conservation, ensuring long term safety and security through the identification of potential quality and quantity threats to surface water and *groundwater* resources. Additional measures to protect the City's existing and future sources of water supply are anticipated through the development and implementation of a Source Protection Plan.

Objectives

a) To use a *watershed*/subwatershed planning systems approach to inform the identification, evaluation and protection of the natural environment.

Comment [MM87]: Existing OP 6.2 a reworded

b) To protect, improve or restore the quality and quantity of the City's surface water and *groundwater* resources through municipal initiatives and community stewardship.

Comment [MM88]: Existing OP 4.3c) reworded to add "improve or restore"

c) To practice and encourage effective management of stormwater drainage in order to maintain or enhance the water resources of the City.

Comment [MM89]: Existing OP 4.3d)

d) To use stormwater management to assist in regulating the quantity and quality of stormwater run-off to receiving natural watercourses, wetlands and recharge facilities.

Comment [MM90]: Existing OP 4.3e) reworded changes "utilize" to "use"

e) To work with the Grand River Conservation Authority and Lake Erie Source Protection Committee to develop a Source Protection Plan.

4.3.1 Watershed Planning

1. The City will use *watershed*/subwatershed planning as a basis for environmental, land use and infrastructure planning. Subwatershed planning informs the *Natural Heritage System* and may serve as a comprehensive *Environmental Impact Study* framework but will not replace the need for detailed *Environmental Impact Studies* required in support of *development* applications.

Comment [MM91]: Existing OP 6.2.1 and 6.2.2 revised

2. The City will work with the Grand River Conservation Authority, stakeholders and other agencies to develop and implement *watershed*, subwatershed, master drainage and Stormwater Management Plans.

3. *Watershed*/subwatershed studies will be used:

   i) to identify *surface water features*, *groundwater features*, *hydrologic functions* and *natural heritage features* and linkages which are necessary for the ecological and hydrological integrity of the *watershed*;
   ii) to ensure linkages and related functions among *surface water features*, *groundwater features*, *hydrologic functions* and *natural heritage features* are maintained;
   iii) as the basis for stormwater management plans, augmenting *natural heritage feature* protection, *restoration* and enhancement where applicable and the requirements for major municipal *infrastructure*;
   iv) to provide guidance for monitoring, mitigation measures and alternative development approaches within the *watershed* with the intended purpose of maintaining and enhancing the health and quality of *surface water* and *groundwater features*, *natural heritage features* and associated *ecological and hydrological functions* within the subwatershed; and
   v) to inform and assist in the land use planning process.

4. Planning studies and *development* applications will take into account the recommendations of *watershed*/subwatershed studies and related master plans. Schedule 4A displays the *surface water features* of the City including its rivers, creeks and wetland areas.

5. The City will establish environmental monitoring programs within *watershed* and subwatershed planning areas of the City, with community partners and appropriate government agencies including the Grand River Conservation Authority. These monitoring programs will:

   i) assess impacts on *natural heritage features* and *ecological functions* during construction;
   ii) assess longer term impacts on *natural heritage features* and *ecological functions* through benchmarking studies; and
   iii) assist in identifying corrective or mitigation measures in instances where *negative impacts* to *natural heritage features* and *ecological functions* have been identified.

6. The findings and recommendations of *watershed*/subwatershed studies and *Environmental Impact Studies* may be used for initial benchmarking for monitoring and implementation of mitigation measures.

Comment [MM92]: Existing OP 4.3.10 revised

Comment [MM93]: New from PPS 2.2.1 c)

Comment [MM94]: New from PPS 2.2.1 e)

Comment [MM95]: New based on PPS 2.2.2

Comment [MM96]: Existing OP 6.2.3 revised

Comment [MM97]: Existing OP 6.2.4 reworded

Comment [MM98]: Existing OP 6.2.5 revised

7. Through the *development* review process for lands within *watershed* and subwatershed planning areas, the City will encourage *development* proponents to prepare information devices including signage, homeowner brochures and other similar means that will assist in explaining the ecosystem approach used to protect the City's *Natural Heritage System*.

Comment [MM99]: Existing OP 6.2.7 reworded

4.3.2 Water Resource Protection and Conservation

1. The City will protect, improve or restore the quality and quantity of water by:

   i) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
   ii) implementing necessary restrictions on *development* and *site alteration* to protect all municipal drinking water supplies and designated *vulnerable* areas;
   iii) promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality; and
   iv) ensuring stormwater management practices minimize stormwater volumes and contaminant loads.

Comment [MM100]: New PPS 2.2.1

2. Reduction in water consumption will be encouraged through upgrading/retrofitting of existing buildings and facilities. The City may require a Water Conservation Efficiency Study in conjunction with new *development*.

Comment [MM101]: New OPA 39

3. Landscaping and maintenance practices that minimize water consumption and reduce the use of potable water for irrigation associated with *development* are encouraged.

4. The use of potable water for outdoor watering is discouraged.

5. The City will increase the use of low maintenance and drought tolerant landscaping at municipal facilities.

6. The City will encourage and implement *Low Impact Development* (LID) where appropriate.

7. Alternative water supply and demand management systems such as rain water harvesting and grey water reuse is encouraged throughout the city and in all new *development*.

Comment [MM102]: New from Water Conservation and Efficiency Strategy Update (WCESU)

8. The City will ensure, through consultation with the Province and the Grand River Conservation Authority, that all *development* meets provincial water quality and quantity objectives for surface water and *groundwater*.

Comment [MM103]: Existing OP 4.3.4 with water added after surface

9. The City will ensure that *development* activities do not impair the future ability of the area's *groundwater* and surface water

Comment [MM104]: Existing OP 4.3.5

resources to provide a quality water supply to satisfy the residential and business needs of the city and to sustain the area's natural ecosystem.

10. *Development* shall be restricted in or near *sensitive surface water features* and *sensitive groundwater features* and tributaries such that these features and their related *hydrologic functions* and water quality functions shall be protected, improved or restored. Mitigative measures and/or alternative *development* approaches may be required to protect, improve or restore *sensitive surface water features*, *sensitive groundwater features* and their *hydrologic functions*.

Comment [MM105]: New PPS 2.2.2

11. The City will implement the recommendations of the Water Conservation and Efficiency Strategy Update (2009) or successor thereto.

Comment [MM106]: New. Water Conservation and Efficiency Strategy Update 2009

4.3.3 Source Protection

Source protection planning is designed to protect existing and future sources of municipal drinking water thereby safeguarding human health and the environment. A Source Protection Plan is being developed by the Lake Erie Source Protection Committee. The Source Protection Plan will place restrictions on land use activities within Wellhead Protection Areas, Intake Protection Zones and Issues Contributing Areas. Once approved by the Ministry of the Environment, the Source Protection Plan policies will be incorporated into this Plan. In the interim, the City will continue to place restrictions on land use activities that have the potential to impact the City's water supply and may implement risk management measures required by the *Clean Water Act*.

1. The entire City area is considered to be a recharge area for municipal drinking water supply. To protect this valuable water resource, the City will introduce conditions of *development* approval that:

Comment [MM107]: Existing OP 4.3.6 reworded

i) protect wetlands and other areas that make significant contributions to *groundwater* recharge;

Comment [MM108]: Existing OP 4.3.6 a)

ii) ensure that stormwater management systems protect water quality and quantity;

Comment [MM109]: Existing OP 4.3.6 b)

iii) prohibit the extraction of mineral aggregates in significant *groundwater* recharge areas;

Comment [MM110]: Existing OP 4.3.6 c)

iv) require all storage and handling of liquid waste, petroleum, fuels, solvents, fertilizers and related chemicals be provided for in properly designed and engineered containment areas in accordance with all applicable policies, guidelines, technical standards and legislation;

Comment [MM111]: Existing OP 4.3.6 d Revised.

v) restrict the placement of underground chemical/fuel storage tanks;

Comment [MM112]: Existing OP 4.3.6 f reworded

vi) require impact studies and risk management plans where proposed *development* has the potential to affect the quantity or quality of *groundwater* resources;

Comment [MM113]: Existing OP 4.3.6 e) reworded

vii) require that contaminated properties be restored to the appropriate condition in compliance with applicable Provincial legislation and regulations;

viii) place restrictions on land use in areas of greatest risk to contamination of *groundwater* resources. Uses that may be restricted include, but are not limited to: industrial landfills, lagoons, waste disposal facilities, asphalt and concrete batching plants, the storage or processing of chemical products, gasoline or oil depots and service stations, and vehicle salvage, maintenance, service yards and other activities identified as significant drinking water threats; and

ix) may require risk management measures for specific land uses and prescribed drinking water threat activities, in Wellhead Protection Areas A, B and C identified on Schedule 9.

Comment [MM114]: Existing OP 4.3.6 g) reworded

Comment [MM115]: Existing OP 4.3.6 h) reworded

Comment [MM116]: New

2. The City's Wellhead Protection Areas, Intake Protection Zones and Issues Contributing Areas extend into the County of Wellington and the Region of Halton. The City will work co-operatively with the upper and lower tier municipalities within Wellington County and Halton Region to develop source protection policies to ensure the long-term protection of the water resources of all these municipalities.

3. The City may require that technical studies be prepared by a qualified professional to assess and mitigate the potential impacts of a proposed *development* application within the City's wellhead protection areas as part of a complete application. These studies may include but are not limited to a Disclosure Report, detailed Hydrogeological Study and a Spill Prevention and Contingency Plan.

4. Interim Risk Management Plans may be required to reduce the risk of significant drinking water threat activities identified through the Assessment Reports or by other means.

4.4 Public Health and Safety

Natural and human-made hazards pose threats to human health, safety and wellbeing. *Natural hazards* are naturally occurring processes that create unsafe conditions for *development* generally identified as flooding, erosion and unstable soils. Human-made hazards are the result of human activities on the landscape and include contaminated sites and *mineral aggregate operations*. *Development* on or adjacent to former *landfill sites* or potentially contaminated sites must be carefully managed to reduce risks to human and environmental health.

Natural and human made hazards may result in constraints to *development* on affected and *adjacent lands.* Precautionary and proactive policy that directs and manages *development* within or adjacent to these areas is intended to ensure safety and prevent loss of life, reduce property damage, limit social disruption and minimize public and private expenditures.

4.4.1 Floodplains

Development or *redevelopment* is not permitted within the *regulatory floodplain* because of inherent dangers, such as loss of life, property damage and social disruption, should flooding occur, except in special circumstances where the general prohibition of new *development* or *redevelopment* in *floodplain* areas of historic communities is not practical. The One Zone area is used in those instances where the City prohibits *development* within the entire *floodplain* area. The One Zone areas are identified in association with rivers and creeks throughout the City where buildings/structures generally do not currently exist within the *floodplain*.

Two Zone and Special Policy Area provisions may be selectively applied where *development*, *redevelopment* and rehabilitation of buildings and structures in these areas is considered vital to the continued economic and social viability of the City. The Province, in co-operation with the Grand River Conservation Authority and the City, has established Two Zone and Special Policy Areas within the City. In Two Zone and Special Policy Areas, the *floodway* and *flood* fringe areas are clearly delineated and the policies allow for *development* and *redevelopment* provided it meets the specific area *flood* proofing requirements.

Comment [MM117]: Based on Existing OP 7.14 SPA preamble

Objectives

a) To minimize conditions which may be hazardous to human life or may cause significant property damage due to flooding.

Comment [MM118]: Existing OP 7.14 a)

b) To prevent the creation of new hazards caused by *development* within *flood plains* in new growth areas of the city and ensure existing hazards are not aggravated.

Comment [MM119]: Existing OP 5.2 b) reworded

c) To recognize existing *development* within the *flood plain*, and where *flooding hazards* will not be aggravated, provide for infill and *redevelopment* within the approved Two-Zone and Special Policy Areas.

Comment [MM120]: Existing OP 5.2 c) and 7.14 b) reworded

Policies

1. Lands adjacent to rivers and streams within the City may be subject to flooding conditions. The areas subject to flooding are defined by the *Regulatory Flood* and delineated by the Grand River Conservation Authority as identified One Zone, Two Zone and Special Policy *flood plain* areas on Schedule 5.

Comment [MM121]: Based on existing OP 5.2.1.

2. The One Zone policy for *flood plain* management will be applied to all *flood plains* except where a Two Zone policy or Special Policy Area is designated through this Plan.

3. *Development* within *flood plain* areas shall be consistent with the *flood plain* and riverine *flooding hazard* policies and regulations of the Grand River Conservation Authority, as amended from time to time as well as the provisions of this Plan.

Comment [MM122]: Existing OP 5.2.2 revised

4. *Development* shall generally be directed to areas outside *hazardous lands* adjacent to rivers, streams and inland lake systems which are impacted by *flooding hazards* and/or *erosion hazards* except as provided for in the Two Zone and Special Policy Area policies.

Comment [MM123]: New from PPS 3.1.1

5. *Development* within a *floodway* shall not be permitted regardless of whether the area of inundation contains high points of land not subject to flooding, except as provided for in the Two Zone and Special Policy Area policies.

Comment [MM124]: New from PPS 3.1.2d)

6. This Plan recognizes special circumstances in the older, established areas of the City. Where the Two Zone and Special Policy Area policies have been approved by the Province, the Grand River Conservation Authority and the City, *development* and *redevelopment* may be allowed within portions of the *floodway* and the *flood fringe*, subject to the provisions of this Section.

7. The following uses shall not be permitted within the *Regulatory Floodplain* including the Two Zone and Special Policy Areas:

Comment [MM125]: From PPS 3.1.4

i) institutional uses associated with hospitals, *nursing homes*, pre-school, school nurseries, child care centres and schools where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, the failure of *floodproofing* measures and/or protection works, and/or erosion;

ii) *essential* emergency service such as that provided by fire, police and ambulance stations and electrical substations which would be impaired during an emergency as a result of flooding, the failure of *floodproofing* measures and/or protection works, and/or erosion; and

iii) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

8. Existing *essential* services, such as, fire, police and ambulance services that wish to expand or renovate will be encouraged to relocate to a site outside of the *floodplain* area.

9. The City and the Grand River Conservation Authority will give consideration to a program of structural improvements, as well as other *flood* control works, to reduce the risk of *flood* within the *floodplains*.

Comment [MM126]: Existing OP 5.2.5.

10. Council shall maintain its Emergency Response Plan to ensure a prompt response and the co-ordination of all required services in the event of a *flood* emergency.

Comment [MM127]: Existing OP 5.2.6.reworded to change name of plan

11. The City will continue to co-operate with the Grand River Conservation Authority in the operation of the Grand River *watershed flood* warning system.

Comment [MM128]: Existing OP 5.2.7

12. The *floodlines*, that delimit the *floodplains* of this Plan, may be revised by amendment to this Plan where more current mapping becomes available or where *flood* control or other works alter or eliminate the *flood* prone area.

Comment [MM129]: Existing OP 5.2.8

13. Notwithstanding policy 4.4.1.12, minor refinements to the *regulatory floodlines* can be made without an amendment to this Plan.

One Zone Floodplain

14. No *development* is permitted within the One Zone Floodplain areas of the City.

Comment [MM130]: Existing OP 5.2.3 1

15. Notwithstanding policy 4.4.1.14, minor additions or alterations to existing residential, industrial, commercial and institutional buildings or structures and non-habitable accessory buildings or structures may be permitted in accordance with the Grand River Conservation Authority regulations made under the *Conservation Authorities Act*, and the provisions of this Plan.

16. The following passive uses may be permitted in the One Zone Flood Plain subject to the applicable provisions of this Plan:

Comment [MM131]: Existing OP 5.2.3.2 reworded

i) outdoor recreation, excluding buildings and structures;
ii) open space and conservation areas;
iii) wildlife sanctuaries;
iv) nurseries and forestry; and
v) *urban agriculture*, excluding buildings and structures.

17. This Plan does not imply that One Zone Floodplain lands are open to the general public or that such lands will be purchased by the City, or any other public agency.

Comment [MM132]: Existing OP 5.2.3.3

Two Zone Floodplain

The Two Zone *floodways* of the Speed and Eramosa Rivers are defined as a component of the Significant Natural Areas designation. For a more specific definition of their extent, reference can be made to Schedule 5 where the *floodway* is illustrated.

Comment [MM133]: Existing OP 7.14.2 reworded

18. No *development* is permitted within the *floodway*; however, existing buildings/structures within the *floodway* will be recognized as *legal non-conforming*.

Comment [MM134]: Existing OP 7.14.2.1

19. The *floodway* may be used for:

    i) outdoor recreation, including small, municipal ancillary buildings and structures (e.g. picnic shelters) provided that damage potential is minimized and proposed structures will not affect the hydraulic characteristics of the *flood plain*;
    ii) open space and conservation areas;
    iii) wildlife sanctuaries;
    iv) nurseries and forestry; and
    v) *urban agriculture*, excluding any buildings and structures

Comment [MM135]: Existing OP 7.14.2.2
Reworded to add urban agriculture

20. This Plan does not imply that *floodway* lands are open to the general public or that such lands will be purchased by the City or any other public agency.

Comment [MM136]: Existing OP 7.14.2.3

21. *Floodway* lands will be zoned in an appropriate hazard category in the implementing *Zoning By-law*.

Comment [MM137]: Existing OP 7.14.2.4

22. In spite of policies 4.4.1.18 and 4.4.1.19, the use of lands described as Part of Lots 1 and 2, Concession 2, Division "D", more particularly described as Parts 7, 8, 9, 10, 11 and 12, Reference Plan 61R-5491, being lands located on the north side of Woodlawn Road East and along the west side of the Speed River, shall be extended to include three additional land uses as follows: a private road; a day use parking area at the existing grade; a dry land access road bed to service the senior citizen's residential project located to the east.

Comment [MM138]: Existing OP 7.14.2.5 with updated policy references

23. The Two Zone *flood fringe* for the Speed and Eramosa Rivers is defined as the lands that lie outside the *floodway* but within the *regulatory floodlines* as identified on Schedule 5.

Comment [MM139]: Existing OP 7.14.3. Reworded

24. *Development/redevelopment* may be permitted within the *flood fringe* subject to the use, building and/or structure being *floodproofed* to the *regulatory flood level* as required by the Grand River Conservation Authority.

Comment [MM140]: Existing OP 7.14.3.1

25. The permitted uses established for the Land Use designations on Schedule 2 may be permitted within the *flood fringe* subject to the Two Zone and Special Policy Area polices and the general prohibitions outlined in policy 4.4.1.7 within the *regulatory floodplain*. These lands will be zoned in the appropriate categories of the implementing *Zoning By-law.*

Comment [MM141]: Existing OP 7.14.3.2 revised

Special Policy Area (S.P.A.) Floodplain

26. Within the 'Special Policy Area (S.P.A.) Floodplain', identified on Schedule 5 of this Plan, the City, the Grand River Conservation Authority and the Province of Ontario have agreed to accept a higher *flood* risk than would normally be acceptable. This higher

Comment [MM142]: Existing OP 7.14.4.reword to reflect new schedules

flood risk permits the *development* of a limited amount of new buildings and structures on these lands.

27. The permitted uses within the 'S.P.A. Floodplain' are established by the land use designations shown on Schedule 2, subject to the prohibited uses outlined above in the General Floodplain policies. In addition, policy 4.4.1.7 is applicable within the 'S.P.A. Floodplain'.

Comment [MM143]: Existing OP 7.14.4.1 reworded

28. *Development/redevelopment* is not permitted within the *floodway*.

Comment [MM144]: Existing OP 7.14.4.2

29. Within the 'S.P.A. Floodplain' hotels and motels may only be permitted if the use can be *floodproofed* to the *regulatory flood level* and *safe access* can be provided.

Comment [MM145]: Existing OP 7.14.4.3 reworded

30. Within the 'S.P.A. Floodplain' service stations, gas bars and other uses involving the manufacture, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.

Comment [MM146]: Existing OP 7.14.4.4 reworded

31. Within the 'S.P.A. Floodplain' parking facilities shall be designed to the satisfaction of the City and the Grand River Conservation Authority so as to minimize *flood* damage and potential *flood* flow interference.

Comment [MM147]: Existing OP 7.14.4.5 reworded

32. The City's implementing *Zoning By-law* will outline specific use and building regulations for lands within the 'S.P.A. Floodplain'.

Comment [MM148]: Existing OP 7.14.4.5 reworded

33. *Floodproofing* shall be required for all forms of building activity within the 'S.P.A. Floodplain' to the satisfaction of the City and the Grand River Conservation Authority. The following will give guidance to the *floodproofing* requirements:

Comment [MM149]: Existing OP 7.14.6 reworded

i) any new building or structure shall be designed such that its structural integrity is maintained during a *regulatory flood*. In spite of the lower minimum levels specified by the policies of this subsection, every attempt should be made to *floodproof* buildings and structures to the *regulatory flood level*;

Comment [MM150]: Existing OP 7.14.5.1

ii) various forms of *floodproofing*, as specified by the Province, may be used to achieve the necessary *floodproofing* requirements of this Plan; and

Comment [MM151]: Existing OP 7.14.5.2 reworded

iii) the replacement of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes will be permitted, provided the building or structure is not located within the *floodway.*

Comment [MM152]: Existing OP 7.14.5.3

Floodproofing Requirements for Residential Uses within the 'S.P.A. Floodplain'

34. In addition to the requirements of policy 4.4.1.33, the following policies apply to the *renovation* of, intensification of, *conversion* to, *development* and *redevelopment* of residential uses.

Comment [MM153]: Existing OP 7.14.6; policy reference updated

1. *Renovation* of existing residential buildings may be permitted provided any new *habitable floor space* is no lower than the elevation of the existing ground floor level.

Comment [MM154]: Existing OP 7.14.6.1 reworded "shall" changed to "may"

2. *Residential intensification*, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an *accessory apartment* to an existing single/semi/duplex building or the creation of a new lot by *consent* for a single/semi/duplex dwelling, may be permitted provided that the new building or structure is *floodproofed* to an elevation no lower than one metre below the *regulatory flood level*; and:

Comment [MM155]: Existing OP 7.14.6.2 reworded "shall" changed to "may"

   i) the *habitable floor space* is constructed to an elevation equal to, or greater than the ground floor elevation of adjacent buildings, but in no case lower than one metre below the *regulatory flood level*;
   ii) mechanical, electrical and heating equipment will be located no lower than one metre below the *regulatory flood level*;
   iii) basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of one metre below the *regulatory flood level*. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing; and
   iv) access is available to the site at an elevation no lower than one metre below the *safe access* level.

3. Conversion of a non-residential building to a residential use may be permitted provided the building is *floodproofed* to an elevation no lower than one metre below the *regulatory flood level*:

Comment [MM156]: Existing OP 7.14.6.3 reworded "will" changed to "may"

   i) the *habitable floor space* elevation of any new *residential unit* is located at an elevation no lower than one metre below the *regulatory flood level*;
   ii) mechanical, electrical and heating equipment will be located no lower than one metre below the *regulatory flood level*; and
   iii) access is available to the site at an elevation no lower than one metre below the *safe access* level.

4. *Development/redevelopment* of new *residential units*, excluding forms of *residential intensification* noted in policy 4.4.1.34.2 may be permitted provided that the new building and related structures are *floodproofed* to the *regulatory flood* level; and:

   i) the *habitable floor space* of any new *residential unit* is constructed to an elevation equal to or greater than the *regulatory flood* level;
   ii) windows, doors and other building openings for any new *residential unit* will be located above the *regulatory flood level*;
   iii) mechanical, electrical and heating equipment for any new *residential unit* will be located above the *regulatory flood level*;
   iv) access is available to the site at an elevation no lower than one metre below the *safe access* level; and
   v) unenclosed parking facilities shall be located at or above an elevation of the *100 year flood* level and enclosed facilities shall be *floodproofed* to the *regulatory flood level*.

Comment [MM157]: Existing OP 7.14.6.4 reworded "shall" changed to "may"

Floodproofing Requirements for Non-Residential Uses within the 'S.P.A. Floodplain'

35. In addition to the requirements of policy 4.4.1.33 the *renovation* of, *conversion* to and *development/redevelopment* of non-residential uses may be permitted provided that:

   i) the building or structure is *floodproofed* to a minimum elevation no lower than one metre below the *regulatory flood level*; and
   ii) the minimum elevation of any floor area is at or above the *100 year flood* level.

Comment [MM158]: Existing OP 7.14.7 reworded "shall" changed to "may"

Other General Policies Applicable to the Two Zone Floodplain and the 'Special Policy Area Floodplain'

36. Prior to a building permit being issued by the City for construction within the *flood fringe* of the Two Zone Flood Plain or the 'Special Policy Area Flood Plain', a permit from the Grand River Conservation Authority, pursuant to regulations made under the *Conservation Authorities Act* will be required.

Comment [MM159]: Existing OP 7.14.8 reworded

1. Building permit applications will be administered in phases, including a foundation permit and a building permit.

Comment [MM160]: Existing OP 7.14.8.1

2. Upon completion of any foundation, the City will require a certificate from an Ontario land surveyor or a professional engineer, verifying that the *habitable floor space* elevation is located above the required *flood* level, prior to issuance of the building permit.

Comment [MM161]: Existing OP 7.14.8.2

3. Upon completion of the building or structure, the City will require a letter of compliance by a professional engineer, verifying that the *floodproofing* measures have been implemented as required, and are in conformity with the policies of this Plan.

Comment [MM162]: Existing OP 7.14.8.3

4.4.2 Erosion Hazards and Hazardous Sites

Comment [MM163]: Existing OP 5.3 introduction revised

The City promotes safe *development* conditions throughout the City. There may be situations within the City where the topography, soil or bedrock composition can compromise safety if not taken into account at the building/property development design stage.

The City's *Natural Heritage System* identified on Schedule 4 incorporates those *erosion hazards*, steep slopes and unstable soils that are delineated and mapped by the Grand River Conservation Authority. Additional *erosion hazards* and steep slopes may be identified according to the policies of this Section.

Objectives

a) To identify situations where human life safety and the protection of property may be jeopardized due to erosion, steep slopes or *hazardous sites*.

Comment [MM164]: Existing OP 5.3a) reworded

b) To promote proper design for *development* that reduces the potential for building/property damage or the creation of unsafe conditions.

Comment [MM165]: Existing OP 5.3 b)

Policies

1. *Development* will generally be directed outside *erosion hazards*, steep slopes or *hazardous sites*.

2. *Development* within *erosion hazards*, steep slopes or *hazardous sites* may only be permitted where a site-specific Geotechnical Report, Soils Stability and Geotechnical Analysis, or engineering assessment based on established provincial guidelines or engineering standards and an appropriate factor of safety against slope failure or slipping establishes a more precise hazard limit, and where it can be demonstrated to the satisfaction of the City and the Grand River Conservation Authority, where applicable, that:

   i) there is no reasonable alternative to avoiding the hazard;
   ii) the proposed *development* is not subject to a erosion or flooding;
   iii) there is no impact on existing and future slope stability;
   iv) the risk of creating new *hazards* related to flooding or erosion or aggravating existing *hazards* is negligible;
   v) the potential of increased loading forces on the top of the

slope is addressed through appropriate structural design;

vi) the potential for surficial erosion is addressed by a drainage plan;

vii) vehicles and people have a way of safely entering and exiting the areas during times of flooding, erosion, and other emergencies; and

viii) no adverse environmental effects will result.

Comment [MM166]: Existing OP 5.3.5 c)

3. The Geotechnical Report or Soils Stability and Geotechnical Analysis shall identify the slope hazard and the design/engineering works required to ensure slope stability, positive stormwater drainage and public safety and shall be prepared by a qualified geotechnical engineer, to the satisfaction of the City and the Grand River Conservation Authority, where applicable.

4. Setbacks from *erosion hazards*, steep slopes or *hazardous sites* will be determined through required technical studies to the satisfaction of the City and the Grand River Conservation Authority, where applicable, in accordance with regulations made under the *Conservation Authorities Act*, as amended from time to time.

5. Certain lands in low-lying areas of the City may have unstable soils, such as organic (muck) soils or peat. These unstable soil land areas are usually associated with wetland areas. *Development* shall not be permitted in these areas except as permitted by the provisions of the *Natural Heritage System* Section of this Plan. For lands outside the *Natural Heritage System*, hazards associated with unable soils shall be addressed in accordance with policies 4.4.2.2, 4.4.2.3 and 4.4.2.4.

Comment [MM167]: Existing OP 5.3.3. Revised

6. Updated or more detailed mapping of *erosion hazards*, steep slopes or *hazardous sites* may be prepared from time to time by the Grand River Conservation Authority and will be incorporated through amendment to this Plan.

7. The extent of *hazardous sites* may be required to be field verified and staked as part of study in support of *development*, to the satisfaction of the City, in consultation with the Grand River Conservation Authority, as applicable. Once confirmed in the field, and approved by the City, boundaries of *erosion hazard*, steep slopes and unstable soils shall be required to be accurately surveyed and illustrated on all plans submitted in support of *development*. Such boundary interpretations will not require an amendment to this Plan. Minor refinements to the boundaries may be made on the basis of Grand River Conservation Authority's criteria for identification without an amendment to this Plan.

8. Areas within the built up portion of the City with slopes greater than 20% may also be required to prepare a Soils Stability and

Geotechnical Analysis or engineering assessment by a qualified geotechnical engineer, that ensures slope stability, positive storm drainage and public safety are addressed, to the satisfaction of the City and the Grand River Conservation Authority.

4.4.3 Landfill Constraint Area

The former Eastview Landfill site and lands containing landfill or affected by abandoned *landfill sites* are identified as a Landfill Constraint Areas on Schedule 5. Should additional former *landfill sites* be identified, the policies of this section shall apply.

Objectives

a) To identify former *landfill sites* and to establish policies that acknowledge the potential adverse environmental effects of these sites while encouraging remediation and re-use, where feasible.

b) To restrict or control *development* on lands containing landfill (solid waste) or adjacent to these areas.

Comment [MM168]: Existing OP 5.5 a) reworded

c) To ensure surface and *groundwater* resources are protected from contamination from existing or former *landfill sites*.

Policies

1. Notwithstanding the designated land use identified on Schedule 2, future *development* may be restricted or controlled on lands on, or adjacent to lands identified as Landfill Constraint Areas.

Comment [MM169]: Existing OP 5.5.3 reworded

2. Only those uses approved by the City pursuant to the *Environmental Protection Act*, will be permitted on lands that are used or have been formerly used for solid waste disposal purposes.

Comment [MM170]: Existing OP 5.5.3.1 reworded

3. Where *development* is proposed within 500 metres of the fill area of the Eastview Landfill site:

Comment [MM171]: Existing OP 5.5.3.2

   i) the Ministry of the Environment shall be consulted regarding actions necessary to identify and mitigate any potential adverse environmental effects; and
   ii) where appropriate, evidence shall be provided to the City that *development* can safely take place. This applies to, but is not limited to the construction of buildings, structures, underground utilities and services, as well as hard surface paving.

4. Where necessary, *development* proposals will incorporate measures, including technical controls, buffering or rehabilitation, as required by the City, to prevent any adverse environmental effects emanating from a *landfill site*.

Comment [MM172]: Existing OP 5.5.3.3

5. *Development* and land uses on the Eastview Sanitary Landfill Site shall be in compliance with the Eastview Sanitary Landfill Site Closure Plan (May 2003) and the Certificate of Approval pursuant to the *Environmental Protection Act*.

Comment [MM173]: New from Closure Plan (2003)

6. Portions of the Eastview Landfill Site may be incorporated into the City's Open Space and Parks system.

4.4.4 Potentially Contaminated Properties

Potentially contaminated sites are properties where the environmental condition may have potential to cause *adverse effects* on human health, ecological health or the natural environment. To reduce potential risks associated with these sites, it is important to identify these properties and ensure that they are suitable or have been made suitable for the proposed land use(s) in accordance with provincial legislation, regulations and standards.

The policies in this section should not be interpreted as a commitment on the part of the City to identify all contaminated properties. Rather, these policies should be regarded as an effort to responsibly use available information in the *development* application review process to help ensure that *development* takes place only on properties where the environmental conditions are suitable for the proposed use of the property.

Objectives

a) To encourage and facilitate safe *redevelopment* of contaminated sites.

b) To establish requirements for the assessment of known and potentially contaminated properties.

c) To establish requirements for the remediation of known contaminated properties.

d) To ensure that contaminated properties are remediated to appropriate Provincial or risk-based standards allowing *development* only to take place on properties where the environmental conditions are suitable for the proposed use.

e) To promote the *redevelopment*, restoration and revitalization of land and buildings located on potentially contaminated sites.

f) To identify known and potentially contaminated properties that are eligible for financial assistance for environmental site assessment(s) and remediation through the City's Brownfields Redevelopment Community Improvement Plan.

g) To protect, improve or restore the quantity and quality of the City's *groundwater* resources.

Policies

1. The following list represents current or past activities on a property that may cause or that may have caused environmental contamination:

    i) activities involved with the elimination of waste and other residues, including but not limited to *landfill sites* and waste management sites;
    ii) industrial and commercial activities involving the treatment, storage, disposal or use of *hazardous substances*, including but not limited to petroleum (fuel and oil), pesticides, herbicides, metals, chemicals and solvents; and
    iii) sites formerly used for transportation or utility purposes.

2. To assist in the determination of the potential for site contamination, the City may require proponents of *development* to document previous uses of a property or properties that are subject to a *development* application and/or properties that may adversely impact a property or properties that are the subject to a development application.

3. The City may require proponents of *development* to submit a Phase I or Phase II Environmental Site Assessment for a property or properties that are subject to a *development* application. The environmental site assessment(s) will be prepared:

    i) in accordance with provincial legislation, regulations and standards and signed by a qualified person as defined by provincial legislation and regulations, as amended from time to time; or
    ii) to the City's satisfaction.

4. The City will use all available information during the *development* application review process to identify potentially contaminated properties and to help ensure that *development* takes place only on properties where the environmental conditions are suitable or have been made suitable for the proposed use of the property.

5. Prior to any *development* approval being given on a property identified by the City as potentially contaminated, the City will:

    i) require as a condition of *development* approval, written verification to the satisfaction of the City from a Qualified Person as defined by provincial legislation and regulations, that the property or properties in question are suitable or have been made suitable for the proposed use in accordance with provincial legislation, regulations and standards, including where required by the City or provincial legislation and/or regulations, filing of a Record of Site Condition (RSC) signed by a Qualified Person in the Environmental Site Registry, and submission to the City of written

acknowledgement from the Ministry of Environment specifying the date that said RSC was filed in the Environmental Site Registry; or

ii) establish conditions of approval for *development* applications to ensure that satisfactory verification of suitable environmental site condition is received as per policy 4.4.4.5 i).

6. The City may use the holding provisions of this Plan to ensure that satisfactory verification of suitable environmental site condition is received as per policy 4.4.4.5 i).

7. Where the City determines that an independent peer review of the Environmental Site Assessment(s) is required, the City shall retain a qualified professional to undertake this review at the expense of the proponent.

8. It is the intent of the City that all RSCs filed in relation to Policy 4.4.4.5 i) meet the generic soil and water quality standards for potable *groundwater* conditions as set out by the Ministry of the Environment in the document entitled Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, as amended from time to time, and where a risk assessment approach is used for the purposes of filing a RSC in relation to Policy 4.4.4.5 i), the risk assessment must demonstrate that the City's raw drinking water sources for its drinking water system are adequately protected such that there is no potential for *an adverse effect*.

9. Where the City is deeded land for public highways, road widenings, parkland, stormwater management, *easements* or for any other use, the City may require, as a condition of the transfer, verification to the satisfaction of the City from a Qualified Person as defined by provincial legislation and regulations, that the property or properties in question are suitable or have been made suitable for the proposed use in accordance with provincial legislation, regulations and standards, including where required by the City or provincial legislation and/or regulations, filing of a RSC signed by a Qualified Person in the Environmental Site Registry, and submission to the City of written acknowledgement from the Ministry of the Environment specifying the date that said RSC was filed in the Environmental Site Registry.

10. The policies of this section are not intended to apply to the closure of *landfill sites* or other facilities that are required to meet closure conditions of a Certificate of Approval issued under the *Environmental Protection Act*.

11. The City will continue to encourage investigation, remediation and *redevelopment* of contaminated sites through implementation of

the City's Brownfield Redevelopment Community Improvement Plan.

4.4.5 Noise and Vibration

It is the policy of the City to minimize land use conflicts between *sensitive land uses* and uses that create noise and vibration. The guidelines of the Ministry of Environment will be applied to promote compatible development between *sensitive land uses* and uses that create noise and vibration.

Comment [MM174]: Existing OP 8.2.31 reworded

Specific land uses including but not limited to: rail yards, railways, highways, *transportation corridors* and *employment areas* may create noise and vibration. The following policies apply to both proposed new stationary sources of noise or vibration in proximity to *sensitive land uses* and to new *sensitive land uses* in proximity to an existing source of noise or vibration.

Objective

a) To minimize and mitigate land use conflicts caused by noise and vibration between *sensitive land uses* and railways, highways, *employment areas* and stationary sources in accordance with all applicable Provincial and City regulations and guidelines.

Policies

1. The City may require a Noise Impact Study or Vibration Study for *development* applications that propose to establish or expand *sensitive land uses* in proximity to existing or planned sources of noise or vibration including *transportation corridors*, certain industrial facilities or aggregate operations.

2. Any *development* application to establish or expand a use that generates a stationary source of noise or vibration that could impact existing or planned *sensitive land uses* may be required to undertake a Noise Impact Study or Vibration Study.

3. Where required, a Noise Impact Study shall:

Comment [MM175]: Existing OP 8.2.31.1 reworded

   i) be prepared by qualified professional(s);
   ii) identify the total noise impact on the site from all sources;
   iii) demonstrate whether noise control measures are needed to meet all applicable guidelines and standards; and
   iv) be prepared to the satisfaction of the City, in consultation with the Ministry of the Environment.

4. As a condition of *development* approval, and where a Noise Impact Study shows a need, a *development* proponent shall have a detailed Acoustical Design Study prepared and submitted to the City for approval. In the review of acoustical design studies, the City may consult with the Ministry of the Environment and the

Comment [MM176]: Existing OP 8.2.31.1b) reworded

owners or operators of the adjacent *transportation corridor* or stationary source. The City may require conditions to a subdivision or *development* agreement to address the recommendations of the Acoustical Design Study.

5. Consideration will be given to adequate vibration attenuation required to buffer *sensitive land uses* including residential, residential care and other institutional uses within 75 metres of a railway line.

Comment [MM177]: Existing OP 8.2.31.2 reworded

6. A Vibration Study, prepared by a qualified professional(s), will be submitted with all *development* applications that may be impacted by vibration. The study shall be submitted to the City and shall indicate any vibration impact and the mitigation measures to be applied.

Comment [MM178]: Existing OP 8.2.31.2 a reworded

7. Where the Vibration Study identifies a need, attenuation measures acceptable to the City shall be provided for in a subdivision or *development* agreement. In the review of vibration studies, the City may consult with the Ministry of the Environment.

Comment [MM179]: Existing OP 8.2.31.2 b) reworded

8. In addition to any noise and vibration impact mitigation measures, other mitigation and buffering measures such as set-backs, intervening berms and security fencing may be required as a condition of subdivision approval or other *development* approval.

Comment [MM180]: Existing OP 8.2.31.3.

9. Where a noise or vibration level excess may marginally persist in spite of attenuation measures, provision will be made in any subdivision agreement or other *development* agreement or offer to purchase contract for the preparation of a warning clause regarding the existence of potential impact of noise and vibration.

Comment [MM181]: Existing OP 8.2.31.4

10. New technologies may provide opportunities for innovative noise and vibration abatement techniques not yet available on the market. The City encourages the use of new, proven and innovative techniques, where feasible.

11. Guelph Junction Railway will be consulted on *development* applications that may be impacted by normal railway operations. *Development* approval conditions will be required to meet the noise and vibration requirements of the Guelph Junction Railway, where applicable.

4.5 Mineral Aggregate Resources

The City recognizes that mineral aggregates are valuable non-renewable resources that are required for most types of construction. Within the corporate boundaries of the City there are limited *deposits of mineral aggregate resources* remaining. These limited deposits are however, generally small, isolated and/or already constrained by existing and approved land uses and therefore do not

warrant protection from incompatible *development*. However, the City encourages the recovery and use of these resources, where feasible, in conjunction with *development* of the lands.

There are high quality aggregates in areas outside the City boundary that are being extracted and will continue to be extracted in the future. The County of Wellington and Region of Halton Official Plans both identify and protect *mineral aggregate resources* in proximity to the City. The City will work with the Province, neighbouring municipalities and the mineral aggregate industry to ensure that *mineral aggregate operations* are planned to ensure the protection and maintenance of *natural heritage systems*, water resources including the City's drinking water supply, public health and the City's cultural heritage resources.

Objectives

a) To encourage the recovery of *mineral aggregate resources* in conjunction with *development*.

b) To ensure that *mineral aggregate operations* in neighbouring municipalities protect the natural environment and the public health and safety of Guelph and will not impact existing or planned development.

Polices

1. The City supports and encourages the recovery of *mineral aggregate resources* in conjunction with *development*, where feasible.

Comment [MM182]: From PPS 2.5.2.3

2. The City recognizes that a licensed *mineral aggregate operation* exists partially within the City, south of the Speed River, west of the Hanlon Expressway and north of College Avenue. The lands within the City are designated Reserve Lands on Schedule 2.

3. Several existing *mineral aggregate operations* are located in proximity to the City. The City will work with the licence holders, neighbouring municipalities and the Province to ensure that these sites are operated in a manner that protects City interests including matters of water supply, public health, safety and environmental impact.

4. The City will monitor, review and comment on applications for new or expanded *mineral aggregate operations* in neighbouring municipalities that are in proximity to the City. The following matters will be considered:

Comment [MM183]: Existing OP 5.4.2.4 revised

   i) the impact on adjacent land uses, residents and public health and safety;
   ii) the impact on the physical environment;
   iii) the impact on the capabilities for other land uses to be established by the policies of this Plan;
   iv) the impact on the transportation system;
   v) the impact on any existing or potential *groundwater* resource areas and on any existing or potential drinking water sources;

Comment [MM184]: Existing OP 5.4.2.4 e) revised

vi) the possible effect on the water table or surface drainage patterns;

vii) the manner in which the operation is proposed to be carried out including the estimated time for completion of the extraction work;

viii) the nature of rehabilitation work and that the proposed after use of the property is compatible with surrounding existing and planned land uses;

ix) the effects on *natural heritage features* and *cultural heritage resources;* and

x) any other matters deemed relevant by the City.

5. Asphalt plants, concrete plants, aggregate transfer stations and similar related uses shall not be permitted within the City of Guelph.

6. *Wayside pits and quarries*, *portable asphalt plants* and *portable concrete plants* used on public authority contracts are allowed without the need for an Official Plan Amendment, rezoning or development permit in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

7. The City encourages the recycling and reuse of aggregates where appropriate.

Comment [MM185]: Existing OP 5.4.2.4 h) revised as per MNR comments

Comment [MM186]: Existing OP 5.4.2.4 i) split into two

Comment [MM187]: Existing OP policy 5.4.2.3

Comment [MM188]: Existing OP policy 5.4.4 reworded

4.6 Climate Change

It is widely acknowledged that human activities are a significant contributor to global climate change. Foremost among these activities is the emission of greenhouse gasses when energy is generated from fossil fuels. Climate change is predicted to have significant negative impacts on human health and safety, property, the natural and cultural environment and the economy.

Addressing climate change requires two complementary sets of strategies: mitigation and adaptation. Mitigation involves actions to reduce greenhouse gas emissions and actions to reduce or delay climate change. Guelph's approach to mitigation is embedded throughout the City's Community Energy Plan (CEP) and throughout this Plan including policies addressing the *natural heritage system*, transportation, urban structure, urban design and land use.

Adaptation involves actions to minimize vulnerabilities to the impacts of climate change and includes planning and strategic decisions that anticipate changes in temperature, precipitation, severe weather and increased variability in these both globally and locally. Among other issues, climate adaptation is particularly important to infrastructure planning, *flood* protection, emergency management and planning for secure access to water and food.

Objective

a) To increase community resiliency to climate change.

Policies

1. The City will establish polices and undertake programs to target reducing annual greenhouse gas emissions by 60% from 2007 levels to 7 tonnes of carbon dioxide (equivalent) per capita by 2031.

Comment [MM189]: From CEP p. 18

2. The City shall work with partners in the community and other levels of government to prepare a comprehensive climate change adaptation strategy.

3. The City will implement urban design and development standards to reduce climate change impacts on public works and *infrastructure* including roads, bridges, water and wastewater systems and energy distribution systems.

4.7 Community Energy

In 2007 the City adopted the Community Energy Plan (CEP). The CEP outlines the City's path to climate change mitigation through reductions in energy consumption and greenhouse gas emissions while ensuring that Guelph has reliable, sustainable and affordable energy that will attract quality investment to the City. The Community Energy Initiative (CEI) encompasses Guelph's ongoing commitment to policy and programs to achieve the CEP.

This Plan, in conjunction with the Community Energy Plan (CEP), uses an integrated systems approach to create an over-arching vision and structure that demonstrates low carbon energy opportunities, viable sustainable transportation routes and nodes, potential for expanding open space and *employment areas* and appropriate housing densities. This integrated approach is essential to achieving many of the long-terms goals of this Plan including climate change mitigation.

The CEP establishes progressive targets for both energy conservation and reduction in greenhouse gas emissions. Community energy, energy efficiency, environmental design and increasing the supply of energy through *renewable energy systems* and *alternative energy systems* will all contribute to achieving these goals. The CEP also recognizes that water conservation is a key contributor to meeting the City's energy goals. Polices regarding water conservation are addressed in Section 4.3 Watershed Planning and Water Resources.

4.7.1 Corporate Leadership

Objectives

a) To reduce the amount of energy used in the City.

b) To demonstrate corporate leadership in energy conservation, innovation and renewable energy generation and distribution.

c) To develop tools that assist in integrating land use, transportation and energy planning.

Policies

1. The City will establish policies and undertake programs to target reducing Guelph's overall energy use by 50% from 2007 levels to 34 megawatt hours (equivalent) per capita by 2031.

Comment [MM190]: From CEP p. 116

2. Working with community partners, the City will plan to achieve the goals of the CEP by integrating land use, energy and transportation planning to address the four following interconnected areas of focus:

   - Local Renewable and Alternative Energy Generation;
   - Local Sustainable Transmission – *District Energy*;
   - Building End-Use Efficiency; and
   - Transportation – Urban Form/Density.

3. The City will consider how municipally funded investments contribute to meeting the goals of the CEP.

Comment [MM191]: From CEP p. 13

4. The City will support energy efficiencies by ensuring that municipal facilities are designed to demonstrate leadership in energy efficiency.

5. The City will aim to conserve energy through implementing programs including but not limited to those that:

   i) establish minimum energy efficiency standards for new municipal facilities and major renovations to existing buildings.
   ii) support infrastructure renewal and operational efficiencies within water and wastewater treatment and conveyance;
   iii) undertake marketing and education initiatives;
   iv) make suggestions for changes to the Ontario Building Code and regulations that accelerate and support energy efficiency standards in all built forms; and
   v) establish green purchasing and sustainable green fleet procedures.

6. The City will set targets for, plan for, implement and monitor improvements in energy efficiency and greenhouse gas emissions associated with municipal assets.

7. The City will explore, develop and implement an integrated energy mapping tool that considers built form; the type, mix, density and distribution of land uses; the transportation system; energy supply planning and opportunities for *district energy*. It is anticipated that this tool will assist in understanding the interrelationships between land use, transportation and energy systems. It can be used to inform planning and contribute to achieving the goals of the CEP and this Plan.

8. The City will monitor its ongoing progress toward achievement of its community energy and climate change objectives including but not limited do:

   i) CEP related investment in our economy;
   ii) the reliability and cost of diverse energy, water and transportation services available to Guelph's residents and businesses; and
   iii) energy and water use and greenhouse gas emissions.

4.7.2 Local Renewable and Alternative Energy Generation

The CEP establishes progressive targets for renewable and low or no carbon energy sources. To meet these targets, the City must enable and encourage *renewable energy systems* and *alternative energy systems* such as a combined heat and power systems or cogeneration systems which increase efficiencies by minimizing transmission losses and by using otherwise wasted heat for domestic water and space heating.

The *Green Energy and Green Economy Act* (GEGEA) streamlined approvals for most renewable energy projects and *exempts* them from *Planning Act* approvals. *Exempt* projects are managed through a Provincial approval process. Policies of this Plan that relate to *exempt* projects are not intended to prevent, restrict or regulate these systems or projects other than where certain provisions of the *Planning Act*, *Ontario Heritage Act* or other legislation under the City's jurisdiction are deemed to apply.

Objective

a) To encourage and facilitate local generation through *renewable energy systems* and *alternative energy systems*.

Policies

1. The City will encourage the development of *renewable energy systems* and *alternative energy systems* including combined heat and power plants subject to the policies of this Plan.

2. The City will establish policies and undertake programs that target meeting:

   i) at least one quarter of Guelph's total energy needs from local renewable sources by 2021; and
   ii) at least 30% of Guelph's electricity requirements with Combined Heat and Power by 2031.

3. The City will work jointly with the Province and public and private partners to investigate the feasibility, implications and suitable locations for *renewable energy systems* and *alternative energy systems*.

Comment [MM192]: From CEP p. 116

4. When consulted on *exempt* energy projects, the City will consider the goals of the CEP, the goals and objectives of this Plan and the City's wider strategic objectives in determining its position.

5. Prior to the development of *non-exempt Renewable Energy Systems* or *Alternative Energy Systems,* and in addition to any other requirements of this Plan, studies may be required to demonstrate to the satisfaction of the City how the proposal addresses potential impacts including: the natural environment, noise and vibration, water quality and quantity, cultural and natural heritage resources, shadows, land use compatibility and public health and safety.

4.7.3 Local Sustainable Transmission - District Energy

A typical centralized energy generation facility that is far from the community it serves is inefficient since much of the energy is lost to the atmosphere as heat and to long distance transmission. *District Energy* systems address these areas of inefficiency. A *district energy* system ties together distributed energy generation through a local supply loop. For Guelph, this is envisioned as a thermal *district energy* system that distributes hot water from local thermal generation plans, such as combined heat and power system or biomass boilers to thermal energy users.

A *district energy* system depends on having heat users that are: close to the plant, of sufficient density and mix of customer types to balance the demand for heat throughout the day. Existing or planned areas of the City with these characteristics are candidates for establishing *district energy* systems. Alongside natural gas and electricity, *district energy* is a key component of the City's vision for an energy distribution architecture that allows fuel choices for the majority of residents and businesses to optimize cost and availability and reduce environmental impacts long into the future.

Objective

a) To facilitate efficient energy generation and distribution systems including *district energy*.

Policies

1. The City will support the application of *district energy* through:

   i) developing guidelines and technical standards to assess the feasibility of and implement *district energy* using a combination of *renewable energy systems* and *alternative energy systems*, including combined heat and power;
   ii) considering combined heat and power systems and *district energy* through secondary planning processes;
   iii) exploring initiatives including public-private partnerships for

the implementation of *district energy;* and

iv) planning for high density and mixed-uses in appropriate locations that improve the viability of *district energy.*

2. The City will work with appropriate partners to develop *district energy* systems where feasible including but not limited to areas within Downtown, the University of Guelph, Guelph General Hospital and the Hanlon Creek Business Park.

Comment [MM193]: from *Developing a Downtown District Energy System for the City of Guelph Using a CHP Facility (2010*

3. Where the feasibility of *district energy* has been demonstrated, the City in consultation with appropriate partners may identify potential *district energy* areas. New *development* in these potential *district energy* areas shall be designed to be *district energy* ready subject to the City establishing *District Energy* Ready Guidelines.

4. Where a *district energy* system is in place, new *development* will be encouraged and may be required to connect to the *district energy* system and new municipal buildings will connect to the *district energy* system.

5. As part of a *development* application, the City may require the submission of a study, developed in consultation with the City, to determine the feasibility of a *district energy* system.

6. The optimization of electrical and natural gas infrastructure is encouraged to support the energy supply system thereby ensuring reliability and system efficiency.

7. Utility providers are encouraged to adapt to emerging technologies such as the incorporation of smart power grids, smart metering and advanced telecommunications.

8. The City encourages utilities including *renewable energy systems* and *alternative energy systems* to be located within shared corridors to minimize land requirements; increase the efficiency of utility construction and maintenance; and to minimize future disruption and costs.

9. Existing and future utility corridors shall be protected from incompatible development that would preclude or negatively affect their intended use.

4.7.4 Building End-Use Energy Efficiency

Objectives

a) To reduce energy demand within the built environment.

b) To promote sustainable development through conservation, efficiency and design.

c) To promote urban and building design that facilitates efficient delivery of energy and optimizes opportunities for walking, cycling and transit use.

Policies

1. All new *development* shall achieve the energy performance criteria of the Ontario Building Code. New residential, commercial and institutional development shall achieve an improvement of 1.5% per year over the 2012 Ontario Building Code energy efficiency requirements.

2. Applications for Official Plan amendments, *Zoning By-law* amendments or *plans of subdivision* may be required to demonstrate, to the satisfaction of the City, how the *development* supports the goals and targets of the CEP through the completion of the Sustainability Checklist and the submission of appropriate studies. Such studies may include, but are not limited to, an Energy Conservation Efficiency Study, a Renewable/Alternative Energy Feasibility Study and *District Energy* Feasibility Study.

3. The City will encourage and support energy efficient *development* by:

   i) promoting street and lotting patterns that are oriented to maximize opportunities for solar gain;
   ii) working with the development industry to determine, understand, publicize and implement the techniques required to achieve the energy targets for buildings established by the CEP;
   iii) encouraging and facilitating designs that incorporate or allow for efficient future use of *renewable energy systems, alternative energy systems* or *district energy* systems;
   iv) encouraging and promoting designs that use Energy Star, *LEED* Building Standards or equivalent building rating systems that reference Canada's Natural Resources EnerGuide rating system for new *development* and retrofits;
   v) encouraging opportunities to reduce the need for building cooling through green or reflective roofs where appropriate, insulation, reduced or efficient glazing and effective shade landscaping;
   vi) encouraging designs that support and facilitate energy efficient transportation, including active transportation, transit and energy conserving vehicles and transportation programs;
   vii) supporting the use of reclaimed, environmentally friendly and locally sourced building materials, where appropriate;
   viii) investigating tools to achieve higher levels of energy efficiency than required by the Ontario Building Code, particularly in higher density built forms and larger buildings, e.g. apartments;
   ix) supporting and promoting a building energy *performance*

Comment [MM194]: From CEP 11.3 & 11.4

Comment [MM195]: Energy Density Mapping Strategy Phase 2 report

Comment [MM196]: From PPS 1.8.1e

Comment [MM197]: CEP p. 92

labelling scheme for all buildings; and

x) establishing a monitoring program to measure energy efficiency to assist the City in meeting the Community Energy Plan goals and targets.

4. The City will investigate tools and incentives to encourage the retrofit of existing buildings to improve energy efficiency.

4.8 Cultural Heritage Resources

Cultural heritage resources are the roots of the community. They may include tangible features, structures, sites or landscapes that either individually or as a part of a whole are of historical, architectural, scenic or archaeological value. *Cultural heritage resources* may also represent intangible heritage such as customs, ways of life, values and activities. These resources may represent local, regional, provincial or national heritage interests and values. They include *built heritage resources, cultural heritage landscapes* and *archaeological resources*.

Cultural heritage resources paint the history of the city and provide identity and character while instilling pride and contributing to economic prosperity.

Objectives

a) To maintain and celebrate the heritage character of the city, including *built heritage resources, cultural heritage landscapes and archaeological resources*.

b) To identify, evaluate, *list*, *conserve* and protect *cultural heritage resources* through the adoption and implementation of policies and programs including partnerships amongst various public and private agencies and organizations.

Comment [MM198]: Existing OP 3.5 b) Revised; goes beyond "encourage" in current OP

c) To encourage a city-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive environmental, economic and social strategy where *cultural heritage resources* contribute to achieving a sustainable, healthy and prosperous city.

Comment [MM199]: Existing OP 3.5 a), b) and c) Revised

d) To ensure that all new *development*, *site alteration*, building *alteration* and additions are contextually appropriate and maintain the integrity of all on-site *cultural heritage resources* or *adjacent protected heritage property*.

Comment [MM200]: New – Adjacency from PPS 2005

e) To encourage the preservation, rehabilitation or restoration of *built heritage resources* and *cultural heritage landscapes* so that they remain in active use.

Comment [MM201]: Based on current OP 3.5.1

f) To promote public and private awareness, appreciation and enjoyment of the City's *cultural heritage resources* through public programs and activities, heritage tourism and guidance on appropriate conservation practices.

g) To maintain a municipal register of properties of *cultural heritage value or interest* in accordance with the *Ontario Heritage Act.*

Comment [MM202]: New – from Ontario Heritage Act 2005

h) To identify, designate and *conserve built heritage resources* and *cultural heritage landscapes* in accordance with Part IV of the *Ontario Heritage Act*.

i) To identify, designate and *conserve Heritage Conservation Districts* under Part V of the *Ontario Heritage Act*.

j) To identify, evaluate and *conserve heritage trees* which satisfy the criteria for determining *cultural heritage value or interest* as prescribed by regulation under the *Ontario Heritage Act*.

Comment [MM203]: New, revises current OP 3.5.14 and adds OReg 9/06

k) To identify, evaluate and *conserve archaeological resources* and *areas of archaeological potential* in accordance with the *Ontario Heritage Act*.

4.8.1 Policies

1. *Cultural heritage resources* shall be *conserved* in accordance with this Plan and all other relevant legislation.

2. *Built heritage resources* and *cultural heritage landscapes* may be designated and/or *listed* on the *Municipal Register of Cultural Heritage Properties.*

3. A register of *property* situated in the City that is of *cultural heritage value or interest* shall be maintained and kept up to date by the City, in consultation with Heritage Guelph, according to Section 27 of the *Ontario Heritage Act*. The *Municipal Register of Cultural Heritage Properties* (or *Heritage Register*) will *list designated cultural heritage resources* and non-designated *built heritage resources* and *cultural heritage landscape resources*.

Comment [MM204]: New from Ontario Heritage Act 2005

4. The City recognizes that properties within the city that have been identified in the Couling Building Inventory may also have *cultural heritage value or interest*. The properties identified in the Couling Building Inventory may be considered by Council for *listing* in the *Heritage Register* and designation under the *Ontario Heritage Act.*

5. Guidelines for *Cultural Heritage Resource Impact Assessments*, *Cultural Heritage Conservation Plans* and *Cultural Heritage Reviews* may be established by the City. *Cultural Heritage Resource Impact Assessments* and *Cultural Heritage Conservation Plans* will be used when evaluating *development* and *redevelopment* in association with designated and non-*designated properties* in the *Municipal Register of Cultural Heritage Properties*. *Cultural Heritage Reviews* will be used to assess non-*designated properties listed* on the *Municipal Register of Cultural Heritage Properties*.

6. *Built heritage resources* and *cultural heritage landscapes* are required to be maintained with appropriate care and maintenance that conserves their *heritage attributes* in accordance with:

i) the City's *Property Standards By-law*, the Tree By-law and the *Site Alteration* By-law; and
ii) prescribed federal and provincial standards and guidelines.

7. The ongoing maintenance and care of individual *built heritage resources* and *cultural heritage landscapes* and the properties on which they are situated together with associated features and structures is encouraged and, where appropriate, the City will provide guidance on sound conservation practices.

8. Proper conservation and maintenance of *built heritage resources* and *cultural heritage landscapes* should be recognized and encouraged as a viable and preferred means of reducing energy consumption and waste.

9. Harmful disruption or disturbance of known *archaeological sites* or *areas of archaeological potential* should be avoided.

10. The City will encourage *property* owners to seek out and apply for funding sources available for *conservation* and restoration work.

11. The City may establish financial incentives to promote the *conservation* of *cultural heritage resources*.

12. The City will ensure the *conservation* and protection of *cultural heritage resources* in planning and *development* matters subject to the *Planning Act*.

13. The City may require, as a condition of approval of a *development* proposal within which a *cultural heritage resource* is situated or which is adjacent to a *protected heritage property*, the provision of one or more performance assurances, performance security, property insurance and/or maintenance agreements, in a form acceptable to the City, in order to conserve the cultural heritage resource.

Comment [MM205]: Existing OP 3.5.3.3; Revised - adjacency added (PPS)

14. It is preferred that *cultural heritage* resources be conserved in situ and that they not be relocated unless there is no other means to retain them. Where a *cultural heritage resource* cannot be *conserved* in situ or through relocation and approval for demolition or removal is granted, the City in consultation with Heritage Guelph will require the proponent to provide full documentation of the *cultural heritage resource* for archival purposes, consisting of a history, photographic record and measured drawings, in a format acceptable to the City.

Comment [MM206]: Based on existing OP 3.5.11(b)

15. The proponent shall provide and deliver to the City all or any part of the demolished *cultural heritage resource* that the City, in consultation with Heritage Guelph, considers appropriate for re-use, archival, display, or commemorative purposes, at no cost to the City. The City may use or dispose of these *artifacts* as it deems appropriate.

Comment [MM207]: Existing OP 3.5.11(c) revised

16. Council may pass by-laws providing for the acquisition by purchase, lease or otherwise of any real *property* or part thereof, designated under Part IV of the *Ontario Heritage Act*.

17. The City may dispose by sale, lease, or otherwise of any real *property* or interest therein acquired under policy 4.7.2.17, upon such terms and conditions as Council may consider appropriate.

18. The predominant *built heritage resources* in the periphery of the city are the farmsteads. While there have historically been strong cultural, economic, social and political links between the City of Guelph and its rural neighbours, it is the farming history which sets this area apart from the more heavily urbanized parts of the City. In many cases, the farmsteads are linked to pioneer settlers and other important persons, technologies, architectural styles and developments, or represent the historical development of Guelph and Wellington County. Many are intact examples of early settlement patterns in Wellington County, which survive as a testament to the prosperity and history of this area. These *built heritage resources* are most deserving of preservation and careful incorporation into *developments* in accordance with the provisions of this Plan.

Comment [MM208]: Existing OP 3.5.19 policy from South Guelph Secondary Plan expanded to generally include all peripheral areas of Guelph

19. The farmhouse at 80 Simmonds Drive will be incorporated into the design of the main public square for the lands located along the west side of Victoria Road, providing opportunity for the use of this building as a public facility (community centre or library) or alternatively, to be retained as a residential use.

Comment [MM209]: Existing OP 3.5.20 from Victoria Road North Secondary Plan Area with address changed to current.

4.8.2 Heritage Designation

1. Council, in consultation with Heritage Guelph, may designate by by-law, properties of *cultural heritage value or interest* in accordance with Part IV of the *Ontario Heritage Act*. Properties of *cultural heritage value or interest* must, in Council's opinion, meet one of the prescribed criteria as established by regulation under the *Ontario Heritage Act.* Such properties shall be *listed* as *designated properties* in the *Municipal Register of Cultural Heritage Properties*.

Comment [MM210]: Existing OP 3.5.7 Revised terminology to reflect Ontario Heritage Act 2005

Comment [MM211]: From OReg 9/06

2. *Development*, *redevelopment*, and *site alteration* affecting a *designated property* or other *protected heritage property,* where the works are likely to affect the *property*'s *heritage attributes*, shall not be permitted unless written *consent* is received from the City.

Comment [MM212]: From PPS 2005

3. Applications for any *alteration* affecting or likely to affect the *heritage attributes* of a *designated property* or other *protected heritage property* shall be required to demonstrate, to the satisfaction of the City, in consultation with Heritage Guelph, through a *Cultural Heritage Resource Impact Assessment* and/or a *Cultural Heritage Conservation Plan* how the *heritage attributes*

will be *conserved*, protected and integrated, where appropriate, into the *development* plans.

4. *Development, redevelopment* and *site alteration* of *designated properties* or other *protected heritage property* shall be designed to integrate the property's *heritage attributes* into the proposed design and ensure *compatibility* with the *heritage attributes* and values through such measures as:

   i) maintaining the original location and orientation to the street and lot pattern;
   ii) conserving the *cultural heritage landscape* or setting;
   iii) ensuring the height, bulk, form, massing, materials, fenestration and/or facade treatments do not detract from the *heritage attributes*; and
   iv) maintaining the general scale and pattern of the streetscape.

5. *Development*, *redevelopment* and *site alteration* of *designated properties* or other *protected heritage property* shall ensure that the proposed *development, redevelopment* or *site alteration conserves* or enhances the context in which the *cultural heritage resource* is situated.

6. *Heritage attributes* shall be *conserved*, unless it has been demonstrated to the satisfaction of the City, in consultation with Heritage Guelph, that the *heritage attributes* or the designation of the property no longer meet the criteria for determining *cultural heritage value or interest* established by provincial regulation.

Comment [MM213]: Existing OP 3.5.17 reworded

4.8.3 Heritage Conservation Districts

1. Council, in consultation with Heritage Guelph, may initiate for examination any area of the City for possible designation as a *Heritage Conservation District,* in accordance with Part V of the *Ontario Heritage Act*.

2. Prior to the designation of a *Heritage Conservation District*, the City shall:

   i) identify its intent to define and investigate an area;
   ii) undertake a study of the area to determine if the area should be *conserved* as a *Heritage Conservation District*;
   iii) examine and make recommendations on the boundaries of the study area;
   iv) evaluate the area's *cultural heritage value or interest*;
   v) recommend the objectives, policies and contents of the *Heritage Conservation District Plan*; and
   vi) determine *development* control measures that will be required to *conserve* the cultural heritage of the area and any other matters deemed necessary.

3. Pursuant to the *Ontario Heritage Act*, and in consultation with Heritage Guelph, Council may, by by-law designate any area within the City as a *Heritage Conservation District.*

4. Once approved by Council, a *Heritage Conservation District Plan* will guide public infrastructure, *development* and *site alteration* within the *Heritage Conservation District*.

5. Properties within an approved *Heritage Conservation District* shall be *listed* in the *Heritage Register*.

Comment [MM214]: New; Ontario Heritage Act 2005

4.8.4 Development and Site Alteration Adjacent to Protected Heritage Property

1. *Development* and *site alteration* may be permitted on *adjacent lands* to *protected heritage property* where the proposed *development* and *site alteration* has been evaluated and it has been demonstrated, to the satisfaction of the City, in consultation with *Heritage Guelph*, that the *heritage attributes* of the *protected heritage property* will be *conserved*. *Mitigation* or *avoidance* measures may be required to *conserve* the *heritage attributes* of the *protected heritage property* affected by the adjacent *development* or *site alteration*.

Comment [MM215]: New; from PPS 2005, Policy 2.6.3

2. *Development* or *site alteration* on *adjacent lands* to a *protected heritage property* shall require a *Scoped Cultural Heritage Resource Impact Assessment* to evaluate and demonstrate, to the satisfaction of the City in consultation with Heritage Guelph, that the *heritage attributes* of the *designated heritage property* will be *conserved.*

3. *Development* and *site alteration* on *adjacent lands* to *protected heritage property* shall be designed to *avoid or mitigate* impact on the identified *heritage attributes* of the *protected heritage property*, and should be designed to be *compatible* with the immediate context on the street.

4. *Adjacent lands* guidelines may be developed by the City to guide the consideration of *development* adjacent to *designated heritage properties* or other *protected heritage property* and to set out the detailed requirements for a *Scoped Cultural Heritage Resource Impact Assessment*.

5. Architectural design guidelines may be developed by the City to guide *development* and *site alteration* adjacent to *designated heritage properties* or other *protected heritage property*.

4.8.5 Heritage Register

Comment [MM216]: New; from Ontario Heritage Act 2005

1. A *Heritage Register* shall be maintained and kept up to date by the City that *lists designated and* non-*designated properties* that Council believes to be of *cultural heritage value or interest*.

2. Council, in consultation with Heritage Guelph, may remove non-*designated properties* from the *Heritage Register*, provided it has been demonstrated to the satisfaction of Council, through a *Cultural Heritage Review* or an appropriate alternative review process, that the *property* is no longer of *cultural heritage value or interest*.

3. Properties may be added to the *Heritage Register* where Council, in consultation with Heritage Guelph, believes the *property* to be of *cultural heritage value or interest*.

4. *Non-designated built heritage resources* or *cultural heritage landscapes listed* in the *Heritage Register* shall not be demolished or removed without the owner providing at least 60 days notice in writing to the City of the intent to demolish in conjunction with an application for a demolition permit. Council, in consultation with Heritage Guelph, will assess requests for demolition to determine the significance of the *built heritage resources* and *cultural heritage landscapes* affected. Council may refuse to issue the demolition permit and determine that the *property* is of sufficient *cultural heritage value or interest* that it should be designated under the *Ontario Heritage Act*.

5. Council, in consultation with Heritage Guelph, may determine that a *property listed* in the *Heritage Register* has no *cultural heritage value or interest*, and in such instances, demolition may be permitted.

6. *Built heritage resource*s and *cultural heritage landscapes* that have been *listed* in the *Heritage Register* shall be considered for *conservation* in *development* applications initiated under the *Planning Act,* unless the applicant demonstrates to Council in consultation with Heritage Guelph, through a *Cultural Heritage Resource Impact Assessment*, *Scoped Cultural Heritage Resource Impact Assessment* or *Cultural Heritage Review*, that the *built heritage resource* or *cultural heritage landscape* is not of *cultural heritage value or* interest and, therefore, does not meet the criteria for designation under the *Ontario Heritage Act*.

7. Where a non-designated *built heritage resource* or *cultural heritage landscape* is *listed* in the *Heritage Register*, the City may require, as a condition of approval of a *development* application under the *Planning Act*, a building permit, a partial demolition or change of use, that the proponent enter into agreements to *conserve* and/or permit to be designated, by the City, in consultation with Heritage Guelph, the *built heritage resource* or *cultural heritage landscape.*

8. The City may require the proponent to prepare a *Cultural Heritage Conservation Plan* as a condition of approval for a *development* application, a building permit, including partial demolition, and/or a change in use that has the potential to

impact a non-designated *built heritage resource* or a *cultural heritage landscape listed* in the *Heritage Register*.

4.8.6 Archaeological Resources

1. The City recognizes that there are archaeological remnants of prehistoric and early historic habitation within the City. The Archaeological Master Plan – Planning Report (January 2001) identified lands that have the potential for the discovery of *archaeological resources.* Additional areas may be identified by the City on the basis of the definition for *areas of archaeological potential* as defined in this Plan and in relevant provincial standards and guidelines as amended.

2. Where *archaeological resources* or *areas of potential archaeological resources* have been identified or have the potential to be present on lands proposed for *development* or *site alteration*, the City shall require the preparation of an *Archaeological Assessment* by a consultant archaeologist holding a valid professional license.

3. *Development* and *site alteration* shall only be permitted on lands containing *archaeological resources* or *areas of potential archaeological resources* if it has been demonstrated that the *significant archaeological resources* have been *conserved* by removal and documentation, or by preservation on site. Where *significant archaeological resources* must be preserved on site, only *development* and *site alteration* which maintains the integrity of the *archaeological resource* may be permitted.

4. *Development and site alteration* shall not commence on lands containing *archaeological resources* or *areas of potential archaeological resources* until an *Archaeological Assessment*, prepared to the satisfaction of the Province and the City, has been completed that:

   i) identifies the affected *areas of archaeological potential* and *archaeological resources;*
   ii) *assesses the archaeological significance* of the subject land;
   iii) recommends *conservation* and/or preservation measures required to retain the heritage value, attributes and integrity of the resource;
   iv) meets the *Standards and Guidelines for Consultant Archaeologists,* as amended, the *Ontario Heritage Act* and its regulations; and
   v) includes a completed archaeological site registry form in instances where *archaeological sites* are registered.

4.8.7 Heritage Guelph

1. Heritage Guelph is the City's municipal heritage committee, and will be consulted, as appropriate, on matters associated with the identification, evaluation, *listing*, *conservation*, restoration,

Comment [MM217]: Existing OP 3.5.9 Revised

Comment [MM218]: New Provincial S&Gs for Archaeologists, 2010

protection, and enhancement of *cultural heritage resources*.

2. Heritage Guelph will advise and assist Council in the identification and prioritization of *cultural heritage resources* within the City in accordance with the criteria for determining *cultural heritage value or interest* established by Provincial regulation.

3. Heritage Guelph will provide advice to Council on the designation of properties under Part IV of the *Ontario Heritage Act* and the delineation and designation of *Heritage Conservation Districts* under Part V of the *Ontario Heritage Act*.

4. Heritage Guelph will provide advice on *cultural heritage value or interest* on all matters referred to it by Council.

5. All properties identified on the Couling Building Inventory that have not been *listed* on the *Municipal Register of Cultural Heritage Properties* (e.g. buildings, structures, landscapes, monuments, installations or visible remains constructed prior to 1927, but not limited to those constructed prior to 1927) shall be considered as potential *built heritage resources* until considered otherwise by the Heritage Guelph.

6. The City will promote good communication between Heritage Guelph and City departments, local heritage groups, and applicable government agencies.

7. The City, in conjunction with Heritage Guelph, will encourage and foster public education, awareness, participation in, and appreciation of the conservation of *cultural heritage resources* by installation of plaques, *conservation* awards, publication of literature, assistance to the media and other means considered appropriate by Council.

8. The City may use government or non-government funding programs to assist in the implementation of the heritage *conservation* policies of this Plan.

9. The City shall co-ordinate its heritage *conservation* plans and programs with other levels of government.

4.8.8 Heritage Trees

1. The City shall identify, evaluate and *conserve heritage trees* which satisfy one of the criteria for determining *cultural heritage value or interest* as prescribed by regulation under the *Ontario Heritage Act*.

2. Where *heritage trees* have been identified by the City, they will be protected to the fullest extent possible while having regard to the health of the tree and public safety.

Comment [MM219]: From Ontario Heritage Act and OReg 9/06

Comment [MM220]: New, revises current OP 3.5.14 and adds OReg 9/06

Comment [MM221]: New concept of "heritage" trees; goes beyond the Existing OP 3.5.14

4.8.9 Cultural Heritage Resource Impact Assessment

1. The City may require a *Cultural Heritage Resource Impact Assessment* or a *Scoped Cultural Heritage Resource Impact Assessment* as part of a complete *development* application for the following *development* application types if the subject *property* has been designated under the *Ontario Heritage Act* or has been *listed* as a non-*designated property* in the *Heritage Register*:

   - Official Plan Amendment (when combined with a *Zoning By-law Amendment* or a Plan of Subdivision)
   - *Consent*
   - *Zoning By-law* Amendment
   - Plan of Subdivision
   - Minor Variance
   - Site Plan Control.

2. A *Cultural Heritage Resource Impact Assessment* or a *Scoped Cultural Heritage Resource Impact Assessment* shall be carried out to the satisfaction of the City, in consultation with Heritage Guelph.

3. The *Cultural Heritage Resource Impact Assessment* shall include, but is not limited to the following:

   i) a description of the proposed *development*, *redevelopment or site alteration*, including a location map showing proposed buildings, existing land uses, site survey, architectural drawings, detailed conceptual façade renderings, interior architectural details where the *heritage attributes* are identified within a building or structure and other details as specified by the City;
   ii) a detailed description of the *built heritage resource(s)*, *cultural heritage landscape* features, *heritage attributes*, sources of research and conclusions regarding the significance of the *cultural heritage resource* with respect to their *cultural heritage value or interest*;
   iii) a description of the existing regulations if any, affecting the proposal (e.g. *flood* or fill regulation);
   iv) a description of *cultural heritage resources* and *heritage attributes* that may be directly or indirectly affected by the proposal;
   v) a description of the impacts that may reasonably be caused to the *cultural heritage resource* or *heritage attributes* and how the impacts may affect the value or interest of the resource or attribute;
   vi) an evaluation of alternative *conservation* and avoidance or *mitigation* measures and their effectiveness in conserving the *cultural heritage resource* or *heritage attributes*. Such evaluation shall be based on established principles, standards and guidelines for heritage *conservation* and include an assessment of the advantages and disadvantages

Comment [MM222]: Based on HIA description from Ontario Heritage Toolkit

of each;

vii) an implementation and monitoring plan shall be required and include a reporting structure for the implementation of the recommended actions as *development* and *site alteration* proceeds; and

viii) any other information required by the Province or the City, in consultation with Heritage Guelph that is considered necessary to evaluate the proposal.

4. The *Cultural Heritage Resource Impact Assessment* shall be conducted by professional(s) qualified in the field of *cultural heritage resources* and in accordance with the City's *Cultural Heritage Resource Impact Assessment Guidelines.*

5. Heritage Guelph may assist in the review of *Cultural Heritage Resource Impact Assessments* or *Scoped Cultural Heritage Resource Impact Assessments* and provide recommendations to Council. The conservation and/or designation of any *cultural heritage resource* identified through the assessment may be a condition of a *development* approval by the City.

Comment [MM223]: Existing OP 3.5.13 revised

4.8.10 Scoped Cultural Heritage Resource Impact Assessment

1. The requirements for a *Scoped Cultural Heritage Resource Impact Assessment* may be scoped to the satisfaction of City staff and Heritage Guelph.

2. A *Scoped Cultural Heritage Resource Impact Assessment* may be prepared in instances where the proponent can demonstrate, to the satisfaction of the City, in consultation with Heritage Guelph, that a particular proposal can proceed without *negative impact* on any *cultural heritage resources* or *heritage attributes*.

3. The *Scoped Cultural Heritage Resource Impact Assessment* shall be conducted by a professional(s) qualified in the field of *cultural heritage resources* and according to the City's *Cultural Heritage Resource Impact Assessment Guidelines.*

4. Heritage Guelph may assist in the review of *Cultural Heritage Resource Impact Assessments* or *Scoped Cultural Heritage Resource Impact Assessments* and provide recommendations to Council. The *conservation* and/or designation of any *cultural heritage resource* identified through the assessment may be a condition of a *development* approval by the City.

4.8.11 Cultural Heritage Conservation Plan

1. A *Cultural Heritage Conservation Plan* shall be required as part of, or separate from, the *Cultural Heritage Resource Impact Assessment*, and shall describe the recommended actions necessary to prevent, change and/or *mitigate*, remedy or *avoid* expected impacts upon *the cultural heritage resources or heritage attributes*. The *Cultural Heritage Conservation Plan* may also

Comment [MM224]: Based on Conservation Plan description from Ontario Heritage Toolkit

describe how the *heritage attributes* will be integrated into or commemorated within the new *development*.

4.8.12 Cultural Heritage Review

Comment [MM225]: New; as per Council resolution approving the expansion of the Heritage Register in 2009.

1. A *Cultural Heritage Review* is required when requests are made to modify a description of non-*designated properties listed* in the *Heritage Register* or to *list* or remove non-*designated properties* in the *Heritage Register*.

2. A *Cultural Heritage Review* will be conducted in accordance with the *Cultural Heritage Review* Guidelines.

4.8.13 Implementation Policies

Comment [MM226]: Based on existing OP (3.5.17)

1. Pursuant to the *Planning Act*, the *Municipal Act*, the *Building Code Act* and other relevant legislation, the City may pass by-laws or implement other tools to ensure and facilitate the *conservation* of *built heritage resources* and *cultural heritage landscapes*, including but not limited to the following:

   i) Using a range of implementation tools to achieve the objectives for *built heritage resources* and *cultural heritage landscapes*, including *Site Plan Control* to require exterior design drawings which address matters such as: the character, massing, scale, appearance and design features of buildings; relationship of the proposed building to adjacent buildings and the street; interior walkways; stairs; elevators, etc. that are accessible to the general public; and impacts on the design elements within the municipal right-of-way.

   ii) Regulating *development* so that it is sympathetic in height, massing, location and character with *built heritage resources* and *cultural heritage landscapes*, where character includes, but is not limited to, form and massing, materials, fenestration, facade treatments, building orientation, existing scale and pattern and existing landscape and streetscape qualities.

   iii) Controlling demolition of *built heritage resources* and *cultural heritage landscapes* in a defined area.

   iv) Providing financial incentives to encourage the retention and *conservation* of *built heritage resources* and *cultural heritage landscapes*.

   v) Considering reductions or alternatives to standards (e.g. minor variances, parking and building height) as part of a *development* application.

   vi) Entering into *cultural heritage conservation easement agreements* with the owner of any real *property* pursuant

to the provisions of the *Ontario Heritage Act* for the purpose of:

a. *conserving*, protecting and maintaining the heritage features of the *property* in perpetuity;
b. preventing any demolition, construction, *alteration*, addition or any other action which would adversely affect the heritage features of the *property*; and
c. establishing criteria for the approval of any *development* affecting the *cultural heritage resource*.

5 Movement of People and Goods – An Integrated Transportation System

The transportation system will be designed to serve the existing and proposed land use pattern and to facilitate efficient, safe, convenient and energy efficient movement of goods and people throughout the City. The Official Plan recognizes the relationship between land use and all modes of transportation.

Transport accounts for 30% of energy used and 45% of greenhouse gas emissions in Guelph. The Community Energy Plan recommends reducing energy from transportation through measures such as improving public transportation and using *transit-supportive development* and a *compact urban form* to reduce auto trips.

An integrated transportation system contributes to a *complete community*. A balanced, integrated transportation system will contribute to vibrant streets designed to ensure pedestrians and cyclists comfortably and safely co-exist with motor vehicles, thus improving health and quality of life.

Objectives

a) To provide a transportation system, involving all transport modes, to move people and goods safely, efficiently and economically while contributing positively to the social, cultural and natural environments of the City.

Comment [MM227]: Existing OP 8.2a) Reworded

b) To ensure that the transportation system is accessible and meets the needs of all members of the community.

Comment [MM228]: New to reflect barrier free polices.

c) To ensure that the transportation system is planned, implemented and maintained in a financially sustainable manner.

Comment [MM229]: Existing OP 8.2 b) Revised

d) To encourage and support walking and cycling as healthy, safe and convenient modes of transportation all year round and ensure that the design of pedestrian and cycling networks are integrated with other modes of transportation.

Comment [MM230]: Existing OP 8.2 c) Reworded

e) To place a priority on increasing the capacity of the existing transit system and facilitate its efficient expansion, where necessary and feasible, to areas that have achieved, or are planned to achieve, *transit-supportive* residential and employment densities.

f) To aim to increase non-auto *mode shares*.

g) To develop and maintain an appropriate hierarchy of roads to ensure the desired movement of people and goods within and through the City.

Comment [MM231]: Existing OP 8.2 g) Reworded

h) To work in co-operation with Federal, Provincial and other local governments, to create a transportation system that accommodates current and anticipated regional transportation movements.

Comment [MM232]: Existing OP 8.2 i) Reworded

i) To reduce the amount of energy used for transportation.

5.1 Transportation System

1. The City will plan, implement and maintain a transportation system to facilitate:

   i) increasing non-auto *mode shares* for average daily trips to 15% for transit, 15% for walking and 3% for cycling; and
   ii) reducing the amount of energy used for transportation by 25% from 2007 levels by 2031.

2. The City shall maintain the existing transportation system and ensure its continued sustainability while at the same time planning for new *infrastructure* development.

3. *Transportation infrastructure* planning, land use planning and transportation investment will be coordinated and integrated to implement the growth objectives and planned urban structure of this Plan.

4. It is the policy of the City to limit new *development* to areas where adequate transportation facilities can be provided without undue financial burden to the Municipality.

5. Public transit will be an integral component in planning for new development areas.

6. The City, in consultation with the Province and nearby municipalities shall plan, develop and implement inter-city transit projects in conjunction with Provincial transportation projects to achieve a balanced transportation system.

7. A *multi-modal* approach will be used in planning and implementing transportation improvements and in encouraging the increased use of non-auto travel modes.

Comment [MM233]: Existing OP 8.2f) Revised

Comment [MM234]: New based on Growth Plan

Comment [MM235]: New based on Growth Plan

Comment [MM236]: Existing OP 8.2.40

Comment [MM237]: New based on Growth Plan

Comment [MM238]: Existing OP 8.2.9 Reworded

5.2 Barrier Free Transportation

1. The City's transportation system shall be developed to be inclusive of the needs of persons with disabilities, seniors, children and those with reduced mobility by:

   i) ensuring that new transit facilities, transit stops and vehicles are accessible and use barrier free design principles in accordance with the *Accessibility for Ontarians with Disabilities Act*;
   ii) ensuring that sidewalks are accessible and accommodate people with impaired or reduced mobility;
   iii) encouraging the use of voice signals at crosswalks;
   iv) modifying existing transportation facilities over time to enhance accessibility;
   v) requiring minimum off-street parking spaces for persons with disabilities through the *Zoning By-law*; and

Comment [MM239]: Based on Accessibility for Ontarians with Disabilities Act

vi) taking accessibility considerations into account in the design of the transportation system.

Comment [MM240]: From Facility Accessibility Design Manual 2005

5.3 Transportation Demand Management (TDM)

Comment [MM241]: New from Guelph- Wellington Transportation Study 2005 and OPA 39.

1. *TDM* is an essential part of an overall integrated and sustainable transportation system. *TDM* measures shall be evaluated in all transportation related studies and new *development* plans including the degree to which they contribute towards the achievement of the transportation objectives of this Plan.

2. *TDM* measures may include, but are not limited to:

   i) including provisions for *active transportation* in association with *development* and capital projects including secure bicycle storage facilities and pedestrian and cycling access to the road network;
   ii) supporting transit through reduced parking standards for some land uses or locations, where appropriate, and making provisions for parking spaces for car share vehicles through the *development* approval process where appropriate; and
   iii) encouraging carpooling programs, preferential parking for carpoolers, transit pass initiatives and flexible working hours.

3. The City will encourage shorter trip distances primarily through the development of a more *compact urban form* with additional opportunities for mixed-use development and live/work opportunities.

4. The City will promote *TDM* measures that promote *active transportation*, public transit and increased vehicle occupancy where appropriate.

5.4 Active Transportation – Walking and Cycling

Active transportation which includes pedestrian movement, cycling and any non-motorized modes of transportation is a component of achieving the City's transportation, sustainability, community energy and healthy community objectives.

1. The City supports walking and cycling as priorities when designing the transportation system with a focus on connecting land uses to meet the community's mobility needs.

2. The City supports the ongoing enhancement of a pedestrian and bicycle system that is convenient, safe and pleasant, serves both commuter and recreational purposes and provides access throughout the City.

3. *Active transportation* measures will be promoted in accordance with the following provisions:

Comment [MM242]: This policy replaces Existing OP 8.2.1.

   i) ensure that streets, spaces and public facilities are designed to be safe and comfortable for pedestrians and cyclists;
   ii) require, provide and maintain infrastructure that maximizes safe and convenient passage for pedestrians and cyclists through the

Comment [MM243]: From Growth plan 3.2.3.3

City;

iii) ensure that bikeways and pedestrian walkways are integrated into and designed as part of new road and other infrastructure projects in the City. Special consideration will be given to matters such as bike lanes, physically separated bikeways and provisions for a comfortable pedestrian environment which may include shade trees, street furniture, bicycle racks, lighting, signed and safe street crossings and other traffic controls;

iv) require minimum provisions for on-site parking and storage for bicycles and other personal transportation devices in the *Zoning By-law* for uses such as employment and commercial, schools, high and medium density residential *development* and transportation terminals;

v) implement design and maintenance standards which can reduce the risk of collisions and injuries;

vi) provide for unobstructed pedestrian movement by using ramped sidewalk facilities and by providing crossings at reasonable intervals across major barriers such as rivers and railway lines, and priority crossing at high activity signalized intersections, wherever possible; and

vii) provide linkages between *intensification areas*, adjacent neighbourhoods and transit stations.

4. The City will prepare a Bicycle Transportation Plan that will identify a Bicycle Network of off-road and on-road bicycle facilities as well as other network improvements.

5. The City will implement the Bicycle Transportation Plan through the *development* process as well as City projects and will give further consideration to the incorporation of improvements and expansions to the Bicycle Network when undertaking road infrastructure works or when *development* proposals are being considered.

6. If rail lines within the City become abandoned or opportunities for multiple-use of rail corridors become available, the City will actively promote the provision of bicycle and pedestrian paths along these corridors, where appropriate.

7. In new *developments*, including *employment areas* and where public transit service is intended, sidewalks shall be provided on both sides of all streets wherever feasible with the exception of the following situations:

i) residential streets with a right-of-way less than 18 metres where sidewalks shall be required on only one side of the street;

ii) rear laneways, where no sidewalks will be required;

iii) roads where a rural cross-section is being maintained and paved shoulders are provided; or

iv) adjacent to the *Natural Heritage System* where a trail with a high level of service may be provided instead of a sidewalk.

Comment [MM244]: From Growth plan 3.2.3.3

Comment [MM245]: New from Growth Plan 3.2.3

Comment [MM246]: Existing OP 8.2.2 revised to reference ongoing study.

Comment [MM247]: Existing OP 8.2.2 Revised to reference ongoing study.

Comment [MM248]: Existing OP 8.2.3 with the addition of "where appropriate"

5.5 Public Transit

1. The City shall continue to increase connectivity and integration between public transit and other modes of travel through measures such as installing bicycle racks on buses, including bicycle parking at transit terminals, designing for pedestrian and cyclist access to terminals and providing for "park and ride" opportunities.

2. To ensure that public transit is an attractive, energy efficient and convenient means of travel the City will:

   i) plan for a *compact urban form* by promoting mixed and *transit-supportive* land uses, urban intensification, a strong Downtown and urban structure of nodes and corridors as identified on Schedule 1;
   ii) consider public transit as a high priority for *transportation infrastructure* planning, second only to *active transportation*;
   iii) ensure the creation of a road network that permits reasonable walking distances to and from transit stops for a majority of residences, jobs and other activities in the area;
   iv) ensure that the phasing of new development allows for the provision of transit service in the early phases of new development so that using transit is a viable option for the first occupants;
   v) require *development* proponents to plan for the provision of transit in an integrated and comprehensive manner including the location of transit routes and facilities, where appropriate; and
   vi) consider the impacts on transit when planning the locations for higher density housing, commercial and employment centres.

3. In addition to *transit-supportive* land use development, a high level of service, reliability and amenities are needed to attract riders. The City will promote greater use of transit by:

   i) maintaining efficient transit service through improvements to travel time, reliability, overall routes and regularity of service, especially for those routes that link areas of population and employment concentrations;
   ii) providing transit priority measures to lessen delays on transit vehicles caused by traffic congestion and traffic control signals, where appropriate;
   iii) ensuring that bus stops are provided at regular intervals, generally within 400 metres of every residence and business, to promote accessibility to all areas;
   iv) providing adequate facilities to improve rider amenities such as bus stop shelters and routes and schedule information; and
   v) facilitating access to public transit for persons with disabilities by providing special equipment and services where warranted, designing stops, shelters and terminals for accessibility and taking other actions that facilitate improved access to transit services.

4. In the review of *development* applications that involve major traffic generators and of facilities potentially used by transit riders, the City may

Comment [MM249]: Based on existing OP 8.2.5 & 8.2.8

Comment [MM250]: Existing OP 8.2.5 a) reworded

Comment [MM251]: New from Growth Plan 3.2.3.1

Comment [MM252]: Existing OP 8.2.5 b) revised

Comment [MM253]: Existing OP 8.2.5 c). Revised based on Growth Plan 2.2.7.1.

Comment [MM254]: Existing OP 8.2.5 d) Reworded

Comment [MM255]: Existing OP 8.2.5 e) Reworded

Comment [MM256]: Based on Existing OP 8.2.5 & 8.2.8

Comment [MM257]: New Transit Growth Strategy (TGS)

Comment [MM258]: New. From Transit Growth Strategy (TGS)

Comment [MM259]: 8.2.5 f) revised to reflect industry standard and TGS

Comment [MM260]: New. TGS

Comment [MM261]: New. Mobility Services Review (2010)

require the provision of on-site or off-site facilities, such as transit user amenities or road improvements that will facilitate public transit service as appropriate.

5.6 Road Network

An efficient road network will accommodate all modes of travel including vehicular traffic at a reasonable level of service.

1. Road right-of-ways will be planned and designed to enable safe and comfortable use by all users including pedestrians, cyclists, motorists and transit riders of all ages and abilities.

2. The design and development of new transportation facilities will be subject to the applicable provisions of this Plan.

3. Generally, private roads shall be discouraged. Where permitted they shall generally be designed to be publicly accessible.

4. A variety of design mechanisms and operational techniques will be used by the City to promote the efficient utilization of the City's road grid system; for example, requirement for shared driveways in commercial strips and synchronized traffic signals.

Comment [MM262]: Existing OP 8.2.25.1

5. Where necessary, traffic calming measures shall be incorporated into the design of the street network in accordance with the City's Neighbourhood Traffic Management Policy, or successor thereto.

Comment [MM263]: Existing OP 3.6.32.8 Revised

5.7 Functional Hierarchy of Roads

The functional hierarchy of roads is identified on Schedule 7.

5.7.1 Expressway

1. Expressways are Provincial highways that are intended to move very large volumes of traffic over medium to long distances within and through the City. They are designed as high speed, multi-lane, divided roadways with access restricted to grade-separated interchanges.

Comment [MM264]: 8.2.17.1 a) and b) reworded

2. Expressways include "staged expressways" where the right-of-way is protected, but only two lanes and/or controlled access may be provided at grade, normally at signalized intersections for an interim period of time.

Comment [MM265]: Existing OP 8.2.17.1 c

5.7.2 Arterial Roads

1. Arterial roads are intended to move moderate to large volumes of traffic over moderate distances within the City and to collect traffic and direct it to the Provincial highway system.

Comment [MM266]: Existing OP 8.2.17.2a) reworded

2. Arterial roads are designed for medium speed, having capacity for 2 to 6 lanes, usually undivided, with access generally restricted, wherever possible, to at-grade road intersections with other arterial and collector roads.

3. Arterial roads are meant to accommodate a high level of transit service.

4. Direct access from local roads and individual properties shall be limited to avoid interference with the primary function of the roadway.

5. On-street parking may be permitted in certain instances in conjunction with street-oriented development to achieve urban design objectives and functions of this Plan. In these instances, special design provisions will be incorporated within the street right-of-way to ensure safe passage of traffic for pedestrians, cyclists, transit users and motorists while also permitting motor vehicle movement.

6. The desirable right-of-way width shall range from 26 metres to 36 metres with additional widths as required at intersections and to incorporate on-street parking or transit priority measures.

7. It is recognized that arterial roads of less than 26 metres presently exist and widening to achieve the desirable minimum may not be practical.

5.7.3 Collector Roads

1. Collector roads are intended to move low to moderate volumes of traffic within specific areas of the City and collect local traffic for distribution to the arterial or Provincial highway system.

2. Collector roads are designed for moderate speed, having capacity for 2 to 4 lanes, usually undivided.

3. Direct access to private property may be controlled to avoid traffic hazards.

4. Parking may be permitted in instances where parking needs have been identified and can be safely accommodated in conjunction with abutting land uses.

5. The desirable right-of-way width shall range from 23 metres to 26 metres with additional widths as required at intersections and to incorporate transit priority measures and on-street parking.

6. It is recognized that collector roads of less than 23 metres exist and widening to achieve the desirable minimum may not be practical.

Comment [MM267]: Existing OP 8.2.17.2 b) reworded to add "generally restricted"

Comment [MM268]: Existing OP 8.2.17.2 c) Reworded

Comment [MM269]: Existing OP 8.2.17.2 e) revised

Comment [MM270]: Existing OP 8.2.17.2 f)

Comment [MM271]: Existing OP 8.2.17.3a)

Comment [MM272]: Existing OP 8.2.17.3 b) Reworded

Comment [MM273]: Existing OP 8.2.17.3c)

Comment [MM274]: Existing OP 8.2.17.3d) Reword

Comment [MM275]: Existing OP 8.2.17.3 e) reworded

Comment [MM276]: Existing OP 8.2.17.3 f)

5.7.4 Local Roads

1. Public roads not otherwise identified in the functional hierarchy shall be considered local roads.

2. Local roads will provide for low volumes of traffic and access to abutting private property.

3. Local roads are designed for low speed, having capacity for two lanes of undivided traffic, with through traffic discouraged.

4. Parking may be permitted, where appropriate.

5.8 Road Design

1. The City will ensure any impacts on the *Natural Heritage System* and *cultural heritage resources* are addressed in the design process for road capital projects in accordance with the provisions of this Plan.

2. The City shall have regard for and, when necessary, will require measures to mitigate any *negative impacts* on *cultural heritage resources*, especially the character of landscapes, streetscapes, tree lines, bridges, views and points of scenic interest and the prevailing pattern of settlement, when considering the construction of new roads and road improvements, including road re-alignment and road widening.

3. The road system in new development areas will be connected to the existing road network and facilitate linkages between existing and future developments and will ensure continuity of sidewalks, bicycle facilities and bus routes. Road network design will minimize travel distances for pedestrians, cyclists and transit and shall generally be in the form of a modified grid.

4. The City will promote the creation of an arterial-collector grid road system in the *greenfield area* of the City to assist in the dispersion of traffic and to provide appropriate walking distances to transit services on the main roads.

5. The design of roads will incorporate streetscape and design elements determined through the road design processes that are consistent with the Urban Design policies of this Plan where appropriate based on the planned function of the road.

6. To control future land uses that would increase traffic unnecessarily on the arterial-collector grid and at intersections, the City will:

   i) restrict strip commercial development along arterial roads; and
   ii) locate *service commercial* development in designated areas along only one side of the arterial road.

7. The City will require the submission of traffic impact studies for *development* proposals that are considered as significant traffic

Comment [MM277]: Existing OP 8.2.17.4a) reworded

Comment [MM278]: Existing OP 8.2.17.4a) reworded

Comment [MM279]: Existing OP 8.2.17.4 b) reworded

Comment [MM280]: Existing OP 8.2.17.4c) Reworded.

Comment [MM281]: Existing OP 8.2.22

Comment [MM282]: Existing OP 8.2.24 reworded

Comment [MM283]: Existing OP 8.2.25. part c) removed

Comment [MM284]: Existing OP 8.2.25.3 revised

generators along arterial and collector roads to determine whether the *development* would compromise the planned function of the road.

8. The design and construction of roads will incorporate trail components located within the road right-of-way as recommended in the Guelph Trail Master Plan (2005) or any successor thereto, where appropriate.

9. The City shall consider road designs that are innovative in terms of environmental considerations and that support pedestrians, cycling and transit.

10. When developing road cross section designs as part of alternative development standards, the City will consider all modes of transportation and how to develop a strong pedestrian realm in accordance with the Urban Design objectives of this Plan.

11. Main Streets may be identified on arterial or collector roads in Downtown or in areas of existing or planned high density including *Intensification Corridors* and Community Mixed-Use Nodes. Where identified, specific road segments may be designed as Main Streets to reflect their planned function as focal points for shopping, offices and community interaction and will be develop based on the adjacent land use context. Main Streets will provide a safe, functional and attractive pedestrian, cycling and transit-oriented environment that is balanced with an acceptable level of motor vehicular traffic. If necessary, the City may accept a level of service which is less than optimum for vehicular traffic in return for a more pedestrian, cycling and transit-oriented environment. On-street parking will be permitted, where appropriate, and a strong pedestrian realm will be developed in accordance with the Urban Design policies of this Plan.

12. The City will consider the impact on existing utility *infrastructure* and opportunities for enhancement or replacement as part of road improvement or maintenance projects through discussion with utility providers.

Comment [MM285]: New from Guelph Trail Master Plan

Comment [MM286]: New, based on comment from Bell.

5.9 Trucking and Goods Movement

1. The City will coordinate with the Province, Wellington County and neighbouring municipalities on the planning and design of an efficient goods movement system that minimizes community and traffic impacts.

2. Truck use will be regulated through a permissive truck route system and regulations, pertaining to heavy trucks, which is contained in the City's Traffic By-law, as amended from time to time.

3. It is the policy of the City to minimize the impact of trucks upon residential areas.

   i) Truck routes may be used to restrict through truck traffic on certain residential streets. In the consideration of this restriction, truck routes, if provided, will be designed to maximize

Comment [MM287]: Existing OP 8.2.29.1 reworded

accessibility to commercial and industrial areas of the City.

ii) The City will restrict the location of land uses, activities and home occupations that generate truck traffic.

Comment [MM288]: Existing OP 8.2.29.2

5.10 Railways

1. The City recognizes the importance of the rail system and supports and encourages the enhanced role of rail transportation for goods and passenger movement.

Comment [MM289]: Existing OP 8.2.32 Reworded

2. The City will facilitate the provision of rail freight service to *employment areas*, where feasible, including the continued support of the City-owned Guelph Junction Railway Company.

Comment [MM290]: Existing OP 8.2.31.1 Reworded

3. The City will support the future use of the Guelph Junction Railway for potential passenger rail service as illustrated on Schedule 7.

Comment [MM291]: New from Transit Growth Strategy.

4. The City will encourage the continued provision of passenger rail service.

Comment [MM292]: Existing OP 8.2.32.2

5. To minimize road/rail conflict wherever possible, the City has identified the following location for a road/rail grade separation:

Comment [MM293]: Existing OP 8.2.33 revised to delete completed grade separations.

i) Silvercreek Parkway and CNR grade separation as part of the reconnection of Silvercreek Parkway south of Paisley Road.

6. Proponents of *development* in proximity to a railway:

i) must demonstrate, to the satisfaction of the City, that applicable safety requirements can be satisfied;
ii) meet the requirements of the Noise and Vibration polices of this Plan; and
iii) implement other mitigation and buffering measures such as set-backs, intervening berms and security fencing as may be required as a condition of subdivision approval or other *development* approval.

Comment [MM294]: Existing OP 8.2.31.3 reworded

7. Where *development* cannot reasonably achieve standard safety measures, the City, in consultation with the affected railway, may consider a site specific risk management approach to meeting safety and security requirements.

5.11 Parking

1. The City will ensure that adequate parking facilities are provided to meet the parking demands generated by various land uses.

Comment [MM295]: Existing OP 8.2.35

2. The City shall specify off-street parking requirements and may establish maximum parking requirements in the *Zoning By-law*, where appropriate.

Comment [MM296]: Existing OP 8.2.35.2 Revised

3. Off-street parking areas and facilities shall be provided through zoning and site plan requirements.

Comment [MM297]: Existing OP 8.2.35.2

4. The City may acquire, develop and operate parking facilities.

5. Cash-in-lieu of required parking may be considered in accordance with the *Planning Act*.

6. Reduced parking requirements may be considered as part of a Parking Study, particularly within Downtown, Community Mixed-use Nodes and *Intensification Corridors*, or for *affordable housing*, or where high levels of transit exist or are planned.

7. The City may encourage managing the supply of parking as a *TDM* measure.

Comment [MM298]: Existing OP 8.2.35.3

Comment [MM299]: Based on existing OP 8.2.36

Comment [MM300]: Based on Existing OP 8.2.36

5.12 Transportation Networks

The City's road network is integrated into the Provincial Highway system and ties into the County/Township transportation network. Provincial Highways 6 and 7 are both major routes to and through the City while Wellington Road 124 is an important regional connection.

1. The City will work with Wellington County, the Region of Waterloo, the Region of Halton and the Provincial and Federal Governments, as appropriate, to co-ordinate *transportation infrastructure* planning and implementation within the City and surrounding areas. This co-ordination will include participation in *Environmental Assessment* processes and undertaking joint transportation planning studies.

2. Schedule 7 identifies future transportation projects identified through *Environmental Assessments* and council approved studies. *Development* in proximity to these proposed improvements will be designed and integrated such that it does not preclude or negatively affect the proposed transportation network improvement.

3. All *development* proposals adjacent to the Provincial Highways in Guelph are subject to the requirements and permits of the Ministry of Transportation. These requirements and permits are in addition to the road design standard requirements of the City.

4. The Transportation Master Plan will be updated on regular intervals, generally every 5 years. Studies on specific aspects of the transportation system may be completed from time to time by various government levels and may address specific elements of the transportation system. Information from these studies will help to inform the updates to the City's Transportation Master Plan.

Comment [MM301]: Existing OP 8.2.18 a)

5.13 Road Widenings and Intersection Improvements

Table 5.1 lists right-of-ways that are planned for widening. Table 5.2 lists intersections that are planned to be improved or widened to accommodate on-street parking. As a condition of *development* approval, the City may require that a portion of lands be dedicated to the City for road widening or intersection

Comment [MM302]: Based on Existing OP introduction to Table 8.1

improvement without compensation. However, these tables are not intended to specify that such roads will necessarily be widened or intersections improved.

1. Land for possible road widening and intersection improvements as described in Tables 5.1 and 5.2, will be dedicated to the City at no expense, as a condition of approval for the following:

   i) a draft plan of subdivision;
   ii) a *consent* by the *Committee of Adjustment*; and
   iii) a site plan approval.

Comment [MM303]: Existing OP 8.2.26.1 Reworded

2. Generally, road widenings will be taken equally from each side of the right-of-way to ensure uniform road widths unless otherwise specified in Table 5.1.

Comment [MM304]: Existing OP 8.2.26.2 Reworded to update table reference

3. Road widenings in excess of the ultimate widths listed in Table 5.1 may be required at intersections listed in Table 5.2 for traffic operation and safety improvements such as sidewalks, bike lanes, daylight triangles, turn lanes, channelization, transit priority measures, grade separations, on-street parking or where topographic challenges exist.

Comment [MM305]: Existing OP 8.2.26.3 revised

4. Where an approved *Environmental Assessment* identifies a right-of-way width that is different than the ultimate widths listed in Table 5.1, the larger width may be applied.

5. Where existing development, road alignments, topographic features or other factors make it impractical to obtain the desired road widening, or road intersection improvements, road right-of-way alterations will be designed to minimize the impact on abutting properties.

Comment [MM306]: Existing OP 8.2.26.4

6. Plans for future widenings, intersection improvements or road alterations will have consideration for land use, environmental and visual streetscape matters.

Comment [MM307]: Existing OP 8.26.5.5.

Table 5.1 Road Widening Dedications

Comment [MM308]: Existing OP Table 8.1 revised and updated

	ROAD	**ULTIMATE RIGHT-OF-WAY**	**WIDENING SPECIFICATION**
1.	Alice Street	15 m	5 m south side between Morris Street and Huron Street
2.	Arkell Road	30 m	5 m both sides from Gordon Street to Victoria Road
3.	Cardigan Street	15 m	5 m east side, London Road East to Marcon Street
4.	Church Lane	12 m	3 m both sides, Norfolk Street to eastern end of lane

	ROAD	ULTIMATE RIGHT-OF-WAY	WIDENING SPECIFICATION
5.	Clair Road	30 m	5 m both sides, Hanlon Expressway to east City Limit
6.	College Ave	30 m	2–5 m both sides, Hanlon Expressway to Victoria Road
7.	Crimea Street	20 m	2 m south side, Edinburgh Road to Alma Street
8.	Downey Road	36 m	8 m both sides, from 100 m south of Teal Drive to Forestell Road
9.	Dufferin Street	20 m	4 m west side, London Road to Kerr Street
10.	Eastview Road	30 m	5 m both sides, Mountford Drive to east City Limit
11.	Edinburgh Road	26 m	2–3 m both sides, College Avenue West to Suffolk Street West
		30 m	2–5 m both sides, Suffolk Street West to Woodlawn Road
		26 m	2-5 m both sides, Rodgers Road to Gordon Street
12.	Elizabeth Street	24 m	Up to 2 m, both sides, Arthur Street South to Garibaldi Street
		30 m	2–5 m both sides, Garibaldi Street to York Road
13.	Elmira Road	36 m	5 m east side, Massey Road to Woodlawn Road 8 m west side, Speedvale Avenue West to Massey Road
14.	Emma Street	20 m	5 m south side, Speed River to Delhi Street
		20 m	2–5 m both sides, Delhi Street to Stevenson Street North
15.	Eramosa Road	23 m	1-2 m, both sides, Woolwich Street to Metcalfe Street

Comment [MM309]: revised

Comment [MM310]: Revised

	ROAD	ULTIMATE RIGHT-OF-WAY	WIDENING SPECIFICATION
		30 m	2–5 m both sides, Metcalfe Street to Meyer Drive
		26 m	3 m both sides, Meyer Drive to Victoria Road North
		30 m	2-5 m both sides, Victoria Road North to north City Limit
16.	Exhibition Street	18 m	5 m east side, Division Street to Verney Street
		15 m	2–5 m both sides, Verney Street to Speedvale Avenue West
17.	Fife Road	30 m	4 m both sides, Wellington Street West to west City Limit
18.	Forestell Road	30 m	5 m both sides, west City Limit to Phelan Drive
19.	Gordon Street	30 m	5 m west side, Wellington Street to Speed River
		24 m	Up to 2 m, both sides, Speed River to College Avenue
		26 m	1–3 m both sides College Avenue to Stone Road
		30 m	3–5 m both sides, Stone Road to Clair Road
		30 m	5 m both sides, Clair Road to Maltby Road
20.	Grange Road	30 m	5 m both sides, Victoria Road North to Watson Pkwy North
21.	Grange Street	20 m	3 m both sides, Arthur Street North to Victoria Road North
22.	Hyland Road	20 m	2–3 m both sides, Eleanor Court to eastern end of Hyland Road
23.	Janefield Avenue	26 m	6 m east side, College Avenue West to Scottsdale Drive

	ROAD	ULTIMATE RIGHT-OF-WAY	WIDENING SPECIFICATION
24.	Kathleen Street	15 m	5–10 m west side, Division Street to Speedvale Avenue West
25.	Laird Road	36 m	4 m both sides from Downey Road to Hanlon Expressway
26.	Maltby Road	30 m	5 m both sides, west City Limit to east City Limit
27.	Neeve Street	20 m	1 m both sides, C.N.R. to York Road
28.	Nicklin Road	26 m	2 m east side, Brentwood Drive to Woodlawn Road
29.	Paisley Road	23 m	2 m both sides, Edinburgh Road North to Silvercreek Pkwy
		30 m	5 m both sides, Silvercreek Pkwy to west City Limit
30.	Palmer Street	15 m	2–3 m both sides, Queen Street to Stevenson Street
31.	Queen Street	20 m	2–3 m both sides, Arthur Street to Palmer Street
32.	Raglan Street	19.8 m	1.5 m south side, Edinburgh Road South to Omar Street
33.	Raymond Street	20 m	5 m east side, Bristol Street to 70 m south
34.	Regent Street	23 m	3 m east side, Rose Street to Grange Street
35.	Roland Street	20 m	3–5 m both sides, Waterloo Avenue to Bristol Street
36.	Silvercreek Pkwy	30 m	5 m both sides, Wellington Street to north City Limit
37.	Speedvale Avenue	30 m	2–5 m both sides, West City Limit to East City Limit
38.	Stevenson Street	26 m	3 m both sides, York Road to Lane Street

Comment [MM311]: Revised

	ROAD	ULTIMATE RIGHT-OF-WAY	WIDENING SPECIFICATION
		30 m	5 m both sides, Lane Street to Eramosa Road
39.	Stone Road	36 m	3–8 m south side, College Ave West to Victoria Road South
		36 m	5 m both sides, Victoria Road South to Watson Parkway South
40.	Suffolk Street	18.3 m	3 m north side, Edinburgh Road North to North Street
41.	Surrey Street	20 m	2.2 m on south side between Grant Street and Wyndham Street South
42.	Victoria Road	30 m	2–5 m both sides, Woodlawn Road East to York Road
		26 m	3 m both sides, York Road to Eramosa River
		30 m	2–5 m both sides, Eramosa River to Stone Road East
		36 m	8 m both sides from Stone Road East to the south City Limit
43.	Watson Road	30 m	5 m both sides, Watson Pkwy North to C.N.R.
		30 m	5 m both sides, C.N.R. to Watson Pkwy South
44.	Watson Pkwy.	30 m	5 m both sides, south City Limit to north City Limit
45.	Wellington Street	36 m	10 m south side, Imperial Road South to west City Limit
46.	Woodlawn Road	36 m	2–8 m both sides, Hanlon Expressway to west City Limit
		30 m	2 m both sides, Hanlon Expressway to Woolwich Street
		30 m	5 m south side, Woolwich Street to Victoria Road North

	ROAD	ULTIMATE RIGHT-OF-WAY	WIDENING SPECIFICATION
47.	Woolwich Street	24 m	Up to 2 m both sides, London Road to Speedvale Avenue
		30 m	5 m both sides, Speedvale Avenue to north City Limit
48.	Wyndham Street	30 m	3 m both sides, Wellington Street East to York Road
49.	York Road	30 m	2–5 m both sides, Victoria Road South to Watson Road South
		24 m	Up to 2 m both sides Wyndham Street South to Victoria Road

Table 5.2: Intersection Improvements

Comment [MM312]: Existing OP 8.2 Revised and Updated

ROAD	INTERSECTION IMPROVEMENT
Alma Street	At Paisley Road
Arkell Road	At Gordon Street At Victoria Road
Arthur Street	At Elizabeth Street
Clair Road	At Laird Road At Victoria Road
College Avenue	At Edinburgh Road At Gordon Street At Victoria Road
Dawson Road	At Speedvale Avenue West At Woodlawn Road
Delhi Street	At Speedvale Avenue East
Downey Road	At Laird Road At Forestell Road
Dunlop Drive	At Watson Parkway
Eastview Road	At Watson Parkway At Victoria Road

Comment [MM313]: New

ROAD	INTERSECTION IMPROVEMENT
Edinburgh Road	At College Avenue At Gordon Street At London Road West At Suffolk Street At Willow Road At Water Street At Waterloo Avenue At Woodlawn Road
Elizabeth Street	At Arthur Street At Stevenson Street At Victoria Road At York Road
Eramosa Road	At Metcalfe Street At Meyer Drive
Forestell Road	At Downey Road
Grange Road	At Victoria Road At Watson Parkway
Gordon Street	At Arkell Road At Edinburgh Road At Wellington Street At James Street At Maltby Road At College Avenue
James Street	At Gordon Street
Kathleen Street	At Speedvale Avenue W.
Laird Road	At Clair Road At Downey Road
London Road	At Edinburgh Road At Woolwich Street
Maltby Road	At Gordon Street At Southgate Drive At Victoria Road
Metcalf Street	At Eramosa Road
Meyer Drive	At Eramosa Road
Nicklin Road	At Woodlawn Road
Niska Road	At Pioneer Trail

Comment [MM314]: New

Comment [MM315]: New

Comment [MM316]: New

Comment [MM317]: New

Comment [MM318]: New

Comment [MM319]: New

Comment [MM320]: New

Comment [MM321]: New

ROAD	INTERSECTION IMPROVEMENT
Paisley Road	At Alma Street At Silvercreek Parkway At Yorkshire Street
Pioneer Trail	Niska Road
Regal Road	At Woodlawn Road
Southgate Drive	At Maltby Road
Silvercreek Parkway	At Paisley Road At Willow Road At Speedvale Avenue W. At Woodlawn Road
Speedvale Avenue	At Dawson Road At Delhi Street At Kathleen Street At Silvercreek Parkway At Woolwich Street At Watson Parkway
Starwood Drive	At Watson Parkway
Stevenson Street	At Elizabeth Street At York Road At Guelph Junction Railway crossing
Stone Road	At Victoria Road At Watson Parkway
Suffolk Street	At Edinburgh Road
Victoria Road	At Eastview Road At Grange Road At Elizabeth Street At York Road At College Avenue At Maltby Road At Stone Road At Arkell Road At Clair Road
Waterloo Ave	At Edinburgh Road
Watson Parkway North	At Eastview Road At Grange Road At Speedvale Avenue At Starwood Drive At Watson Road North

Comment [MM322]: New

Comment [MM323]: New

Comment [MM324]: New

Comment [MM325]: New

Comment [MM326]: New

Comment [MM327]: New

ROAD	INTERSECTION IMPROVEMENT
Watson Parkway South	At Stone Road At Dunlop Drive At Watson Road South
Watson Road North	At Watson Parkway North
Watson Road South	At Watson Parkway South At York Road
Willow Road	At Edinburgh Road At Silvercreek Parkway
Woodlawn Road	At Dawson Road At Edinburgh Road At Nicklin Road At Regal Road At Silvercreek Parkway At Woolwich Street
Woolwich Street	At London Road At Speedvale Avenue At Woodlawn Road
Wyndham Street S.	At York Road At Wellington Street
Water Street	At Edinburgh Road
Wellington Street	At Gordon Street At Wyndham Street
York Road	At Elizabeth Street At Stevenson Street At Victoria Road At Watson Road At Wyndham Street
Yorkshire Street	At Paisley Road

Comment [MM328]: New

Comment [MM329]: New

Comment [MM330]: New

Comment [MM331]: New

Comment [MM332]: New

Comment [MM333]: New

Comment [MM334]: New

6 Municipal Services and Infrastructure

The provision of *infrastructure*, including drinking water, wastewater, stormwater and waste management, electrical and telecommunication services all support *development*. Provision of these services will be financially viable and manage demand and optimize existing infrastructure in order to reduce the need for new facilities. The City is not responsible for providing all of these services, but plays a collaborative role in ensuring that these are provided efficiently. In addition, the following includes provisions for controlling the spread of termites and for controlling *site alteration.*

Objectives

a) To encourage the efficient use of municipal services and utilities.

Comment [MM335]: Existing OP 4.1 a)

b) To ensure full municipal services are provided for all forms of *development*.

Comment [MM336]: Existing OP 4.1 b)

c) To ensure *groundwater* resources, on which Guelph's water supply is based and which sustain the area's natural environment, are respected, protected and conserved.

Comment [MM337]: Existing OP 4.1 c

d) To promote the retention, repair and upgrading of *infrastructure* in the older parts of the City.

Comment [MM338]: Existing OP 4.1 e) reworded; "community" changed to "city".

6.1 Policies

1. The City will ensure the provision of *infrastructure* and utilities in a fiscally sustainable manner in accordance with recognized standards for urban *development*.

Comment [MM339]: Existing OP 4.1.1 Reworded

2. The City will ensure there is an adequate supply of serviced land and *intensification* opportunities to meet future *development* needs.

Comment [MM340]: Existing OP 4.1.1.1

3. The provision and extension of full municipal services and utilities to all new *development* will be required. Full municipal services shall include facilities for:

Comment [MM341]: Existing OP 4.1.1.2 Reworded with the addition of pedestrian and cycling networks in vi)

   i) sanitary sewage disposal;
   ii) water supply;
   iii) stormwater management;
   iv) solid waste management;
   v) electrical power; and
   vi) transportation networks including public transit and pedestrian and cycling networks.

4. The City will plan for the inclusion of *district energy* infrastructure within municipal right-of-ways where appropriate.

5. Where feasible, electrical and cabled services within new *development* shall be located underground. Upon replacement, providers are encouraged to relocate electric and cabled services underground.

Comment [MM342]: Existing OP 4.1.1.4 revised

6. Prior to permitting a *development* proposal, the City shall ensure there is adequate provision for overall *municipal water*, wastewater treatment, and solid waste and stormwater management facilities to accommodate the *development*.

Comment [MM343]: Existing OP 4.1.1.5 Reworded to add stormwater

7. The City will coordinate with utility providers to facilitate the efficient provision of services.

Comment [MM344]: New based on comment provided by Bell comment

8. City Council may pass by-laws and enter into agreements, including financial arrangements with property owners for the installation of municipal services.

Comment [MM345]: Existing OP 4.1.1.7

9. The City will consider the use of alternative development standards to provide municipal services where the effectiveness and efficiency of the service is retained, and when *development* cost savings and energy efficiencies may be realized.

Comment [MM346]: Existing OP 4.1.1.8 reworded to add energy efficiencies

10. The City will guide the direction, location, scale and timing of *development* to ensure compact, orderly *development* and to minimize the cost of municipal services and related *infrastructure*.

Comment [MM347]: Existing OP 4.1.2

11. The City will ensure full utilization of existing municipal services and utilities and conservation measures as appropriate.

Comment [MM348]: Existing OP 4.1.4. Revised with addition of conservation measures

12. The City will ensure that *infrastructure* is provided in a coordinated, efficient, integrated and cost-efficient manner to meet current and projected needs, including:

Comment [MM349]: New based on PPS 1.6.1 and 1.6.2

    i) the optimization of existing *infrastructure*, where feasible, before giving consideration to new *infrastructure* or facilities; and
    ii) the strategic location of *infrastructure* to support effective and efficient delivery of emergency management services.

13. The City will ensure that *sewage and water service systems* are financially viable and comply with regulatory requirements, can be sustained by the City's water resources, and protect human health and the natural environment.

Comment [MM350]: New based on PPS 1.6.4.1 b

14. The City's servicing requirements for planned development and projected growth will be monitored to ensure that the sustainable water and wastewater system capacities are not exceeded and to provide sufficient lead time for the planning, design, approval, financing and construction of new facilities as required.

15. The City will specify procedures for the allocation of water supply and wastewater treatment capacity for *development* applications approved under the *Planning Act*. Such procedures will include reserve capacity allocations for the following:

    i) residential infill and *intensification development* within the *built-up area*;

ii) residential *development* within the *greenfield area*, consistent with staging of development policies; and
iii) non-residential *development* in both the existing *built-up* and *greenfield area*.

16. The City will discourage non-residential *development* that requires high volumes of water use and/or wastewater discharge if the *development* has the potential to compromise the City's ability to service existing and planned levels of population and employment, or where the *development* would require unduly costly water and/or wastewater system upgrades.

17. Where the City has permitted non-residential *development* that requires high volumes of water use and/or wastewater discharge, the allocation of water supply and wastewater treatment capacities will be subject to review and approval by the City. As a condition of *development* approval, the applicant/owner will be required to enter into a consumption and discharge agreement with the City. The agreement will specify the terms and conditions that are to be met by the applicant/owner in order to receive the requested capacity allocation.

18. *Development* on private services is prohibited except as provided for in policy 6.1.19 to avoid sprawl, premature municipal servicing and potential *negative impacts* on the City's water resources and *natural heritage features*.

Comment [MM351]: Existing OP 4.1.3 reworded

19. The City will not permit *development* on *partial services* except where necessary to address a failed *individual on-site water service* or *individual on-site sewage services* on an existing lot of record and only where municipal services are not available or are not expected to be available within 2 years.

Comment [MM352]: Based on PPS 1.6.4.5 a)

6.2 Water Supply

The City relies primarily on *groundwater* resources for its potable water including the Arkell Spring Grounds, located in Puslinch Township which is a significant source of supply for the City. Numerous municipal wells within the City boundary and immediately adjacent to the City also contribute to the City's overall water supply. These policies outline the City's approach to supplying safe high-quality drinking water. Additional policies can be found in Section 4.3 Watershed Planning and Water Resources.

Objectives

a) To provide a safe, high quality water supply to meet the needs of residents and businesses, now and in the future through an emphasis on conservation, protection and sustainable *development*.

Comment [MM353]: Existing OP 4.3 a) reworded to add "safe"

b) To promote water conservation and efficiency measures to sustain the City's valuable water resources.

Comment [MM354]: Existing OP 4.3 b.)

Policies

1. The City will implement water supply and water servicing master plans that identify how growth on lands designated for urban use will be serviced. Implementation elements of these plans will include:

   i) identifying current and future water demand and supply areas;
   ii) investigating sources of long-term potable water supply;
   iii) identifying major water supply infrastructure improvements (including servicing capacity calculations) required to accommodate population growth as projected by this Plan; and
   iv) developing programs and policies to conserve water and to reduce requirements for additional water supply and treatment, including the implementation of the Water Conservation Efficiency Strategy (2009) or successor thereto.

Comment [MM355]: Existing OP 4.3.3 reworded

Comment [MM356]: Existing OP 4.3.3 a)

Comment [MM357]: Existing OP 4.3.3 b) split into two

Comment [MM358]: Existing OP 4.3.3 b) split into two

Comment [MM359]: Existing OP 4.3.3 c) reworded to add reference to strategy

6.3 Wastewater Treatment

The treated effluent from the City's wastewater treatment facility discharges to the Speed River which consists of a riverine ecosystem as well as a source of water for municipalities further downstream from Guelph.

Comment [MM360]: Existing OP 4.4 introduction reworded

Objective

a) To protect, maintain or restore the quality and quantity of water upstream and downstream of the City's wastewater treatment facility.

Comment [MM361]: Existing OP 4.4 a) Revised.

Policies

1. The City will continue to implement a wastewater treatment strategy that promotes proactive industrial waste management practices, encourages wastewater reduction and on-going upgrades to the City's wastewater treatment facility to protect and improve the water quality of the Speed River.

Comment [MM362]: Existing OP 4.4.1

2. The City will implement the Wastewater Treatment Master Plan (2009) to ensure continued optimization of the wastewater plant, and the incorporation of new technologies from time to time. The Plan will generally be updated at 5 year intervals.

Comment [MM363]: New. Wastewater Treatment Master Plan (2009)

3. The City will facilitate a reduction in energy consumption for the construction and servicing requirements of subdivisions and other *development* by requiring gravity feed sanitary sewers.

Comment [MM364]: Existing OP 3.8.8 reworded, does not include 3.8.8 a)

6.4 Stormwater Management

Objectives

a) To protect, maintain, enhance and restore the quality and quantity of surface water and *groundwater* resources through sound stormwater management.

b) To implement an integrated *watershed* planning approach in the design of stormwater management such that *Watershed Plans*, *Subwatershed Plans* and Stormwater Management Master Plans serve to guide site-specific *development*.

Comment [MM365]: New from Stormwater Management Master Plan

c) To implement stormwater management practices that: maintains the pre-*development* hydrologic cycle; maintains or enhances the quantity and quality of stormwater runoff discharged to receiving natural watercourses, wetlands and infiltration facilities; and minimizes erosion, flooding, wildlife and fisheries impacts.

Comment [MM366]: New from Stormwater Management Master Plan

d) To recognize stormwater runoff as an important resource rather than a waste product.

Comment [MM367]: New from Stormwater Management Master Plan

e) To ensure S*ubwatershed Plans* for the various subwatersheds of the City are kept up to date.

Comment [MM368]: New from Stormwater Management Master Plan

Policies

The City will use the *watershed* planning process to handle stormwater from urban development. This process comprises a hierarchy of plans including *Watershed Plans*, *Subwatershed Plans* and stormwater management plans. Information from this process will set the criteria for site specific development. Additional policies addressing the relationship of *Subwatershed Plans* to stormwater management are found in Section 4.3 Watershed Planning and Water Resources.

1. All *development* shall occur in accordance with *Subwatershed Plans* or Stormwater Management Master Plans, as approved by the City of Guelph and the Grand River Conservation Authority.

Comment [MM369]: Existing OP 4.3.10.1 revised.

2. Where *Subwatershed Plans* have not been completed or approved, the City may, in limited situations, consider *development* proposals where:

Comment [MM370]: Existing OP 4.3.11 revised

   i) a stormwater management plan is prepared to address impacts to water quantity, quality, water balance, major and minor conveyance system (both on and off-site), grading and drainage, erosion and sediment control; and
   ii) a *Scoped Environmental Impact Study* is prepared to address potential *negative impacts* of the proposed *development*, including but not limited to impacts to water temperature, base flow, wildlife and *fisheries habitat* and mitigation measures.

3. *Development* shall require the preparation of a detailed Stormwater Management and Engineering Report in accordance with policies 6.4.1 or 6.4.2 above, to the satisfaction of the City and the Grand River Conservation Authority, where applicable, that addresses the following matters and other issues as may be required by the City:

   i) demonstrate how the design and construction of the stormwater management facility will protect, improve or restore the quality

Comment [MM371]: New from Stormwater Management Master Plan

and quantity of surface and *groundwater* resources;

ii) demonstrate how the proposed stormwater management design will be consistent with and implement the recommendations of the appropriate *watershed*, subwatershed or Stormwater Management Master Plans, as approved by the City for the subject area;

iii) geotechnical and hydrogeologic information to identify soil infiltration rates, depths to the seasonally high water table and deeper regional *aquifers* beneath the site and in the surrounding area;

iv) information on the potential impacts in terms of quality and quantity of any proposed stormwater management techniques on the City's *groundwater* resources; and

v) demonstration that pre-*development* stormwater flows from the site match post-*development* stormwater flows for a given storm event.

4. The City will require appropriate use of on-site infiltration measures, within the stormwater management design.

5. The City encourages the use of landscape-based stormwater management planning and practices (also referred to as *Low Impact Development*) including rainwater harvesting, green roofs, bioretention, permeable pavement, infiltration facilities and vegetated swales in the design and construction of new *development* where site conditions and other relevant technical considerations are suitable.

6. The City encourages approaches to stormwater management that include a combination of lot level, conveyance and end-of-pipe stormwater controls to maintain the natural hydrologic cycle, protect water quality and quantity and minimize erosion and *site alteration* and flooding impacts.

7. All *development* shall be required to adhere to any approved City policies, guidelines and standards including the Stormwater Management Master Plan (2011) and the Design Principles for Stormwater Management (1996). These plans and guidelines are intended to augment the Ontario Ministry of the Environment's Stormwater Management Practices Planning & Design Manual, as amended from time to time and are intended to achieve the highest level of utilization, aesthetics, environmental benefits and ease of maintenance for stormwater management facilities.

8. Stormwater management facilities are permitted in all land use designations on Schedule 2. The City will generally discourage detention and retention facilities in municipal parks. Detention and retention facilities are not permitted in *natural heritage features* or in *buffers* to *natural heritage features*, except as provided for under the *Natural Heritage System* policies of this Plan. The City recognizes that controlled discharge from stormwater facilities to receiving wetlands and watercourses is required to ensure the water quality and quantity of the receiving waterbody is maintained or enhanced.

Comment [MM372]: New from Stormwater Management Master Plan

Comment [MM373]: Existing OP 4.3.12 a) Revised

Comment [MM374]: Existing OP 4.3.12 b) reworded

Comment [MM375]: New from Stormwater Management Master Plan

Comment [MM376]: New from Stormwater Management Master Plan

Comment [MM377]: Existing OP 4.3.14 revised and updated.

Comment [MM378]: Existing OP 4.3.15 revised

9. Watercourses regulated by the Grand River Conservation Authority should be left in an open and natural state unless approval to alter the watercourse is obtained from the Grand River Conservation Authority. The enclosure of open watercourses or their channelization into open concrete channels will be prohibited.

10. The City will explore opportunities to restore watercourses that have been enclosed or channelized to open and natural watercourses.

11. Approvals from the City, Grand River Conservation Authority and other relevant agencies shall be required prior to the alteration of any watercourse, the design and construction of any stormwater management facility or the commencement of any grading or filling.

6.5 Solid Waste Management

Objectives

a) To provide solid waste management facilities to accommodate the needs of existing and projected residents and businesses.

Comment [MM379]: Existing OP 4.5 a) Reworded

b) To show environmental leadership in using a waste management system that facilitates, encourages and promotes the minimization of waste generation.

Comment [MM380]: Existing OP 4.5 b) reworded

Policies

1. The City will provide solid waste management facilities to handle the waste generated by residents and businesses of Guelph. Waste management involves a comprehensive three-stream system of waste handling.

Comment [MM381]: Existing OP 4.5.1 Revised

2. The City will implement the Solid Waste Management Plan (2008) that outlines mechanisms to address waste minimization, diversion and disposal targets with an overall goal of reducing the City's ecological footprint. The plan will be updated from time to time, generally at 5 year intervals.

Comment [MM382]: New from Solid Waste Management Plan 2008

3. The City strongly encourages three stream waste separation city-wide in all buildings to improve diversion of waste from landfill.

4. All waste management systems will be located and designed in accordance with Provincial Legislation and standards and the policies of this Plan.

6.6 Site Alteration

Objective

a) To preclude premature or undesirable alterations of the natural landscape prior to *development*.

Comment [MM383]: Existing 4.6.1 Reworded

Policy

1. The City will regulate *site alteration* prior to *development*, through the *Site Alteration* By-law, in an effort to: maintain significant landforms; preserve topsoil; minimize impacts on watercourses; minimize flooding or ponding; and preserve vegetation.

6.7 Termite Control

Objective

a) To prevent the spread of termites and ultimately eradicate them within the City.

Policies

1. The City will enforce the Termite Control By-law in areas that are infested with termites and in areas that are in proximity to infested areas. The by-law, among other matters, authorizes the Termite Control Officer to prescribe methods to eradicate termites from building refuse and soil as well as measures for the safe disposal of this material and methods for new construction.

Comment [MM384]: Existing OP 4.6.3 revised

2. As a condition of *development* approval or issuance of a demolition permit, the City may require that building refuse and soil be disposed of in a manner that minimizes the threat of spreading termite infestation.

6.8 Electrical Transmission Lines and Pipelines

Objective

a) To ensure that any future high voltage transmission lines or major pipelines are located to protect the health and safety of the community.

Policies

1. The location of new electrical transmission lines, associated facilities and pipelines will be evaluated in accordance with the *Environmental Assessment Act* and will minimize any adverse social, land use, visual, environmental or safety impacts.

2. Future high voltage transmission lines and major pipelines will be encouraged to locate along existing utility corridors or other right-of-ways, such as roads and railways, in order to minimize the fragmentation of properties.

Comment [MM385]: Existing OP 4.6.4 a).

3. Future high voltage transmission lines and major pipelines will avoid existing and future residential areas, areas within the *Natural Heritage System* and Open Space and Parks designated lands, to the extent possible.

Comment [MM386]: Existing OP 4.6.4b Reworded

7 Community Infrastructure

Community infrastructure includes the services that are integral to the social, health, educational, cultural and recreational needs of the City. These services contribute to the quality of life for existing and future residents of all ages, abilities, interests, cultural background or income level.

7.1 Community Facilities

Objective

a) To promote the maintenance and development of sustainable neighbourhoods by providing community facilities that supports a high quality of life standard for all residents.

Comment [MM387]: Existing OP 3.4 a)

Policies

1. The City will encourage the adequate provision of community facilities in conjunction with new residential growth. For the purposes of this Plan, community facilities include, but are not limited to such things as municipal recreational facilities, institutional health care facilities, schools, police, fire, library and museum services, religious and educational facilities.

Comment [MM388]: Existing OP 3.4.1 reworded

2. Community facilities should be strategically located to support the effective and efficient delivery of emergency management services. Where feasible, community facilities should be co-located to promote cost-effectiveness and facilitate service integration.

Comment [MM389]: New, from PPS 1.6.3

3. The City recognizes that, because a significant portion of community facility provision is not within the jurisdiction of the City's administration, co-ordination between the City and public boards and agencies is essential. This Plan promotes dialogue and informed decision making between all agencies and boards active within the Guelph community.

Comment [MM390]: Existing OP 3.4.2

4. Regarding the provision of school facilities within the community, this Plan promotes the adequate distribution and supply of school spaces to meet the community's educational needs.

Comment [MM391]: Existing OP 3.4.3

5. Within new growth areas of the City, this Plan encourages the provision of new schools within a reasonable time of the construction of new housing in the area.

Comment [MM392]: Existing OP 3.4.3.1

6. The City may require residential development proposals to be phased where it is determined, in consultation with the School Board(s) there is not an adequate supply of school spaces within the community.

Comment [MM393]: Existing OP 3.4.3.2

7. Community facilities in the older established areas of the City add to the stability of neighbourhoods and should be retained.

Comment [MM394]: Existing OP 3.4.4 Reworded to specifically mention retention of facilities.

8. The City will develop a cultural policy that clarifies the City's role in providing and facilitating access to cultural facilities and experiences.

9. Cultural facilities, including museums, art galleries, performing arts facilities, private facilities and managed historical sites are supported as an integral part of the social and cultural fabric of the City.

10. New cultural facilities that serve the City or larger region are encouraged to locate Downtown.

7.2 Affordable Housing

The City recognizes the importance of housing, including *affordable housing*, in meeting the needs of the City's existing and future residents.

Objectives

a) To encourage and support the development of *affordable housing* throughout the City by planning for a range of housing types, forms, tenures and densities.

b) To actively participate in, encourage and promote *affordable housing* opportunities funded by Provincial and/or Federal programs in conjunction with the *Consolidated Municipal Service Manager* (*Service Manager*) to ensure a supply of new *affordable housing* within the City.

c) To encourage and support education and awareness programs with private, public and local community stakeholders to highlight the economic and social advantages of *affordable housing*.

d) To recognize the role of existing housing and *accessory apartments* in providing choices for a full range of housing, including *affordable housing*.

e) To protect the existing supply of affordable rental housing by regulating demolitions and the *conversion* of existing rental properties to *condominiums* or co-ownership housing.

Comment [MM395]: Existing OP 7.2 m) revised

f) To promote innovative housing types and forms to ensure *affordable housing* for all socio-economic groups throughout the city.

g) To establish and implement minimum targets for *affordable housing* through new *development* applications.

h) To ensure that an adequate supply, geographic distribution and range of housing types including *affordable housing* and supporting amenities, are provided to satisfy the needs of the community and to support an affordable lifestyle.

7.2.1 Affordable Housing Targets

1. An *affordable housing* target will be implemented through new *development* applications city-wide. The *affordable housing* target is based on the method outlined in the City of Guelph's December 2009 Affordable Housing Discussion Paper and will be implemented through the use of various planning tools (e.g.,

planning policy, development approvals, financial incentives, partnerships, community education and monitoring).

2. The annual *affordable housing* target requires 30% of all new residential development to constitute *affordable housing.* The target includes an annual target of 27% affordable ownership units and an annual target of 3% affordable rental housing units.

3. An additional separate annual target of 6% of all new residential development has been established for *social housing*.

4. While not part of the annual *affordable housing* target, the creation of approximately 90 accessory apartment units annually will be encouraged.

7.2.2 General Policies

1. The City will develop a housing strategy that will set out a plan, including policies for the Official Plan and implementation strategies, to meet the needs of all residents, including the need for *affordable housing* – both home ownership and rental housing. The housing strategy will include the planning and development of a range of housing types and densities to support the achievement of the *intensification target* and *density targets*.

Comment [MM396]: New from Growth Plan policy 3.2.6.

2. As part of the *development* approval process, City Council may require the identification of lands for *affordable housing*.

3. City Council shall consider giving priority, through the Development Priorities Plan, to *development* applications that provide the type, size and tenure of housing required to meet the social and economic needs of the City's residents.

4. City Council may establish alternative development standards for *affordable housing*, *residential intensification*, *redevelopment* and new residential development which minimizes the cost of housing and facilitates *compact urban form*. This may include setting maximum unit sizes or reducing parking requirements.

5. City owned land that is surplus to City needs and appropriate for residential development shall be given priority for sale or lease for the development of *affordable housing*.

6. Investment in new *affordable housing* shall be encouraged through a coordinated effort from all levels of government and appropriate partnerships with non-government organizations and through the implementation of a range of strategies including effective taxation, regulatory and administrative policies and incentives.

7. The City shall identify, promote and where appropriate, participate in *affordable housing* opportunities funded by senior levels of government and presented by non-government organizations.

8. The City may require the submission of an Affordable Housing Report as a part of a *development* application, demonstrating to the satisfaction of the City how the application addresses *affordable housing* needs including the provision of a range of *affordable housing* prices.

9. *Affordable housing* will be provided throughout all areas of the City to ensure an adequate supply, range and geographic distribution of all housing types.

10. *Affordable housing* is encouraged to locate where served by transit, and other services such as, shopping, parks and other community facilities. Housing proposed in Downtown and Mixed-use designations is strongly encouraged for *affordable housing* because of the availability of nearby services and opportunity to support an affordable lifestyle.

Comment [MM397]: Existing OP 7.2.2 g) Revised.

11. The City will undertake a review of municipal implementation tools that could be used to support and implement *affordable housing*.

12. The City recognizes that since *social housing* is not within the jurisdiction of the City's administration, co-ordination between the City and the *Service Manager* is necessary. This Plan promotes dialogue and informed decision making between the City and the *Service Manager*.

7.2.3 Retention of Existing Housing

1. The City's existing housing stock represents a significant component of *affordable housing*. To promote its retention, in instances where it is not required for *intensification* efforts, the housing should be maintained and updated to reflect current building standards and energy conservation efforts.

2. The City will use the provisions of the *Property Standards By-Law* under the *Municipal Act* and Demolition Control provisions of the *Planning Act* to protect and promote the continued useful life of existing housing.

7.2.4 Retention of Existing Rental Housing

1. The retention of the existing rental housing stock will be promoted as an important *affordable housing* source providing choice for residents who prefer to rent rather than own.

2. The following provisions will be implemented to promote the retention, maintenance and upkeep of the existing rental housing stock:

   i) the *condominium conversions* policies as outlined in Section 7.2.5;

ii) the demolition control provisions of this Plan;
iii) the use of the City's *Property Standards By-law* for maintenance and upkeep; and
iv) the promotion of the use of senior government rehabilitation programs.

7.2.5 Condominium/Co-ownership Housing Conversion from Rental

1. A *condominium/co-ownership conversion* will refer to any change in the tenure status of an existing residential housing development from rental to *condominium* or *co-ownership* housing tenureship. Existing rental housing refers to projects containing any *dwelling units* occupied by residential tenants or last occupied by residential tenants and currently vacant.

Comment [MM398]: Existing OP 7.2.14

2. The *conversion* of rental accommodation to *condominium* or *co-ownership* housing tenureship will be considered on the merits of each proposal.

Comment [MM399]: Existing OP 7.2.15

3. Conversion of rental accommodation to *condominium* or *co-ownership* housing may only be permitted where a Rental Conversion Report has been submitted demonstrating to the satisfaction of the City that no adverse impacts will result on the supply or range of rental housing provided, including its geographic distribution. Applicants may include a supplementary *vacancy rate* survey supplementing the *vacancy rates* reported by the Canada Mortgage and Housing Corporation (CMHC).

4. The City will discourage the *conversion* of existing rental units to *condominium* or *co-ownership* housing when the *vacancy rate* for rental accommodation is below 3%, and will prohibit such *conversions* when the *vacancy rate* is below 1.5%. The *vacancy rate* shall be defined as the average *vacancy rate* of the latest two vacancy surveys conducted in Guelph by the Canada Mortgage and Housing Corporation. The City may conduct supplementary *vacancy rate* surveys and modify the *vacancy rates* reported by CMHC in accordance with its own findings.

Comment [MM400]: Existing OP 7.2.15.1

5. The City will utilize agreements setting out the specific conditions and standards for a *condominium* or *co-ownership* housing conversion.

Comment [MM401]: Existing OP 7.2.15.3

6. When considering applications for *condominium* or *co-ownership* housing conversion, Council will have regard for:

Comment [MM402]: Existing OP 7.2.15.4

i) the number of units included in the conversion application;
ii) the number of rental units under construction at the time of application for conversion; and
iii) the impact of the conversion on the rental housing market (i.e., anticipated changes in *vacancy rates*).

7.2.6 Affordable Housing Implementation Policies

A variety of tools and techniques may be used to assist in the development of new *affordable housing*.

1. The City will undertake a review of municipal tools for the implementation of *affordable housing* to develop an appropriate approach for the City to meet identified *affordable housing* targets. The implementation strategy will include administration, communication and monitoring approaches.

Administration

2. In conjunction with the *Service Manager*, the City shall actively identify and promote *affordable housing* opportunities within the City to facilitate proponents of *affordable housing* in receiving funding from senior levels of government for the development of new *affordable housing*.

3. *Social housing* will be developed in conjunction with the *Service Manager.*

4. The City will support and assist the *Service Manager* in the preparation of a housing strategy to meet the housing needs of the most vulnerable in the City. The City will support and facilitate the provision for affordable rental housing through the Guelph Non-Profit Housing Corporation.

5. The City will explore the feasibility of developing a 'land banking' program whereby lands may be held in public ownership until senior government *affordable housing* funding becomes available.

Communication

6. The City, in conjunction with the *Service Manager*, will continue to promote and educate the public on current federal/provincial housing and financial assistance programs.

7. The City will promote and where appropriate establish on-going partnerships with both federal/provincial governments for surplus land and/or buildings.

8. The City will continue to advocate to senior levels of government for additional funding and tax incentives for low-income households and clearer legislative authority to implement *affordable housing*.

Monitoring

The City will develop and maintain an *affordable housing* monitoring system. Monitoring will include details on the *affordable housing* developments planned and constructed over the year and will set the new *affordable housing benchmark* prices for ownership and rental housing for

the upcoming year. The information collected may be used to inform the prioritization and assignment of development proposals in the City's Development Priorities Plan.

9. The *affordable benchmark* price for ownership and rental housing will be monitored and established annually to reflect changing market conditions.

10. The *affordable housing* target will be reviewed as part of the Five Year Official Plan review.

11. The City will annually monitor:

    i) the number and types of *affordable housing* produced through new residential *development* and *intensification* efforts;
    ii) the number and types of *affordable housing* lost through demolition and condominium conversion;
    iii) ownership and rental house prices;
    iv) rental *vacancy rates*; and
    v) achievement of the *affordable housing* targets of this Plan.

12. Based on monitoring results, priorities may be set among the various *affordable housing* needs.

7.3 Open Space System: Trails and Parks

The City's open space system accommodates a variety of recreational pursuits while having regard for the City's natural areas. The open space system consists of parks, trails and open space areas that are not part of the natural heritage system and conservation lands. The open space system plays an important role in defining the character of the City and promoting community health and wellness.

This Plan sets out policies that protect and enhance the open space system for current and future generations.

Objectives

a) To develop a connected open space system of trails and parks that provides residents with exposure to, awareness of and interaction with nature and contributes to community health and wellness.

b) To develop a cohesive and comprehensive city-wide trail system that will connect people and places through a network that is off-road, wherever possible, and supported by on-road links where necessary.

c) To create a hierarchy of open space, trails and parks based on size, function and population to be served.

Comment [MM403]: Existing OP 7.12 b) reworded

d) To provide a sufficient open space system of parks and trails to meet the active and passive recreational needs of residents that is accessible to all residents.

Comment [MM404]: New from Recreation, Parks and Culture Strategic Plan Goal 6 d and Goal 1 b

e) To accommodate the unique and growing park and trail needs created by *residential intensification* with an emphasis on walkability.

Comment [MM405]: New from Rec, Parks and Culture Strategic Plan Goal 6 Objective f)

f) To reduce parkland deficiencies within City neighbourhoods.

g) To encourage the use of the City's parks as '*living community centres*' that provide animated spaces serving as activity hubs for neighbourhoods and the community at large in accordance with the Recreation, Parks and Culture Strategic Plan.

Comment [MM406]: New from Rec, Parks and Culture Strategic Plan

h) To protect and enhance, trails, parks and open spaces for current and future generations.

Comment [MM407]: New from Strategic Plan Goal 6 a)

i) To create and promote tourism attractions in the City's open space system.

j) To encourage indigenous biological diversity in appropriate open space and park locations.

Comment [MM408]: Existing OP 7.12 e) reworded to add "park locations"

k) To ensure that urban forestry is a key component of park design.

7.3.1 Trail Network

The City's Trail Network is based on the Guelph Trail Master Plan which provides the vision for a comprehensive network of off-road trails and on-road links that connect people and places throughout Guelph and potentially to neighbouring municipalities. The Trail Network is comprised of interconnected parks, recreation areas and other open spaces.

1. The City will continue to pursue the development of a Trail Network as set out in Schedule 8 and in accordance with the Guelph Trail Master Plan.

Comment [MM409]: Existing OP 7.12.6 revised – to clearly state that the development of the network is to be completed in accordance with Schedule 8 and the Trail Master Plan.

2. Where privately owned lands are shown on Schedule 8, this Plan does not imply that these lands are open to the general public or that these lands will be purchased by the City or any other public agency in the future.

Comment [MM410]: Existing OP 7.12.5.2 reworded

3. Under most circumstances, trail development should be restricted to public lands; private lands will not be considered until a mutually agreeable arrangement between the City and the land owner has been prepared.

Comment [MM411]: New: from Trail Master Plan Chapter 7, recommendation # 11.

4. This Plan recognizes that all lands owned by the University of Guelph and the Homewood Corporation are under private ownership.

Comment [MM412]: Existing OP 7.12.5.3 reworded

5. The following measures may be used to assist in realizing the objective of creating a publicly accessible linked Trail Network:

Comment [MM413]: Existing OP 7.12.6 reworded

i) acquiring land to complete the system through purchases, leases, *easements*, rights-of-way, dedications and any other

Comment [MM414]: Existing OP 7.12.6 a)

applicable means;

ii) developing, for open space and park purposes, those City-owned lands that are located within the proposed system;

iii) integrating abandoned railway properties into the Trail Network as they become available;

iv) supporting measures by the Grand River Conservation Authority, or any other public agency, to improve the river banks; and

v) requiring, as part of a *development* proposal, lands to be reserved for future public open space, park and trail linkages, where applicable.

6. The City will work to improve and expand on the Trail Network, add missing links and overcome physical barriers. Amendments to the Trail Network as illustrated on Schedule 8 will not be required for route revisions provided that the continuity of the network can be maintained.

7. The City may develop sections of the Trail Network to alleviate identified park deficiencies.

8. To improve attractiveness, continuity, accessibility and utility the City will develop linkages between parks at different levels of the park hierarchy. Such linkages may consist of:

i) an *environmental corridor*, *ecological linkage* or open space area;
ii) a walkway, *right-of-way* or *easement*;
iii) a defined route that makes use of the street system;
iv) walkways/trails through existing or proposed parks;
v) abandoned, existing or proposed utility corridors;
vi) abandoned or underused railway lines; and
vii) storm drainage channels or natural drainage systems.

7.3.2 Park Hierarchy

Complemented by the City Trail Network, this Plan sets out a hierarchy of parks; differentiated primarily on the basis of function, size, amenity and population served. The Park Hierarchy consists of Urban Squares, Neighbourhood Parks, Community Parks and Regional Parks.

Urban Squares

Urban Squares will primarily be developed in areas of significant *intensification* in the City to address increased demands for recreation, parks and cultural opportunities.

1. Urban Squares are smaller in scale than Neighbourhood Parks and provide opportunities for passive recreation and social interaction.

2. The Urban Design Section of this Plan contains policies for the design of Urban Squares.

Comment [MM415]: Existing OP 7.2.16 b) reworded

Comment [MM416]: Existing OP Policy 7.12.6 c) reworded to update terminology.

Comment [MM417]: Existing OP 7.12.6 f)

Comment [MM418]: Existing OP 7.12.6 g) reworded to add 'park"

Comment [MM419]: Existing OP 7.12.7 reworded

Comment [MM420]: Existing OP 7.12.8 reworded

Comment [MM421]: Existing OP 7.12.10 revised, now includes list of parks within the hierarchy and reference to the Trail Network.

Comment [MM422]: New: introduction of urban squares was a recommendation of the Recreation, Parks and Culture Strategic Plan 6-22

Neighbourhood Parks

Neighbourhood Parks will primarily cater to the needs and interests of the residents living within its general vicinity for unorganized, unstructured and spontaneous leisure activities. Neighbourhood Parks contain a mixture of passive areas, low to intermediate sports facilities, informal and formal play areas and may contain natural areas.

Comment [MM423]: Existing OP Policy 7.12.11 Revised, name change from Neighbourhood Open Space—policy introduction has been reworded.

3. It is the policy of the City to maintain a minimum city-wide average rate of Neighbourhood Parks provision of 0.7 hectares /1000 population.

Comment [MM424]: Revised based on ratios in the Rec, Parks and Culture Master Plan.

4. The following criteria will be considered in the provision of Neighbourhood Parks:

Comment [MM425]: Existing OP 7.12.11.2 revised

i) that the site is located within a five to ten minute walk from the residential area served (service radius of about 500 metres) and is unobstructed by major barriers;

Comment [MM426]: Existing OP 7.12.11.2 a) revised to include "unobstructed by…" from Rec, Parks and Culture Strat Plan 6-12

ii) that the site, where feasible and desirable, is located adjacent to school sites;

Comment [MM427]: Existing OP 7.12.11.2.b) reworded

iii) that the site contains adequate street frontage for visibility and safety;

Comment [MM428]: Existing OP 7.12.11.2 c) reworded

iv) that the site can be linked, where feasible, to the trail network;

Comment [MM429]: Existing OP 7.12.11.2 d) reworded to update reference to trail network

v) that the site contains sufficient table land (approximately 80 percent of site) and be well drained, except where the site takes advantage of a specific *natural feature*; and

Comment [MM430]: Existing OP 7.12.11.2 e) reworded to add "that the site"

vi) that the site has a minimum size of 1.0 hectare so that a variety of outdoor recreation activities may be accommodated.

Comment [MM431]: Existing OP 7.12.11.2 f) revised. Involves the deletion of policy for older built up areas to have smaller areas developed as neighbourhood parks.

Community Parks

Community Parks are designed primarily to provide specialized recreation facilities for use by a wide segment of the population and serve more than one neighbourhood. In addition, these parks may also serve a Neighbourhood Park function.

5. Community Parks may be developed to provide facilities for active recreation at an intermediate and/or major level such as sportsfields, recreation and/or community centres. Community Parks may contain natural areas, beaches, trails, picnic areas, public recreation facilities and passive areas.

Comment [MM432]: Existing OP Policy 7.12.12.1 reworded

6. The City will maintain a minimum city-wide average rate of Community Parks of 1.3 hectares /1000 population.

Comment [MM433]: Existing OP Policy 7.12.12.2 revised to change park ratio based on Rec, Parks and Culture Strategic Plan.

7. The following criteria will be considered in the development of Community Parks:

Comment [MM434]: Reworded 7.12.12.3

i) that the site has direct access to an arterial or collector road and is accessible by public transit;

Comment [MM435]: Existing OP 7.12.12.3 b) reworded to add "to meet…"

ii) that the site contains sufficient parking to meet anticipated

demand;

iii) that the site contains sufficient table land to accommodate the needs of the active recreation facilities proposed for development;

iv) that the site can be linked, where feasible, to the overall trail network; and

v) that the site consists of between 10-20 hectares in size, depending upon the nature of the facilities proposed. However, a very specialized facility may be developed on a smaller site.

Regional Parks

Regional parks are designed primarily to provide facilities or features that attract visitors from the local community and from the broader region. Regional parks may include: civic centres, botanical gardens, wildlife sanctuaries, natural reserves, scenic portions of waterway systems, museums, major historic sites, golf courses, university facilities, major sports and community recreational facilities.

8. The City will encourage the provision of Regional Park facilities at the rate of 1.3 hectares /1000 population.

9. The following criteria will be considered in the development of Regional Parks:

i) that the site has significant frontage on an arterial road;

ii) that the site is accessible by public transit;

iii) that the site contains sufficient parking for visitors and staff;

iv) that the site can be linked or integrated into the trail network, where possible; and

v) that the site normally is greater than 25 hectares.

7.3.3 Public Consultation on Parkland Design

1. The general public and area residents will be consulted and engaged in the design and development process for park master plans as appropriate.

7.3.4 Parkland Deficiencies

1. The City will work to reduce identified parkland deficiencies, where feasible, through the following measures:

i) by conducting further studies to determine which parks have potential for expansion and where such expansion is most desirable;

ii) by acquiring additional land to enlarge existing small parks, where appropriate;

iii) by acquiring vacant infill sites to create new small parks;

iv) by acquiring redundant school properties or parts thereof;

v) by improving the quality and usefulness of existing parks through better design and development;

Comment [MM436]: Existing OP 7.12.12.3 c

Comment [MM437]: Existing OP 7.12.12.3 d) reworded to change reference to trail network

Comment [MM438]: Existing OP 7.12.12.3 e with reference to acres deleted.

Comment [MM439]: Existing OP 7.12.13, reworded. Name change from Regional Open Space, deleted reference to major conservation areas and scenic drives.

Comment [MM440]: Existing OP 7.12.1.3.1 Revised – ratio changed based on Rec, Parks and Culture Master Plan.

Comment [MM441]: Existing OP 7.12.13.2 reworded

Comment [MM442]: Existing OP 7.12.13.2 b) reworded to delete "highway frontage"

Comment [MM443]: Existing OP 7.12.13.2 c) reworded to change "transportation" to "transit"

Comment [MM444]: Existing OP 7.12.13.2 c) reworded to change "transportation" to "transit"

Comment [MM445]: Existing OP 7.12.13.2 e) reworded – changed reference for trail network

Comment [MM446]: Existing OP 7.12.13.2 f) reworded to delete reference to acres and "in area"

Comment [MM447]: Existing OP Revised 7.12.14, heading change from "Open Space Deficiencies"; intro statement reworded.

Comment [MM448]: Existing OP 7.12.14 a) reworded to change "open space areas" to "parks"

Comment [MM449]: Existing OP Policy 7.12.14 d) reworded to add "or parts thereof"

vi) by encouraging and working with the local School Boards to upgrade the design and development of some of their open space areas;

vii) by developing portions of certain community or regional parks to meet neighbourhood needs;

viii) by identifying the Downtown as a high priority area for future park development within the river corridors and for the establishment of urban squares; and

ix) by enhancing connections between park and open space areas.

Comment [MM450]: Existing OP Policy 7.12.14 f) reworded to change "boards of education" to "school boards"

Comment [MM451]: Existing OP policy 7.12.14 g) reworded to change names of parks

Comment [MM452]: Existing OP Policy 7.12.14 h) reworded to change "CBD" to "Downtown" and "public urban squares" to "the establishment of …"

Comment [MM453]: New from Rec, Parks and Culture Strat Plan

7.3.5 Parkland Dedication

1. The City will require parkland dedication as a condition of *development*, *consent* or subdivision proposals in an amount up to:

   i) 2% of the land for commercial or industrial purposes;
   ii) 5% of the land or one hectare for each 300 *dwelling units* for residential purposes; and
   iii) 5% of the land in all other cases.

Comment [MM454]: New: from Planning Act Section 42(1) and 42(3); replaces 7.12.16

2. Council may pass and update a by-law in accordance with the *Planning Act* outlining the rates of parkland dedication that are to be applied as a condition of the *development* approval process of land for residential and non-residential purposes.

Comment [MM455]: Existing OP 7.12.17, reworded to change "under the Planning Act"

3. *Natural heritage features* and natural *hazard lands* as outlined in this Plan will not be accepted as parkland dedication.

Comment [MM456]: Existing OP 7.12.18 reworded to delete "generally"

4. Urban squares and parks held in private ownership will not be considered part of parkland dedication.

Comment [MM457]: New from Rec, Parks and Culture Plan

5. Where a parkland dedication is required by this Plan, the City will ensure that the land is suitable for development as a park. Generally, the parkland acquired should satisfy the following criteria:

Comment [MM458]: Existing OP 7.12.19

   i) that the site satisfies the development criteria for the type of park proposed;

   ii) that the site is not susceptible to major flooding, poor drainage, erosion, steep slopes or other environmental or physical conditions that would interfere with its potential development or use as an active public recreation area. Sites subject to these conditions may be integrated, where possible, into the development of municipal park areas by serving as pedestrian walkways, as part of a linear trail system, as passive recreation areas, or as natural areas;

Comment [MM459]: Existing OP 7.12.19 b

   iii) that the site is oriented to take advantage of favourable topography, vistas and mature stands of trees where possible and desirable; and

Comment [MM460]: Existing OP 7.12.19 c

   iv) that the lands be dedicated in a condition suitable for parkland development in accordance with the standards of

Comment [MM461]: Existing OP 7.12.19 d

the City.

6. Cash-in-lieu of parkland dedication may be required in the following circumstances:

   i) where the application of the rate of parkland dedication would render the remaining portion of the development site unsuitable or impractical for *development*;
   ii) where the amount of parkland dedication would be insufficient to accommodate the development of a desirable range of recreation facilities;
   iii) where existing municipal parkland is available in sufficient quantity and quality to accommodate further *development* in the particular area; or
   iv) where more suitable parcels of land are available for municipal park purposes in other locations.

7. Where cash-in-lieu of the parkland dedication is received by the City, priority will be placed on using the funds to meet the neighbourhood requirements in which the *development* is located. If the neighbourhood has sufficient parkland, the funds collected may be applied to other areas.

8. Parkland dedication requirements pursuant to the *Planning Act* may be used, whenever necessary and feasible, for the conservation of significant *cultural heritage resources.*

Comment [MM462]: Existing OP 7.12.20

Comment [MM463]: Existing OP 7.12.21

Comment [MM464]: Existing OP 7.12.22, reworded "utilized" changed to "used"

7.3.6 Other Agencies

The City is not the only provider of open space within the community. In order to enhance the City's open space, parks and trails systems, the City will work closely with the local School Boards, the Conservation Authority, the Province, public utilities and institutions, private organizations and individual property owners.

Comment [MM465]: Existing OP 7.12.24 reworded

1. Where appropriate, the City may consider the following measures:

   i) encourage other agencies to provide parks and amenity areas for public use;
   ii) enter into joint use/management and development agreements with respect to the development of specific recreation facilities that are available to the general public;
   iii) provide linkages between municipal parks and open space areas and recreation facilities provided by other agencies or private organizations;
   iv) ensure that adequate private outdoor parks, open space, indoor and outdoor recreational facilities and amenities are provided as part of the regulations pertaining to the *development* of residential and *non-residential* uses in order to ensure a satisfactory living and working environment; and
   v) where parks standards may not be met in existing *built-up areas*, the City shall endeavour to increase the supply of

Comment [MM466]: Existing OP 7.12.24 a) reworded to change open space to parks

Comment [MM467]: Existing OP 7.12.24 c) reworded to add "parks"

Comment [MM468]: Existing OP 7.12.24 d reworded to change "open space" to "parks"

Comment [MM469]: New from Rec, Parks and Culture Strat Plan

parks through bequests, donations and partnerships with other public agencies.

2. School sites provide an important park resource within the community. The City will continue to co-operate with the local School Boards in obtaining new school sites and integrating such sites with municipal parks. More specifically, the City will pursue the following:

i) where feasible, municipal parks will be developed in conjunction with elementary or secondary school sites;

ii) where there is a shortage of Neighbourhood Parks or Community Parks and there are undeveloped school sites within the neighbourhood, or larger community, the City may enter into an agreement with the respective School Board regarding the development of the land for park purposes;

iii) where municipal parks are obtained adjacent to a new school site, such parks shall be of a size, configuration, condition and location and have appropriate access so that they can function properly as a Neighbourhood Park or Community Park in the event that the school property is not developed;

iv) where schools are not to be provided in a new residential neighbourhood, the City may provide additional Neighbourhood Parks at the rate of 0.7 hectare/1000 population; and

v) where a school is to be closed by a local School Board and the neighbourhood in which the school is located is deficient in parks as a result, the City will consider the acquisition of the site and building, where appropriate, to maintain the desired ratio of neighbourhood and/or community parkland and facilities.

Comment [MM470]: Existing OP 7.12.25; reworded to change first sentence, change Boards of Ed to School Boards

Comment [MM471]: Existing OP 7.12.25 a) Reworded

Comment [MM472]: Existing OP 7.12.25 b) reworded

Comment [MM473]: Existing OP 7.12.25 c) reworded

Comment [MM474]: Existing OP 7.12.25 d) reworded to change "open space" to "parks" and ratio changed

Comment [MM475]: Existing OP 7.12.25 e) reworded

7.3.7 Recreation, Parks and Culture Strategic Master Plan

Comment [MM476]: Existing OP 7.12.26 and 7.12.27, revised. Deletes description of the purpose of the plan.

1. The City's Recreation, Parks and Culture Strategic Master Plan identifies the needs and priorities related to recreation, parks and cultural services, programs, and facilities within the City and how to implement these priorities.

2. The City will monitor and review the implementation of the Recreation, Parks and Culture Strategic Master Plan to ensure that the goals and objectives are being achieved and that they remain an accurate reflection of the community's needs and interests for recreational services.

8 Urban Design

Good urban design is fundamental to the creation of enduring, attractive and valued environments which are memorable and flexible and can evolve to accommodate changes in use over time. Adaptable and well-designed infrastructure networks, buildings and open spaces result in communities and places that remain viable and attractive for many generations, supporting civic and economic activity and a high quality of life. To achieve a *complete community*, the urban design policies contained in this Plan apply to all development within the City.

The urban design policies of this Plan apply to all land uses and public *infrastructure*.

Objectives

a) To create neighbourhoods with diverse opportunities for living, working, learning and playing.

Comment [MM477]: New. Based on principles of the Urban Design Action Plan

b) To build compact neighbourhoods that use land, energy, water and *infrastructure* efficiently and encourage walking.

Comment [MM478]: New. Based on principles of the Urban Design Action Plan

c) To showcase natural attributes as defining features of the City's character by making them highly visible and accessible, especially lands along the Speed and Eramosa Rivers.

Comment [MM479]: New. Based on principles of the Urban Design Action Plan

d) To engage in "place-making" - developing infrastructure, spaces and buildings that are permanent and enduring, memorable and beautiful, adaptable and flexible, and valued.

Comment [MM480]: New. Based on principles of the Urban Design Action Plan

e) To *conserve* and celebrate the City's *cultural heritage resources* through the reuse of *built heritage* and *cultural heritage landscape* assets and ensuring that adjacent development responds to and respects these assets.

Comment [MM481]: New. Based on principles of the Urban Design Action Plan

f) To ensure that the design of the built environment strengthens and enhances the character of the existing distinctive areas and neighbourhoods of the City.

Comment [MM482]: Existing OP 3.6 e). Reworded

g) To create a diversity of inviting and accessible gathering places that promote a full range of social, cultural and economic interaction.

Comment [MM483]: New. Based on principles of the Urban Design Action Plan

h) To establish a pattern of interconnected streets and pedestrian networks in which buildings frame and address public spaces.

Comment [MM484]: New. Based on principles of the Urban Design Action Plan

i) To allow for a range of architectural styles and promote expressions that bring interest and diversity in urban form and architectural design while responding appropriately to the local context and achieving *compatibility*.

Comment [MM485]: New. Based on principles of the Urban Design Action Plan

j) To design space that is accessible to all, regardless of abilities.

Comment [MM486]: Existing OP 3.6 l). Revised to update language—replace "personal limitations" with abilities based on Health Unit Comments

k) To improve conditions for greater personal security within publicly

Comment [MM487]: Existing OP 3.6 k).Reworded.

accessible spaces by designing them to be attractive and comfortable to the public, increasing the potential for informal surveillance and reducing opportunities for crime.

l) To preserve and enhance protected *public views* and *public vistas* of built and natural features.

Comment [MM488]: Existing OP 3.6 m) Revised. Deleted second part of sentence to simplify and remove redundancy

m) To design for a choice of mobility including walking, cycling, transit and driving.

Comment [MM489]: New. Based on the Urban Design Action Plan.

n) To require urban design that reduces energy and water demand through such measures as, but not limited to, orientation of streets and buildings and the implementation of active and passive *renewable energy systems* and *alternative energy systems* and water conservation strategies.

Comment [MM490]: New. Reflects CEP objectives

Policies

8.1 Sustainable Urban Design

1. The design of site and building development will support energy efficiency and water conservation through the use of *alternative energy systems* or *renewable energy systems*, building orientation, sustainable building design, low impact stormwater infiltration systems, drought-resistant landscaping and similar measures.

Comment [MM491]: Existing OP 7.4.46.1 Revised. Removed reference to stormwater management. Commercial and Mixed-use Area Policy applied City-wide.

2. New *development* shall be integrated with the existing topography where possible to maintain the physical character of the area and minimize the amount of grading and filling required.

Comment [MM492]: 3.6.31 2 j). Revised. South Guelph Secondary Plan Area policy applied city wide.

3. New residential neighbourhoods shall be designed to ensure residents live within a 400 metre walk of mixed-use areas, amenities and transit stops.

Comment [MM493]: New. Based on Urban Design Action Plan.

8.2 Public Realm

1. A clearly identifiable *public realm* should be established in all residential areas consisting of an interconnected network of streets, parks, school sites, community trails and open spaces.

Comment [MM494]: Existing OP 3.6.11. Revised. Removed second sentence. Distribution of public spaces and link to natural heritage system addressed in other policies.

2. *Development* proposals shall extend, establish or reinforce a modified grid-like street network that:

Comment [MM495]: New. Combines Existing OP 3.6.24; 3.6.32.3.1; and direction from Urban Design Action Plan. Made consistent with the draft Downtown Secondary Plan

   i) connects with the existing urban fabric of streets, open spaces and developed areas;
   ii) is highly interconnected;
   iii) responds sensitively and creatively to natural and other established features;
   iv) integrates with the pedestrian and bicycle networks;
   v) supports the integration of viable transit service; and
   vi) is designed to maximize opportunities for solar gain while respecting the built form policies of this Plan.

3. Block lengths shall be reasonably short especially within Community Mixed-use Nodes and *Intensification Corridors* and shall optimize connectivity for pedestrians and encourage walking. Longer blocks shall have adequately sized mid-block pedestrian links.

Comment [MM496]: New. Based on Urban Design Action Plan.

4. New cul-de-sacs may be permitted only when warranted by natural site conditions or to preserve *cultural heritage resources* in situ.

Comment [MM497]: New. Based on Urban Design Action Plan.

5. Reverse lotting and 'window roads' (i.e. single loaded local roads flanking arterial and collector roads) should be avoided.

Comment [MM498]: New. Based on Urban Design Action Plan.

6. Road design will balance the provisions for a safe, accessible, functional and attractive pedestrian-oriented environment with an acceptable level of motor vehicle traffic. To achieve a pedestrian oriented *public realm* and streetscape, a variety of techniques may be implemented, depending on the function and context of the road, including:

Comment [MM499]: Existing OP 3.6.25. Revised. Changes made based on Urban Design Action Plan

   i) widening sidewalks to allow for a comfortable pedestrian environment as well as retail displays, outdoor café seating, benches and shade street trees;
   ii) reduced lane widths;
   iii) provision of landscaped boulevards;
   iv) provision of on-street parking;
   v) provision of transit priority measures and bicycle infrastructure;
   vi) provision of regular intersections of roads to allow for the creation of a modified grid system; and
   vii) use of alternative road geometrics and materials at pedestrian crossing areas.

7. The City will maintain a program of tree replacement within its right-of-ways in all areas of the City.

Comment [MM500]: Existing OP 8.2.30 1. Reworded.

8. The planting of trees, shrubs and groundcover in street medians and shoulders shall be designed to allow for their long term health through the implementation of best practices for planting and maintenance. Planting in street medians and shoulders will generally be undertaken with low maintenance, drought resistant and salt tolerant plant species.

Comment [MM501]: Existing OP 3.6.32.3.12. Revised. Victoria Road North Secondary Plan policy applied City-wide. Wording revised to make intent clearer. Recognizes that appropriate salt tolerant planting is critical

9. The City will coordinate street infrastructure elements such as lighting, parking areas, landscaping, transit shelters, trash containers, bicycle racks and signage to enable the continuity in character and function of the streetscape.

Comment [MM502]: Existing OP 3.6.27. Reworded

10. New *development* shall be designed to contribute to a pedestrian-oriented streetscape through strategies such as:

Comment [MM503]: New. Based on Urban Design Action Plan. Also incorporates Existing OP 7.4.43.5 from Commercial and Mixed-use Area Policy

   i) locating built form adjacent to, and addressing, the street edge;
   ii) placing principal building entrances towards the street and corner intersections;
   iii) maintaining or extending a continuous building façade or streetwall along the street;
   iv) providing for active uses that provide an interface with the *public*

realm that enhances the liveliness and vibrancy of the street (e.g. seating, cafés, patios, displays);

v) incorporating weather protection measures such as canopies, awnings, building projections or colonnades, where possible;

vi) ensuring that street elements are co-ordinated with those within the public street right-of-way; and

vii) ensuring that the placement of above-ground utilities do not visually detract from a cohesive streetscape through such strategies as clustering utilities in appropriate locations or containing them in other streetscape features.

8.3 Landmarks, Public Views, and Public Vistas

1. The City may identify existing landmarks or locations for new landmarks and require measures for their protection and retention. In general, signature buildings will be required at corner locations or at the apex of T-intersections to serve as new neighbourhood landmarks.

Comment [MM504]: Existing OP 3.6.6 Reworded.

2. Key *public views* to the Church of Our Lady shall be identified and protected. *Public views* and *public vistas* to other *cultural heritage resources* or natural heritage features may be identified for protection. The City may initiate studies from time to time to identify significant *public views* and *public vistas*.

Comment [MM505]: Existing OP 3.6.7. Reworded

3. Parks, schools, places of worship and other community facilities should be established in visually prominent, central and accessible locations to serve as neighbourhood focal points or gathering places. These focal features should have good access to all forms of transportation, be created to a high standard of design and include uses serving the local community.

Comment [MM506]: Existing OP 3.6.13

4. Opportunities to provide *public views* of Significant Natural Areas are strongly encouraged.

Comment [MM507]: Existing OP 3.6.32.3.5. Revised Victoria Road North Secondary Plan Area policy applied city-wide.

5. Reverse lotting onto Significant Natural Areas and other components of the *public realm* should be avoided.

Comment [MM508]: Existing OP 3.6.32.3.5 Revised Victoria Road North Secondary Plan Area policy applied city-wide.

6. Buildings should be oriented to maintain *public vistas* of and/or visual access to Significant Natural Areas on lands adjacent to the site.

Comment [MM509]: Existing OP 7.4.46.2 Reworded. Commercial and Mixed-use Area Policy applied City-wide

7. Streets should create view corridors and *public vistas* of Significant Natural Areas, the river valleys and park facilities.

Comment [MM510]: Existing OP 3.6.32.3.1. Revised. Victoria Road North Secondary Plan Area applied City wide.

8.4 Gateways

1. The City may identify certain desirable locations for gateway features and may require distinctive urban design forms at these locations. Gateways shall define a sense of entrance and contribute to community image and identity.

Comment [MM511]: Existing OP 3.6.5

2. Major gateways will be located in visually prominent sites located at major entry points into the City.

Comment [MM512]: New. Hierarchy of gateways recognized and defined in order to provide more direction regarding definition and intent of gateway policies.

3. Minor gateways are to be located at prominent intersections which are neighbourhood-scaled gateways or at secondary entry points into the City.

4. The following roads, where they intersect the City boundary, are considered major gateways:

   i) Gordon Street;
   ii) Woodlawn Road West;
   iii) Victoria Road North;
   iv) Woolwich Street;
   v) Eramosa Road;
   vi) York Road;
   vii) Wellington Street West; and
   viii) Stone Road East.

5. In addition to the City identified major gateways, the City will work with the Province to recognize and design the Hanlon Expressway corridor as a significant City gateway though standards such as landscaping and lighting. *Development* abutting the Hanlon Expressway shall also recognize its function as a gateway through high-quality building design, appropriate signage and landscaping.

6. *Development* at gateways shall be required to meet a high standard of design, recognizing their role as a gateway and be appropriately oriented to the *public realm*.

7. Where a commercial or mixed-use development is located at the intersection of major streets, the *development* or *redevelopment* of each corner property are considered minor gateways and development will incorporate neighbourhood-scale gateway features. Generally this shall be accomplished through high-quality built form and may include pedestrian linkages into the site at the intersection.

8. Gateways to new neighbourhoods should create a sense of entrance and arrival contributing to community image and identity. Elements contributing to gateway features and design may include: trees and other landscaping, feature lighting, paving and public art. However, entrance features to new subdivisions that create an appearance of a walled community are strongly discouraged.

9. New controlled access or gated neighbourhoods or subdivisions shall not be permitted.

8.5 Built Form: Low Rise Residential Forms

1. To create visual interest and diversity in the built environment, a wide variety of architectural designs are encouraged. However, new buildings proposed within older, established areas of the City are encouraged to be designed to complement the visual character and architectural/building material elements found in these areas.

Comment [MM513]: New. Hierarchy of gateways recognized and defined in order to provide more direction regarding definition and intent of gateway policies.

Comment [MM514]: Existing OP 3.6.31 4. Revised. Simplified and revised to reflect Urban Design Action Plan.

Comment [MM515]: New. Provides direction regarding expectations around built form located at gateway locations

Comment [MM516]: Existing OP 7.4.40.1 Revised. Clarification added to regarding how the policy can be implemented.

Comment [MM517]: New. Gated neighbourhoods or subdivisions conflict with the objectives of the Urban Design policies. For example, they prevent the creation of interconnect street patterns accessible for active transportation and transit. They also generally limit accessibility.

Comment [MM518]: Existing OP 3.6.9; 3.6.8. Revised. Policy changed to reference a diversity of architectural design rather the a mix of housing forms. Housing type diversity addressed in Land Use section.

2. Dwellings should be sited with a consistent setback to provide human scale streets. Designs should incorporate features such as prominent entrances and front porches to encourage social interaction and allow for views along the street.

Comment [MM519]: Existing OP 3.6.32 3.4 Revised. Reference to garages removed and addressed in following policy.

3. To ensure garages do not dominate the streetscape in new *development* and to promote "eyes on the street" the *Zoning By-law* shall limit their width such that garages do not generally exceed half the width of the house. Furthermore, the *Zoning By-law* shall limit garage door projection so that most garage doors are recessed and do not project ahead of the front wall of the house.

Comment [MM520]: New. Based on the Urban Design Action Plan. Change made responding to GWDA comments.

4. Rear lane development is generally encouraged. On narrow lots and particularly along arterials and within mixed-use areas, residential developments shall generally incorporate rear lanes to help create attractive streetscapes and minimize the impact of driveways on the pedestrian realm.

Comment [MM521]: New. Based on the Urban Design Action Plan

5. The retention of vegetation in front yards along residential streets is encouraged.

Comment [MM522]: Existing OP 3.6.17 3. Reworded.

8.6 Built Form: All Built Forms other than Low Rise Residential Forms

1. New buildings shall address the street. Buildings shall have front façades with entrances and windows that face the street and that reflect and, where appropriate, enhance the rhythm and frequency of the immediate vicinity.

Comment [MM523]: Existing OP 3.6.10 Revised

2. The principal entrances of commercial and mixed-use buildings shall be oriented toward the street and provide direct user entrances from adjacent streets and walkways. Blank façades facing a street, open space or park shall not be permitted.

Comment [MM524]: Existing OP 7.4.40.2; 3.6.10 Clarification that this applies to commercial and mixed-use buildings.

3. Commercial, employment and mixed-use buildings should be consistently located close to the street edge and sidewalk.

Comment [MM525]: Existing OP 7.4.41.2 Revised based on Urban Design Action Plan. Commercial and Mixed-use Area Policy applied City-wide

4. Corner buildings shall address both streets by providing two articulated façades facing the street.

Comment [MM526]: Existing OP 3.6.20 2 Revised.

5. Buildings adjacent to the street edge and at sites with high public visibility shall be designed to take into account their high public visibility by incorporating elements such as increased height, roof features, building articulation and high quality finishes and windows.

Comment [MM527]: Existing OP 7.4.40.4; 7.4.41.4 Revised. Combined two policies. Commercial and Mixed-use Area Policy applied City-wide. Policy changed to apply to buildings adjacent to the street edge and public visibility rather than just corner buildings.

6. Intersections of major streets shall be emphasized by placing buildings in close proximity to the intersection and ensuring that building entrances are visible from that intersection.

Comment [MM528]: Existing OP 7.4.40.2 Reworded. Commercial and Mixed-use Area Policy applied City-wide.

7. Buildings will be designed to completely screen roof-top mechanical equipment from public view.

Comment [MM529]: Existing OP 7.4.41.5 Reworded. Commercial and Mixed-use Area Policy applied City-wide

8. Long building facades that are visible along a public street will incorporate recesses, projections, windows or awnings, colonnades and/or landscaping along the length of the façade to reduce the mass of such facades.

Comment [MM530]: Existing OP 7.4.44.1 Reworded. Commercial and Mixed-use Area Policy applied City-wide.

9. The design of all commercial buildings and storefronts shall be in keeping with the character and identity of the community and its immediate context. This may require alternative or enhanced standard of corporate or franchise design. Buildings shall reflect the community and immediate context through features such as facade articulation, massing, architectural style, vertical windows, appropriate signage, building materials and exterior finishes.

Comment [MM531]: Existing OP 7.4.44.3 Revised. Commercial and Mixed-use Area Policy applied City-wide. Policy revised to respond to GWDA comments to clarify intent, provide direction and give examples regarding how this policy can be complied with.

10. Where appropriate, a building's first storey shall generally be taller in height to accommodate a range of non-residential uses.

Comment [MM532]: New. Appropriate first storey heights can result in more flexible built form that can accommodate a variety of uses.

11. Large buildings will incorporate architectural elements which will reduce the visual effects of flat roof lines.

Comment [MM533]: Existing OP 7.4.44.2 Revised. Commercial and Mixed-use Area Policy applied City-wide.

8.7 Built Form: Buildings in Proximity to Residential and Institutional Uses

1. Where commercial, employment or mixed-use development is located in proximity to residential and institutional uses the following urban design strategies will be employed to ensure *compatibility*:

Comment [MM534]: Existing OP 7.4.45 Revised. Commercial and Mixed-use Area Policy applied City-wide. Reference to drive-through lanes removed. Drive-throughs addressed in separate section.

   i) using building massing and placement to reduce the visual effects of flat roof lines, blank facades or building height by means such as appropriately stepping back, terracing or setting back buildings;
   ii) appropriately locating noise-generating activities within a building or structure and away from sensitive receptors;
   iii) incorporating screening and noise attenuation for roof-top mechanical equipment and other noise generating activities situated in proximity to sensitive receptors;
   iv) providing perimeter landscape *buffering* incorporating a generously planted landscape strip, berming and/or fencing to delineate property boundaries and to screen the commercial or employment use from the adjacent use; and
   v) designing exterior lighting and signage to prevent light spillage onto the adjacent property.

8.8 Built Form: Mid-rise Buildings

1. In addition to the policies above, the following policies apply to mid-rise building forms, which generally means a building between four (4) and six (6) storeys:

   i) mid-rise buildings shall be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties;
   ii) mid-rise buildings shall be designed to ensure that servicing and automobile parking are appropriately located and screened.

Generally, this shall mean that parking is provided underground or at the rear or side of the building;

iii) pedestrian access shall be provided to the principal entrance from the *public realm*;

iv) where buildings front onto a public street and are greater than 30 metre in length, building entrances shall be located at regular intervals;

v) where buildings are taller than four (4) storeys, building length will be restricted through the *Zoning By-law* to reduce impacts such as shadowing; and

vi) shadow, view and microclimatic studies may be required to determine potential impacts arising from mid-rise buildings.

8.9 Built Form: High-rise Buildings

1. In addition to the policies above the following policies apply to tall building forms, which generally means buildings above six (6) storeys.

   i) to ensure tall buildings act as landmarks, they shall incorporate a distinctive bottom (e.g., a podium), middle and top. Interesting architectural features and roof treatments should be considered for all rooftops of tall buildings;

   ii) parking should be provided primarily below grade with limited visitor surface parking. Structured parking above-grade may be permitted, where appropriate;

   iii) built-form studies addressing building massing, shadows, views and microclimatic studies (e.g., wind) may be required to determine the potential impacts to the surrounding neighbourhood arising from tall buildings;

   iv) floor plate sizes of the tower portion (e.g., storeys five (5) and above) of the building may be limited to encourage slender and elegant tall building designs; and

   v) the tower portion (e.g., storeys five (5) and above) of the building shall be carefully placed to ensure adequate spacing between towers to allow for solar access and privacy.

8.10 Built Form: Vehicle-oriented Uses

Vehicle-oriented uses include uses that facilitate the use and storage of private automobiles, such as vehicle service centres, vehicle repair and sales facilities, service stations and drive-through facilities.

1. Where vehicle-oriented uses are permitted, *development* shall be designed through a combination of site planning, landscaping and built form to:

   i) conform to the applicable policies of this Plan;

   ii) reinforce the street edge;

   iii) contribute to a high quality *public realm* and streetscape; and

   iv) ensure a clear separation of vehicular and pedestrian traffic to ensure ease of use and safety of movement for pedestrians.

2. Drive-through facilities, where permitted, will be regulated by the *Zoning By-law*. The *Zoning By-law* may restrict which zoning categories permit drive-through facilities. In addition to policies in 8.10.1, drive-throughs, where permitted, shall be designed to:

   i) locate stacking and drive-through lanes in rear or side yards and away from intersections. Stacking and drive-through lanes shall not be located between the building and the fronting street to minimize the impact on pedestrians;
   ii) provide adequate landscaping adjacent to stacking and drive-through lanes where they are adjacent to other properties and parking areas; and
   iii) avoid the location of drive-through lanes adjacent to a use that would be negatively affected by noise, light and activity levels associated with these facilities.

3. Service stations, where permitted, shall be:

   i) limited to one service station per intersection excluding the Community Mixed-use Nodes where service stations shall not be permitted at the intersection of arterial Roads, collector Roads and arterial with collector Roads;
   ii) designed to reinforce street edges by locating the principal building at or near the street edge with direct pedestrian access into the building from the street edge;
   iii) designed to ensure that the principal building employs the liberal use of clear glazing and openings along with appropriate architectural treatment, materials and detailing facing the street;
   iv) designed to address building massing, materials and scale as well as issues specific to service station uses including canopies, pumps and islands for gas bars, ancillary buildings and structures, signage and lighting; and
   v) where a car wash is permitted, designed so that the car wash building will be oriented away from the street edge while still maintaining appropriate setbacks, landscaping and allowing for adequate automobile queuing.

Comment [MM535]: Existing OP 7.4.45.1.6

8.11 Transition of Land Use

1. To achieve *compatibility* between different land uses, *development* will be designed to create an appropriate transition through the provisions of roads, landscaping, spatial separation of land uses and *compatible* built form.

2. Where proposed buildings exceed the built height of adjacent buildings, the City may require the new buildings to be stepped back, terraced or set back to reduce adverse impacts on adjacent properties and/or the streetscape.

8.12 Parking

1. Building placement in combination with landscaping should be used to screen surface parking areas. Surface parking areas should generally be

Comment [MM536]: Existing OP 3.6.16 Revised. Part New based on Urban Design Action Plan.

located at the rear or side of buildings and not between the front of a building and the street. Where permitted adjacent to the *public realm*, surface parking areas should be designed in a manner that contributes to an attractive *public realm* by providing screening and landscaping. Generously sized landscape strips incorporating combinations of landscaping and decorative fencing or walls shall be provided adjacent to the street edge to provide aesthetically pleasing views into the site while screening surface parking areas.

2. Surface parking areas shall not be permitted immediately adjacent to the corners of an intersection.

Comment [MM537]: Existing OP 7.4.40.6 Revised. Commercial and Mixed-use Area Policy applied City-wide.

3. Walkways should be provided directly from parking areas and municipal sidewalks to the main entrance(s) of the building(s). These walkways should be well articulated, safe, accessible and integrated with the overall network of pedestrian linkages in the area to create a comfortable walking environment. Landscaping should enhance the walkway.

Comment [MM538]: Existing OP 3.6.20 3. Revised. Changes made to reflect Urban Design Action Plan and to clarify intent.

4. Large surface parking areas should be divided into smaller and defined sections through the use of appropriately-sized landscaped strips, islands and/or pedestrian walkways.

Comment [MM539]: Existing OP 7.4.42.3 Revised. Commercial and Mixed-use Area Policy applied City-wide. Policy.

5. Parking adjacent to identified *natural heritage features* and associated *buffers* should be avoided.

Comment [MM540]: New. Based on Urban Design Action Plan.

6. Bicycle parking shall be provided and conveniently located in close proximity to building entrances. Sheltered bicycle parking should be integrated into the built form.

Comment [MM541]: Existing OP 7.4.42.4 Revised. Commercial and Mixed-use Area Policy applied City-wide. Policy. Reference added regarding the design of sheltered bicycle parking.

7. Above-grade parking structures shall be designed to provide well-articulated façades facing streets. Street-related uses on the ground level of the parking structure should be provided where appropriate and feasible to contribute to an active pedestrian realm and screen the parking structure.

Comment [MM542]: Existing OP 3.6.20.4 Reworded.

8. Surface parking areas adjacent to ground-related residential uses should be separated by a landscape strip incorporating combinations of landscaping and/or decorative fencing or walls.

9. For underground and above-grade parking structures, driveway access and ramp locations shall be located to reduce conflicts with pedestrians and minimize negative impacts on the streetscape.

8.13 Access, Circulation, Loading and Storage Areas

1. Shared driveways are encouraged for employment, commercial and mixed-use sites to reduce access points and reduce conflicts with pedestrians.

Comment [MM543]: New. Based on the Urban Design Action Plan

2. Major driveway entrances to large employment, commercial and mixed-use sites should be defined by landscaping on either side of the driveway and/or by landscaped medians.

Comment [MM544]: Existing OP 7.4.42.1 Revised. Commercial and Mixed-use Area Policy applied to large employment and mixed-use sites as well.

3. Private roads and internal driveways required for site circulation shall be designed like streets that are comfortable for pedestrians, cyclists and vehicles. They should be physically defined by raised curbs and, where appropriate, landscaped where they intersect with a parking area or driveway. Internal driveways or roads will be used to divide large sites into a grid of blocks and roadways to facilitate safe pedestrian and vehicular movement. Internal driveways will be designed to interconnect with adjacent properties to create an overall cohesive and integrated circulation network.

Comment [MM545]: Existing OP 7.4.42.2 Revised. Commercial and Mixed-use Area Policy applied City-wide. Policy. Changes made based on the Urban Design Action Plan.

4. Well-articulated and distinct pedestrian walkways should be placed along a building street frontage and linked to public boulevards, public sidewalks, transit stops, trail systems and other pedestrian systems.

Comment [MM546]: Existing OP 7.4.43.1. Revised. Commercial and Mixed-use Area Policy applied City-wide.

5. Pedestrian systems shall incorporate landscaping, pedestrian scale lighting and be defined by distinct materials and/or raised walkways.

Comment [MM547]: Based on Existing OP 7.4.43.2 Reworded and Existing OP 7.4.43.1. Revised. Commercial and Mixed-use Area Policy applied City-wide.

6. Loading bays, waste service areas and building utilities/mechanical equipment should be located within a building. If permitted outside a building, they shall not be located immediately adjacent to an intersection, will be directed away from a public street, park, river, public open space or residential area or adequately screened if this is not possible.

Comment [MM548]: Existing OP 3.6.15. Revised and combined with policy 7.4.40.6

7. Where outdoor storage is permitted, it shall not be located between a building and a street edge or a building and the intersection of streets.

Comment [MM549]: 7.4.40.5; 7.4.41.3. Revised. Policies combined. Commercial and Mixed-use Area Policy applied City-wide. Reference to auto-oriented uses and garden centres are addressed in separate policies.

8.14 Signage

1. Signs, display areas and lighting should be *compatible* in scale and intensity to the proposed activity and tailored to the size, type and character of a development or the space to be used.

Comment [MM550]: New. Reinforces Urban Design Action Plan emphasis on signage co-ordination with architecture.

2. Signs on *cultural heritage resources*, including within *Heritage Conservation Districts* or within *cultural heritage landscapes* shall be *compatible* with the heritage character of the property, district or landscape and may be regulated in accordance with the provisions of the *Ontario Heritage Act*, as applicable.

3. Signage should be incorporated into the building façade design.

Comment [MM551]: Existing OP 3.6.20 1. Revised. Commercial and Mixed-use Area Policy applied City-wide. Policy revised to encourage signage incorporated into the building façade design rather than free-standing signage.

4. Commercial signage should be displayed at a consistent height on building facades such as at the top of the ground floor. Signage shall generally not be permitted on the top of buildings or poles.

Comment [MM552]: New. Based on the Urban Design Action Plan.

8.15 Display Areas

1. Where outdoor display areas are associated with a large building, the use of landscape elements such as plantings, decorative fencing and architectural elements such as façade extensions and canopies shall be incorporated for effective integration with the overall development.

Comment [MM553]: Existing OP 7.4.44.4. Reworded. Commercial and Mixed-use Area Policy applied City-wide. Minor changes to remove reference to pergolas.

2. Outdoor display areas adjacent to street edges should generally be avoided but may be permitted for vehicle sales subject to the regulations of the *Zoning By-law*. However, well-designed, pedestrian-scaled outdoor display areas that contribute to a comfortable and safe *public realm* may be permitted in areas of high pedestrian traffic provided that safety and accessibility are not compromised.

Comment [MM554]: Existing OP 7.4.41.6 Revised. Commercial and Mixed-use Area Policy applied City-wide. Clarification added that small-scale outdoor display areas may be appropriate where it enhance the pedestrian-oriented environment.

8.16 Lighting

Comment [MM555]: New. Policies reflect Urban Design Action Plan objectives regarding lighting which include:
-- ensuring adequate lighting along streets and other public spaces for safety.
--reducing light pollution

1. Lighting of buildings and sites shall be provided at levels sufficient for building identification and safety.

2. All building and site lighting shall be oriented and shielded to minimize the infringement of light and the creation of glare on adjacent properties or public roads. Outdoor lighting should incorporate energy efficiencies such as sensors and timers and direct light away from the night sky. However, lighting of prominent buildings, monuments and other built features to accentuate civic and architectural design may be permitted.

3. Adequate pedestrian-scaled lighting to accent walkways, steps, ramps, transit stops and other features should be provided.

8.17 Landscaping and Development

1. Landscaping shall:

   i) create visual interest by framing important views and focal points;
   ii) stabilize slopes and, where appropriate, naturalize areas of a site;
   iii) complement built form; and
   iv) contribute to the creation of a high-quality *public realm*.

2. The selection of plant material:

Comment [MM556]: Existing OP 3.6.32.3 11. Revised. Policy revised and expanded to provide direction regarding the selection of plant materials in planning applications such as site plans..

   i) should be of an appropriate quantity, size, shape, colour and texture that complement and contrast the built form and reflect the site's size and context;
   ii) shall provide seasonal interest;
   iii) shall be appropriate to site conditions (e.g. salt and wind tolerant when adjacent to roadways);
   iv) is encouraged to be of indigenous stock and from locally grown sources;
   v) adjacent to *Natural Heritage System*, should be indigenous and non-invasive to help prevent the degradation of the existing ecosystem through unwanted seed dispersal;
   vi) shall provide for a diversity of species to minimize potential issues of significant plant losses due to disease, insects and/or fungal infestations;
   vii) is encouraged to promote naturalization and reduce the use of sod; and
   viii) is encouraged to provide shade where appropriate.

3. Where possible existing trees should be retained on-site and where appropriate suitable new trees should be planted on-site, in the street right-of-way or in other City-approved locations.

4. Where appropriate, trees should be used to help define the image of neighbourhoods, streets and parks.

5. Where required, buffer strips shall consist of plant material that, at maturity, will form a visual barrier, in combination with other strategies such as fencing.

Comment [MM557]: New. Reflects City-wide opportunity in Urban Design Action Plan regarding trees: "use trees to define the image of neighbourhoods, streets and parks"

Comment [MM558]: New. Reflects City-wide opportunity in Urban Design Action Plan regarding trees: "use trees to define the image of neighbourhoods, streets and parks"

8.18 Safety

1. Sidewalks and community trails should be visible, accessible and aligned along well-used public spaces.

2. New *development* should be designed in a manner that:

   i) provides opportunity for informal surveillance of outdoor spaces ("eyes on the street"), including public parks, streets and parking areas;
   ii) clearly marks the transition or boundary between public and private spaces;
   iii) includes materials that allow for the built environment to be effectively and efficiently maintained;
   iv) provides adequate lighting in accordance with Sections 8.14, 8.15 and 8.16 of this Plan; and
   v) provides for multiple walking routes, where appropriate.

Comment [MM559]: Existing OP 3.6.12 Reworded.

Comment [MM560]: Existing OP 3.6.21; 3.6.12; 3.6.32 3 7; Combined policies to reduce redundancy and improve readability.

8.19 Accessible Design

1. The City as an employer and provider of services is committed to barrier free access. Accordingly, the City will:

   i) take a leadership role in achieving and setting an example to the business, institutional and volunteer sectors in terms of physical access, integration, employment equity, communications, recreation, transportation, housing and education;
   ii) establish and implement processes that identify barriers and gaps in existing services and facilities;
   iii) adhere to the Ontarians with Disabilities Act and the Standard of the Accessibility for Ontarians with Disabilities Act; and
   iv) continue to improve the level of accessibility of municipal services, parks and facilities by complying with the Facility Accessibility Design Manual (2005) or successor thereto, in all design, development and operation of new and renovated municipal services and facilities.

2. Accessibility standards and designs will be implemented through *development*, including transportation and parking in accordance with the *Accessibility for Ontarians' Disability Act* and the *Ontario Building Code*.

Comment [MM561]: Existing OP 3.7.1 Reworded

Comment [MM562]: Existing OP 3.7.3 Reworded

Comment [MM563]: Existing OP 3.7.5 Revised

3. The City will encourage the modification of new and existing private buildings and facilities, including parking, to improve the level of accessibility in accordance with the City's *Facility Accessibility Design Manual*.

4. The City will implement the standards of the Facility Accessibility Design Manual (2005) or successor thereto, in the design, construction and renovation of all City facilities.

5. The City will design and provide municipal infrastructure and set *development* standards that promote the provision of a universally accessible environment.

Comment [MM564]: Existing OP 3.7.4 Revised. Reference to Facility Accessibility Design Manual added.

Comment [MM565]: Existing OP 3.7.2 Reworded

Comment [MM566]: Existing Policy 3.7.6 reworded

8.20 Urban Squares

Comment [MM567]: New. Provides design direction regarding the creation of Urban Squares. Reflects the Recreation, Parks & Culture strategic Master Plan which emphasizes small more urban parks. Incorporates existing OP policy direction of 7.4.43.6

1. Urban Squares, such as plazas, courtyards and piazzas, are publicly-accessible open space with sitting areas and shade trees that allow for passive use, special events and social interaction. They are often predominantly hard-surfaced. Urban squares shall generally be included within Community Mixed-use Nodes, along Intensification Corridors and within Downtown. Urban Squares will be framed by buildings with ground-floor uses that provide activity throughout the day.

2. Large *development* projects may include a single, large scale urban square and/or a series of smaller urban squares.

3. Hard and soft landscape elements and features within the urban square shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas, as well as the relationship between adjacent buildings and the streetscape.

4. Urban squares may be dedicated to the City or may remain in private ownership. Where an urban square is to remain in private ownership it shall be built and maintained by the landowner to the satisfaction of the City. An *easement* with the City may be required to ensure that the urban square is open and accessible to the public at all times or as identified in the *easement* agreement.

8.21 Public Art

1. The City will promote the provision of public art in publicly accessible areas. Public art is encouraged to be incorporated into buildings, infrastructure or landscapes to contribute to interesting and memorable places for residents and visitors alike. Public art can be used to commemorate important persons or events. Public art may include statues, paintings, murals, fountains, sculptures, banners, plaques and memorials, which enhance or contribute to a sense-of-place.

2. Development that attracts significant pedestrian traffic is strongly encouraged to include public art in the design of the building and/or site.

Comment [MM568]: Existing OP 3.6.23 Reworded.

Comment [MM569]: New. Reflects direction of Urban Design Action Plan. The Plan states that the Official Plan should address appropriate locations for public art and adopt policies that encourage public art

3. The installation of public art as part of public infrastructure projects will be considered, where appropriate.

4. The City will develop a policy for public art sited on or staged in municipally owned public space.

Comment [MM570]: New. Reflects direction of Urban Design Action Plan.

8.22 Development Adjacent to River Corridors

1. *Development* on lands adjacent to the river corridor should face, focus and feature the river in context with the natural characteristics of the property and surrounding built form.

Comment [MM571]: Existing OP 3.6.30 2a) ii) applied City-wide

2. *Development* proposals shall orient ground level building facades towards the Speed River in Downtown. This is to be accomplished by:

   i) requiring building designs to have entrances and windows which face the river;
   ii) locating parking areas to not be visually apparent from the river's edge; and
   iii) restricting the location of loading bays, garbage service areas and storage areas and blank walls from facing the river. Landscaping and screening may be used to provide a visual *buffer* where these functions cannot be relocated.

Comment [MM572]: Existing OP 3.6.18.2 Revised. Section revised to focus of development adjacent to river corridors rather for all public open spaces.

3. Improvements to riverfront lands that are available for public use shall be encouraged (e.g. improved pedestrian and cycling amenities) along with the retention or restoration of *natural heritage features* and *cultural heritage resources*.

Comment [MM573]: Existing OP 3.6.18.3 Revised.

4. Important *public views* and *public vistas* to the Speed and Eramosa Rivers and landmarks within these river corridors shall be retained and enhanced.

Comment [MM574]: Existing OP 3.6.18.4 Revised.

5. Continuous public accessibility along the Speed and Eramosa River corridors shall be promoted including through the conveyance of land through the *development* process and other appropriate methods of public acquisition.

Comment [MM575]: Existing OP 3.6.18. 5 Revised.

6. Buildings and landscapes shall be designed in a manner that ensures physical access to the river. Special building placement and design considerations may be required to protect as well as to optimize *public views*, *public vistas* and access to the river.

Comment [MM576]: Existing OP 3.6.18.5 and 3.6.18.6 Revised.

8.23 Urban Design Implementation

1. The City will continue to highlight the importance of urban design in all matters related to the planning and development of the City and to set out a course of action aimed at achieving good urban design on a broad and consistent basis through measures such as but not limited to:

   i) implementing and updating the Urban Design Action Plan;
   ii) urban design guidelines;

Comment [MM577]: New. Urban Design Action Plan

iii) architectural control and design review;
iv) Urban Design briefs;
v) municipal development engineering standards;
vi) subdivision approval;
vii) the *Zoning By-law*;
viii) urban design review panel(s); and
ix) site plan control.

2. Where appropriate, the *Zoning By-law* will be used to implement the urban design policies of this Plan and include regulations that promote *compatibility* in built form and appropriate infill projects.

Comment [MM578]: Existing OP 3.6.1.1. Reworded

3. The City may prepare and update urban design guidelines to assist in the interpretation and definition of urban design elements as outlined in this Plan. Detailed urban design guidelines may be prepared for the City as a whole, or for specific areas, land uses and/or built form typologies.

Comment [MM579]: Existing OP 3.6.1.2. Reworded.

9 Land Use

This Chapter establishes the objectives, policies and permitted uses for each of the land use designations identified on Schedule 2. The land use designations and policies provide direction for *development* and the basis for decision-making involving applications under the *Planning Act.*

Secondary Plans, adopted through amendment to this Plan, may require more detailed policies and land use schedules for the areas to which they apply.

Schedule 2 establishes the pattern of land use in the City by establishing the following Land Use Designations:

RESIDENTIAL
Low Density Residential
Low Density Greenfield Residential
Medium Density Residential
High Density Residential

COMMERCIAL and MIXED-USE
Community Mixed-use Centre
Mixed-use Corridor
Neighbourhood Commercial Centre
Service Commercial
Mixed Office / Commercial

EMPLOYMENT
Industrial
Corporate Business Park
Institutional Research Park
Mixed Business

NATURAL HERITAGE SYSTEM
Significant Natural Areas
Natural Areas

OTHER
Major Institutional
Open Space and Parks
Major Utility
Special Study Area
Reserve Lands

9.1 All Land Use Designations excluding Natural Heritage System

The following permitted uses and policies apply to all land use designations excluding *Natural Heritage System*.

9.1.1 Permitted Uses

1. The following uses may be permitted in all land use designations excluding the *Natural Heritage System* subject to the applicable policies of this Plan:

   i) public and private infrastructure;
   ii) *urban agriculture*; and
   iii) municipal parks and municipal recreation facilities.

2. All *development* and *site alteration* proposed adjacent to the *Natural Heritage System* shall be subject to the *Natural Heritage System* provisions.

9.1.2 Public and Private Infrastructure

1. The following public and private infrastructure may be permitted in all land use designations, unless otherwise limited by the provisions of this Plan:

   i) all electric power facilities (e.g. transmission lines, transformer and distribution stations) provided that such development satisfies the provisions of the *Environmental Assessment Act* and any other relevant Acts or regulations;
   ii) utilities and services necessary for the supply and distribution of *municipal water* and sewage, public roads, bridges and railway lines, subject to the *Environmental Assessment Act*, where applicable, and the provisions of this Plan;
   iii) any infrastructure, building or facility of the City of Guelph, provided that such development satisfies the provisions of the *Environmental Assessment Act*, where applicable;
   iv) the facilities and infrastructure lines of any privately owned utility but not including uses such as, administrative offices, sales outlets, studios, garages, depots or yards; and
   v) *non-exempt renewable energy systems* and *alternative energy systems* for generation.

2. Notwithstanding policy 9.1.2.1, *non-exempt renewable energy systems* and *alternative energy systems* may only be permitted within residential designations provided the energy generated directly serves those nearby residential uses (e.g., a combined heat and power plant with an associated *district energy* system).

3. The implementing *Zoning By-law* may establish zoning categories in which the uses listed in policy 9.1.2.1 may not be permitted.

4. Public and private infrastructure listed in policy 9.1.2.1. shall only be permitted if:

   i) the facilities are in conformity with the objectives and policies of the land use designations where they are proposed;
   ii) the facilities are *compatible* in scale, magnitude, function and character with the residential environment where proposed adjacent to or within a designation permitting residential uses;
   iii) the facilities do not have an adverse impact on residential and other sensitive land uses with regard to traffic and parking, or cause disturbances such as noise, odour, air or water pollution, dust or vibration;
   iv) the facility is designed and located to mitigate impacts through appropriate measures such as set-backs, screening, landscaping and enclosing structures; and
   v) the facility does not adversely fragment or bisect a residential area, or adversely impact the development

Comment [MM580]: Existing OP 7.1.1 a)

Comment [MM581]: Existing OP 7.1.1 b) reworded

Comment [MM582]: Existing OP 7.1.1 c) "infrastructure" added

Comment [MM583]: Existing OP 7.1.1 d) reworded

Comment [MM584]: Existing OP 7.1.2; policy reference updated

Comment [MM585]: Existing OP 7.1.3 with f) deleted and other changes as noted below, reworded to remove "within designations permitting residential land use" from the first sentence. Delete "quasi-public" changed to "private"

Comment [MM586]: Existing OP 7.1.3 a) "intent" changed to "objectives", addition of "where they are proposed"

Comment [MM587]: Existing OP 7.1.3 b) reworded

Comment [MM588]: Existing OP 7.1.3 c reworded

Comment [MM589]: Existing OP 7.1.1 d) reworded

Comment [MM590]: Existing OP 7.1.1 e

potential of adjacent areas, which have been designated for future *development.*

5. Where there is some question as to the *adverse effects* a proposed land use may have on the environment, the City will consult with appropriate authorities to be satisfied that any such effect or risk of effects can be appropriately mitigated through Federal or Provincial legislative requirements and associated regulations prior to permitting such use. City Council will not permit uses or development when such consultation indicates that the use represents a significant health or safety risk to the public, employees or the environment.

Comment [MM591]: Existing OP 7.1.5 reworded to delete "industrial" prior to "uses or development".

9.1.3 Urban Agriculture

Objectives

a) To encourage *urban agriculture* throughout the City in appropriate locations.

b) To support a local food system including the cultivation of food within the urban environment.

Policies

1. *Urban agriculture* including community gardens may be permitted in all land use designations with the exception of Natural Areas and Significant Natural Areas unless otherwise limited by the provisions of this Plan and will be subject to City by-laws and guidelines.

2. New *livestock-based agricultural operations* or the expansion of existing *livestock-based agricultural operations* will not be permitted within any land use designation.

Comment [MM592]: Existing OP 7.1.4

3. Notwithstanding policy 9.1.3.2, this Plan does not restrict livestock-based instruction, research and animal care on any lands used by the University of Guelph.

Comment [MM593]: Existing OP 7.1.4.1 reworded

4. All lands within the corporate boundary of the City of Guelph are within the *settlement area*. The City recognizes that as *development* occurs on the outskirts of the developed area of the city that existing agricultural and rural uses will gradually disappear. The City recognizes agriculture as a valuable activity and encourages existing *agricultural uses* to continue until these lands are required for *development.*

5. The City is supportive of a local food system that includes access to healthy foods at a neighbourhood level, the Guelph Farmers' Market, temporary farmers' markets and community gardens.

6. The City promotes the use of underutilized sites and long-term development parcels for *urban agriculture* where appropriate and feasible, without limiting the potential for future *development*.

7. Locations for community gardens may be identified as part of the *development* approvals process. The City encourages the provision of space for community gardens, including roof top gardens, in addition to community amenity area requirements for new multiple residential development sites.

8. The City will encourage community gardens by facilitating the use of parks and underutilized public lands for community gardens according to the principles of the City's "Principals and Guidelines for the Location of Community Gardens" as may be prepared and amended. The City may support community gardens by providing water, wood mulch or other forms of in-kind support.

9. The City may partner with community stakeholders to develop mechanisms to promote *urban agriculture* and to mitigate or remove barriers to *urban agriculture*.

10. The City may collaborate with appropriate stakeholders and local partners to develop strategies that advance a healthy, sustainable, secure, resilient, accessible, economically vibrant and equitable food system. Such strategies may address the following among other topics:

    i) planning for locations for food production, processing, distribution, storage and waste management;
    ii) planning for food security; and
    iii) pursuing opportunities for education and community building around local food.

9.2 Residential Uses

9.2.1 General Policies for Residential Uses

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

2. Notwithstanding the maximum residential densities that are specified for various land use designations of this Plan, *development* designed exclusively for occupancy by senior citizens may be permitted to exceed the maximum unit density allowed without bonusing provided that the applicable residential policies are met.

Comment [MM594]: Existing OP 7.2.10 revised

9.2.2 Special Needs Housing

Comment [MM595]: New section heading, changed from Residential Care Facilities

1. *Special needs housing* shall be permitted within land use designations where residential uses are permitted.

Comment [MM596]: Existing OP 7.2.17 revised

2. The City in conjunction with the County, Provincial and Federal governments will support the development and retention of *special needs housing* throughout the City.

3. *Group homes* shall be permitted in all areas of the City where residential uses are allowed in accordance with the policies of this Plan and provided that:

   i) adequate residential amenities and services are available nearby; and
   ii) in instances where a *group home* is located within a residential designation, it is of a size and land use character, which is similar to or *compatible* with the existing area.

4. The *Zoning By-law* will specifically define the various types of *special needs housing* and will establish regulations regarding such matters as minimum distance separation between facilities, minimum standards for occupancy and site *development*.

5. Where an amendment to the *Zoning By-law* is required to permit *special needs housing*, such amendments will consider:

   i) the nature of the proposed use and its *compatibility* with the immediate neighbourhood;
   ii) the objective of community integration;
   iii) the existing *Zoning By-law* regulations;
   iv) specific performance standards such as dwelling type, buffering, minimum amenity area and minimum floor space; and
   v) access to community facilities such as education, public transit and recreation.

9.2.3 Accessory Apartments

1. The City shall provide for the creation of *accessory apartments* in low density residential designations.

2. The *Zoning By-law* will provide specific regulations for *accessory apartments*.

9.2.4 Lodging Houses

1. *Lodging Houses* may be permitted within land use designations permitting residential uses as outlined on Schedule 2 of this Plan provided that:

   i) adequate residential amenities and services are available nearby; and
   ii) in instances where a *lodging house* is located within a residential designation, it is of a size and land use character which is similar to, or *compatible* with the built form of the existing area.

Comment [MM597]: Existing OP 7.2.16

Comment [MM598]: Existing OP 7.2.18 reworded to change "residential care" to "special needs" and to delete "implementing this Plan" after zoning by-law

Comment [MM599]: Existing OP 7.2.19 intro statement reworded

Comment [MM600]: Existing OP 7.2.4 reworded

Comment [MM601]: Existing OP 7.2.20 with minor rewording to update Schedule reference

2. The implementing *Zoning-Bylaw* will specifically regulate *lodging houses* and the appropriate zones in which they may be permitted.

Comment [MM602]: Existing OP 7.2.21

9.2.5 Coach Houses and Garden Suites

1. *Coach houses* and *garden suites* may be permitted within land use designations permitting residential uses as alternative forms of housing in conjunction with detached, semi-detached and townhouse forms of housing.

Comment [MM603]: Existing OP 7.2.22 revised; Added language to indicate which designations.

2. The following criteria will be used as the basis for permitting *coach houses* and *garden suites* by amendment to the implementing *Zoning By-law*:

Comment [MM604]: Existing OP 7.2.22.2

i) the use is subordinate in scale and function to the main dwelling on the lot;
ii) the use can be integrated into its surroundings with negligible visual impact to the streetscape;
iii) the use is situated on an appropriately-sized housing lot;
iv) the use is *compatible* in design and scale with the built form of the main *dwelling unit*;
v) the orientation of the use will allow for optimum privacy for both the occupants of the new *coach house* or *garden suite* and the main dwelling on the lot; and
vi) any other siting requirements related to matters such as servicing, parking and access requirements, stormwater management and tree preservation can be satisfied.

3. *Coach houses* and *garden suites* will be regulated by the provisions of the implementing *Zoning By-law* and shall be subject to Site Plan Control.

Comment [MM605]: Existing OP 7.2.22.1

9.2.6 Home Occupations

1. Home occupations will be permitted within designations of this Plan permitting residential uses.

Comment [MM606]: Existing OP 7.2.23, first sentence deleted, 2nd sentence reworded.

2. A home occupation may be permitted as an ancillary activity within a *dwelling unit*. A home occupation may be permitted as a subordinate activity to a residential use subject to the following development criteria, which will regulate the scale and extent of such activities:

Comment [MM607]: Existing OP 7.2.24 reworded to delete examples

i) only persons residing within the *dwelling unit* will be permitted to operate the home occupation;
ii) the home occupation shall be *compatible* with adjoining residential properties and shall preserve the amenity of the overall residential neighbourhood;
iii) the home occupation shall not change the principal character or external appearance of the dwelling and property

Comment [MM608]: Existing OP 7.2.24 a)

Comment [MM609]: Existing OP 7.2.24 b)

Comment [MM610]: Existing OP 7.2.24 c) split into two

involved; and

iv) no aspect of the home occupation shall be visible from outside the property.

3. The implementing *Zoning By-law* will provide regulations for the development of home occupations.

Comment [MM611]: Existing OP 7.2.25 reworded

9.3 Residential Designations

The following objectives and policies apply to the Residential designations identified on Schedule 2:

- Low Density Residential
- Low Density Greenfield Residential
- Medium Density Residential
- High Density Residential.

Objectives

a) To ensure that an adequate amount of residential land is available to accommodate the anticipated population growth over the planning horizon.

Comment [MM612]: Existing OP 7.2 a) reworded

b) To facilitate the development of a full range of housing types, affordability, densities and tenure to meet a diversity of lifestyles and the social needs, health and well-being of current and future residents, throughout the City.

Comment [MM613]: Existing OP 7.2 b) reworded

c) To encourage and support *special needs housing* throughout the City.

d) To provide for higher densities of residential *development* in appropriate locations to ensure that *transit-supportive* densities, *compact urban form*, *walkable communities* and energy efficiencies are achieved.

e) To ensure *compatibility* between various housing forms and between residential and non-residential uses.

Comment [MM614]: Existing OP 7.2 c) reworded

f) To maintain the general character of built form in existing established residential neighbourhoods while accommodating *compatible* residential infill and *intensification*.

g) To direct new residential *development* to areas where municipal services and *infrastructure* are available or can be provided in an efficient and cost effective manner.

Comment [MM615]: Existing OP 7.2 e) reworded

h) To encourage the distribution of local *convenience commercial* uses and institutional uses in appropriate locations within residential areas.

Comment [MM616]: Existing OP 7.2 i) reworded

i) To ensure new *development* is *compatible* with the surrounding land uses and the general character of neighbourhoods.

j) To promote innovative housing types and forms in order to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups.

k) To ensure that existing and new residential *development* is located and designed to facilitate and encourage convenient access to employment, shopping, institutions and recreation by walking, cycling or the use of transit.

l) To support home occupations throughout the City where residential uses are permitted.

m) To encourage conservation and rehabilitation of older housing to maintain housing stock and the character of the established residential neighbourhoods.

9.3.1 General Policies

9.3.1.1 Development Criteria for Multi-Unit Residential Buildings and Intensification Proposals

The following criteria will be used to assess *development* proposals for multi-unit residential *development* within all residential designations and for *intensification* proposals within existing residential neighbourhoods. These criteria are to be applied in conjunction with the applicable Urban Design policies of this Plan.

1. Building form, scale, height, setbacks, massing, appearance and siting are *compatible* in design, character and orientation with buildings in the immediate vicinity.

2. Proposals for residential lot infill will be *compatible* with the general frontage of lots in the immediate vicinity.

3. The residential *development* can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities, and public transit.

4. Vehicular traffic generated from the proposed *development* will not have an unacceptable impact on the planned function of the adjacent roads and intersections.

5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.

6. That adequate municipal *infrastructure*, services and amenity areas for residents can be provided.

7. Surface parking and driveways shall be minimized.

Comment [MM617]: Existing OP 7.2 k)

Comment [MM618]: Existing OP7.2 f) reworded

Comment [MM619]: Existing OP 7.2 l) reworded

Comment [MM620]: Combination of existing 7.2.7 and 7.2.34 with revisions and additions.

Comment [MM621]: Existing OP 7.2.7 b, reworded

Comment [MM622]: Existing OP 7.2.7 c revised

Comment [MM623]: Existing OP 7.2.7 c) revised

Comment [MM624]: Existing OP 7.2.7 d)

8. *Development* shall extend, establish or reinforce a publically accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.

9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.

10. The *development* addresses public safety, identified *public views* and accessibility to open space, parks, trails and the *Natural Heritage System*, where applicable.

11. The conservation and integration of *cultural heritage resources*, including identified key *public views* can be achieved subject to the provisions of the *Cultural Heritage Resources* Section of this Plan.

9.3.1.2 Non-Residential Uses in Residential Designations

1. Within the residential designations of this Plan, a variety of small-scale institutional uses may be permitted that are complementary to and serve the needs of residential neighbourhoods. Such non-residential uses include:

    i) schools;
    ii) places of worship;
    iii) *child care centres*;
    iv) municipal open space, parks, trails and recreation facilities; and
    v) *convenience commercial* uses limited to a maximum *gross floor area* of 400 square metres on a property.

2. Non-residential uses shall be developed in a manner that is *compatible* with adjoining residential properties and which preserves the amenities of the residential neighbourhood.

3. In addition to the Urban Design policies of this Plan, non-residential uses shall:

    i) be located on an arterial or collector road;
    ii) be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;
    iii) have adequate landscaping and screening to promote *compatibility* with adjacent activities;
    iv) have sufficient off-street parking, circulation and access points; and
    v) have adequate municipal services.

Comment [MM625]: Existing OP 7.2.26 reworded

Comment [MM626]: Existing OP 7.2.27

Comment [MM627]: Existing OP 7.2.27.1 reworded (first sentence only); no changes to 7.2.27.1 a to e

9.3.1.3 Schools

Comment [MM628]: Existing OP 7.2.26.1 reworded

1. Potential school sites are identified by the local school boards and are shown by symbol on Schedule 2 where applicable. The location of proposed schools will be subject to the following provisions:

   i) the symbols used to identify potential school sites do not represent a specific land use designation or location;
   ii) minor shifts in location may occur without amendment to this Plan;
   iii) the symbol does not represent a commitment by a local school board to construct a school facility. The actual construction of a school is subject to capital funding approvals by the School Boards;
   iv) the determination of whether a school site is required, its exact location and land area shall be determined as part of the City's draft plan of subdivision approval process; and
   v) where it is determined that a school is not required, the underlying land use designation will apply, without amendment to this Plan.

9.3.2 Low Density Residential

This designation applies to residential areas within the *built-up area* of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:

Comment [MM629]: Existing OP 7.2.31 revised

   i) detached, semi-detached and duplex dwellings; and
   ii) multiple unit residential buildings, such as townhouses and apartments.

Height and Density

The *built-up area* is intended to provide for *development* that is *compatible* with existing neighbourhoods while also accommodating appropriate *intensification* to meet the overall *intensification target* for the *built-up area* as set out in Chapter 3. The following height and density policies apply within this designation:

2. The maximum height shall be three (3) storeys.

3. The maximum *net density* is 35 units per hectare and not less than a minimum *net density* of 15 units per hectare.

4. Notwithstanding policies 9.3.2.2 and 9.3.2.3, increased height and density may be permitted for *development* proposals on arterial and collector roads without an amendment to this Plan up to a maximum height of six (6) storeys and a maximum *net density* of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

9.3.3 Low Density Greenfield Residential

This designation applies to residential areas within the *greenfield area* of the City. The *greenfield area* is planned to achieve an overall minimum *density target* of 50 persons and jobs per hectare.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:

    i) detached, semi-detached and duplex dwellings; and
    ii) multiple unit residential buildings, such as townhouses and apartments.

Comment [MM630]: Existing OP 7.2.31 revised

Height and Density

To allow for flexibility and to contribute toward the achievement of the overall minimum *density target* of 50 persons and jobs per hectare for the *greenfield area*, the following height and density policies apply.

2. The maximum height shall be six (6) storeys.

3. The maximum *net density* is 60 units per hectare and not less than a minimum *net density* of 20 units per hectare.

9.3.4 Medium Density Residential

The use of land within the Medium Density Residential Designation will be medium density housing forms.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:

    i) multiple unit residential buildings, such as townhouses and apartments.

Comment [MM631]: Existing OP 7.2.36 reworded

Height and Density

2. The minimum height is two (2) storeys and the maximum height is six (6) storeys.

3. The maximum *net density* is 100 units per hectare and not less than a minimum *net density* of 35 units per hectare.

4. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

Parking

5. Structured and/or underground parking is encouraged.

9.3.5 High Density Residential

The predominant use of land within the High Density Residential Designation shall be high density multiple unit residential building forms.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:

    i) multiple unit residential buildings generally in the form of apartments.

Height and Density

2. The minimum height is three (3) storeys and the maximum height is ten (10) storeys

3. The maximum *net density* is 150 units per hectare and not less than a minimum *net density* of 100 units per hectare.

4. Increased height and density may be permitted in accordance with the Height and Density Bonus polices of this Plan.

Parking

5. Structured and/or underground parking is strongly encouraged.

9.4 Commercial and Mixed-use Designations

The Commercial and Mixed-use designations are intended to provide a range of uses to meet the needs of daily living. The commercial policies of this Plan are supportive of the dispersal of commercial uses throughout the City while discouraging the creation of strip development. Commercial centres are intended to be *transit-supportive* developments linked to surrounding neighbourhoods by sidewalks and trails. The Community Mixed-use Centres and Mixed-use Corridors are intended to develop over time into distinct areas with centralized public spaces that provide a range of uses including, retail and office uses, *live/work* opportunities and medium to high density residential uses.

Comment [MM632]: Existing OP 7.2.38 revised, minimum changed from 20 to 35

Comment [MM633]: Existing OP 7.2.41 reworded

Comment [MM634]: Existing OP 7.2.43 revised to remove bonusing for seniors

Comment [MM635]: New, from Urban Design Action Plan

Objectives

a) To ensure that an adequate supply of commercial land is provided throughout the City at appropriate locations to meet the needs of residents and businesses.

b) To promote a distinct identity and character for commercial and mixed-use development through high standards of urban design.

c) To promote the continued economic vitality, *intensification* and revitalization of existing designated commercial and mixed-use areas.

Comment [MM636]: Existing OP 7.4 c) reworded

d) To create mixed-use areas that are pedestrian oriented and *transit-supportive*.

9.4.1 Market Impact Studies

1. Subject to the policies of Section 1.3, proposals to establish new commercial or mixed-use areas or to expand the areas identified on Schedule 2 shall require an amendment to this Plan.

Comment [MM637]: Existing OP 7.4.2 first sentence. Second sentence deleted because it conflicts with Places to Grow.

2. Market Impact Studies shall be required to assess the impact on the City's commercial policy structure when proposals are made to:

Comment [MM638]: Existing OP 7.4.3 reworded to update designation names and policy numbers

   i) establish or expand a Community Mixed-use Centre or Mixed-use Corridor beyond the designation limit boundaries on Schedule 2;
   ii) to exceed the retail floor area limitations within a Community Mixed-use Centre established in policy 9.4.2.17 or the number of large retail uses in policy 9.4.2.15; and
   iii) to extend or enlarge a Neighbourhood Commercial Centre to provide more than 10,000 square metres of *gross floor area*.

3. An appropriate Market Impact Study shall demonstrate that:

Comment [MM639]: Existing OP 7.4.49, reference to CBD changed to Downtown

   i) the proposal can be justified without detriment to the overall function or economic vitality of Downtown or the key component functions that contribute to Downtown's overall vitality;
   ii) the achievement of the City's Strategic Goals, the Urban Design policies and the Commercial and Mixed-use policies and objectives of the Official Plan will not be compromised; and
   iii) the ability of existing designated commercial or mixed-use lands to achieve their planned function will not be compromised.

4. A Market Impact Study shall include:

Comment [MM640]: Existing OP 7.4.50 reference to CBD changed to Downtown

   i) an assessment of the current market situation and the future

potential for the expansion of retail facilities in light of projected population and employment growth;

ii) an evaluation of the economic feasibility of the proposal on the basis of current market demand or retail market opportunity;

iii) an indication of the scale of any adverse affects on the economic viability of Downtown, the key functions that contribute to Downtown's overall vitality and on any existing or planned designated commercial or mixed-use lands provided for in this Plan; and

iv) an assessment of the implications of the proposal relative to the City's approved Commercial Policy Review Study and the objectives and implementing policies of this Plan.

5. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City in determining the terms of reference for a Market Impact Study and/or to provide a peer review of the applicant's submission.

9.4.2 Community Mixed-use Centre

The following Community Mixed-use Centres are designated on Schedule 2:

- Woodlawn/Woolwich
- Paisley/Imperial
- Watson/Starwood
- Gordon/Clair
- Silvercreek Junction

Objectives

a) To promote Community Mixed-use Centres as areas that support a mix of uses including concentrations of commercial, residential and complementary uses serving the immediate neighbourhood and the wider community.

Comment [MM641]: Existing OP 7.4b) reworded

b) To realize in the long term an urban village concept through a mix of uses, in a *compact urban form* with a main street experience and attractive private and public open spaces, such as urban squares.

Comment [MM642]: New from Urban Design Action Plan

Policies

1. The Community Mixed-use Centres identified on Schedule 2 of this Plan are comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads with a node. These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.

Comment [MM643]: Existing OP 7.4.5 reworded

2. The intent of the Community Mixed-use Centre designation is to create a well defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing *Zoning By-laws* may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base.

3. *Development* will be comprehensively planned and integrated with the overall Community Mixed-use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11.

4. Residential uses are intended to be incorporated into Community Mixed-use Centres through the development of mixed-use buildings or medium or high density housing.

5. Properties within the Community Mixed-use Centre will be integrated through internal access roads, entrances from public streets, access to common parking areas, open space, grading and stormwater management systems. Furthermore, it is intended that individual developments within the Community Mixed-use Centre will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.

6. Community Mixed-use Centres are strongly encouraged to incorporate Main Street type development in strategic locations and will be planned and designed to reflect the following:

   i) multi-storey buildings fronting onto the main street;
   ii) ground floor retail and service uses are strongly encouraged;
   iii) office uses at ground floor should be limited;
   iv) residential uses should be provided primarily above commercial uses in addition to some free-standing residential buildings;
   v) the width of storefronts should be limited to encourage pedestrian activity along the street;
   vi) urban squares, where appropriate; and
   vii) on-street parking.

7. The City will require the aesthetic character of site and building design to be consistent with the Urban Design policies of this Plan and any applicable urban design guidelines and shall incorporate measures into *development* approvals to ensure consistency.

8. New streets parallel and adjacent to arterial or collector roads are prohibited.

Comment [MM644]: Existing OP 7.4.6 with designation name changed and addition of height.

Comment [MM645]: Based on Existing OP 7.4.9

Comment [MM646]: Existing OP 7.4.7 reworded

Comment [MM647]: Existing OP 7.4.11 reworded

9. The *Zoning By-law* may establish the maximum length of frontage along arterial roads that may be used for surface parking. This provision may provide different standards for various land uses with the most restrictive standard applying to Main Street type development.

10. The boundaries of the Community Mixed-use Centre designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Proposals to expand a Community Mixed-use Centre beyond these boundaries or to establish a new node shall require an Official Plan Amendment supported by a Market Impact Study in accordance with the policies of this Plan.

Comment [MM648]: Existing OP 7.4.8 reworded

11. *Development* within the Community Mixed-use Centre designation is subject to the policies of Section 3.11 of this Plan.

Permitted Uses

12. The following uses may be permitted in Community Mixed-use Centres, subject to the applicable provisions of this Plan:

Comment [MM649]: Existing OP 7.4.9 revised

i) commercial, retail and service uses;
ii) *live/work* uses;
iii) small-scale professional and medically related offices;
iv) entertainment and recreational commercial uses;
v) community services and facilities;
vi) cultural, educational and institutional uses;
vii) hotels;
viii) medium and high density multiple unit residential buildings; and
ix) urban squares and open space.

13. Vehicle repair and vehicle service stations shall only be permitted as accessory uses.

14. The permitted uses can be mixed vertically within a building or horizontally within multiple-unit buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of *gross floor area*, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total *gross floor area* within the overall development.

Comment [MM650]: Existing OP 7.4.10 reworded

15. No individual Community Mixed-use Centre shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of *gross floor area*.

Comment [MM651]: Existing OP 7.4.13.

16. Large free-standing buildings should be integrated with smaller-scale stores to create a Main Street-type environment or located on peripheral sites within the designation, which are directly linked to the Main Street.

Comment [MM652]: New based on Urban Design Action Plan

Height and Density

17. The Community Mixed-use Centres incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. To promote a mixture of land uses within each Community Mixed-use Centre, retail development will be limited to the following total *gross floor area* cumulatively of all buildings within the designation:

Comment [MM653]: Existing OP 7.4.12 reworded to remove reference to "new" retail and to change figures to totals as per approved Commercial Policy Review.

Mixed-use Centre	Total Gross Floor Area
Gordon/Clair	48,500 sq. m
Woodlawn/Woolwich	56,000 sq. m
Paisley/Imperial	52,000 sq. m
Watson Parkway/Starwood	28,000 sq. m
Silvercreek Junction	22,760 sq. m

Comment [MM654]: OMB Approved OPA

18. The minimum height is two (2) storeys for buildings fronting onto arterial and collector roads and identified main streets and the maximum height is ten (10) storeys.

19. For freestanding residential *development*, the maximum *net density* is 150 units per hectare and the minimum *net density* is 100 units per hectare.

20. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Parking

21. Underground or structured parking is encouraged.

22. Surface parking should generally be minimized, well landscaped and is subject to the Urban Design policies of this Plan.

9.4.3 Mixed-use Corridor

The Mixed-use Corridor designation is intended to serve both the needs of residents living and working on-site, in nearby neighbourhoods and employment districts and the wider City as a whole.

Comment [MM655]: Existing OP 7.4.15 reworded

The following Mixed-use Corridors are designated on Schedule 2:

- Silvercreek Parkway Mixed-use Corridor
- Eramosa Mixed-use Corridor

- Stone Road Mixed-use Corridor.

Objectives

a) To promote the continued economic viability, intensification, diversity of uses and revitalization of the Mixed-use Corridor.

b) To promote a distinctive and high standard of buildings and landscape design for Mixed-use Corridors.

Comment [MM656]: Existing OP 7.4 g) first part

c) To ensure that the development of Mixed-use Corridors occurs in a cohesive, complementary and coordinated manner.

Comment [MM657]: Existing OP 7.4 g) second part

Policies

1. The Mixed-use Corridor designation promotes the *intensification* and revitalization of existing well-defined commercial corridors to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs and residential use at one location. Implementing *Zoning By-laws* may include mechanisms such as minimum density requirements, heights and maximum parking standards to promote the efficient use of the land base.

Comment [MM658]: Existing OP 7.4.16 reworded

2. Where new *development* occurs within the corridor, adjacent lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and urban squares and stormwater management systems.

Comment [MM659]: Existing OP 7.4.17 reworded

3. Furthermore, individual *developments* within the Mixed-use Corridor will be designed to be integrated into the wider community by footpaths, sidewalks and the Bicycle Network and by the placement of multi-storey buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.

Comment [MM660]: Existing OP 7.4.17 reworded

4. *Development* within the Mixed-use Corridor will address the adjacent arterial or collector road and will be planned and designed to:

   i) front multi-storey buildings onto arterial or collector roads;
   ii) provide for ground floor retail and service uses; and
   iii) provide for a rhythm and spacing of building entrances and appropriately sized store fronts to encourage pedestrian activity.

5. The City will require the aesthetic character of site and building design to be consistent with the Urban Design policies of this Plan and shall incorporate measures into the approval of *Zoning by-laws* and Site Plans used to regulate development within the Mixed-use Corridor designation to ensure such consistency.

6. The boundaries of the Mixed-use Corridor designation are intended to clearly distinguish the area as a distinct entity from adjacent land use designations. Proposals to expand a Mixed-use Corridor beyond these boundaries shall require an Official Plan Amendment supported by Market Impact Studies.

Comment [MM661]: Existing OP 7.4.18 reworded

Permitted Uses

7. The following uses may be permitted in the Mixed-use Corridor designation, subject to the applicable provisions of this Plan:

Comment [MM662]: Existing OP 7.4.19 reworded

i) commercial, retail and service uses;
ii) office;
iii) entertainment and recreational commercial uses;
iv) cultural and educational uses;
v) institutional uses;
vi) hotels;
vii) *live/work*;
viii) medium and high density multiple unit residential buildings and apartments; and
ix) urban squares and open space.

8. The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft.) of *gross floor area*, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total *gross floor area* within the overall development.

Comment [MM663]: Existing OP 7.4.20

Height and Density

9. The minimum height is two (2) storeys for buildings fronting onto arterial and collector roads and the maximum height is six (6) storeys.

10. For freestanding residential *development*, the maximum *net density* is 150 units per hectare and the minimum *net density* is 100 units per hectare.

11. Additional height and density may be permitted subject to the Height and Density Bonus provisions of this Plan.

Parking

12. Underground or structured parking is encouraged.

13. Surface parking should generally be minimized, well landscaped and is subject to the Urban Design policies of this Plan.

9.4.4 Neighbourhood Commercial Centre

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

Objectives

a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.

Comment [MM664]: Existing OP 7.4 d) reworded

b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is *compatible* with the surrounding residential neighbourhood.

Comment [MM665]: Existing OP 7.4 d) reworded

c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.

d) To be connected to surrounding neighbourhoods through the City's pedestrian trails, walkways and by transit.

Policies

1. The Neighbourhood Commercial Centre designations on Schedule 2 recognize the existing centres within the City and identify the general location of new Neighbourhood Commercial Centres.

Comment [MM666]: Existing OP 7.4.23

2. To prevent the creation of strip commercial development comprising a series of Neighbourhood Commercial Centres located adjacent to one another along a major street, it is the general requirement of this Plan that designated Neighbourhood Commercial Centres have a minimum distance separation from one another of 500 metres.

Comment [MM667]: Existing OP 7.4.25 reworded

3. This Plan intends that a Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650 square m (50,000 square feet) of *gross floor area*.

Comment [MM668]: Existing OP 7.4.27 reworded

4. Notwithstanding policy 9.4.4.3, the existing Neighbourhood Commercial Centres listed below will be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of *gross floor area:*

Comment [MM669]: Existing OP 7.4.27.1 reworded

- Speedvale Avenue at Stevenson Street
- Victoria Road at Grange Street
- Victoria Road at York Road
- Kortright Road at Edinburgh Road
- Harvard Road at Gordon Street
- Kortright Road at Gordon Street
- Wellington Road at Imperial Road.

5. A Neighbourhood Commercial Centre as listed in policy 9.4.4.4 shall only be extended or enlarged to provide more than 10,000 square metres (108,000 square feet) of *gross floor area* by amendment to this Plan and shall require a Market Impact Study.

Comment [MM670]: Existing OP 7.4.28 reworded

6. The maximum *gross floor area* of an individual retail use within a Neighbourhood Commercial Centre shall be 3,250 square metres (35,000 square feet).

Comment [MM671]: Existing 7.4.29 reworded –changed Node to Neighbourhood Commercial Centre

7. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of *Zoning By-laws*, and *Site Plans* to ensure conformity.

Comment [MM672]: Existing OP 7.4.30 reworded

8. Where new *development* occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems.

Comment [MM673]: Existing OP 7.4.31 reworded

9. *Development* within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.

Comment [MM674]: Existing OP 7.4.31 reworded

10. The *Zoning By-law* may establish the maximum amount of frontage along arterial roads that may be used for surface parking.

Comment [MM675]: new

11. Applications for the purpose of establishing or expanding a Neighbourhood Commercial Centre designation will be required to satisfy the following criteria:

Comment [MM676]: Existing OP 7.4.26, reworded with addition of "will be required"
Existing OP 7.4.26 a) to f), no changes

i) located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
ii) the location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
iii) designed in a manner that is *compatible* with the building design and use of surrounding properties;
iv) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
v) adequate site area will be provided for parking, loading and all other required facilities; and
vi) adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.

Permitted Uses

12. The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:

    i) commercial, retail and service uses;
    ii) small-scale offices;
    iii) community services and facilities;
    iv) *live/work*;
    v) medium density multiple unit residential within mixed-use buildings; and
    vi) urban squares.

13. Vehicle sales and vehicle repair uses shall not be permitted.

14. *Development* will be planned and designed to maintain the principle commercial function through the following:

    i) commercial, retail and office uses situated on the ground floor; and
    ii) residential uses only provided on upper floors.

Height and Density

15. The minimum height is two (2) storeys for buildings fronting onto arterial and collector roads and the maximum height is six (6) storeys.

16. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Parking

17. Underground or structured parking is encouraged.

18. Surface parking should generally be minimized, well landscaped and is subject to the Urban Design policies of this Plan.

9.4.5 Service Commercial

Objectives

a) To ensure an adequate supply of *service commercial* uses throughout the City at appropriate locations.

b) To concentrate highway-oriented and *service commercial* uses within well-defined designated areas, generally along arterial roads.

c) To discourage the creation of new strip *service commercial development*.

Comment [MM677]: Existing OP 7.4.22 revised

Comment [MM678]: Existing OP 7.4 e) reworded

Comment [MM679]: Existing OP 7.4 f) reworded

d) To promote a high standard of building and landscape design for *service commercial* uses and to ensure that pedestrian and vehicular circulation do not conflict.

Comment [MM680]: New based on existing OP 7.4 g)

Policies

1. The Service Commercial designation on Schedule 2 of this Plan is intended to provide a location for highway-oriented and *service commercial* uses that do not normally locate within Downtown because of site area or highway exposure needs and which may include commercial uses of an intensive nature that can conflict with residential land uses.

Comment [MM681]: Existing OP 7.4.32 reworded

2. To promote continued commercial viability of Downtown and planned Mixed-use and Commercial areas, the City will limit the range of *retail commercial* uses that may locate within the Service Commercial designation.

Comment [MM682]: Existing OP 7.4.33 reworded to change CBD to Downtown

3. *Development* proposals within Service Commercial designations will be considered only in instances, where adequate vehicular access, off-street parking and all municipal services can be provided.

Comment [MM683]: Existing OP 7.4.35

4. In some circumstances *development* may not necessarily be provided with direct access to arterial roads. The City shall encourage integration between adjacent *service commercial* uses in terms of entrances to public streets, internal access roads, common parking areas, grading, open space, stormwater management systems and municipal *infrastructure* provision where feasible.

Comment [MM684]: Existing OP 7.4.35 reworded, split out from policy above

5. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines and will incorporate measures into the approval of *Zoning By-laws* and Site Plans to ensure conformity.

Comment [MM685]: Existing OP 7.4.36 reworded

6. This Plan will promote the retention of *service commercial* uses within the well-defined areas as identified on Schedule 2 by:

   i) discouraging the further establishment of new commercial strips and the conversion of lands, located outside of those areas designated Service Commercial on Schedule 2 to commercial use; and
   ii) promoting the retention of Service Commercial designations along only one side of arterial roads in the City.

Comment [MM686]: Existing OP 7.4.38, 7.4.38.1, 7.4.38.2 reworded

7. Where *service commercial* uses are adjacent to designated residential areas, design mechanisms, including those outlined in the Urban Design policies of this Plan shall be applied to reduce potential incompatibilities. These design mechanisms may be specified in the implementing *Zoning By-law* and Site Plans and

Comment [MM687]: Existing OP 7.4.37 reworded

may include building location, buffering, screening and landscaping requirements.

Permitted Uses

8. The following uses may be permitted within the Service Commercial designation subject to the applicable provisions of this Plan:

   i) *service commercial* uses;
   ii) complementary uses such as small-scale offices, convenience uses, institutional and commercial recreation or entertainment uses.

Comment [MM688]: Existing OP 7.4.32 and 7.4.34 reworded

9. Complementary uses may be permitted provided they do not interfere with the overall form, function and development of the specific area for *service commercial* purposes.

Comment [MM689]: Existing OP 7.4.34 revised

Height and Density

10. Development of a minimum height of two (2) storeys is strongly encouraged.

9.4.6 Mixed Office/Commercial

Objectives

a) To allow for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings.

b) To ensure that a *compatible* transition in built-form is provided between uses in this designation and surrounding residential properties.

c) To allow for a range of *compatible* business uses adjacent to residential areas.

Comment [MM690]: Existing OP 7.5 c) reworded

d) To promote the continued use, revitalization and *intensification* of these areas for a mix of uses.

Comment [MM691]: Based on existing OP 7.5 b) and 7.6 c)

Policies

1. The Mixed Office/Commercial designation as identified on Schedule 2 defines areas where a variety of small-scale commercial, office and mixed-uses including residential may be permitted.

Comment [MM692]: Existing OP 7.5.1 reworded

2. While a variety of commercial uses may be permitted by the Mixed Office/Commercial designation, office, *convenience commercial*, *retail commercial* and personal service uses that serve the needs of the surrounding neighbourhoods are specifically promoted.

Comment [MM693]: Existing OP 7.5.1.1 a) name of designation changed.

3. Commercial buildings incorporating *residential units*, either above or behind the ground floor commercial space or freestanding residential buildings are encouraged.

4. The Mixed/Office Commercial designation located peripheral to Downtown includes a variety of small-scale commercial and office operations or mixed commercial-residential uses. This Plan promotes the continued use and revitalization of these distinctive areas.

5. New commercial, office or mixed-use *development* within the Mixed Office/Commercial designation will be subject to the following criteria:

   i) building design should have a street orientation, promote continuity in the streetscape and adhere to the Urban Design policies of this Plan;
   ii) building, property and ancillary structures are designed to be *compatible* with surrounding properties in terms of form, massing, appearance and orientation;
   iii) adequate parking, loading and access are provided; and
   iv) adequate municipal services are provided.

Permitted Uses

6. The following uses may be permitted within the Mixed Office/Commercial designation subject to the applicable provisions of this Plan:

   i) *convenience commercial* and small-scale *retail commercial*;
   ii) small-scale office;
   iii) personal service; and
   iv) detached, semi-detached, townhouses and apartments.

Height and Density

7. The maximum height is four (4) storeys.

8. Residential *development* may be permitted to a maximum *net density* of 100 units per hectare.

9. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

9.5 Employment Designations

The Employment policies apply to the following four designations on Schedule 2:

- Industrial
- Corporate Business Park
- Institutional Research Park
- Mixed Business

Comment [MM694]: Existing OP 7.5.1.1 b) first sentence only.

Comment [MM695]: Existing OP 7.5.1.1 specific policies for York Road deleted.

Comment [MM696]: Existing OP, combination of 7.6.4 and 7.5.3

Comment [MM697]: Taken from Existing OP 7.5.1.1 a) and 7.6.1

The employment lands on Schedule 2 provide an adequate supply and diversity of employment opportunities to the year 2031. To ensure adequate land continues to be available to meet future employment needs, *conversion* of designated employment lands to other uses may only be permitted in accordance with the policies of Section 3.14 of this Plan.

Objectives

The following objectives apply to all Employment designations.

a) To ensure that necessary *infrastructure* is provided to meet current and future employment needs, when required.

b) To ensure all *employment areas* are accessible and well served by transit, trails and sidewalks.

c) To require high urban design standards in accordance with the Urban Design policies of the Plan, particularly adjacent to arterial and collector roads.

Comment [MM698]: Existing OP 7.9.4 reworded

d) To encourage renewable and alternative energy, *district energy* and to achieve conservation or efficiencies of energy and water within and between employment uses and, where possible, surrounding land uses.

Comment [MM699]: New, CEP related

e) To increase the overall density of jobs and promote efficient use of land through compact built form, increased height and reduced building footprints.

Comment [MM700]: New, Places to Grow related

f) To ensure higher employment densities are achieved in the *greenfield area* in order to contribute to the achievement of the minimum overall *density target* of 50 persons and jobs per hectare.

Comment [MM701]: New, Places to Grow

9.5.1 General Policies

The following general policies apply to all Employment designations.

1. Industries which require high volumes of water use should demonstrate through a Water Conservation Efficiency Study that water consumption will be reduced through on-site processing or recycling.

2. The *Zoning By-law* may restrict industries which require high volumes of water use to protect service capacity needs of planned growth.

3. The pattern and design of streets and sidewalks should facilitate accessibility, walking, cycling and transit use and should be connected within and outside the *employment areas*.

4. Where employment uses are adjacent to designated residential uses, design mechanisms, including those outlined in the Urban

Design policies of this Plan shall apply to reduce potential land use incompatibilities.

5. Where residual heat, energy or water is produced in an employment process, it is encouraged to be reused on site or off site in conjunction with other land uses or through existing or planned *district energy* systems.

6. *Development* along the Hanlon Expressway and at gateways to the City will be developed in accordance with the Urban Design policies of this Plan and area specific guidelines that may be prepared from time to time.

9.5.2 Industrial

Objectives

a) To ensure sufficient serviced industrial land is available to attract a diversified range of industrial uses.

b) To ensure the efficient use of existing industrial land and promote *redevelopment* of under-used or *brownfield sites*.

c) To promote and provide for the needs of, and facilitate the establishment of small-scale industries, incubator-type establishments and the expansion of existing industries.

d) To promote and implement high urban design standards and landscaping to ensure attractive industrial *developments*.

e) To prevent the establishment of offensive trades and nuisances that will hinder the orderly development of the community and be detrimental to the environment.

Policies

1. To ensure an adequate supply and variety of serviced industrial land is available to meet the requirements of industrial development the City may:

   i) purchase, develop, and market lands for industrial use; and
   ii) provide for industrial designations in the various geographic locations of Guelph to minimize journey to-work trips and create a diversified economy.

2. To encourage the *development* of attractive industrial areas, and to preserve sites along arterial roads for those industries that desire or require visibility, the City will:

   i) direct such uses as contractors' yards, repair and servicing operations, transportation terminals and utility yards to locate along local or collector roads that are not located

Comment [MM702]: New, CEP related

Comment [MM703]: Existing OP 7.7 a) reworded to add "is available"

Comment [MM704]: Existing OP 7.7.b) reworded, change "utilization" to "use", change "obsolete" to "brownfield"

Comment [MM705]: Existing OP 7.7 c) reworded "recognize" changed to "promote".

Comment [MM706]: Existing OP 7.7 f) with deletion of a policy reference.

Comment [MM707]: Existing OP 7.7.6.2 reworded

Comment [MM708]: Existing OP 7.7.5.1 reworded

Comment [MM709]: Existing OP 7.7.5.1 a)

within an *industrial park*;

ii) maintain higher development standards along arterial roads or within an *industrial park* for such matters as: parking, loading areas, outside storage, landscaping, buffer strips and setback requirements; and

iii) recognize a variety of categories of industrial zones in the *Zoning By-law.*

3. Warehousing and indoor bulk storage of goods will primarily be directed to locate on industrially designated lands within the *built-up area* where there is convenient access to the Hanlon Expressway or rail lines.

4. Land designated Industrial south of Clair Road West on Schedule 2 of this Plan shall generally be characterized by larger, free standing industrial buildings displaying appropriate design standards and sensitivity to natural setting and existing adjacent uses.

5. Where industrial and residential or other *sensitive land uses* are proposed in proximity to one another, the City shall use Ministry of the Environment guidelines to require appropriate planning/land use regulatory measures that will promote *compatibility* between these two land use types. Measures that can assist in creating *compatible* environmental conditions for these basic land uses may include, but not be limited to the requirement for minimum separation distances, sound proofing measures, and odour and particulate capture devices.

6. Industrial land within the Hanlon Creek Business Park (lands located to the west of the Hanlon Expressway and in proximity to Laird Road) will be subject to the following land use *compatibility* considerations. Where a *development* application is proposed which would permit industrial and residential (or other sensitive uses) to be located in proximity to one another and may have an adverse effect, the City may require that one or more of the following measures be used to promote land use *compatibility*:

   i) Ministry of the Environment Guidelines will be applied to ensure adequate separation distances;
   ii) a Noise Impact Study may be required, in compliance with the Ministry of the Environment Guidelines and prepared by a recognized acoustical consultant. This study will be prepared to the satisfaction of the City. Where appropriate, noise mitigation measures and warning clauses will be included in the recommendations;
   iii) appropriate conditions of *development* approval be imposed to mitigate identified *compatibility* issues;
   iv) appropriate regulations be included in the implementing *Zoning By-law*. These regulations may include but are not limited to, minimum building setbacks, maximum building heights, loading space locations, waste, refuse and

Comment [MM710]: Existing OP 7.7.5.1 b)

Comment [MM711]: Existing OP 7.7.5.1 c)

Comment [MM712]: New, rationale to direct facilities that have low job densities to the built-up area and areas with transportation access. From Employment Strategy

Comment [MM713]: Existing OP 7.7.11 reworded, delete reference to South Guelph Secondary Plan

Comment [MM714]: Existing OP 7.7.7 reworded

Comment [MM715]: Existing OP 7.7.7.1 reworded

composting facility locations, outdoor storage locations, requirements for buffer strips, fencing and berms; and

v) impose a Holding Zone to ensure that conditions encouraging land use *compatibility* are implemented.

7. Attractiveness and consistency of image are of prime importance for the built form in gateway locations which are highly visible and adjacent to the Hanlon Expressway. In this regard the City may prepare specific urban design guidelines to provide direction with respect to design principles for *development* in this area.

8. Generally, the following *development* criteria are applicable to lands designated industrial adjacent to the Hanlon Expressway:

Comment [MM716]: Existing 7.7.12.1 revised

i) building elements and/or landscaping should be used to screen views to parking and loading areas; and

ii) outdoor storage shall not be visible from the Hanlon Expressway.

9. Vertical warehousing, second floor offices and other related uses above the first storey are encouraged to reduce land consumption and increase the number of jobs per hectare, particularly in the *greenfield area*.

10. Within areas designated Industrial on Schedule 2 of this Plan, there are a number of properties that have existing zoning, which permits a variety of commercially oriented uses. Although the presence of these commercial uses is not in keeping with the policies of this Plan, the City will recognize these existing uses in the *Zoning By-law*.

Comment [MM717]: Existing OP 7.7.8 reworded

11. Legally existing industrial establishments not located within areas designated Industrial on Schedule 2 of this Plan shall be recognized as legal conforming uses, subject to the zoning provisions in effect at the time of passing of this Plan. When these industries require expansion or the site is to be redeveloped for another land use activity, these industrial establishments will be encouraged to relocate into one of the designated industrial areas of the City.

Comment [MM718]: Existing OP 7.7.4

Permitted Uses

12. The following uses may be permitted within the Industrial designation subject to the applicable provisions of this Plan:

Comment [MM719]: Existing OP 7.7.1, intro statement reworded, added new examples of complementary uses

i) industrial uses, including the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials;

ii) warehousing and bulk storage of goods;

iii) laboratories;

iv) computer and data processing;

v) research and development facilities;

vi) printing, publishing and broadcasting facilities;
vii) repair and servicing operations;
viii) transportation terminals;
ix) contractors' yards; and
x) complementary uses (such as corporate offices, open space and recreation facilities, restaurants, financial institutions, *child care centres*, public and institutional uses and utilities) which do not detract from, and are *compatible* with, the development and operation of industrial uses.

13. Complementary uses may be permitted within the Industrial designation by a *Zoning By-law* amendment.

Comment [MM720]: Existing OP 7.7.2 reworded

14. Commercial uses will not be permitted within the Industrial designation.

Comment [MM721]: Existing OP 7.7.3 reworded

15. Factory sales outlets may be permitted as an accessory use provided only those items that are substantially manufactured or assembled on site are sold. The sales outlet must be entirely located on the site on which the items for sale are manufactured or assembled.

Comment [MM722]: Existing OP 7.7.3 reworded

Height and Density

16. A minimum height of 2 storeys is encouraged.

17. The City shall plan to achieve an average density of 36 jobs per hectare on lands designated Industrial in the *greenfield area*.

18. *Development* with densities of 36 jobs per hectare or more are highly encouraged to locate within the *greenfield area.*

Parking

19. Surface parking should generally be minimized, and is subject to the Urban Design policies of this Plan.

9.5.3 Corporate Business Park

Objectives

a) To provide lands which can be used for office, administrative and/or research and development facilities.

Comment [MM723]: Existing OP 7.9 a

b) To permit a limited range of commercial uses that serve employment uses.

c) To outline *development* criteria that will promote the sensitive integration of corporate business uses at the gateways to Guelph.

Comment [MM724]: Existing OP part of 7.9 b

d) To ensure that *development* is sensitive to adjacent *Natural Heritage System* and designated residential areas.

Comment [MM725]: Existing OP part of 7.9 b

e) To require high urban design standards to ensure attractive and consistent built form.

Comment [MM726]: Existing OP 7.9 c with "urban" added

f) To encourage the use of renewable and alternative energy within Corporate Business Parks.

Comment [MM727]: New, CEP

Policies

1. The Corporate Business Park designation on Schedule 2 of this Plan is intended to provide areas where employment opportunities can be provided in the "knowledge-based" technology field.

Comment [MM728]: Existing OP 7.9.1, reworded

2. High standards of urban design and built form will be required for *development* proposals within the Corporate Business Park designation, which shall recognize and address:

Comment [MM729]: Existing OP 7.9.4.1 reworded

   i) the prominence of the Corporate Business Park in association with the southern gateway locations to Guelph;
   ii) the environmental sensitivity of *natural heritage features* that are found in proximity to the Corporate Business Park lands; and
   iii) the need to promote *compatibility* in land use and design between the Corporate Business Park lands and residential uses in the south end of Guelph.

3. *Development* proposals within the Corporate Business Park designation will be subject to the Urban Design policies of this Plan including gateway policies.

Comment [MM730]: Existing OP 7.9.4.2 reworded

4. Buildings should have a consistent setback from the public right-of-way to create an attractive and consistent streetscape. The implementation of this provision is particularly applicable along arterial and collector roads.

5. Building elements and/or landscaping should be used to screen views to parking and loading areas facing a public street.

6. Where Corporate Business Park and residential uses are in proximity to one another, the City shall require appropriate planning/land use controls to enhance *compatibility* between these land use types in accordance with the Ministry of the Environment guidelines. Measures that can assist in enhancing *compatibility* include but are not limited to minimum separation distances, sound proofing, odour and particulate control, landscaping and berming. Such measures will be implemented through means of the *Zoning By-law*, *Site Plan* Control, and/or the use of urban design guidelines.

Comment [MM731]: Existing OP 7.9.4.3 reworded

7. Corporate Business Park designated land west of the Hanlon Expressway has a high level of visibility from the Hanlon

Comment [MM732]: Existing OP 7.9.4.4 reworded

Expressway. By virtue of its visual prominence, excellent access, proximity to Highway 401, and distinctive natural setting, *development* of this area should occur in a manner which establishes a park or campus like setting with extensive landscaping and a high standard of urban design in accordance with the following provision:

i) architectural detail, building massing, landscaping and site design shall collectively result in establishing an attractive entrance or gateway feature for the City in this location. Design and building control shall also be used to maintain sensitivity to nearby designated residential or natural areas. In this regard the City may prepare specific urban design guidelines to provide direction with respect to design principles.

8. Corporate Business Park designated land east of the Hanlon Expressway has a high level of visibility from Gordon Street. By virtue of its visual exposure and access to Gordon Street, proximity to Highway 401, and distinctive natural setting, *development* of this area should occur in a manner which establishes a park or campus like setting with extensive landscaping and a high standard of urban design in accordance with the following provision:

Comment [MM733]: Existing OP 7.9.4.6

i) architectural detail, building massing, landscaping, and site design shall collectively result in establishing an attractive entrance or gateway feature for the City of Guelph in this location. Design and building control shall also be used to maintain sensitivity to nearby designated residential or natural areas. In this regard the City will prepare specific urban design guidelines to provide direction with respect to design principles.

Permitted Uses

9. The following uses may be permitted in the Corporate Business Park designation subject to the applicable provisions of this Plan:

Comment [MM734]: Existing OP7.9.2 reworded, vi is new

i) office and administrative facilities;
ii) manufacturing;
iii) warehousing;
iv) hotel and convention facilities;
v) research and development facilities;
vi) associated ancillary retail uses that are an integral component of the primary uses; and
vii) complementary or accessory uses may be permitted. Such uses may include restaurants, financial institutions, medical services, fitness centres, open space and recreation facilities and *child care centres*.

10. Notwithstanding the uses permitted in 9.5.3.9, lands located west of the Hanlon Expressway at the main entrance to the Hanlon Creek Business Park on Laird Road may be permitted to be used for *service commercial* uses in free standing or multi-tenant buildings provided that such uses are directly related to, associated with and directly supportive of the corporate business and industrial uses in the Hanlon Creek Business Park. The *Zoning By-law* will establish the appropriate range of *service commercial* uses which may include *convenience commercial*, financial establishments, *child care centre*, personal service, restaurant, commercial school, hotel, office supply and print shop. More intensive highway *service commercial* type uses and vehicle-related uses shall not be permitted.

11. The implementing *Zoning By-law* will establish the zoning categories and appropriate regulations to permit and control uses within the Corporate Business Park designation.

Comment [MM735]: Existing OP 7.9.3 reworded

12. Uses are permitted within enclosed buildings including multi-tenant buildings or malls.

Comment [MM736]: New, taken from existing OP 7.9.2

13. Outdoor storage shall not be permitted.

14. The Corporate Business Park lands located west of the Hanlon Expressway shall be appropriately zoned to accommodate larger and/or more intensive users, within single purpose buildings, multi-tenant buildings or groupings of buildings in accordance with the following provision:

Comment [MM737]: Existing OP 7.9.4.5, first sentence reworded.

i) permitted uses may include research and development facilities, trade and convention facilities, computer, electronic and data processing enterprises, office and administrative facilities, manufacturing and warehousing within an enclosed building, hotel and complementary *service commercial* uses such as financial institutions and restaurants which are developed as part of a larger building complex. Other complementary uses may be permitted without amendment to this Plan provided that the proposed use is consistent with the planned function of the designation. Permitted complementary uses will be controlled by means of specialized zoning categories and regulations of the implementing *Zoning By-law*.

15. Corporate Business Park lands located east of the Hanlon Expressway shall be appropriately zoned to accommodate smaller or less intensive users than the corporate land users found west of the Hanlon. Lot sizes will generally be 4 hectares (10 acres) or smaller for single purpose buildings, groupings of buildings, or mall type buildings in accordance with the following:

Comment [MM738]: Existing OP 7.9.4.7, intro sentence reworded, reference to existing rest homes deleted.

i) permitted uses will include research and development facilities, computer, electronic and data processing

enterprises, corporate office and administrative facilities, assembly and light manufacturing of product lines requiring on-going research and development and the following *service commercial* uses: commercial school, courier service, *day care centre*, financial establishment, hotel, office, office supply, medical office, postal service, print shop, public hall, recreation centre, research establishment, restaurant, telecommunication service, veterinary service. Other complementary uses may be permitted without amendment to this Plan provided that the proposed use is consistent with the planned function of the designation.

Height and Density

16. A minimum height of two (2) storeys is strongly encouraged.

17. The City shall plan to achieve an average density of 70 jobs per hectare on lands designated Corporate Business Park in the *greenfield area*.

Comment [MM739]: New, Employment Strategy Phase 2, and Places to Grow

Parking

18. Surface parking should be minimized, well landscaped and subject to the Urban Design policies of this Plan. Surface parking for employees should be located in the rear or side yard. Only very limited parking, such as visitor parking, may be permitted within the front yard.

19. Structured or underground parking is encouraged to reduce or eliminate the need for surface parking.

9.5.4 Institutional/Research Park

Objective

a) To recognize an area where land may be used for major institutional uses, research activities and a limited range of commercial activities.

Comment [MM740]: Existing OP 7.11 a) reworded

Policies

1. Architectural detail, building massing, landscaping and site design shall ensure an attractive streetscape that is pedestrian oriented.

2. *Buffering* will be provided and maintained between the Institutional Research Park designation lands on the south side of Stone Road and the residential area to the south. This *buffering* may be accomplished by a combination of building set-backs, berming and landscaped screening.

Comment [MM741]: Existing OP 7.11.2

Permitted Uses

3. In addition to the uses permitted by the Major Institutional designation of this Plan, the following uses may be permitted on lands designated as Institutional/Research Park, subject to the applicable provisions of this Plan:

   i) research and development facilities;
   ii) computer, electronic and data processing enterprises;
   iii) offices;
   iv) assembly and manufacturing of product lines requiring on-going research and development support; and
   v) *service commercial uses*, such as restaurants and banks.

Comment [MM742]: Existing OP 7.11.1 revised

4. In addition to uses specified in policy 9.5.4.3, certain commercial uses may be permitted within the Institutional/Research Park designation in the vicinity of the Stone Road and Gordon Street intersection. Commercial activities shall include *service commercial* uses such as hotel, motel, convention services, recreation and cultural facilities, offices and restaurants.

Comment [MM743]: Existing OP 7.11.4 with updated policy # reference

5. Outdoor storage and uses of a noxious nature shall not be permitted.

Comment [MM744]: Existing OP Part of 7.11.1, outdoor storage = new

Height and Density

6. A minimum height of two (2) storeys is encouraged.

Parking

7. Surface parking should be minimized, well landscaped and is subject to the Urban Design policies of this Plan. Parking for employees should be located in the rear and side yard. Only limited parking such as visitor parking may be permitted within the front yard.

8. Structured and/or underground parking is encouraged to reduce or eliminate the need for surface parking.

9.5.5 Mixed Business

Objectives

Comment [MM745]: Existing OP 7.8 a) to g)

a) To provide a flexible land use framework permitting a mix of business land use activities.

b) To promote reinvestment, *intensification* and the efficient use of existing business lands and buildings for business purposes.

c) To provide opportunities for smaller-scale entrepreneurial enterprises and land use activities that support the needs of business, employees and neighbourhood residents.

d) To discourage land uses that detract from the planned function of the Mixed Business land use designation.

e) To restrict the range of *retail commercial* activities permitted within the Mixed Business land use designation.

f) To promote business land uses which minimize land use compatibility impacts affecting the surrounding residential neighbourhood.

g) To improve the image of the Mixed Business designation through the implementation of streetscapes improvements and site plan approval.

Policies

1. A land use compatibility analysis will be required where industrial and *sensitive uses* are proposed in proximity to one another in accordance with subsection 9.5.2.5 of this Plan.

Comment [MM746]: Existing OP 7.8.5, policy reference updated

2. New *development* shall meet the required off-street parking, circulation and loading requirements applicable to the proposed land use.

Comment [MM747]: Existing OP 7.8.7

3. This Plan promotes streetscape improvements and new *development* proposals are to be implemented in accordance with the Urban Design policies of this Plan.

Comment [MM748]: Existing OP 7.8.8, reworded to update references

4. Conditions may be imposed on site plan approvals requiring landscaped buffers, screening of outdoor storage, parking, loading and refuse areas. Increased set-backs and buffering measures will be required where business land uses are adjacent to existing residential or sensitive land uses.

Comment [MM749]: Existing OP 7.8.8 c) reworded

Permitted Uses

Comment [MM750]: Based on Existing OP 7.8.1, 7.8.2, 7.8.3

5. The following uses may be permitted on lands designated as Mixed Business, subject to the applicable provisions of this Plan:

   i) uses permitted in the Industrial designation;
   ii) office;
   iii) *convenience commercial*; and
   iv) institutional.

6. The 'Mixed Business' land use designation is intended to provide areas where a mix of business land uses can be provided. The specific range of permitted land uses and appropriate regulations will be defined in the implementing *Zoning By-law*. The range of

Comment [MM751]: Existing OP 7.8.1

land uses will be restricted when adjacent to existing *sensitive land uses* (residential, institutional or park).

7. A limited range of *retail commercial* uses will be permitted and the range of uses will be defined in the implementing *Zoning By-law*. It is the intent of this Plan to permit *retail commercial* uses within this designation which do not directly compete with the retailing activities found in Downtown and other planned commercial areas.

Comment [MM752]: Existing OP 7.8.2

8. A limited range of institutional uses which do not detract from the planned function of the Mixed Business land use designation will be considered through a *Zoning By-law* amendment process (i.e. government uses, places of worship, *child care centres*, indoor community and recreation facilities). *Development* approval conditions will be imposed to address land use compatibility, railway and property clean-up requirements.

Comment [MM753]: Existing OP 7.8.3 reworded

9. New *sensitive land uses* (residential, institutional or park) that detract from the primary business land use function of the Mixed Business land use designation will not be permitted. This policy applies to all forms of residential use and uses where significant outdoor activities occur.

Comment [MM754]: Existing OP 7.8.4

9.6 Major Institutional

The Major Institutional designation recognizes and allows for large-scale institutional uses such as the University of Guelph, Conestoga College, Guelph General Hospital and continuum-of-care facilities.

Objectives

a) To recognize and support large scale institutional land uses as an important component of the community and its economic base.

b) To ensure that institutional, educational, health care and social services are provided at suitable locations to meet the needs of residents in the City and surrounding region.

Comment [MM755]: Existing OP 7.10 a) with 'adequate" removed.

c) To encourage the provision of a full range of continuum-of-care facilities in appropriate settings to serve the residents of Guelph and surrounding region.

Comment [MM756]: Existing OP 7.10 b) with area changed to region.

Policies

1. The establishment of new Major Institutional areas not designated on Schedule 2 shall require an amendment to this Plan. When considering such amendments, the following factors shall be taken into account:

Comment [MM757]: Existing OP 7.10.3 revised

i) the site's location relative to arterial or collector roads;

Comment [MM758]: Existing OP 7.10.3 a)

ii) the *compatibility* of the proposed *development* with the height, massing and scale of institutional buildings or residential buildings

Comment [MM759]: Existing OP 7.10.3 b) revised

in the immediate vicinity;

iii) the design and layout of the proposed buildings or structures to preserve as much open space as possible;

iv) the proximity of the site to existing or planned public transit routes; and

v) the adequacy of municipal services to the proposed area.

2. Pedestrian and cyclist connections to and through lands designated as Major Institutional are encouraged.

Permitted Uses

3. The following uses may be permitted in the Major Institutional designation, subject to the applicable provisions of this Plan:

i) public buildings;
ii) universities, colleges;
iii) social and cultural facilities;
iv) correctional and detention facilities;
v) hospitals;
vi) *special needs housing*;
vii) residential care;
viii) health care facilities; and
ix) complementary uses, such as *convenience commercial* and personal service uses, residences, day care facilities, parks and recreation facilities and non-livestock based agriculture.

4. Complementary uses may be permitted provided that they do not conflict with or interfere with the satisfactory operation and development of the lands for institutional purposes.

i) For *convenience commercial* and personal service uses, these facilities will be oriented and designed to primarily serve the needs of those persons directly associated with the 'Major Institutional' use. These uses shall not be located in a manner that will attract or serve the general public.
ii) For residential uses, these activities will be designed for, and used by those persons directly associated with the 'Major Institutional' use.

9.7 Open Space and Parks

Open space and parks provide health, environmental, aesthetic and economic benefits that are important elements for a good quality of life. Lands designated Open Space and Parks are public or private areas where the predominant use or function is active or *passive recreational activities*, conservation management and other open space uses.

Objectives

a) To develop a balanced distribution of open space, active and passive parkland and recreation facilities that meet the needs of all residents and

Comment [MM760]: new

Comment [MM761]: Existing OP 7.10.3 c)

Comment [MM762]: Existing OP 7.10.3 d)

Comment [MM763]: New

Comment [MM764]: Existing OP 7.10.1 and 7.10.2 reworded

Comment [MM765]: Existing OP 7.10.2 reworded to place the identified uses in the list of permitted uses. C) deleted here because it is covered under Urban Agriculture

Comment [MM766]: Existing OP 7.12 a) reworded

are conveniently located, accessible and safe.

b) To co-operate and partner with other public, quasi-public and private organizations in the provision of open space, trails and parks to maximize benefits to the community.

Comment [MM767]: Existing OP Reworded 7.12 f)

c) To assist in protecting the City's urban forests, the *Natural Heritage System* and *cultural heritage resources*.

Comment [MM768]: Existing OP Reworded 7.12d); and from Rec, Parks and Culture Strategic Plan 6-23

Policies

1. Where any land designated Open Space and Parks is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the City or any other public agency.

Comment [MM769]: Existing OP 7.12.3 reworded

2. Where lands designated Open Space and Parks are in private ownership and a *development* application is made requesting a change to a land use other than Open Space and Parks, due consideration shall be given by Council to the following:

   i) Council will consider the acquisition of the subject lands, having regard for the following:

      a. the provision of adequate open space, parks and recreational areas, particularly in the vicinity of the subject lands;
      b. the existence of *cultural heritage resources* or *natural heritage features* on the site;
      c. the recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
      d. the possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
      e. the ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space and parks acquisition plan.

Comment [MM770]: Existing OP 7.12.3.1 a) reworded

   ii). If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an Open Space and Parks designation by such means as management agreements or *easements*, where applicable.

Comment [MM771]: Existing OP 7.12.3.1 b)

3. Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to secure the lands in an Open Space and Parks designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated Open Space and Parks.

Comment [MM772]: Existing OP 7.12.3.2, updated to new designation name.

4. When developing major recreation facilities such as indoor swimming pools, arenas or major parks or open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.

Comment [MM773]: Existing OP Reworded 7.12.4 to add major parks

5. Where appropriate, the City may implement practices that naturalize portions of City parks and incorporate indigenous vegetation.

Comment [MM774]: New based on Rec Parks and Culture Strategic Plan 6-26 and 6-37

Permitted Uses

6. The following uses may be permitted in the Open Space and Parks designation, subject to the applicable provisions of this Plan:

Comment [MM775]: Existing OP Revised 7.12.1 and 7.12.2; school sites deleted as a permitted use

i) public and private recreational uses and facilities;
ii) parks;
iii) golf courses;
iv) conservation lands;
v) cemeteries; and
vi) complementary uses.

7. Complementary uses are uses that are normally associated with the main recreational use, are *compatible* with, and do not detract from or restrict, the primary function of the Open Space and Parks designation. Such complementary uses may include, but are not necessarily restricted to horticulture, restaurants, club houses, pro shops, public halls and other accessory buildings.

Comment [MM776]: Existing OP Revised 7.12.2; deletes forestry resources, public utilities, accessory uses.

9.8 Major Utility Designation

Comment [MM777]: Changed from "Waste Management" in existing OP

The Major Utility designation recognizes utility uses that are operated by the City or under agreement with the City, serve a city-wide function and may not be appropriate within an industrial designation.

Objectives

a) To provide effective and efficient utility services to all areas of the City.

Comment [MM778]: Existing OP 7.15 a) reworded

b) To protect public health and safety and to minimize environmental impacts.

Comment [MM779]: Existing OP 7.15 b)

c) To prevent nuisance effects from utility facilities and sites.

Comment [MM780]: Existing OP 7.15 c) reworded

Policies

1. Facilities shall be operated by the City or under agreement with the City.

Comment [MM781]: Existing OP 7.15.1 only last sentence

2. The expansion of a major utility use or establishment of a new facility beyond the boundaries of the Major Utility designations outlined on Schedule 2 shall require an amendment to this Plan in conjunction with the necessary approvals under the *Environmental Assessment Act* or other applicable legislation. The processes followed and materials developed to satisfy Provincial requirements shall be considered to satisfy

Comment [MM782]: Existing OP 7.15.2 reworded

the requirements of the amendment process for this Plan.

3. The City will ensure that any land use or *development* or *redevelopment* proposal in the vicinity of a Major Utility designation is *compatible* with the adjacent utility operation.

Comment [MM783]: Existing OP 7.15.3 reworded

4. Appropriate separation distances between a major utility facility and adjacent land uses shall be maintained as required by policies and guidelines as approved by the Province.

Comment [MM784]: Existing OP 7.15.3.1 reworded

5. The City may require special design considerations and development conditions for *development* proposals in the vicinity of Major Utility designations of this Plan.

Comment [MM785]: Existing OP 7.15.3.2 reworded

Permitted Uses

6. The following uses may be permitted in the Major Utility designation, subject to the provisions of this Section and the applicable provisions of this Plan:

Comment [MM786]: Existing OP 7.15.1.1 reworded. Landfill site deleted as permitted use because Eastview Land fill is now closed. Municipal Works Yard added – previously designated Industrial. Electrical transformer stations added – previously in an industrial designation but is also a use permitted in any land use designation.

i) water and wastewater treatment facilities;
ii) transfer stations;
iii) electrical transformer stations and associated facilities;
iv) facilities for waste reuse, recycling, reclamation, recovery, composting or anaerobic digestion; and
v) municipal works yards.

9.9 Special Study Areas

The Special Study Areas designation applies to the following areas as identified on Schedule 2:

- lands within the Guelph Innovation District
- Beverley Street (former IMICO site)

Objectives

a) To undertake appropriate studies to determine future land uses within lands designated Special Study Area.

b) To plan for future *development* in a comprehensive, cohesive and integrated manner through the development of detailed secondary plans.

c) To plan and implement urban village concepts in the *greenfield area* with a mix of residential, commercial, employment and community services in a *compact urban form* which include Main Street streetscapes and attractive private and public spaces.

d) To ensure that *development* exhibits the highest standards in environmental and energy sustainability and urban design.

e) To ensure lands within the *greenfield area* are planned to achieve a minimum *density target* of 50 persons and jobs per hectare by 2031.

f) To ensure the areas are connected to developed areas of the City through all mobility modes including roads, transit and trails.

9.9.1 Guelph Innovation District Special Study Area

1. The Guelph Innovation District (GID) is located in eastern Guelph and is generally bounded to the north by York Road, to the east by Watson Parkway, extends south of Stone Road to the City boundary and west to College Avenue. The GID special study area designation is located within the GID Secondary Plan Study Area as identified on Schedule 2.

2. A Secondary Plan will be completed by the City to plan for future land uses, servicing, phasing of development, transportation and impact assessment on natural heritage features and cultural heritage resources. The Secondary Plan will consider renewable and alternative energy, including the feasibility for *district energy* and will consider the potential use of the Guelph Junction Railway for passenger service and will be subject to the policies in Section 10.2 and all other relevant policies and provisions of this Plan.

Comment [MM787]: Existing OP 7.17.12 Revised; First sentence is existing policy 7.17.1.2, 2nd sentence is new

3. Changes in land use, lot additions and expansions of existing non-residential uses may be *permitted* without amendment to this Plan provided that the *development* proposal does not compromise the potential outcomes or original rationale for undertaking the intended planning study.

Comment [MM788]: Existing OP 7.17.1.2.2

4. The completion of the Guelph Innovation District Secondary Plan is a priority of the City.

Comment [MM789]: Existing OP 7.17.1.3 reworded

5. A detailed Stormwater Management and Municipal Servicing Report is required prior to *development* in the Guelph Innovation District Secondary Plan area. These reports will be prepared on the following basis:

   i) they will be subject to approval by the City and the Grand River Conservation Authority; and
   ii) the reports will be consistent with and implement the recommendations of the updated subwatershed studies as approved by relevant agencies and adopted by Council and the Secondary Plan, once approved.

9.9.2 Beverley Street

1. The City will prepare a planning study to consider the future land use of property located at 200 Beverley Street. The planning study will address the *brownfield* status of the property and other relevant planning and technical considerations.

9.10 Reserve Lands

The Reserve Lands designation applies to the following areas as identified on Schedule 2:

- Hanlon West
- Clair-Maltby

Objectives

a) To outline areas of the City where there may be servicing, access or other *development* related limitations for urban growth.

b) To outline areas that may be required for future urban development beyond the year 2031.

c) To outline the City's requirements to bring reserve lands into urban use.

9.10.1 Policies

1. The Reserve Lands designation is applied to lands on Schedule 2 forming part of the long term urban land supply but which have servicing, access or other limitations to their use. As a result, it is considered premature to apply site specific land use designations to these areas.

2. Existing legal uses of land may continue in accordance with the *Zoning By-law*.

3. Servicing and minor expansions of existing uses may be considered in accordance with the provisions of this Plan.

9.10.2 Hanlon West

1. The Reserve Lands designation applies to lands west of the Hanlon Parkway and north of College Avenue West. *Development* of these lands is constrained due to the site's isolation from other developable properties within the City's *settlement area* boundary, lack of direct access to a municipal road and servicing issues. The parcel is part of a licensed *mineral aggregate operation* and *development* is neither feasible nor permitted until the *mineral aggregate operation* has ceased.

9.10.3 Clair-Maltby

1. The Reserve Lands designation is applied to lands in the south of Guelph generally located south of Clair Road and north of Maltby Road. These lands form part of the longer term urban land supply to 2031 and beyond.

2. *Development* in the reserve lands designation south of Clair Road shall require the preparation of an updated subwatershed study

Comment [MM790]: Existing OP 7.16 a)

Comment [MM791]: Existing OP 7.16 b) revised

Comment [MM792]: Existing OP 7.16 c)

Comment [MM793]: Existing OP 7.16.1 reworded

Comment [MM794]: Existing OP 7.16.2 reworded to delete reference to 1996 Zoning Bylaw

Comment [MM795]: Existing OP 7.16.2 reworded

that has been approved by relevant agencies and adopted by Council.

3. The redesignation of Reserve Lands to other land use designations will be considered through a Secondary Plan. The Secondary Plan will address the issues outlined in Section 10.2 of this Plan and will consider:

   i) whether City population and household forecasts justify the need for incorporating such land as part of the City's unconstrained short to medium term land supply; and
   ii) whether additional residential and non-residential lands are required and the basis for the requirement.

4. This area is not intended to be serviced in the near future and as a result *development* and changes in land use will not be permitted and will be considered premature until the Secondary Plan is approved to guide land use and phasing of *development*.

5. The Secondary Plan for this area will consider the planning of this area as a sustainable community that provides a range and mix of housing, commercial and employment opportunities within an urban village context while ensuring integration with the rest of the City.

6. Existing legal uses may continue in accordance with the provisions of the implementing *Zoning By-law*.

Comment [MM796]: Existing OP 7.16.4 reworded, 7.16.4 a) and b) no change

9.11 Natural Heritage System Designations

Comment [MM797]: OPA 42

1. The *Natural Heritage System* is comprised of two designations as identified on Schedule 2:

   - Significant Natural Areas
   - Natural Areas

2. The objectives, permitted uses and policies for the *Natural Heritage System* are addressed in Chapter 4.

9.12 Approved Secondary Plans

Objectives

a) To identify areas that have undergone detailed Secondary Plans.

b) To provide more detailed planning objectives and policies to direct and guide future development within specific areas of the City.

Policies

1. *Development* within the Approved Secondary Plan area will be subject to the general policies of this Plan in addition to the detailed policies of the

Secondary Plan. However, where the Secondary Plan provides more detail, the provisions of the Secondary Plan shall prevail.

Permitted Uses

2. Uses as permitted by the Secondary Plan.

9.13 Site Specific Policies

Comment [MM798]: New section, previously site specific policies and policy exemptions were contained in the sections that they were referencing.

The policies in this Section are reflective of unique circumstances in consideration of the general land use policies noted in previous Sections of this Plan and were subject to previous site specific planning approvals. The site specific policies are categorized by general geographic district in the City (divided to the east, west and south areas as delimited by the Speed and Eramosa Rivers) and are listed by alphabetical address for each area.

9.13.1 East Guelph

1. 199 Alice Street
In addition to the provisions of policy 9.3.2.2 Non-residential uses in residential designations, there are several properties within the St Patrick's Ward area (the neighbourhood to the east of the Downtown) that will continue to support a variety of business land uses in addition to any permitted residential land uses. The intent of this policy is to provide for a range of compatible business land uses where adjacent to residential areas. The specific range of permitted land uses will be defined in the implementing *Zoning By-law* for the following properties known municipally as: 199 Alice Street, 37 Empire Street, 23 Garibaldi Street, 60 Ontario Street, 320 York Road, 383 York Road, 405 York Road and 471 York. New sensitive land uses (residential, institutional or park) may also be permitted on these properties provided that they are compatible with surrounding land uses and the site has been cleaned-up or decommissioned as appropriate.

Comment [MM799]: Existing OP 7.2.30.10 reworded

2. 165 Dunlop Drive
This Plan recognizes that an abattoir, meat packing and processing plant shall be permitted on lands located at 165 Dunlop Drive.

Comment [MM800]: Existing OP 7.1.5 a) reworded and address changed to reflect current address

3. 300 Elizabeth Street
In addition to the uses permitted by the Low Density Residential designation for the lands located at 300 Elizabeth Street, the property may also be used for office and personal service uses.

4. 37 Empire
- see '199 Alice Street' for policy

5. 127 and 135 Ferguson Street
In addition to the uses permitted by the Low Density Residential

Comment [MM801]: Existing OP 7.2.30.11 reworded

designation, a club and compatible uses normally associated with the main use shall be permitted on the property municipally known as 127 and 135 Ferguson Street. The off-street parking requirements may be satisfied by an adjacent parking lot located between Ferguson Street and Elizabeth Street.

6. 23 Garibaldi Street
- see '199 Alice Street' for policy

7. 122 Harris Street
In addition to the uses permitted by the Low Density Residential designation, a religious use and compatible uses normally associated with the main use shall be permitted on the property municipally known as 122 Harris Street.

Comment [MM802]: Existing OP 7.2.30.12 reworded

8. 176 Morris Street
In addition to the use provisions of the Low Density Residential designation, a live theatre and associated uses may be permitted on the property located at 176 Morris Street.

Comment [MM803]: Existing OP 7.2.30.8 reworded

9. 5 Ontario Street
In addition to the use provisions of the Low Density Residential designation, a free-standing office may be permitted on the property located at 5 Ontario Street.

Comment [MM804]: Existing OP 7.2.30.6 reworded

10. 60 Ontario Street
- see '199 Alice Street' for policy

11. 697 Victoria Road North
The Neighbourhood Commercial Centre designation at the northeast corner of Victoria Road North and Wideman Boulevard and known municipally as 697 Victoria Road North may also be used for an auto gas bar use.

12. 3 Watson Road
In addition to the uses permitted by the Industrial designation, the use of lands located at 3 Watson Road may be extended to include the following commercial activities: an office, showroom and shop for a tradesman or home improvement contractor including wholesale and retail sales of related goods and services.

Comment [MM805]: Existing OP 7.7.10 reworded

13. 320 York Road
- see '199 Alice Street' for policy

14. 383 York Road
- see '199 Alice Street' for policy

15. 405 York Road
- see '199 Alice Street' for policy

9.13.2 West Guelph

1. 133 and 135 Bagot Street

In spite of the provisions of the High Density Residential designation, the development of a *semi-detached dwelling* may be permitted at 133-135 Bagot Street at a density of 30 units per hectare.

Comment [MM806]: Existing OP 7.2.47 reworded

2. 95 Crimea Street

In addition to the uses permitted by the Industrial designation, the land municipally known as 95 Crimea Street may also contain the following institutional and commercial activities: a religious establishment, a school and a *day care centre*.

Comment [MM807]: Existing OP 7.7.10 reworded

3. 355 Elmira Road North

In addition to the Industrial uses permitted by the land use designation for property located at 355 Elmira Road North, the following additional commercial uses may be permitted: bank, restaurant or cafeteria, barber shop or beauty salon, recreation or entertainment establishment, and catering service.

Comment [MM808]: Existing OP 7.7.9 reworded

4. 87 Silvercreek Parkway North

In addition to the use provisions of the Low Density Residential designation, a free-standing office and life-skills training centre for persons with disabilities may be permitted on the property located at 87 Silvercreek Parkway North.

Comment [MM809]: Existing OP 7.2.30.7 reworded

5. 35 and 40 Silvercreek Parkway South (Silvercreek Junction)

Comment [MM810]: Existing OP 7.17; OMB File #0070094

These policies apply to the area highlighted and noted as "Silver Creek Junction" on Schedule 2 – Land Use Plan.

In addition to the general Urban Design objectives and policies of this Plan, the following urban form statement, objectives and policies apply to the Silver Creek Junction lands.

1 Urban Form Statement – Silver Creek Junction

The area contains the former LaFarge lands, an abandoned brownfield site, straddling Silvercreek Parkway between the CNR and Goderich and Exeter (GEXR) rail-lines south of Paisley Road, abutting the Hanlon Expressway. Redevelopment of these lands shall be focused around the creation of a central, urban "village market square" straddling Silvercreek Parkway which will assist in creating a neighbourhood composed of a mix of land uses.

The public village market square feature will be complemented by a cohesive, mixed-use redevelopment

scheme permitting a range of land uses, including large-format and specialty retail, a range of employment uses, institutional uses, high density residential uses and open space on the surrounding lands. The central village market square area will house a limited range and scale of specialized *service commercial* uses, mixed-use and live work arrangements that are intended to serve the surrounding employment and residential uses.

The redevelopment scheme on the subject lands shall also incorporate a new neighbourhood-scale public park that links the central village market square to the Howitt Creek valley to the east. The development will also involve the re-alignment of a portion of the existing Silvercreek Parkway through the central part of the lands, to the extent appropriate, to optimize a functional and cohesive layout of the mix of uses proposed. A new local public road east of re-aligned Silvercreek Parkway will also be developed to provide frontage and access for the above-noted neighbourhood park and a series of viable redevelopment blocks for employment and high density residential uses in the area between Howitt Creek and Silvercreek Parkway.

2 Urban Form Objectives – Silver Creek Junction

a) To provide a desirable mix of *compatible* land uses that include a variety of building types to minimize travel requirements between homes and places of employment or shopping.
b) To ensure an innovative development, this reflects the City's commitment to environmental sustainability, compact development and energy conservation.
c) To enhance the function and *naturalization* of Howitt Creek and provide pedestrian views and access to this feature.
d) To provide active and passive recreational opportunities to help fulfill the City's recreational and open space requirements.
e) To create a variety of public spaces (streets, squares, and parks and open spaces) that encourage social interaction and provide pedestrian connections throughout the development.
f) To require high quality built form oriented to all streets, including Silvercreek Parkway, throughout the development.

3 Urban Design Policies – Silver Creek Junction

a) Public streets will be developed to provide a high quality urban environment with reduced setbacks, street trees and other landscape features and on-street parking.

b) Parking areas, loading and other less desirable design elements will be screened from public streets by buildings or landscaping.
c) Outdoor storage of goods or materials shall be prohibited with the exception of seasonal products.
d) The development will include extensive landscaping and plantings associated with the development shall generally be native trees and ground cover.
e) Public safety and security will be considered in the development including the optimum visibility of public open spaces, adequate lighting, multiple pedestrian routes and opportunities to control the speed of vehicles.
f) Reduced parking standards shall be considered for all land use components within the development to encourage alternative transportation alternatives.

4 Infrastructure Requirements – Silver Creek Junction

Redevelopment of this site is dependent upon certain key improvements to public infrastructure, most notably:

1) the construction of a grade-separated crossing of the CN main line by an improved Silvercreek Parkway;
2) the extension of Silvercreek Parkway northward to connect with Paisley Road; and;
3) the construction of a new stormwater management facility on open space lands east of Howitt Creek, to accommodate existing off-site (upstream) storm flows during major storm events.

The site-specific implementing zoning provisions shall include the use of holding "H" provisions to address required infrastructure improvements, including the Silvercreek Parkway/CNR underpass, other required road projects and traffic improvements, the remedial stormwater management facility, related land dedications (i.e. for roads, stormwater management, parks and open space) and the pre-requisite site plan approval and registration of the related agreement on title to the subject lands, prior to the redevelopment of the lands.

5 Land Use – Silver Creek Junction

The Silver Creek Junction lands are designated "Community Mixed-use Node", "Specialized Corporate Business Park", "High Density Residential" and "Open Space and Parks" on Schedule 2 and shall be subject to the following site-specific policies for the applicable designations:

5.1 Community Mixed-use Node:

The Community Mixed-use Node is intended provide a wide range of retail, service entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and live work studios. Medium and high density multiple residential development and apartments shall also be permitted in accordance with the policies of the Official Plan.

The policies contained in Section 9.4.2 shall apply to the Community Mixed-use Node.

Comment [MM811]: Reworded to provide updated policy reference

The Silver Creek Junction Mixed-use Node is divided into 2 Sub Areas as follows:

Sub Area 1:
A maximum of 22,760 sq m (245,000 sq. ft.) of retail gross leasable floor space shall be permitted in Sub Area 1 only as shown on Schedule "A". This total floor area will be composed of:

a) a maximum of one (1) large-format retail store comprised of either a warehouse membership club or a home improvement retail warehouse, to a maximum gross floor area of 13,470 sq. m (145,000 sq. ft.),
b) ancillary retail stores (excluding supermarkets), to a maximum aggregate gross floor area of 9,300 sq. m (100,000 sq. ft.), in a minimum of at least two (2) separate buildings, to be located in Sub-Area 1 only as shown on Schedule "A" to this amendment, subject to a maximum retail unit size of 3,716 sq. m (40,000 sq. ft.).

Commercial development in this area shall incorporate a reduced retail parking standard, to be established through the site-specific implementing zoning provisions.

Appropriate phasing requirements shall be imposed on the *retail commercial* components in Sub Area 1 through appropriate implementing zoning provisions.

Sub Area 2:
The maximum of 3,900 sq. m (42,000 sq. ft.) of *service commercial* gross floor area shall be permitted in Sub Area 2 only as shown on Schedule "A". This area shall be subject to a restricted range of *service commercial* uses, to be established in the implementing *Zoning By-law*; the policy intention is to focus on true

convenience-oriented service uses to serve the neighbourhood such as restaurants, financial institutions and personal services. The range of permitted uses will also allow a mixed-use design with residential or office space permitted above ground floor commercial and live/work arrangements. A minimum building massing equivalent to two (2) storeys (7.6m) shall be achieved in the buildings adjacent to the central "village market square." Buildings shall be located close to the street line with primary entrances facing the street and grouped in manner to reinforce the limits and identity of the village market square focal point. Reduced building setbacks shall also be encouraged from the public streets, to help define the streetscape and enhance the pedestrian environment.

Commercial development in this area shall incorporate a reduced parking standard, to be established through the site-specific implementing zoning provisions

5.2 Specialized Corporate Business Park

Within the "Specialized Business Park" designation on the east side of Silvercreek Parkway adjacent to Howitt Creek, development shall conform with the Corporate Business Park policies of the Official Plan and the following:

a) permitted uses shall include a range of employment activities including offices, research and development facilities, computer establishments and laboratories that are *compatible* with the adjacent residential uses. Complementary uses such as institutional (schools and religious establishments), a public or private recreational facility or club, as well as high density residential uses shall also be permitted provided that they are limited in scale and do not detract from the primary development of the lands for employment purposes; and,
b) reduced building setbacks and minimum building heights shall also be required, to help define the streetscape and enhance the pedestrian environment.

5.3 High Density Residential

Within the "High Density Residential" designation on the east side of Silvercreek Parkway adjacent to Howitt Creek, development shall conform with the High Density Residential policies of this Plan and with the following:

a) residential development may take the form of individual apartment buildings on separate parcels, or a single cohesive scheme comprising several buildings and may include nursing or retirement homes;
b) development shall generally occur in buildings ranging in height from 3 to 8 storeys, provided that the height and massing of buildings shall be sensitive to the proximity of these lands to existing low density residential development to the southeast, on the opposite side of the Goderich and Exeter (GEXR) rail line adjacent to the south edge of the site; Further floor space indices (FSI) may be used to control the design of the developments; and,
c) notwithstanding the density provisions of the High Density Residential policies of this Plan, the minimum net density of residential development of the subject lands shall be 175 units per hectare; the intention of this site-specific policy is to require a minimum of 350 *residential units* to be developed on these lands.

6. 80 Waterloo Avenue and 20-28 Birmingham Street

In addition to the permitted uses within the Low Density Residential designation, the property located at 80 Waterloo Avenue and 20-28 Birmingham Street may also contain a social services establishment including diagnostic and treatment services.

Comment [MM812]: Existing OP 7.2.30.13 reworded

7. 60 Westwood Road

In addition to the use provisions of the Low Density Residential designation, a range of non-convenience, commercially oriented uses may also be permitted within the existing buildings that occur on the property located at 60 Westwood Road. These uses shall be limited to those which maintain the integrity of the property's existing natural and cultural heritage features.

Comment [MM813]: Existing OP 7.2.30.5 reworded

8. 512 Woolwich Street

In addition to the use provisions of the Low Density Residential designation, office use to a maximum size of 2,880 square metres *gross floor area* may be permitted on the property located at 512 Woolwich Street.

Comment [MM814]: Existing OP 7.2.30.3 reworded

9. 200-208 Yorkshire Street North and 155 Suffolk Street West

Northwest corner of Yorkshire Street North and Suffolk Street West, this Mixed Office / Commercial Use area is to be used for a variety of retail, convenience, service and commercial office type uses in conjunction with *residential units* as specified in the following sub-policies:

Comment [MM815]: Existing OP 7.5.1.5 reworded

i) The lands on the corner known municipally as 200-208 Yorkshire Street North may be occupied by a range of retail, service and commercial uses as specified in the City's *Zoning By-law*. *Dwelling units* above commercial uses may also be permitted.

ii) The lands situated to the west of the corner known municipally as 155 Suffolk Street West may be occupied by a select range of commercial uses that will be limited to the retail, service and storage of glass products, furniture, home improvements, fine art and other low traffic generating uses specified in the *Zoning By-law*. *Dwelling units* shall be permitted when the site has been decommissioned.

9.13.3 South Guelph

1. 180 Clair Road West
In addition to the Corporate Business Park uses permitted for the property located at the southeast corner of Clair Road and Poppy Drive, the lands may also be used for a religious establishment.

Comment [MM816]: Existing OP 7.9.5.1 reworded

2. 262 Edinburgh Road South
In addition to the Medium Density Residential uses permitted, the property located at 262 Edinburgh Road South may be used as a medical clinic.

Comment [MM817]: Existing OP 7.2.30.14 reworded

3. 400, 420 and 430 Edinburgh Road South
Within the High Density Residential designation on the University of Guelph lands on the east side of Edinburgh Road South, development will comply with special standards established in the *Zoning By-law* to recognize this area as an integrated housing complex comprised of individual apartment buildings on separate parcels.

In spite of the density provisions of the High Density Residential designation, net density of residential development on lands known municipally as 400, 420 and 430 Edinburgh Road South shall not occur at a density of less than 73 units per hectare and shall not exceed 150 units per hectare.

Comment [MM818]: Existing OP 7.2.46 reworded

4. 1440-1448 Gordon Street
In spite of the maximum density provisions of the High Density Residential designation, the density of residential development on the lands known municipally as 1440-1448 Gordon Street shall not occur at a density of less than 120 units per hectare and shall not exceed a density of 130 units per hectare.

Comment [MM819]: Existing OP 7.2.47 reworded

5. 160 Kortright Road West
Notwithstanding policy 9.5.5.2.3 for the Neighbourhood Commercial Centre designation, the existing Neighbourhood Commercial Centre located at Kortright Road and Edinburgh Road shall be permitted to provide an individual retail use of a maximum of 5,200 square metres.

Comment [MM820]: Existing OP 7.4.29.1 reworded

6. 435 Stone Road West

Notwithstanding the maximum height limitations of the Mixed-use Corridor designation for the lands located at 435 Stone Road West (Stone Road Mall), the maximum height for the property shall be 8 storeys.

Comment [MM821]: New, to recognize height permissions approved for Stone Road Mall site

10 Implementation

The Implementation chapter of this Plan provides a description of the tools that the City can use to achieve its vision and strategic directions and implement the provisions of this Plan. The Plan will be implemented by means of the authority given to the Municipality by the *Planning Act*, the *Municipal Act* and any other statutes, where applicable.

10.1 Official Plan Update and Monitoring

1. To ensure the continued relevance and practicality of the Official Plan in relation to changes in demographic, economic, social and technological circumstances, the City shall assess the need to review all or parts of the Official Plan every five years in accordance with the requirements of the *Planning Act*.

2. To assess the effectiveness of the Official Plan and to facilitate the updating of the Official Plan, the City may monitor the various matters including but not necessarily limited to the following:

   i) population, employment and land use changes, including growth management targets;
   ii) rate of development;
   iii) housing densities, housing intensification opportunities inventory, housing mix, housing needs and conditions, lot inventories and rental housing *vacancy rates*;
   iv) municipal assessment and the residential/non-residential assessment balance;
   v) water, sewage and solid waste capacity utilization;
   vi) changes in Federal and Provincial programs, legislation and policies;
   vii) recreation, cultural and other community facilities;
   viii) extent, nature and location of employment and commercial development;
   ix) preservation and integrity of significant *natural heritage features* and *cultural heritage resources*;
   x) transportation facilities including pedestrian flow and transit usage rates, traffic volumes and conditions;
   xi) environmental impacts;
   xii) achievement of energy reduction and generation targets; and
   xiii) other issues as required.

3. The compilation of information noted in policy 10.1.2 will be used as a benchmarking database to assess the sustainability goals, objectives and policies of this Plan.

10.2 Secondary Plans

1. Secondary Plans will be prepared for specific areas of the City where it is considered necessary to provide more detailed planning objectives and policies to guide and direct development. Secondary Plans may be prepared for established, partially developed or undeveloped areas of the

Comment [MM822]: Existing OP 9.5.1 reworded

Comment [MM823]: Existing OP 9.5.2 reworded

Comment [MM824]: 9.5.2 a) with addition of growth management targets

Comment [MM825]: Existing OP 9.5.2 b)

Comment [MM826]: Existing OP 9.5.2 c)

Comment [MM827]: Existing OP 9.5.2 d)

Comment [MM828]: Existing OP 9.5.2 e)

Comment [MM829]: Existing OP 9.5.2 f)

Comment [MM830]: Existing OP 9.5.2 g)

Comment [MM831]: Existing OP 9.5.2 h) reworded

Comment [MM832]: Existing OP 9.5.2 i) reworded

Comment [MM833]: Existing OP 9.5.2 j)

Comment [MM834]: Existing OP 9.5.2 k)

Comment [MM835]: New from Community Energy Initiative

Comment [MM836]: new

Comment [MM837]: Existing OP 9.5.3 revised

Comment [MM838]: Existing OP 9.6.1 Reworded

City. In partially developed or undeveloped areas, Secondary Plans may be prepared to ensure that future subdivision and site *developments* conform to an overall community development concept and approved planning policies. In established neighbourhoods, Secondary Plans are intended to guide future *redevelopment* and renewal activities.

2. Secondary Plans shall be incorporated into the Official Plan by amendment and shall be subject to the same administrative and public involvement procedures as required for an Official Plan Amendment.

Comment [MM839]: Existing OP 9.6.2

3. Secondary Plans shall be subject to, and implement the provisions of, the Official Plan. However, where the Secondary Plan provides more detail, the provisions of the Secondary Plan shall prevail.

Comment [MM840]: Existing OP 9.6.3 Reworded

4. Secondary Plans shall generally address the following:

Comment [MM841]: New

i) patterns of land use, land use designations and density;
ii) connectivity and integration with existing developed or planned development areas of the City;
iii) urban design;
iv) *natural heritage features* and *systems*;
v) *cultural heritage* and *archaeological resources*;
vi) transportation including pedestrian and bicycle connections;
vii) servicing strategy;
viii) phasing of development;
ix) water resources including surface and *groundwater*, *watershed* and subwatershed studies and stormwater management plans;
x) provision of trails and parks;
xi) implementation of specific policies of this Plan; and
xii) any other matters as deemed appropriate.

5. Secondary Plans will be initiated and undertaken by the City. The City will prepare detailed terms of reference to guide the secondary planning process.

10.3 Community Improvement

Comment [MM842]: Section added by OPA 47 with no changes, this does not form part of the amendment.

The Community Improvement provisions of the *Planning Act* allow municipalities to prepare and adopt community improvement plans for designated community improvement project areas. Once a Community Improvement Plan has been adopted by the City and has come into effect, the City may undertake a wide range of actions for the purpose of carrying out the Community Improvement Plan, including but not limited to, the acquisition and development of land and/or buildings and the provision of grants and loans to owners and tenants of land and their assignees.

Objectives

a) To maintain and improve the quality, safety and stability of the built environment within the community.

b) To encourage the renewal, rehabilitation, *redevelopment* or other improvement of private and public lands and/or buildings.

c) To maintain and upgrade municipal physical and community facility infrastructure.

d) To maintain and upgrade the transportation network to ensure adequate traffic flow, pedestrian circulation, and parking facilities.

e) To maintain and upgrade public recreational, park and open space facilities.

f) To encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally significant buildings.

g) To encourage maximum use of existing municipal services through the infilling, *intensification* and *redevelopment* of lands and buildings which are already serviced with municipal services.

h) To improve and maintain the physical and aesthetic qualities and amenities of streetscapes.

i) To encourage the eventual elimination and/or relocation of incompatible land uses, and where this is not feasible, to encourage physical improvements to minimize the incompatibility.

j) To improve environmental conditions.

k) To improve social conditions.

l) To promote cultural development and the development of cultural facilities.

m) To encourage and support environmentally sustainable development.

n) To guide and prioritize the expenditure of public funds on community improvements.

o) To encourage community partners to maintain, upgrade and/or add community facilities and services.

Community Improvement Project Areas

1. The City may from time to time pass by-laws to designate one or more Community Improvement Project Areas as provided for by the *Planning Act*. The entire City of Guelph, or any part of the City, may be designated by by-law as a Community Improvement Project Area.

2. Council will consider the following criteria in the designation of Community Improvement Project Areas:

i) a significant portion of the building stock, building facades and/or properties in an area are in need of maintenance, preservation, restoration, repair, rehabilitation, redevelopment, energy efficiency or renewable energy improvements;
ii) deterioration or deficiencies in physical infrastructure including but not limited to sanitary sewer, storm sewer and/or water supply systems, roads, sidewalks, curbs, gutters, streetscapes and/or street lighting, and municipal parking facilities;
iii) deterioration or deficiencies in the level of community and social services such as public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;
iv) vacant lots and/or underutilized properties and buildings which have potential for infill, *redevelopment* or expansion to better utilize the land base;
v) presence of buildings and/or lands of architectural or heritage significance;
vi) an inappropriate range of housing types and densities including insufficient *affordable housing*;
vii) non-conforming, conflicting, encroaching or incompatible land uses or activities;
viii) a shortage of land to accommodate widening of existing right-of-ways, building expansion, parking and/or loading facilities;
ix) within commercial areas, there are high *vacancy rates*, deterioration in the appearance of building facades, business signage, streetscapes, public amenity areas and urban design, inadequate parking facilities or inadequate pedestrian accessibility;
x) within industrial areas, there are obsolete industrial buildings/sites, poor accessibility, inadequate parking, loading and outside storage areas;
xi) known or suspected environmental contamination;
xii) there is an opportunity to implement the goals of the Community Energy Plan;
xiii) other significant barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings; and
xiv) other significant environmental, social or community economic development reasons for community improvement.

3. Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to:

i) those areas where the greatest number of criteria for designation of Community Improvement Project Areas are present; and/or
ii) those areas where one or more of the criteria for designation of Community Improvement Project Areas is particularly acute; and/or
iii) those areas where one or more of the criteria for designation of Community Improvement Project Areas exists across the entire municipality or a large part of the municipality.

Phasing

4. The phasing of community improvements shall be prioritized to:

   i) implement those improvements that will most substantially improve the aesthetic, environmental and service qualities of a Community Improvement Project Area;
   ii) reflect the financial capability of the City to fund Community Improvement Projects;
   iii) take advantage of available senior government programs that offer financial assistance for community improvement efforts; and
   iv) co-ordinate the timing of related capital expenditures from various municipal departments with departmental priorities.

Implementation

5. In order to implement a Community Improvement Plan that has come into effect, the City may make full use of the municipal authority granted it under the *Planning Act* and other Provincial and Federal legislation, and more specifically, the City may undertake a range of actions, including:

   i) the municipal acquisition of land and/or buildings and the subsequent:

      a. clearance, grading, or environmental remediation of these properties;
      b. repair, rehabilitation, construction or improvement of these properties;
      c. sale, lease, or other disposition of these properties to any person or governmental authority;
      d. other preparation of land or buildings for community improvement.

   ii) provision of public funds such as grants and loans to owners and tenants of land and their assignees;
   iii) coordination of public and private redevelopment and rehabilitation by providing administrative and liaison assistance;
   iv) application for financial assistance from and participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purposes of community improvement;
   v) programs and measures to promote energy efficient development, redevelopment and retrofit projects;
   vi) encouraging the preservation, rehabilitation, renewal and reuse of cultural heritage resources and support of heritage conservation through means available under the *Ontario Heritage Act*;
   vii) continued enforcement of the *Property Standards By-law*, the *Zoning By-law*, the Sign By-law and any other related by-laws and policies;
   viii) continuing to support the Downtown Guelph Business Association (the Business Improvement Area administration pursuant to the

Municipal Act) in its efforts to maintain a strong and viable downtown; and

ix) co-operating with private individuals and corporations, service clubs and other public agencies to maintain, upgrade and/or provide new facilities, services and projects, which contribute to the enhancement of the community.

6. Council shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the City.

10.4 Zoning By-laws

1. *Zoning By-laws*, prepared in accordance with the provisions of the *Planning Act*, will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the objectives and policies of this Plan. The *Zoning By-law* may be more restrictive than the provisions of this Plan. It is not intended that the full range of uses or densities permitted by this Plan will be permitted by the *Zoning By-law* in all locations.

Comment [MM843]: Existing OP 9.7.1 revised with addition of 2nd sentence.

2. *Zoning By-laws* may impose one or more conditions related to the use of land or the erection, location or use of buildings or structures. The conditions shall relate to matters set out in the *Planning Act* and conform to the policies of this Plan.

Comment [MM844]: New, Planning Act Bill 51 updates

3. Following adoption of this Plan, any amendments to the *Zoning By-law* shall be in conformity with the objectives and policies of this Plan.

Comment [MM845]: Existing OP 9.7.2

4. Until such time as the comprehensive *Zoning By-law* is revised, the existing *Zoning By-law* shall remain in effect. However, any amendment to the existing *Zoning By-law* shall be required to be in conformity with this Plan.

Comment [MM846]: Existing OP 9.7.3

5. Areas of the City that were annexed into Guelph in 1993 are subject to the applicable township *Zoning By-laws* that were in effect for these areas on April 1, 1993 - for the north portions of the City, the Guelph Township *Zoning By-law* and for the south areas of the City, the Puslinch Township *Zoning By-law*. These By-laws remain in effect until they are replaced by new *Zoning By-law* zones and regulations that are in conformity with the provisions of this Plan.

Comment [MM847]: Existing OP 9.7.3.1 reworded

6. The *Zoning By-law* will be used, wherever possible, to protect existing or newly identified *natural heritage features* within the City.

Comment [MM848]: Existing OP 9.7.4

7. The *Zoning By-law* may be used, wherever possible, for the protection of *cultural heritage resources*.

Comment [MM849]: Existing OP 9.7.5 (utilized changed to used)

8. The *Zoning By-law* may provide for certificates of occupancy for specified uses of land. Such certificates shall be required for the establishment of the specified uses and for any subsequent changes in those uses of land, buildings or structures.

Comment [MM850]: Existing OP 9.7.6

9. Where appropriate, the City may use its *Zoning By-law* to recognize existing legal uses of land that are not in conformity with the provisions of the Official Plan. When determining the suitability of any existing use for consideration in this manner, the City shall be concerned with the following principles:

i) that the zoning will not permit any change of use or performance standard;
ii) that the use does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or by the traffic generated;
iii) that the use does not pollute the air or water;
iv) that any extension or enlargement to an existing building or structure will be permitted only by amendment to the *Zoning By-law*; and
v) that any extension or enlargement to existing buildings or structures will be subject to Site Plan Control in accordance with the policies of this Plan.

10. The City, where appropriate, may zone lands in an "urban reserve" or other suitable zone category where:

i) there is insufficient information to determine specific zoning categories that would implement the provisions of this Plan; and
ii) development of lands is considered premature because adequate services are not available.

10.5 Holding By-law

1. The City may use the holding symbol 'H' or any other appropriate symbol pursuant to the provisions and regulations of the *Planning Act* where the use of land is definitely established but a specific *development* proposal is considered premature or inappropriate for immediate implementation.

2. The City may apply a holding (H) symbol in conjunction with the implementing *Zoning By-law* for any land use designation of this Plan in one or more of the following circumstances:

i) where municipal services such as sanitary sewers, stormwater management facilities, water supply, parks, schools, community services and facilities and *community infrastructure* have been determined to have insufficient capacity to serve the proposed *development* until necessary improvements are made;
ii) where the submission and acceptance of special studies or support studies as required by this Plan are required prior to *development*;
iii) to ensure that *natural heritage features* or *cultural heritage resources* are protected in accordance with the policies of this Plan prior to *development*;
iv) to ensure that potential *natural hazards* or development constraints are safely addressed in accordance with the policies or this Plan prior to *development*;
v) where it is necessary to require the phasing of an overall

Comment [MM851]: Existing OP 9.7.7 reworded as noted below

Comment [MM852]: Existing OP 9.7.7 c) revised

Comment [MM853]: Existing OP 9.7.8 reworded first sentence

Comment [MM854]: Existing OP 9.10.7

Comment [MM855]: Existing OP 9.10.7.1

Comment [MM856]: Existing OP 9.10.7.1 a) with addition of services after community and addition of community infrastructure

development to ensure logical and orderly land use, to minimize negative impacts or to secure commitments consistent with the policies of this Plan;

vi) where *development* is contingent upon other related matters occurring first, such as the consolidation of land ownership to ensure orderly *development* and phasing of the project or to secure funding agreements on necessary infrastructure or services; and

vii) where environmental remediation or mitigation measures are required.

Comment [MM857]: New

3. The City may remove the holding (H) symbol in the implementing *Zoning By-law* where Council is satisfied that all requirements or conditions of the City have been satisfied to ensure appropriate *development*. The satisfactory completion of conditions may include, but not be limited to, appropriate financial and servicing requirements, approval of studies, and the signing of necessary agreements under the provisions of the *Planning Act*.

Comment [MM858]: Existing OP 9.10.8

4. Where the holding symbol "H" is in effect, the use of land may be restricted to the following:

Comment [MM859]: Existing OP 9.10.9

i) *agricultural uses*, excluding livestock-based *agricultural uses*;
ii) uses existing at the date of passing of the Holding By-law;
iii) open space; and
iv) other uses deemed appropriate by Council and which do not adversely impact the future *development* potential of the lands and which are *compatible* with surrounding land uses.

10.6 Temporary Use By-laws

1. Council may pass a Temporary Use By-law to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited by the *Zoning By-law* in accordance with the provisions of the *Planning Act*. Prior to the passing of a Temporary Use By-law, Council shall be satisfied that the proposed temporary use meets the following conditions:

Comment [MM860]: Existing OP 9.10.5 reworded, subsection iii) is new

i) that it is *compatible* with neighbouring land use;
ii) that adequate parking can be provided on-site;
iii) that sufficient services such as water, sewage disposal and roads can be provided;
iv) that an adverse impact on traffic will not be created;
v) that the construction of a permanent building or structure is not required; and
vi) that the use is in general conformity with the intent and policies of this Plan.

10.7 Height and Density Bonus Provisions

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

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

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

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

   i) housing that is affordable to *low and moderate income households*, *special needs housing* or *social housing*;
   ii) conservation of *cultural heritage resources* contained within the Municipal *Heritage Register*;
   iii) protection, enhancement, and/or *restoration* of natural heritage resources;
   iv) buildings that incorporate sustainable design features;
   v) energy and/or water conservation measures;
   vi) public art;
   vii) non-profit arts, cultural, or community or institutional facilities;
   viii) *child care centres*;
   ix) public transit infrastructure, facilities, and/or services;
   x) public parking;
   xi) land for municipal purposes;
   xii) community centres and/or facilities and improvements to such centres and/or facilities; and
   xiii) parkland and improvements to parks.

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

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

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

10.8 Interim Control By-law

1. Council may pass Interim Control By-laws to control the use of land, buildings or structures within designated areas of the City and in accordance with the provisions of the *Planning Act*, in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by Council.

Comment [MM861]: Existing OP 9.10.6

10.9 Plans of Subdivision and Part-Lot Control

1. The City, when considering applications for *plans of subdivision*, will have regard to the provisions of the *Planning Act*. In addition, plans will be considered for approval when they conform to the following criteria:

Comment [MM862]: Existing OP 9.8.1 reworded, to delete "of subdivision" after "plan"; ix) is new

   i) the plan conforms to the objectives, targets, policies and land use designations of this Plan;
   ii) the plan can be supplied with adequate municipal services such as water, sewage disposal, drainage, fire and police protection, roads, utilities, solid waste collection and disposal and other community facilities;
   iii) the plan will not adversely impact upon the transportation system, adjacent land uses and the *natural heritage system*;
   iv) the plan can be serviced economically without imposing an undue financial burden upon the City;
   v) the plan has incorporated all necessary studies and assessments to ensure impacts on *natural heritage features* and *cultural heritage resources* are minimized;
   vi) the plan can be integrated with *adjacent lands*, subdivisions and streets;
   vii) the plan is considered to be necessary, timely and in the public interest;
   viii) the plan is designed in accordance with accepted subdivision design principles as articulated in the Urban Design Policies of this Plan; and
   ix) the plan is designed to be sustainable, to support public transit and to be walkable.

Comment [MM863]: Existing OP 9.8.1 a) with addition of "targets"

2. The City shall, as a condition of approval pursuant to the *Planning Act*, require the owner of lands subject to a plan of subdivision to enter into one or more agreements which may be registered against the title of the subject lands.

3. Council shall use subdivision agreements that maintain acceptable standards of *development* to protect the City and public interest.

Comment [MM864]: Existing OP 9.8.2 with deletion of "continue to"

4. Council may pass by-laws to exempt properties from Part Lot Control, subject to the provisions of the *Planning Act*.

Comment [MM865]: Existing OP 9.8.3

5. If a plan of subdivision or part thereof has been registered for eight years or more and does not conform to the policies of this Plan, the City may use its authority under the *Planning Act* to deem it not to be a *registered plan of subdivision*.

Comment [MM866]: Existing OP 9.8.4 revised using Section 50(4) of the Planning Act

6. The City may request amendments to an approved draft plan of subdivision at the time an extension to draft plan approval is requested to ensure that the *development* is consistent with the *density targets* of this Plan.

10.10 Committee of Adjustment

10.10.1 Consents

1. When considering an application for *consent*, the *Committee of Adjustment* shall have regard to the provisions of the *Planning Act*, to the goals, objectives and policies of this Plan and to the provisions of the *Zoning By-law.*

Comment [MM867]: Existing OP 9.9.1

2. The *Committee of Adjustment* shall also consider the following matters when reviewing an application for *consent*:

Comment [MM868]: Existing OP 9.9.2, with a) reworded

   i) that all of the criteria for *plans of subdivision* or *condominium* are given due consideration;
   ii) that the application is properly before the Committee and that a plan of subdivision or *condominium* has been deemed not to be necessary for the proper and orderly development of the City;
   iii) that the land parcels to be created by the *consent* will not restrict or hinder the ultimate development of the lands; and
   iv) that the application can be supported if it is reasonable and in the best interest of the community.

3. *Consents* may be permitted for the purpose of boundary adjustments or to convey additional lands to an abutting property.

Comment [MM869]: Existing OP 9.9.3

4. The *Committee of Adjustment* shall have regard for any comments provided by agencies and City departments regarding the effect of the proposed *consent* and *development* proposal upon their plans and programs.

Comment [MM870]: Existing OP 9.9.4, "municipality" changed to "city"

5. The *Committee of Adjustment* may attach such conditions as it deems necessary to the approval of a *consent*. Such conditions may include, but are not limited to the following:

Comment [MM871]: Existing OP 9.9.5

   i) the fulfillment of all servicing, grading, easement and financial requirements of the City;
   ii) the dedication of lands for park purposes or the payment of cash-in-lieu thereof;
   iii) the dedication of appropriate road widenings or land for intersection improvements where required; and
   iv) the preparation of development agreements respecting *development* of the lands to include:

      a. the elevation, location and design of any new dwelling;
      b. the location and extent of any access point, driveway and legal off-street parking space, grading, drainage and

servicing information; and

c. any additional requirements imposed at the discretion of the Committee.

10.10.2 Minor Variances

1. When considering an application for a minor variance to the use and/or regulation provisions of the City's *Zoning By-law*, the *Committee of Adjustment* shall give consideration to the provisions of the *Planning Act*. In addition, the Committee will consider the following matters in its decision deliberations:

   i) that the requested variance is minor in nature;
   ii) that the intent and purpose of the *Zoning By-law* is maintained;
   iii) that the general intent and purpose of the Official Plan is maintained; and
   iv) that the variance is desirable for the appropriate *development* and use of the land, building or structure.

2. The *Committee of Adjustment* may attach such conditions, as it deems appropriate and desirable to the approval of the application for a minor variance.

10.10.3 Legal Non Conforming Uses

1. *Legal non-conforming* uses are uses of land, buildings or structures that were lawfully used for a purpose prohibited by a new *Zoning By-law* on the day the new *Zoning By-law* was passed.

2. In reviewing an application concerning a *legal non-conforming* use, property, building or structure, the *Committee of Adjustment* will consider the matters outlined in section 10.10.2 of this Plan, with necessary modifications as well as the requirements of the *Planning Act*, to evaluate the appropriateness of a *development* proposal and the use of property. In addition, the following matters shall be considered:

   i) that the use has been continuous;
   ii) that the extension/enlargement is situated only on property originally owned by the *development* proponent on the day the implementing *Zoning By-law* was passed;
   iii) that no new separate buildings will be permitted; and
   iv) that the proposed use is similar or more *compatible* with the uses permitted by the *Zoning By-law* in effect.

3. The *Committee of Adjustment* may attach conditions in the approval of an application related to a *legal non-conforming* use for such time and subject to such terms and conditions that the Committee considers advisable.

Comment [MM872]: Existing OP 9.9.6

Comment [MM873]: Existing OP 9.9.7

Comment [MM874]: Existing OP 9.9.8

Comment [MM875]: Existing OP 9.9.9, spelling error corrected "used" change to "use" and updates to Section references

Comment [MM876]: Existing OP 9.9.10

4. Any land use lawfully existing at the date of approval of this Plan that does not conform to the land use designations or policies of this Plan or to the implementing *Zoning By-law* should, as a general rule, cease to exist in the long run. Such land uses shall be considered as *legal non-conforming* uses. In certain circumstances, it may be desirable to permit the extension or enlargement to a building or structure for a *legal non-conforming* use in order to avoid unnecessary hardship. It is the intention of this Plan that any such extension or enlargement shall be processed as either a site-specific amendment to the *Zoning By-law*, or as an application to the *Committee of Adjustment* pursuant to the provisions of the *Planning Act*.

Comment [MM877]: Existing OP 9.9.11

10.11 Site Plan Control

1. Site Plan Control will be used in accordance with the *Planning Act* as a means of achieving well-designed, functional, accessible, and sustainable built form and public spaces. The site plan approval process will:

Comment [MM878]: Existing OP 9.10.1 reworded, with changes as noted below

i) ensure the adequate provision and maintenance of site-specific facilities required by *development*;
ii) require necessary easements or otherwise control the location of necessary services and utilities;
iii) ensure that the proposed *development* is functional for the intended use;
iv) ensure compatibility of design between sites;
v) minimize any adverse effects of the *development* on adjacent properties;
vi) secure necessary road widening and lands for intersection improvements from abutting properties in accordance with the policies of this Plan;

Comment [MM879]: Existing OP 9.10.1 f) reworded to removed specific policy reference

vii) ensure that the site is accessible to persons with disabilities and provides facilities to support transit and cycling;

Comment [MM880]: New

viii) ensure that *development* is completed and maintained as approved by Council;
ix) ensure that *development* is compatible with on-site or adjacent property *natural heritage features* and *cultural heritage resources*; and
x) ensure that *development* contributes to the achievement of the objectives of the City's Community Energy Plan.

Comment [MM881]: New

2. All lands within the City of Guelph are designated as site plan control areas except:

Comment [MM882]: Existing OP 9.10.2 change as noted below

i) low density residential, including single detached and *semi-detached dwellings* and buildings or structures accessory thereto, but not including zero lot line dwellings, *lodging houses*, *coach houses*, *garden suites*, *group homes* or other *special needs housing*;

Comment [MM883]: Existing OP 9.10.2 a) reworded to change "residential care facilities" to "special needs housing"

ii) farm related *development* including buildings and structures for agricultural use; and
iii) buildings or structures used for *flood* control or conservation purposes.

3. Council may identify specific types of *development* that are subject to site plan control, and those which are exempt, in a By-law.

Comment [MM884]: New

4. Council may require design drawings for buildings to be used for residential purposes containing less than twenty-five *dwelling units* within all areas of the City.

Comment [MM885]: New, Planning Act Sec 41 (5)

5. The City may require the following to be shown on plans or drawings, to the satisfaction of the City and in accordance with the provisions of the *Planning Act*:

Comment [MM886]: Existing OP 9.10.3 Reworded to use wording from Planning Act

i) plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided;
ii) plan, elevation and cross-section views of buildings and structures;
iii) the massing and conceptual design of the proposed building(s);
iv) the relationship of the proposed building to adjacent buildings, street and exterior areas to which members of the public have access;
v) the provision of interior walkways, stair, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways to adjacent buildings;
vi) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design;
vii) the sustainable design elements on any adjoining City right-of-way including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
viii) facilities designed to have regard for accessibility for persons with disabilities;
iv) landscaping and buffering;
x) grading, drainage and provisions for the disposal of storm, surface and wastewater;
xi) vehicle access and off-street circulation, loading and parking;
xii) signage and lighting;
xiii) pedestrian access, walkways and walkway ramps and bicycle facilities;
xiv) facilities for the storage of waste materials; and
xv) the character, scale, appearance and design features of the exteriors of those new buildings and structures that may be attached to *built heritage resources* or sited in close proximity to such resources and care shall be taken to permit only those changes that retain, protect, complement and do not otherwise harm distinguishing heritage features.

6. The City will use the Urban Design policies, applicable Urban Design guidelines and the applicable provisions of this Plan in the review and approval of Site Plans.

Comment [MM887]: Existing OP 9.10.4 reworded

7. The City may establish sustainable design, aesthetic and functional

Comment [MM888]: New

design guidelines to assist in the preparation of site plans and the design of buildings.

8. The City may, as a condition of approval pursuant to the *Planning Act*, require the owner of lands subject to site plan control to enter into one or more agreements which may be registered against the title of the subject lands.

Comment [MM889]: New, based on Sec 41 (7) of the Planning Act.

10.12 Development Permit System

1. The Development Permit System is an implementation tool that may be used to ensure the goals, objectives and policies of this Plan are realized. The Development Permit System is intended to be a flexible planning tool which combines zoning, site plan control and minor variance processes into a single process.

2. The City may establish a Development Permit System in accordance with the *Planning Act*.

Comment [MM890]: Existing OP 9.10.12

3. Where such a system is desired, it will be established through amendment to this Plan and address matters such as the area to which the Development Permit System applies, any delegation of Council authority, specific goals, objectives and policies of the Development Permit area, the type of criteria and conditions that may be included in a Development Permit By-law, classes of *development* that may be exempt, specific height and density bonusing provisions and/or specific complete application requirements.

10.13 Sign By-law

1. The Sign By-law for the City of Guelph shall be reviewed and revised in conformity with the objectives and policies of this Plan. The Sign By-law shall be used to control the visual impact of advertising and sign design and/or placement on the general streetscape of the community and more particularly upon *natural heritage features* and *cultural heritage resources*. The approval of Council may be required before any sign is erected or *altered*.

Comment [MM891]: Existing OP 9.10.10

10.14 Property Standards

The City's *Property Standards By-law* sets out minimum standards of property maintenance and occupancy for the purpose of setting a basic standard of good appearance for all properties within the community, for encouraging the preservation and maintenance of existing buildings and the removal of buildings that have declined to the point where they cannot be satisfactorily and economically rehabilitated.

Comment [MM892]: Existing OP 9.11.1 wording changed from "City shall pass a …bylaw…"

1. The *Property Standards By-law*, as adopted by Council, is concerned with the following matters:

Comment [MM893]: Existing OP 9.11.1.1 reworded

i) the health, safety and security of building occupants;
ii) the physical condition of the interior and exterior of all buildings;

and

iii) the condition of yards, vacant property, parking areas and walkways.

2. The City shall ensure that the application of the By-law is not detrimental to the conservation of *natural heritage features* or *cultural heritage resources*.

Comment [MM894]: Existing OP 9.11.2

3. The City shall ensure that the By-law is applied in an appropriate and reasonable manner throughout the City. However, in the outlying, non-urbanized areas of the City some tempering of the application of the By-law relative to property maintenance may be undertaken to recognize the unique rural circumstances of the area. In no instances will the By-law's application to matters dealing with health, safety and security of building occupants be compromised.

Comment [MM895]: Existing OP 9.11.3

10.15 Demolition Control

1. To prevent the premature demolition of residential buildings within designated areas of the City, Council may prepare, enact and enforce a Demolition Control By-law in accordance with the provisions of the *Planning Act*.

Comment [MM896]: Existing OP 9.10.11 "enact" added

2. Applications to demolish protected, designated or listed heritage buildings and structures shall be considered in accordance with the provisions of the *Ontario Heritage Act* and the policies of this Plan.

Comment [MM897]: New, from Heritage Act

10.16 Municipal Finance

1. Municipal capital expenditures implementing any aspect of this Plan will be guided by a Ten Year Capital Budget Forecast, which will be reviewed annually.

Comment [MM898]: Existing OP 9.12.1

2. Development staging and priorities as established by this Plan will be carried forward, having regard for the City's ability to assume the financial burdens involved. Each proposal and each stage of *development* will proceed only after Council has indicated that the City is in a position to assume the financial and other obligations required to provide the necessary services.

Comment [MM899]: Existing OP 9.12.2 (Municipality changed to City)

3. Future *development* will be monitored to ensure that a balance is maintained between demands for service and the overall fiscal capacity of the City, and that an appropriate relationship is maintained between residential and non-residential assessment.

Comment [MM900]: Existing OP 9.12.3

10.17 Land Acquisition

1. Council may authorize the acquisition including by gift, and holding of real property for the purposes of implementing this Plan and in accordance with the provisions of the *Planning Act*, *the Municipal Act* or any other relevant legislation.

Comment [MM901]: Existing OP 9.13.1

10.18 Pre-consultation and Complete Application Requirements

Comment [MM902]: New from OPA 39; Reworded to update references to City Staff and City department names

Having all relevant information and material pertaining to a particular planning application available early in the planning process is essential to making good land use decisions. Requiring this information and material to be provided at the time a planning application is submitted enables Council to make a well informed decision within the timeframe provided by the *Planning Act* and ensures the public and other stakeholders have access to the information early in the process. Understanding the issues related to development and having the appropriate studies completed early in the planning process can avoid delays and provide opportunities to resolve potential differences prior to Council's consideration of the matter.

1. Prior to the submission of an application for an Official Plan Amendment, *Zoning By-law* Amendment, draft plan of subdivision or *condominium* and/or a site plan approval, applicants are required to pre-consult with the City staff. Prior to the submission of any other development application, applicants are encouraged to pre-consult with the City staff. The pre-consultation process is intended to scope the issues associated with a specific *development* proposal and/or change(s) in land use and set out clear requirements for a complete application. The form and level of pre-consultation will vary based on application type and context and shall be according to the process described in a Pre-consultation By-law.

Comment [MM903]: OPA 39 – 9.3.1 revised

2. Any application for amendment(s) to the Official Plan or *Zoning By-law*, application for approval of a plan of subdivision or *condominium*, or application for *consent* will not be deemed complete by the General Manager of Planning and Building Services and the time period within which the Council is required to make a decision will not commence, unless it is accompanied by:

Comment [MM904]: OPA 39 9.3.2 reworded to delete "sever" because this applies to all consents (as per Act).

   i) the prescribed information and material as required under the *Planning Act*; and
   ii) other information and material deemed necessary by the General Manager of Planning and Building Services or their designate in accordance with this Plan.

3. In addition to the requirements noted in the applicable sections of the Official Plan, the City may require additional information and material to be submitted as part of a complete application. The following broad categories describe additional information and material that may be required and the type of studies or documents that may be identified during the pre-consultation process as being required to be submitted as part of a complete development application:

   i) *Natural Heritage*
   The submission of reports, studies and/or drawings, which identify and demonstrate, to the satisfaction of the City, that there will be no *negative impacts* on *natural heritage features* and areas or their *ecological functions*; and identifies proposed mitigation measures to ensure *ecological functions*, diversity, and connectivity of *natural*

heritage features and areas are maintained, restored, and where possible enhanced. Any information and material submitted must recognize linkages between and among *natural heritage features* and areas and *surface water features* and *groundwater features*.

This may include, but shall not be limited to:

- *Environmental Impact Study*
- *Scoped Environmental Impact Study*
- Environmental Implementation Report
- Ecological Land Classification
- *Flood plain/flood* fringe and top of stable slope mapping and mitigation measures as required by the GRCA
- Hydrogeological Study
- Hydrology Study
- Water Budget
- Soil Stability and Geotechnical Analysis
- Tree and/or Vegetation Inventory Report
- *Vegetation Compensation Plan*
- Topographical Survey/Slope Analysis
- Geotechnical Report

Comment [MM905]: Name changed from "tree and/or vegetation preservation, planting and/or management plan"

ii) Planning Matters

The submission of reports, studies and/or statements that demonstrate, to the satisfaction of the City, how the proposed development and/or change in land use is consistent with the applicable provisions of the Provincial Policy Statement, conforms to the Official Plan, conforms to any *Provincial Plans* that are in effect, and provides an integrated approach to land use planning.

This may include, but shall not be limited to:

- Planning Justification Report
- Statement of Conformity and/or Consistency with applicable policies
- Demonstration of how new *development* contributes to the achievement of *Growth Plan* density and *intensification targets*
- Employment and/or Residential Lands Needs Analysis
- Employment Lands *Conversion* Justification Report
- Affordable Housing Report
- Rental Conversion Report
- Conceptual Site Plan Layout
- Detailed Site Plan
- Comprehensive Open Space and Parks Conversion Study

iii) Transportation

The submission of reports, studies and/or drawings, which address any change or impact to the transportation network resulting from a proposed *development* and/or change in land use and demonstrates, to the satisfaction of the City, how the proposed *development* can be accommodated by the existing transportation network or where new *transportation infrastructure*, or an expansion to the existing *transportation infrastructure* is necessary, demonstrate that the improved *transportation infrastructure* will be adequate to

accommodate all modes of transportation in an efficient manner with minimal impact on surrounding land uses, and the natural and social environment.

This may include but, shall not be limited to:
- Traffic Impact or Transportation Study
- Parking Study
- Transportation Demand Management Plan

iv) Servicing and Infrastructure

The submission of reports, studies and/or drawings, which demonstrate, to the satisfaction of the City, that the existing infrastructure is sufficient to accommodate the proposed *development* and/or change in land use, or where new infrastructure is required or an expansion of the existing infrastructure is necessary, demonstrate that the improved infrastructure will be adequate to accommodate the proposed *development* and/or change in land use as well as any anticipated users of the infrastructure.

This may include but shall not be limited to:
- Water and Wastewater Servicing Study
- Stormwater Management/Drainage Report and Plan
- Community Services/Facilities Study
- Infrastructure Study

v) Built Form

The submission of reports, studies, drawings and/or three-dimensional models, which demonstrate, to the satisfaction of the City, that the proposed *development* and/or change in land use is *compatible* with the City's existing built form and will not negatively impact the *public realm* including, but not limited to, the streetscape and access to open space such as trails and parks.

This may include, but shall not be limited to:
- Building Mass Model (physical or computer generated)
- Pedestrian Level Wind Study
- Sun and Shadow Study
- Streetscape Analysis

vi) Cultural Heritage Resources

The submission of reports that demonstrate, to the satisfaction of the City, how a proposed *development* and/or change in land use will not negatively impact on the City's *cultural heritage resources*, including *development* proposals on lands adjacent to *protected heritage property*.

This may include, but shall not be limited to:
- *Cultural Heritage Review*
- *Cultural Heritage Impact Assessment*
- *Scoped Cultural Heritage Impact Assessment*
- *Cultural Heritage Conservation Plan*

- Archaeological Assessment
- Structural Engineering Report
- *Cultural Heritage Landscape* Assessment
- Views and Vistas Impact Study

vii) Development Impacts

The submission of reports, studies and/or drawings that identify and assesses all potential nuisance or safety issues from natural and human made hazards including issues related to potential environmental contamination, which may result from or affect the proposed *development* and/or change in land use and demonstrate, to the satisfaction of the City, that potential nuisances or safety issues can be effectively mitigated.

This may include but shall not be limited to:

- Noise Impact Study
- Vibration Study
- Acoustical Design Study
- Lighting Plan
- Site Screening Questionnaire
- Phase 1 Environmental Site Assessment
- Phase 2 Environmental Site Assessment
- Record of Site Condition
- *Sensitive Land Use* Report

viii) Financial Impacts

The submission of reports and studies that demonstrate, to the satisfaction of the City, that a proposed *development* and/or change in land use will not have an unreasonable or unanticipated negative financial impact on the City including, but not limited to, short-term and long-term costs to the City for the provision of municipal infrastructure and services required to support the proposed *development* and/or change in land use.

This may include, but shall not be limited to:

- Market Impact Study
- Economic Impact Study
- Infrastructure Cost Assessment
- Long Term Maintenance Cost Assessment

ix) Sustainability

The submission of reports, studies, and/or drawings that demonstrate, to the satisfaction of the City, how a particular *development* proposal and/or change in land use meets the energy, water, and sustainability policies of this Plan.

This may include, but shall not be limited to:

- Completion of the City's Sustainability Checklist
- *District Energy* Feasibility Study
- Renewable Energy Feasibility Study
- Water Conservation Efficiency Study
- Energy Conservation Efficiency Study

4. The City will, within 30 days of receiving a *development* application, provide notice to the applicant that the application is complete or, alternatively indicate additional information and material that is required to constitute a complete application. The date of application shall be the date upon which all required information and material is submitted in a form that is satisfactory to the General Manager of Planning and Building Services.

Comment [MM906]: OPA 39 9.3.6 reworded to update City staff reference

5. The information and material described in Section 10.18.3 of this Plan that may be required to accompany a *development* application is not intended to preclude the City from requiring additional reports, studies, and/or drawings that may be identified during the *development* review process if circumstances necessitate the need for such information and material as part of the decision making process.

Comment [MM907]: OPA 39 9.3.6 reworded to update policy # reference

6. Where appropriate, the City may waive or vary the information and material requirements specified in this Plan, where completion of such studies has occurred for an earlier, relevant planning approval or where the study requirement would result in unnecessary duplication of effort.

10.19 Public Engagement and Notification Policies

1. Council will follow the public notification procedures regarding planning matters that are contained in the *Planning Act* and its regulations.

Comment [MM908]: Existing OP 9.14.1 reworded

2. Where mailed information notices concerning a *development* application are distributed to abutting property owners, the names and addresses as described in the latest, revised property assessment rolls will be used for notification.

Comment [MM909]: Existing OP 9.14.1.1

3. In addition to the public notification requirements of policy 10.19.1, the City will use the following mechanisms to promote public participation and informed decision-making:

   i) the placing of signage on properties undergoing a planning approval process, (e.g. Official Plan amendment, Plan of subdivision, *Zoning By-law* amendment, *Committee of Adjustment* application); and
   ii) any other means that Council deems appropriate including electronic communications.

Comment [MM910]: Existing OP 9.14.2 reworded

4. In the preparation of plans in the community, the City will use the document "Guiding Principles for Public Involvement, and the Roles and Responsibilities of City Council, Staff and all Participants" or subsequently established public engagement frameworks to ensure effective decision-making.

Comment [MM911]: Existing OP 9.14.3 reworded to add "subsequently established public engagement frameworks"

11 Glossary

11.1 Introduction

The terms as listed in the Glossary have a specific defined meaning as used in the Plan text. They are *italicized* in the body of the Plan in instances where this defined meaning applies. The terms are listed in alphabetical order.

11.2 Definitions

100 Year Flood means:
The *flood* which has a return period of 100 years, on average, or which has a 1% chance of occurring or being exceeded in any given year, as determined by the Grand River Conservation Authority.

Comment [MM912]: Existing OP

Accessory Apartment means:
A *dwelling unit* located within and subordinate to an existing single detached or *semi-detached dwelling*.

Comment [MM913]: Existing OP revised to delete "link dwelling"

Active Transportation means:
Modes of transportation, such as walking and cycling that: provide the personal benefits of fitness and recreation; are environmentally friendly; contribute to the personal and social health of neighbourhoods; and are readily available to a wide range of age groups within the community.

Adjacent Lands means:
For the purpose the *Natural Heritage System*, those lands contiguous to specific *natural heritage features or area*, where it is likely that *development* or *site alteration* would have a *negative impact* on the feature, area or *ecological function*. The extent of the adjacent lands are defined in Table 4.1 of this Plan.

Comment [MM914]: OPA 42

Adjacent lands means:
For the purpose of *designated property* or *protected heritage property*, any parcel of land that:

i) shares a boundary with a parcel containing a *designated property* or *protected heritage property*;
ii) is separated from a *designated property* or *protected heritage property* by a right–of-way (e.g., road) and within the span of the extended lot lines of the parcel containing a *designated property* or *protected heritage property* or is located at a corner opposite a corner property that is a *designated heritage property* or *protected heritage property*;
iii) is within 30 metres of a *designated heritage property* or *protected heritage property* in instances where a designated heritage property or *protected heritage property* is within a right-of-way (e.g. bridge) or located on a parcel 2.5 hectares in area or greater.

Adverse Effects *means:*
As defined in the *Environmental Protection Act*, one or more of:

i) impairment of the quality of the natural environment for any use that can be made of it;
ii) injury or damage to property or plant and animal life;
iii) harm or material discomfort to any person;

Comment [MM915]: Existing OP

iv) an adverse effect on the health of any person;
v) impairment of the safety of any person;
vi) rendering any property or plant or animal life unfit for use by humans;
vii) loss of enjoyment of normal use of property; and
viii) interference with normal conduct of business.

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

Comment [MM916]: OPA 39

Affordable Housing Benchmark means:
The maximum *affordable housing* price as defined for the City of Guelph for ownership and rental housing. The benchmark is adjusted on an annual basis to be reflective of changing market conditions within the City.

Agricultural Use means:
The growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, fur or fibre, including poultry and *fish*; aquaculture; apiaries; agro-forestry; maple syrup production; and associated non-farm building and structures.

Comment [MM917]: Existing OP, reworded

***Alter* (and *alteration*) means:**
A change in any manner, and includes to restore, renovate, repair or disturb.

Comment [MM918]: New; uses Ontario Heritage Act definition

Alternative Energy Systems means:
Sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Comment [MM919]: OPA 39

Ancillary Use means:
A use that is incidental to, but associated with the principle use or a primary function of a site.

Comment [MM920]: New

Aquifer means:
A subsurface geological material which yields significant amounts of water.

Comment [MM921]: Existing OP

Archaeological Assessment means:
For a defined project area or property, a survey undertaken by a licensed archaeologist within those areas determined to have areas of potential archaeological resources in order to identify *archaeological sites*, followed by evaluation of their *cultural heritage value or interest*, and determination of their characteristics. Based on this information, recommendations are made regarding the need for mitigation of impacts and the appropriate means for mitigating those impacts.

Comment [MM922]: New; source: Source: *Standards and Guidelines for Consultant Archaeologists* (Ministry of Culture, 2010

Archaeological Resources *means:*
Includes *artifacts*, *archaeological sites* and marine *archaeological sites*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act.*

Comment [MM923]: New definition from PPS

Archaeological Site *means:*
Any property that contains an artifact, or any other physical evidence of past human use or activity that is of *cultural heritage value or interest*.

Comment [MM924]: New - (Source: Standards and Guidelines for Consultant Archaeologists (Ministry of Culture, 2010)

Areas of Potential Archaeological Resources means:
Areas with the likelihood to contain *archaeological resources*. The criteria for determining archaeological potential is based on the presence of a wide range of features or characteristics, including but not limited to:

Comment [MM925]: New definition using *Standards and Guidelines for Consultant Archaeologists* (MTC, 2010)

i) previously identified *archaeological sites*;
ii) water sources;
iii) elevated topography;
iv) pockets of well-drained sandy soil;
v) distinctive landforms;
vi) resource areas (including food or medicinal plants, scarce raw materials, or early Euro-Canadian industry);
vii) areas of early Euro-Canadian settlement;
viii) early historical transportation routes;
ix) property listed on a Municipal Register, or designated under the *Ontario Heritage Act* or that is a federal, provincial or municipal historic landmark or site;
x) property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations.

Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. The features indicating archaeological potential are described in detail in the Ministry of Tourism and Culture's Standards and Guidelines for Consultant Archaeologists (2010).

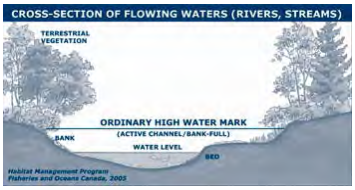
Areas of Natural and Scientific Interest *(ANSI)* means:
Areas of land and water containing natural landscapes or features that have been identified by the Province (OMNR) as having science or earth science values related to protection, scientific study or education.

Comment [MM926]: OPA 42

Artifact means:
Any object, material or substance that is made, modified, used, deposited, or affected by human action and is of *cultural heritage value or interest*.

Bankful Channel means:
The usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land (also known as the ordinary High Water Mark – HWM). In flowing waters (rivers, streams) this refers to the active channel which is often the 1:2 year *flood* flow return level (Department of Fisheries and Oceans, 2010).

Comment [MM927]: New



Brownfield Sites means:
Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Comment [MM928]: OPA 39

Buffers means:
Areas identified *adjacent* to some *natural heritage features or areas* that are intended to be protected and provide a separation between the protected feature and the adjacent *development*, and mitigate against *negative impacts* to the natural heritage feature, area and/or its *ecological function(s)*.

Comment [MM929]: OPA 42

Built-up area means:
Lands identified within the built boundary as approved by the Minister of Energy and Infrastructure in accordance with Policy 2.2.3.5 of the *Growth Plan* and as identified on Schedule 1.

Comment [MM930]: OPA 39 definition, modified to amend Schedule name only.

Built Heritage Resource means:
One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions. *Built heritage resources* include those properties that have been included in the Couling Architectural Inventory as it is completed and as it may be amended. All buildings, structures, landscapes, monuments, installations or visible remains constructed prior to 1927, but not limited to those constructed prior to 1927, shall be considered to be *built heritage resources* until considered otherwise by the Heritage Guelph.

Comment [MM931]: Existing OP reworded

Canopy Cover See *Tree Canopy Cover*

Comment [MM932]: OPA 42

Child Care Centre see *Day Care Centre*

Coach House means:
A one unit detached residence containing bathroom and kitchen facilities that is located on the same lot, but is subordinate to an existing residential dwelling, and is designed to be a permanent unit.

Comment [MM933]: New definition

Committee of Adjustment means:
A quasi-judicial body, appointed by City Council in accordance with the *Planning Act*, authorized to rule on applications for minor variances to *Zoning By-laws*, for enlargements and extensions to non-conforming buildings, for *conversions* of non-conforming uses and buildings to other non-conforming uses, to interpret general clauses in by-laws, and for *consents* in accordance with the provisions of the *Planning Act*.

Comment [MM934]: Existing OP

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

Community infrastructure means:
Lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety and the provision of programs and services provided or subsidized by a government or other body, such as social assistance and *affordable housing*. *Community infrastructure* does not include *infrastructure* or municipal services.

Comment [MM935]: OPA 39

Compact Urban Form means:
A land-use pattern that encourages efficient use of land, *walkable communities*, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), is in proximity to transit and reduces need for infrastructure. *Compact urban form* can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail.

Comment [MM936]: OPA 39

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

Comment [MM937]: OPA 39

Condominium means:
A form of property ownership in which title to a unit, such as an individual apartment or townhouse unit is held by an individual together with a share of the rest of the property, which is common to all of the owners.

Comment [MM938]: Existing OP

Consent means:
The authorization granted by the *Committee of Adjustment* in accordance with the *Planning Act*, to deal with: *land severance*, lot additions, easements, rights-of-way, validation of title, charge/discharge of mortgages and long term leases of land for more than 21 years. A *consent* is not needed to convey, mortgage, grant or lease an entire lot, or a whole lot on a *registered plan of subdivision*.

Comment [MM939]: Existing OP revised

***Conserved* (and *conservation*)** means:
In regard to *cultural heritage resources*, the identification, protection, use and/or management of *cultural heritage resources* and *archaeological resources* in such a way that their *heritage attributes* and integrity are retained. This may be addressed though a cultural *heritage conservation plan* or *cultural heritage resource impact assessment*.

Comment [MM940]: New; PPS definition

Consolidated Municipal Service Manager (Service Manger) means:
The legislated agency appointed by the Province that is responsible for the delivery of *social housing* services within Guelph and Wellington County. The County of Wellington is responsible for this service within the City and the County.

Convenience Commercial means:
A small-scale commercial operation and personal service that has a planning function of serving the day-to-day convenience shopping needs of an immediately surrounding residential population. Examples of uses include a convenience food store, a dry cleaner or a small-scale restaurant.

Comment [MM941]: Existing OP – reworded. Changed "take-out" to small-scale."

Conversion means:
The alteration or change of use of an existing building or structure to some other use.

Comment [MM942]: Existing OP

Co-ownership means:
A form of property possession in which a person has a joint interest in a co-operative or as a member of a corporation with the stated right to a present or future exclusive possession to a *dwelling unit* within a *multiple unit residential building*.

Comment [MM943]: Existing OP

Cultural Heritage Conservation Plan means:
A plan developed to demonstrate how *heritage attributes* will be *conserved*, protected or enhanced such that the integrity of the *heritage attributes* is retained. Such plans will include descriptions of repairs, stabilization and preservation techniques as well as short and long term conservation and maintenance measures and including how the *heritage attributes* will be integrated or commemorated.

Comment [MM944]: New; based on Ontario Heritage Toolkit definition which is recognized by the PPS

Cultural Heritage Conservation Easement Agreement means:
A voluntary legal agreement between the heritage property owner, the municipality and/or the Ontario Heritage Trust, establishing mutually accepted conditions that will ensure the conservation of a heritage property in perpetuity.

Comment [MM945]: Revised beyond current OP definition; based on Ontario Heritage Trust definition

Cultural Heritage Impact Assessment means:
A study conducted prior to *development/redevelopment* to investigate the potential impact of development on *cultural heritage resources.* This type of study will determine how a particular development should proceed and what actions or measures are required to minimize *negative impacts* on *cultural heritage resources.*

Cultural Heritage Landscape means:
A defined geographical area of heritage significance which has been modified by human activities and is valued by the community. It may involve a grouping(s) of individual heritage features such as structures, spaces, *archaeological sites*, and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to *Heritage Conservation Districts* designated under the *Ontario Heritage Act,* parks, gardens, neighbourhoods, townscapes, farm-scapes, battlefields, main streets, cemeteries, trail ways and industrial complexes of *cultural heritage value or interest*.

Comment [MM946]: Existing OP - Revised to reflect PPS definition

Cultural Heritage Resource means:
An *archaeological resource, built heritage resource* or *cultural heritage landscape resource*.

Comment [MM947]: Existing OP - revised

Cultural Heritage Resource Impact Assessment means:
A study conducted prior to *development/redevelopment* to investigate the potential impact of development on *built heritage resources* or *cultural heritage landscapes.* This assessment will determine how a particular development should proceed and what actions or measures are required to *mitigate* or *avoid negative impacts* on built heritage resources or *cultural heritage landscape resources.*

Cultural Heritage Review means:
An assessment conducted to accompany a request to modify a description of non-*designated properties listed* in the *Heritage Register* or to *list* or remove non-*designated properties* from the *Heritage Register*.

Comment [MM948]: New: as per Council's expansion of Heritage Register

Cultural Heritage Value or Interest means:
A *property* is of *cultural heritage value or interest* if, where criteria for whether the property is of *cultural heritage value or interest,* has been prescribed by regulation, the property meets the criteria.

Comment [MM949]: New; definition from OReg 9/06 under Ontario Heritage Act

***Cultural Resources* (see *Cultural Heritage Resource* definition).**

Comment [MM950]: Existing OP

Cultural Woodland means:
A *woodland* with tree cover between 35% and 60% originating from, or maintained by, anthropogenic influences and culturally based disturbances (e.g., planting or agriculture, clearing, recreation, grazing or mowing); often having a large proportion of introduced (i.e., non-indigenous) species (as per the Ecological Land Classification System for southern Ontario) and with shrubs, grasses, and/or herbaceous ground cover. These may be second or third growth *woodlands* that occur on land that has been significantly altered by human disturbance where the original forest was completely or mostly removed at various points in time (e.g., from agriculture, grazing, gravel extraction) and may include a small proportion of planted trees but has undergone natural succession to the point where tree cover is between 35% and 60%, with grass and herbaceous ground covers, and possibly shrubs as well.

Comment [MM951]: OPA 42

Day Care Centre means:
A premise licensed under the *Day Nurseries Act*, that receives more than five children who are not of common parentage primarily for the purpose of providing temporary care or guidance, or both temporary care or guidance, for a continuous period not exceeding twenty-four hours, when the children are under eighteen years of age in the case of a day nursery for children with a developmental handicap and under ten years of age in all other cases.

Comment [MM952]: Existing OP

Density Targets means:
The targets for the *Urban Growth Centre* density contained in policy 3.8.4 of this Plan and for designated *greenfield areas* contained in policy 3.12.2.

Comment [MM953]: OPA 39 revised to update policy references

Deposits of mineral aggregate resources means:
An area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Comment [MM954]: New PPS

Designated and Available means:
With respect to housing supply, lands designated in the Official Plan for urban residential use. Where more detailed official plan policies (e.g., secondary plans) are required before *development* applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purpose of this definition.

Comment [MM955]: New definition, PPS

Designated property means:
For the purpose of cultural heritage, *property* designated by a municipality under Part IV of the *Ontario Heritage Act* or within a *Heritage Conservation District* designated under Part V of the *Ontario Heritage Act*.

Development means:

Comment [MM956]: Existing OP

i) The creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*;
ii) *site alteration* activities such as fill, grading and excavation that would change the landform and natural vegetative characteristics of a site; and
iii) various forms of *intensification*, infill and *redevelopment*.

Development does not include activities that create or maintain *infrastructure* authorized under an *environmental assessment* process or works subject to the *Drainage Act*.

In spite of the above definition, for the Special Policy Area Flood Plain of this Plan, *development* means the construction, erection or placing of one or more buildings or structures on lands, or an addition or alteration to a building or structure which adds more than 50% of the existing ground floor area to the building or structure.

District Energy means:
A system that ties together distributed thermal energy generation and users through a local supply loop.

Dwelling Unit means:

Comment [MM957]: Existing OP

A room or group of rooms occupied or designed to be occupied as an independent and separate self-contained housekeeping unit.

Easement means:

Comment [MM958]: Existing OP

The permission to use a part of an individual's property, usually for services that are either overhead (as wires) or underground (i.e. pipes) and, furthermore, to service such installations.

Ecological Function means:

Comment [MM959]: O PA 42

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical, chemical and socio-economic interactions.

With respect to *wetlands*, ***Ecological Functions*** means:

Comment [MM960]: OPA 42

The biological, physical and socio-economic interactions that occur in an environment because of the properties of the wetlands that are present, including, but not limited to *groundwater* recharge and discharge; flood damage

reduction; shoreline stabilization; sediment trapping; nutrient retention and removal; food chain support; habitat for *fish* and wildlife; and attendant social and economic benefits.

Ecological Linkage means:
Areas that connect *natural heritage features* and associated areas along which wildlife can forage, genetic interchange can occur, populations can move from one habitat to another in response to environmental or climatic changes and life cycle requirements, and where species can be replenished. Linkages can also include those areas currently performing, or with the potential to perform linkage functions through *restoration* measures. Although linkages help to maintain and improve *natural heritage features and areas* and related *ecological functions*, they can also serve as habitat in their own right. These linkages should be based on the principles of conservation biology, 100 m wide but no less than 50 m wide except in areas where narrower linkages have already been approved.

Comment [MM961]: OPA 42

Ecosystem Services *means:*
The broad range of services provided by *natural heritage features and areas* within a given jurisdiction. These services include contributions to: surface and *groundwater* protection, air quality improvement, erosion and flood control, localized temperature moderation, noise attenuation, visual barriers, soil and wildlife protection and regeneration, and pollination of crops and natural vegetation. A number of these services can also be attributed to trees and treed areas outside natural areas but within the urban matrix (e.g., trees on boulevards, in yards and parks, etc.).

Comment [MM962]: OPA 42

Employment Area means:
Those areas designated in the Official Plan for clusters of businesses and economic activities, including, but not limited to:

i) manufacturing uses;
ii) warehousing uses;
iii) office uses;
iv) retail uses that are associated with the uses mentioned in clauses (i) to (iii); and
v) facilities that are ancillary to the uses mentioned in clauses (i) to (iv).

Comment [MM963]: OPA 39 revised

Endangered Species means:
A species or *extirpation* that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources Official Species at Risk List, as updated and amended from time to time.

Comment [MM964]: OPA 42

Environmental Assessment (EA) means:
A planning process to determine the potential impacts of an infrastructure project as determined by the *Environmental Assessment Act*.

Comment [MM965]: OPA 42

***Environmental Impact Study* (EIS)** means:
The form or product of a study used in the context of *natural heritage features* where *development* provisions on or adjacent to a *natural heritage feature* have been established through a rigorous ecosystem-analysis approach. This will usually take the form of a (sub) *watershed* study or environmental overview based on a landscape scale review of the natural features and functions of an area.

Comment [MM966]: OPA 42

Erosion Hazard means:
The loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability and an erosion/erosion access allowance.

Comment [MM967]: New – PPS

Essential means:
That which is considered by Council to be necessary and in the public interest after all feasible alternatives have been considered.

Comment [MM968]: OPA 42

Established buffers means:
The *buffers* established and approved by the City following the *adjacent* lands analysis carried out through the required site specific study (e.g. EIS or EA).

Comment [MM969]: OPA 42

Exempt means:
In regard to energy projects, an energy project that is exempt from *Planning Act* approvals as outlined in Section 62 of the *Planning Act*. (see also *non-exempt*)

Extirpation means:
A wildlife species no longer existing in a given jurisdiction where it formerly occurred, but still occurring elsewhere.

Comment [MM970]: OPA 42

Feature **(see *Natural Heritage Features and Areas* definition).**

Comment [MM971]: OPA 42

Fish means:
Fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Comment [MM972]: Existing OP

Fish Habitat means:
Spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

Comment [MM973]: Existing OP

Flood means:
A temporary rise in the water level resulting in the inundation of areas in the *flood plain* not ordinarily covered by water.

Comment [MM974]: Existing OP

Flood Fringe means:
The outer portion of the *flood plain* between the floodway and the *flooding hazard* limit.

Comment [MM975]: Existing OP reworded

Flooding Hazard means:
The inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water.

i) Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the *flooding hazard* limit is based on the one hundred year *flood* level plus an allowance for wave uprush and other water-related hazards;
ii) Along river, stream and small inland lake systems, the *flooding hazard* limit is the greater of:
    a. the *flood* resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins

Comment [MM976]: New, PPS

storm (1961), transposed over a specific *watershed* and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over *watersheds* in the general area;

b. the *one hundred year flood*; and

c. a *flood* which is greater than a. or b. which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

d. where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard).

Floodline see *Regulatory Floodline*

Floodplain means:
The area, usually low lands, adjoining a watercourse, which has been, or may be subject to *flooding hazards*. The *regulatory floodline* delimits the boundaries of the *flood plain*.

Comment [MM977]: Existing OP, reworded

Floodproofing (and floodproof and floodproofed) means:
A combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate *flood* damages

Comment [MM978]: Existing OP reworded

Floodway means:
A portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health or safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the two zone or Special Policy Area concept are applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of *flood* flow/or that area where *flood* depths and/or velocities are considered to be such that they pose a potential threat to life or property damage. Where the two zone or Special Policy Area concept are applied, the outer portion of the *flood plain* is called the *flood fringe*.

Comment [MM979]: Existing OP revised to be consistent with PPS

Forest Management means:
The sustainable management of the woodland to maintain, restore or enhance environmental conditions for wildlife, and for the protection of water supplies and may include the removal or pruning of dead, diseased, and hazard trees, and *invasive species.* Management may also include the judicious removal of selected tree(s) to improve the diversity and health of the woodland e.g., selective cutting of *plantations* to permit natural succession to occur. However, *forest management* does not include the removal of trees solely for commercial purposes.

Comment [MM980]: OPA 42

Garden Suite means (also known as a Granny Flat):
A one-unit detached residential structure containing bathroom and kitchen facilities that is separate from and subordinate to an existing residential dwelling and that is designed to be portable.

Comment [MM981]: New definition

Greenfield area means:
The area within the *settlement area* boundary that was not part of the *built-up area* in 2006 and is not part of the *non-settlement areas* identified on Schedule 1.

Comment [MM982]: OPA 39 – schedule reference updated

Greyfield means:
Previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict or vacant.

Comment [MM983]: OPA 39

Gross Floor Area means:
The total floor area of a building that is designed and intended for exclusive use and occupancy by a tenant or owner measured from the centre line of partition walls and from the exterior face of outside walls.

Comment [MM984]: Existing OP revised to be consistent with Zoning By-law

Groundwater means:
The water held beneath the earth's surface, especially water that flows or seeps downward and saturates the soil. The upper level of this saturated zone is called the water table.

Comment [MM985]: Existing OP

Groundwater Feature means:
Water-related features in the earth's subsurface, including recharge/discharge areas, water tables, *aquifers* and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Comment [MM986]: OPA 42

Group Home means:
A single housekeeping unit in a *dwelling unit* licensed, approved or supervised by the Province of Ontario, under any general or specialized or group accommodation with responsible 24 hour supervision consistent with the requirements of its residents. Without limiting the generality of the foregoing, a *group home* does not include a *day care centre*, a crisis care centre or a halfway house.

Comment [MM987]: Existing OP

Growth Plan **means:**
The *Growth Plan for the Greater Golden Horseshoe* (2006), as amended from time to time, prepared and approved under the *Places to Grow Act* (2005).

Habitable floor space means:
Any room or space in a *dwelling unit* designed for living, sleeping, the preparation of food and sanitary facilities; and also includes hotels and motels for overnight accommodation.

Comment [MM988]: Existing OP

Habitat Conservation means:
Management practices that aim to conserve, protect and restore *wildlife habitat* in order to increase biodiversity, including but not limited to: introduction of indigenous species and removal of non-indigenous *invasive species*.

Comment [MM989]: OPA 42

Hazard(ous) Lands means:
Property or land that could be unsafe for *development* due to naturally occurring processes. This means land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Comment [MM990]: New definition, PPS

Hazardous Site means:
Property or land that could be unsafe for development and *site alteration* due to naturally occurring hazards. These may include unstable soils, organic soils or unstable bedrock (karst topography).

Comment [MM991]: New, PPS

Hazardous substances means:
Substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Comment [MM992]: New, PPS

Hedgerow means:
Trees left standing or planted along the edge of a former or existing agricultural field or laneway to create a physical and/or visual barrier. *Hedgerows* also typically include trees remaining along former fence lines.

Comment [MM993]: OPA 42

Heritage attributes means:
In relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their *cultural heritage value or interest*.

Comment [MM994]: New; Ontario Heritage Act definition; this is also basically in keeping with the PPS definition

Heritage Conservation District means:
An area with a group or complex of buildings, or a larger area with many buildings and properties, with a concentration of *cultural heritage resources* with special character or historical association that distinguishes it from its surroundings.

Comment [MM995]: New; Ontario Heritage Toolkit definition

Heritage Conservation District Plan means:
A document adopted by the City to manage and guide future change in a *Heritage Conservation District*, through the adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the *Heritage Conservation District*'s special character.

Comment [MM996]: New definition based on Ontario Heritage Toolkit

Heritage Register (see: *Municipal Register of Cultural Heritage Properties)*

Comment [MM997]: New; Ontario Heritage Act 2005

Heritage tree means:
A single tree (or group of trees) which has *cultural heritage value or interest. Heritage trees* may be located on private and/or public property or form part of a *cultural heritage landscape*. *Heritage trees* may be identified as a *heritage attribute* of a *non-designated property listed* in the *Municipal Register of Cultural Heritage Properties* under the *Ontario Heritage Act*.

Heritage trees may be identified as part of a *Cultural Heritage Resource Impact Assessment, Cultural Heritage Conservation Easement Agreement, Cultural Heritage Review, Environmental Impact Statement*, *Environmental Assessment* Study or through a specific tree study.

Hydrologic Function means:
The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Comment [MM998]: OPA 42

Identified Habitat means:
Habitat identified through an EIS, EA or similar study in accordance with the Significant Wildlife Technical Guide (OMNR, 2000), as may be amended from time to time.

Comment [MM999]: OPA 42

Impact (see *Negative Impact* definition).

Comment [MM1000]: Existing OP

Individual On-Site Sewage Services means:
Individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O Reg. 403/97, under the Building Code Act that are owned, operated and managed by the owner of the property upon which the system is located.

Comment [MM1001]: New, PPS

Individual On-Site Water Services means:
Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Comment [MM1002]: New, PPS

Industrial Park means:
A planned or organized industrial district with a comprehensive plan which is designed to insure compatibility between the industrial operations therein and the existing activities and character of the community in which the park is located. The plan must provide for streets designed to facilitate truck and other traffic, proper setbacks, lot size minimums, land use ratio minimums, architectural provisions, landscaping requirements, and specific use requirements.

Comment [MM1003]: Existing OP

Infrastructure means:
Physical structures and services (facilities and corridors) that form the foundation for *development*. Infrastructure includes: sewage and water systems, stormwater management facilities, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and *transportation corridors* and facilities, and oil and gas pipelines and associated facilities.

Comment [MM1004]: OPA 42

Intensification means:
The *development* of a property, site or area at a higher density than currently exists through:
i) *redevelopment*, including the reuse of *brownfield sites*;
ii) the development of vacant and/or underutilized lots within previously developed areas;
iii) infill development; and
iv) the expansion or conversion of existing buildings.

Comment [MM1005]: OPA 39

Intensification Area means:
Lands identified by municipalities within a *settlement area* that are to be the focus for accommodating *intensification*. *Intensification areas* include Downtown Guelph, *intensification corridors*, *major transit station areas* and other major

Comment [MM1006]: OPA 39

opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings and *greyfields*.

Intensification Corridor means:
Intensification areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned transit service levels.

Comment [MM1007]: OPA 39

Intensification Target means:
The target as established in Section 3.7 of the Official Plan in accordance with policy 2.2.31 of the *Growth Plan*.

Comment [MM1008]: OPA 39 – reworded to update policy reference and add reference to the Growth Plan.

Intermittent Stream means:
Watercourses that only flow during wet periods (30 to 90% of the time) and flow in a continuous, well-defined channel. These are distinguished from ephemeral streams which refer to water that only flows during storm events and may or may not have a well-defined channel.

Comment [MM1009]: OPA 42

Invasive Species means:
Species of plants, animals and microorganisms introduced by human action outside their natural past or present distribution whose introduction or spread threatens the environment. An invasive plant is one that has been moved from its indigenous habitat to a new area (possibly for garden/domestic use), and reproduces so aggressively that it displaces species within indigenous plant communities.

Comment [MM1010]: OPA 42

Landfill Site means:
A site used for the disposal of waste, under controlled conditions, on land.

Comment [MM1011]: Existing OP

Land Severance (see *Consent* definition).

Comment [MM1012]: Existing OP

LEED means:
Leadership in Energy and Environmental Design: a system for rating buildings based on their environmental performance including energy and water use.

Comment [MM1013]: New

Legal non-conforming means:
A use of land, building or structure that is not recognized in the *Zoning By-law* but which lawfully existed on the day the *Zoning By-law* was passed.

Linear Infrastructure means:
Corridors that include infrastructure such as, the pipes necessary for the transmission and distribution of sewage and water, communication, oil and gas lines and roads.

Comment [MM1014]: OPA 42

List **(*Listed* or *Listing*)** means:
For the purposes of identifying *cultural heritage resources*, the addition of a *designated property* or non-*designated property* to the *Municipal Register of Cultural Heritage Properties*.

Comment [MM1015]: New definition based on common usage among Heritage Planners, use of word in Sect 27 Part IV Ontario Heritage Act, and as confirmed in most recent booklet of the Ontario Heritage Toolkit

Live/work means:
A *dwelling unit* that may be partially used for the operation of a small-scale business.

Comment [MM1016]: OPA 39

Livestock-based Agricultural Operation means:
A place where the grazing, breeding, raising, boarding or training of animals or birds occurs for commercial purposes.

Comment [MM1017]: Existing OP, reworded

Living Community Centre means:
Programming and/or improved 'animation' of parks that strengthen community cohesion and pride through the introduction of activities such as, but not limited to, movie nights, walking clubs, family pick-up games and activities, neighbourhood picnics, community gardens, brick bake ovens, markets and talent nights.

Comment [MM1018]: New

Locally Significant Wetlands means:
Evaluated *wetland* of at least two (2) ha in size and unevaluated wetlands at least 0.5 ha in size that do not meet provincial criteria for significance but may still be considered significant at the City level.

Comment [MM1019]: OPA 42

Low Impact Development means:
A stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. LID comprises a set of site design strategies that minimize runoff and distributed, small scale structural practices that mimic natural or pre-*development* hydrology through the processes of infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. Site specific designs that can be used to control stormwater include, but are not limited to, rainwater harvesting, green roofs, bio-retention, permeable pavers, infiltration facilities and vegetated swales. These practices can effectively remove nutrients, pathogens and metals from runoff, and they reduce the volume and intensity of stormwater flows.

Comment [MM1020]: OPA 42

Lodging House means:
Any place, including but not limited to a *dwelling unit* that is used to provide five (5) or more lodging units for hire or gain directly or indirectly to persons.

Comment [MM1021]: Existing OP

Low and Moderate Income Households means:
i) In the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution within the City; or
ii) In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for households renting within the City.

Comment [MM1022]: New, PPS

Major Offices *generally* means:
A freestanding office building having a minimum of 10,000 sq.m. (107,639 Sq. ft.) and 500 jobs.

Comment [MM1023]: OPA 39

Major Retail Uses means:
Retail uses that are greater than 3,250 sq. m. (34,982.7 sq.ft.).

Comment [MM1024]: OPA 39

Major Transit Station Area means:
The area generally defined as the area within an approximate 500 metre radius of a major bus depot or transit station, representing about a 10-minute walk.

Comment [MM1025]: OPA 39

***Mineral Aggregate Operation*:** means

i) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the Aggregate Resources Act, or successors thereto;
ii) for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal *Zoning By-laws* and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
iii) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Comment [MM1026]: New, PPS

Mineral Aggregate Resources means:
Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Comment [MM1027]: Existing OP

Minimum Buffer means:
The *minimum buffers* identified on Table 4.1 of this Plan.

Comment [MM1028]: OPA 42

Mitigation or Avoidance
In regard to *cultural heritage resources*, methods of minimizing or avoiding a *negative impact* on a *cultural heritage resource*. These methods include, but are not limited to:

i) alternative development approaches;
ii) isolating *development* and *site alteration* from significant built and natural features and vistas;
iii) design guidelines that harmonize mass, setback, setting, and materials;
iv) limiting height and density;
v) allowing only compatible infill and additions;
vi) reversible alterations; and
vii) buffer zones, site plan control, and other planning mechanisms.

Comment [MM1029]: New definition from Ontario Heritage Toolkit (PPS)

Mode Share or Modal Share means:
The percentage of person trips or of freight movements made by one travel mode relative to the total number of such trips made by all modes.

Multi-modal means: The availability or use of more than one form of transportation, such as automobiles, buses, rail (commuter, light rail and freight), walking, and cycling.

Comment [MM1030]: OPA 39

Municipal Comprehensive Review means:
An official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan.

Comment [MM1031]: OPA 39, reworded for consistency with Growth Plan

Municipal Register of Cultural Heritage Properties* or *Heritage Register *means:*
A register established pursuant to Section 27 of the *Ontario Heritage Act* and filed with the Clerk which identifies properties of *cultural heritage value or interest* within the City. Designated properties are *listed* in the *Municipal Register of Cultural Heritage Properties*. Non-*designated properties* may also be *listed* in the *Municipal Register of Cultural Heritage Properties*.

Comment [MM1032]: New; as per Section 27 Part IV of Ontario Heritage Act

***Municipal Sewage Services* means:**
A sewage works within the meaning of Section 1 of the *Ontario Water Resources Act*, as amended from time to time, that is owned or operated by a municipality.

Comment [MM1033]: OPA 39 revised to split water and sewage systems into 2 definitions consistent with PPS

Municipal Water means:
A municipal drinking water system within the meaning of Section 2 of the *Safe Drinking Water Act*, as amended from time to time.

Comment [MM1034]: OPA 39 revised to split water and sewage systems into 2 definitions consistent with PPS

Natural Hazards (see *Hazard Lands* definition).

Comment [MM1035]: Existing OP

Natural Heritage Features and Areas means:
Features and areas, including *significant wetlands* and *other wetlands*, *significant habitats of endangered and threatened species*, *significant Areas of Natural and Scientific Interest*, surface water features and *fish habitat*, *significant woodlands*, *significant landform*, *significant valleylands*, *ecological linkages* and *significant wildlife habitat*, *habitat of significant species and cultural woodlands* as defined by the criteria for designation within the *Natural Heritage System*.

Comment [MM1036]: O PA 42

Natural Heritage System means:
A system comprised of *natural heritage features*, areas and *ecological linkages*, including surface and ground water or areas, including surface and ground water features, and *ecological linkages*. Together, these elements maintain local biological, hydrological and geological diversity and functions, support viable populations of indigenous species, and sustain local ecosystems. The system also includes lands that have been identified for *naturalization* and/or *restoration* or have the potential to be restored to a natural state.

Comment [MM1037]: OPA 42

Naturalization means:
A process whereby an area that has been previously disturbed by humans or from natural events, is allowed to regenerate naturally with input of seeds and other propagules from the existing soil and/or adjacent natural areas.

Comment [MM1038]: OPA 42

Negative Impacts means:

i) In regard to water resources, degradation to the quality and quantity of water, *sensitive* surface water features and *sensitive* ground water features, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities.
ii) In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity.
iii) In regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological*

Comment [MM1039]: OPA 42 with addition of iv)

functions for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

iv) In regard to *cultural heritage resources*, *negative impacts* include, but are not limited to:

a. Destruction of any, or part of any, significant *heritage attributes* or features;
b. Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;
c. Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;
d. Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
e. Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
f. A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
g. Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.

Net density means
the concentration of residential development, calculated by dividing the total number of dwellings by the net area of the site developed for residential purposes. This term excludes roads and road right-of-ways and areas that have been dedicated to the City or another public agency.

Comment [MM1040]: Existing OP

Non-exempt means:
In regard to energy projects, an energy project that is subject to approval under the *Planning Act*. (see also *exempt*)

Non-settlement area means:
Publicly owned land, which is not identified in the Official Plan for *development* or *redevelopment* up to the year 2031 as shown on Schedule 1.

Comment [MM1041]: OPA 39, only change is reference to Schedule

***Normal Maintenance* means:**
Activities undertaken in conjunction with public and private infrastructure including energy, communication, wastewater, roads, railways, trails, water supply and storage, water management and stormwater management to ensure regular operation parameters and public safety in accordance with the associated guidelines, regulations and maintenance policies, procedures and risk mitigation strategies for the infrastructure.

Comment [MM1042]: OPA 42

Nursing Home means:
Any premises, licensed under the *Nursing Homes Act*, maintained and operated for persons requiring nursing care.

Comment [MM1043]: Existing OP, reworded

One Hundred Year Flood (see *100 Year Flood* definition at beginning of Glossary).

Comment [MM1044]: Existing OP

Ontario Heritage Act means:
Ontario Heritage Act, R.S.O. 1990, c. 0.18 as amended.

Other Wetlands means:
Unevaluated *wetlands* of at least 0.2 ha and no more than 0.5 ha.

Comment [MM1045]: OPA 42

Paris Galt Moraine means:
The geomorphic feature referred to as the *Paris Galt Moraine* Complex which is a 6.4 to 8 km wide belt that extends over most of the City's south end (south of Clair Road) and occurs in a few more isolated patches in the central portion of the City. The Paris and Galt Moraines were both deposited by the Ontario ice lobe during the Port Bruce Stadial (15,000 - 14,000 yr. B.P.)

Comment [MM1046]: OPA 42

Partial Services means:
i) *Municipal sewage services* or private communal sewage services and *individual on-site water services*; or
ii) *Municipal water* services or private communal water services and *individual on-site sewage services*.

Comment [MM1047]: New, PPS

Passive Recreational Activities means:
A range of outdoor activities and passive uses compatible with protecting the *Natural Heritage features* including, but not limited to, *wildlife habitat*, wetlands and woodlands. Activities and uses include bird watching, hiking, photography, snowshoeing, and may require the construction of a trail, benches or boardwalks in accordance with the Guelph Trail Master Plan or integral to the scientific, educational or passive recreational use of a property.

Comment [MM1048]: OPA 42

Performance Labelling means:
A transparent energy benchmarking process whereby the energy efficiency of a building is documented.

Planning Act means:
The Planning Act, R.S.O. 1990, chapter P.13, as amended.

Plans of Subdivision (see *Registered Plan of Subdivision* definition).

Comment [MM1049]: Existing OP

Plantations means:
Where tree cover is greater than 60% and dominated by canopy trees that have been planted:
i) managed for production of fruits, nuts, Christmas trees or nursery stock; or
ii) managed for tree products with an average rotation of less than 20 years (e.g. hybrid willow or poplar); or
iii) established and continuously managed for the sole purpose of tree removal at rotation, as demonstrated with documentation acceptable to the planning authority or the OMNR, without a forest *restoration* objective.

Comment [MM1050]: OPA 42

Pollinator Habitat means:
Natural areas within the landscape that contain indigenous plants, shrubs, and trees that provide pollen, nectar, and other floral resources for pollinating insects and other animal pollinators. In addition, these areas may provide appropriate

Comment [MM1051]: OPA 42

nesting sites, such as exposed soil, rotting logs, cavity trees, hollow-stemmed plants, and host plants specific to local pollinators.

Portable Asphalt Plant means:
A facility:
i) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
ii) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Comment [MM1052]: Existing OP

Portable Concrete Plant means:
A building or structure:
i) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
ii) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Comment [MM1053]: New, PPS

Property, as defined in Parts IV and V of the *Ontario Heritage Act*, means:
Real property and includes all buildings and structures thereon. This includes anything fixed to the *property* "fixture" but excludes anything portable "chattel". Generally, a fixture is something affixed to the property by means other than its own weight, which cannot be removed without causing damage to the building. A chattel is a moveable item of property not permanently attached to land or a building.

Comment [MM1054]: new - Source: Heritage Places of Worship Guide (p.10) in Ontario Heritage Toolkit

Property Standards By-law means:
A municipal by-law, passed in accordance with the provisions of the Ontario Building Code which prescribes the standards for the maintenance and occupancy of property.

Comment [MM1055]: Existing OP

Protected Heritage Property means:
Real property designated under Parts IV, V, or VI of the *Ontario Heritage Act*; *heritage conservation easement* property under Parts II or IV of the *Ontario Heritage Act*; and property that is the subject of a covenant or agreement between the owner of the property and a conservation body or level of government, registered on title and executed with primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Comment [MM1056]: New- PPS definition

Provincial Plan means:
A plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal Official Plans.

Comment [MM1057]: New, PPS

Provincially Significant Wetlands (PSW) means:
Wetlands or a wetland complex identified by the OMNR as being of provincial significance as determined through the Ontario Wetland Evaluation System.

Comment [MM1058]: OPA 42

Public Realm means:
Public spaces such as public streets and rights of way, urban squares, parks, community trails, and open spaces.

Public Service Facilities **means:**
Land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.

Public View means:
A view toward important public and historic buildings, natural heritage and open space features, landmarks and skylines when viewed from the *public realm*.

Public Vista means:
Views that are framed through built form or between rows of trees when viewed from the *public realm*.

Redevelopment means:
The creation of new units, uses or lots on previously developed land in existing communities, including *brownfield* and *greyfield* sites.

In spite of the above definition, for the lands within the *Special Policy Area Flood Plain* of this Plan, *redevelopment* shall include an addition which is larger than 50% of the total ground floor area of the original or existing building or structure.

Registered Plan of Subdivision means:
A plan showing lots, streets and blocks of land, approved by the City of Guelph, in accordance with the *Planning Act*, and registered under the *Registry Act*, or the *Land Titles Act*.

Regulatory Flood *means:*
The *flood* resulting from the Hurricane Hazel Regional Storm, as determined by the Grand River Conservation Authority.

Renewable Energy Systems means:
The production of power or heat from an energy source that is renewable by natural processes including, but not limited to, wind, water, a biomass resource or product, solar and geothermal energy.

Renovation means for the Special Policy Area *Flood* Plain of this Plan, a form of *development* involving the improvement, alteration or addition under 50% of total ground floor area to an existing building or structure.

Residential Intensification means:
Intensification of a property, site or area which results in a net increase in *residential units* or accommodation and includes:
a) redevelopment, including the redevelopment of *brownfield sites*;
b) the development of vacant or underutilized lots within previously developed areas;
c) infill development;

Comment [MM1059]: New, PPS

Comment [MM1060]: Existing OP, first statement revised to be consistent with PPS

Comment [MM1061]: Existing OP, reworded to remove reference to Ministry of Municipal Affairs

Comment [MM1062]: Existing OP

Comment [MM1063]: OPA 42

Comment [MM1064]: Existing OP

Comment [MM1065]: New, PPS

d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
e) the *conversion* or expansion of existing residential buildings to create new *residential units* or accommodation, including accessory apartments, secondary suites and rooming houses.

Restoration means**:**
Active management of an area that results in accelerated regeneration and recovery of a desired vegetation community or habitat, typically one that once occurred naturally in the area. This may include the creation or re-creation of *wetlands*, woodlands or meadows/grasslands.

Comment [MM1066]: O PA 42

Retail Commercial means:
An enterprise whose purpose is to sell a commodity to the end user.

Comment [MM1067]: Existing OP

Riverine Flooding Hazard means:
The inundation, under a *flood* resulting from the rainfall experienced during the Hurricane Hazel storm (1954) or Regional Storm.

Safe access means:
Locations where, during the *Regulatory Flood*:

Comment [MM1068]: New definition

i) the flow velocity does not exceed1.0 m/sec.;
ii) the product of depth and velocity does not exceed 0.4 m squared/sec.;
iii) the depth of flooding along access routes to *residential units* does not exceed 0.8 m;
iv) the depth of flooding along access routes to commercial or industrial buildings or structures does not exceed or 2.0 m;
v) the depth of flooding adjacent to *residential units* does not exceed 1.2 m; and
vi) the depth of flooding adjacent to commercial or industrial buildings or structures does not exceed 2.0 m.

Scoped Cultural Heritage Resource Impact Assessment means:
A reduced scope of study conducted prior to *development/redevelopment* to investigate the potential impact of *development* on *cultural heritage resources*, including development proposals on lands adjacent to *designated property* or other *protected heritage property.*

Comment [MM1069]: Existing OP as "Scoped Built Heritage Resource Impact Assessment", reworded and Revised to include adjacency (PPS)

Scoped Environmental Impact Study means:
The form of study used in the context of assessing impact on *natural heritage features and areas* where *development* within or adjacent to a natural heritage feature is contemplated and a comprehensive study (EIS/EA/*Subwatershed Plan*) has been completed. In this instance an area or site specific study that addresses the issues of particular concern not previously addressed in sufficient detail in the comprehensive studies will be examined for the site specific *development* proposal.

Comment [MM1070]: OPA 42

Sensitive means:
In regard to surface water features and *groundwater features*, areas that are particularly susceptible to impacts from activities or events including but limited to, water withdrawals, and additions of pollutants.

Comment [MM1071]: OPA 42

Sensitive land use means:
Buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but not be limited to residences, day care centres, and educational and health facilities.

Comment [MM1072]: Existing OP, revised to be consistent with PPS

Service Commercial means:
Uses that support *highway-oriented* or service-oriented commercial activities that cannot be readily located within the Downtown or within a shopping centre location.

Comment [MM1073]: Existing OP

The following list characterizes the main features of a *service commercial* use:

i) A use that requires a large site area and outdoor display area to accommodate the sale of large commodities such as cars, recreational vehicles, and building supplies;
ii) A use that primarily relies on business from tourists or inter-urban traffic such as a hotel, gas bar, restaurant;
iii) A use that supplies goods and services that are not normally found within the downtown or a shopping centre such as auto repair and service facilities;
iv) A use that requires a location convenient to industry as it primarily provides service to industry such as machinery sales and service, electrical supplies; or
v) A use that requires substantial showroom area because of the bulky or large size nature of the principal commodities that are being marketed, and the requirement for a large showroom makes it economically difficult to provide the space in the downtown or shopping centre location.

Service Manager means:
The same as *Consolidated Municipal Service Manager*

Settlement Area means:
All lands identified in the Official Plan, excluding *non-settlement areas,* for *development* or *redevelopment* up to the year 2031 as shown on Schedule 1.

Comment [MM1074]: OPA 39

Significant means:

Comment [MM1075]: OPA 42

i) in regard to the habitat of provincially endangered and threatened species, means the habitat, as approved by the OMNR, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered species* or threatened species, and where those areas of occurrence are occupied or habitually occupies by the species during all or any part(s) of its life cycle.
ii) in regard to the habitat of significant species that are not provincially endangered or threatened species, means the habitat that is necessary for the maintenance or survival of naturally occurring populations, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;

iii) in regard to landform, means the portions of the *Paris Galt Moraine* containing concentrations of 20% slopes, and closed depressions located in close proximity to other Significant Natural Areas of the NHS.

iv) In regard to *natural heritage features or areas* meeting the criteria for one or more of the following NHS components:

a. *Areas of Natural and Scientific Interest (Earth and Life Science)*
b. *Habitat for Endangered and Threatened Species*
c. *Significant Wetlands*
d. *Surface Water Features* and *Fish Habitat*
e. *Significant Woodlands*
f. *Significant Valleylands*
g. *Significant Landform*
h. *Significant Wildlife habitat (including Ecological Linkages)*

v) in regard to *wetlands* means:

a. *provincially significant wetlands* as identified by the OMNR and determined to be provincially significant according to the *Ontario Wetland Evaluation System*; and

b. *locally significant wetlands* being (a) evaluated wetlands of at least 2 ha which are not considered to be provincially significant but are still considered locally significant, or (b) unevaluated wetlands of at least 0.5 ha and less than 2 ha also considered locally significant;

vi) in regard to *wildlife habitat* (including *Ecological Linkages*) means areas that are ecologically important in terms of features, functions, representation or amount where plants and animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations contributing to the quality and diversity of the *natural heritage system*. Specific *wildlife habitats* of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas which are important to migratory or non migratory species;

vii) in regard to *woodlands* means *woodlands* that are ecologically important in terms of features such as species composition, age of trees and stand history, functionally important due its contribution to the broader landscape because of its location, size or due to the amount of remaining forest cover in the City;

viii) in regard to valleylands means a *natural heritage feature or area* that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. This includes regulatory floodplains/riverine *flooding hazards*, riverine *erosion hazards* and apparent/other valleylands ecologically important in terms of features, functions, representativeness, or amount, and contributing to the quality and diversity of an identifiable area or NHS;

ix) in regard to vegetation types means vegetation types ranked as S, S2 or S3 by the NHIC of Ontario, as well as those determined through analysis to be uncommon or representative with the County of Wellington or City but not already captured as *significant wetlands* or *significant woodlands*.

x) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the

Comment [MM1076]: New, PPS definition.

history of a place, an event, or a people.

Site alteration means:
Activities such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Comment [MM1077]: Existing OP, Reworded to be consistent with PPS definition

Social Housing means:
Sometimes referred to as 'assisted', 'subsidized' or 'rent-geared-to income' housing, housing that is a sub-set of *affordable housing*. It refers to housing units provided under a variety of federal and provincial housing program by the municipal non-profit housing corporation and private non-profit and co-operative non-profit housing corporations. Residents in rent-geared-to income units in *social housing* portfolios pay no more than 30% of their annual gross household income in rent. It also refers to housing units within the private rental sector, where rent-geared-to-income subsidy is provided through a rent supplement agreement to the landlord.

Special Concern means:
Sensitive to human activities or natural events which may cause it to become endangered or threatened species.

Comment [MM1078]: OPA 42

Special Needs Housing means:
Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs housing* may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly. For the purposes of this Plan, it also includes *group homes*, emergency shelters, special care facilities for persons with disabilities and housing for seniors (rest homes, palliative care, *nursing homes*).

Comment [MM1079]: OPA 39 revised to add last sentence

S-Ranks or Provincial Ranks means:
Provincial (or Subnational) ranks are used by the NHIC to set protection priorities for rare species and natural communities. These ranks are not legal designations. Provincial ranks are assigned in a manner similar to that described for global ranks, but consider only those factors within the political boundaries of Ontario. By comparing the global and provincial ranks, the status, rarity, and the urgency of conservation, needs can be ascertained. The NHIC evaluates provincial ranks on a continual basis and produces updated lists at least annually.

Comment [MM1080]: OPA 42

i) S1 Critically Imperiled—Critically imperiled in the nation or state/province because of extreme rarity (often 5 or fewer occurrences) or because of some factor(s) such as very steep declines making it especially vulnerable to extirpation from the state/province.

ii) S2 Imperiled—Imperiled in the nation or state/province because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the nation or state/province.

iii) S3 Vulnerable—Vulnerable in the nation or state/province due to a

restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation.

Subwatershed Plan means:
A plan prepared by the City and/or the Grand River Conservation Authority.

A *Subwatershed Plan* builds on findings of a *Watershed Plan* providing specific subwatershed targets, goals, objectives including but not limited to: natural system linkages and functions; surface and *groundwater* quantity and quality management; the enhancement, rehabilitation of *natural features*; areas suitable for *development*; best management practices for incorporation into subdivision designs; and specific implementation and monitoring schemes.

Comment [MM1081]: Existing OP revised

Surface water features means:
Water related features, including headwaters, rivers, stream channels, inland lakes and ponds, seepage areas, recharge/discharge areas, springs, *wetlands* and associated riparian lands that can be defined by their soil moisture, soil type, vegetation and topographic characteristics.

Comment [MM1082]: OPA 42

Threatened species means:
A species that is at risk of becoming *endangered* that is listed or categorized as a "Threatened Species" on the "Ontario Ministry of Natural Resources" official Species at risk list, as updated and amended from time to time by the Endangered Species Act.

Comment [MM1083]: OPA 42

Transit-supportive means:
Making transit viable and improving the quality of the experience of using transit. When used in reference to development, it often refers to compact, mixed-use development that has a high level of employment and residential densities to support frequent transit service. When used in reference to urban design, it often refers to design principles that make development more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network; pedestrian friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/rear of buildings; and improved access between arterial roads and interior blocks in residential areas.

Comment [MM1084]: OPA 39

Transportation Corridor means:
A thoroughfare and its associated *buffer* zone for passage or conveyance of vehicles or people. A *transportation corridor* includes any or all of the following:

Comment [MM1085]: OPA 39

i) major roads, arterial roads, and highways for moving people and goods;
ii) rail lines/railways for moving people and goods; and
iii) transit rights-of-way/transitways including buses and light rail for moving people.

Transportation Demand Management (TDM) means:
A series of polices, programs and incentives intended to influence whether, when, where and how people travel, and encourage them to make more efficient use of the transportation system.

Transportation infrastructure means:
Works such as maintenance, repair or installation of roads or bridges/overpasses as well as underpasses and culverts, and rail lines, but does not include buildings or parking that may be associated with these *infrastructure* components with the exception of small-scale bus/rail boarding platforms and associated structures.

Tree canopy cover means:
The proportion of land area occupied by tree crowns when visualized from above. It is the two-dimensional horizontal extent of the combined canopies of all the trees on a given land area.

Comment [MM1086]: OPA 42

Urban Agriculture means:
The growing of crops or raising of animals for food at a small scale that is compatible with the surrounding neighbourhood. It may also include small-scale sales of urban agricultural products subject to zoning and other applicable regulations.

Urban Forest means:
For the purposes of this Plan, *plantations*, *woodlands*, *hedgerows*, generally treed areas and individual trees outside the City's *Natural Heritage System*.

Comment [MM1087]: OPA 42

Urban Growth Centre means:
Downtown Guelph as identified on Schedule 1 and defined in accordance with the policies for the *Growth Plan* for the Greater Golden Horseshoe.

Comment [MM1088]: OPA 39 revised

Vacancy Rate means:
The percentage of *dwelling units* that are vacant in relation to the total number of *dwelling units* of that type. A vacant *dwelling unit* is one that is available for immediate rental and is physically unoccupied at the time of enumeration.

Comment [MM1089]: Existing OP

Valleylands means:
A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Comment [MM1090]: OPA 42

Vegetation Compensation Plan means:
A vegetation plan designed to compensate for the loss of healthy trees measuring 10 cm dbh.

Vulnerable *means:*
Surface and *groundwater* that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or *groundwater*.

Comment [MM1091]: OPA 42,

Walkable Communities means:
Well-designed, compact communities where people can walk to school or work, to stores, parks, restaurants and entertainment destinations thereby providing opportunities for exercise and significantly reducing the need to drive.

Comment [MM1092]: OPA 39

Watershed means:
All land drained by a river or stream and its tributaries.

Comment [MM1093]: Existing OP

Watershed Plan means:
A plan prepared by the City and/or the Grand River Conservation Authority, in consultation with the Province and local municipalities. The plan will take a broad ecosystem approach to water, water related natural features, terrestrial resources, fisheries, water dependencies/linkages and valley/open space systems. It is intended to provide *watershed*-wide policy and direction for: natural heritage, stormwater management, implementation and monitoring.

Comment [MM1094]: Existing OP

Wayside pits and quarries means:
A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Comment [MM1095]: Existing OP

Wetland Evaluation means:
Evaluation of wetland carried out in accordance with the OMNR *Wetland Evaluation* Manual, as amended from time to time.

Comment [MM1096]: OPA 42

Wetlands means:
Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Comment [MM1097]: OPA 42

Wildlife Habitat means:
Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific *wildlife habitats* of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Comment [MM1098]: Existing OP

Woodlands means:
Treed areas that provides environmental and economic benefits to both the private land owner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and Provincial levels.

Comment [MM1099]: OPA 42

This includes an area of land at least 0.2 hectare in area with at least:

i) 1000 trees of any size, per hectare;
ii) 750 trees measuring over 5 cm diameter at breast height, per hectare;
iii) 500 trees measuring over 12 cm diameter at breast height, per hectare; or
iv) 250 trees measuring over 20 cm diameter at breast height, per hectare,

but does not include a cultivated fruit or nut orchard, a *plantation* established for the purpose of producing Christmas trees or nursery stock. For the purposes of defining a woodland, treed areas separated by more than 20 m will be considered a separate woodland.

Zoning By-law means:
A municipal by-law prepared in accordance with the *Planning Act*, that restricts the use of land and the manner in which buildings or structures are located on a property. A *Zoning By-law* implements the intent of the Official Plan by specifically regulating what may or may not be done on individual parcels of land.

Comment [MM1100]: Existing OP

11.3 Glossary of Acronyms

ANSI	Area of Natural and Scientific Interest
CEI	Community Energy Initiative
CEP	Community Energy Plan
DFO	Department of Fisheries and Oceans
EIS	Environmental Impact Study
EA	Environmental Assessment (under the Environmental Assessment Act)
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
COSSARO	Committee on the Status of Species at Risk in Ontario
dbh	Diameter at breast height (for trees)
GIS	Geographic Information System
GRCA	Grand River Conservation Authority
LEED	Leadership in Energy and Environmental Design
NHS	Natural Heritage System (see definition in Glossary)
NHIC	Natural Heritage Information Centre (Ontario Ministry of Natural Resources)
OMB	Ontario Municipal Board
OMNR	Ontario Ministry of Natural Resources
PSW	Provincially Significant Wetland
SAR	Species at Risk
S1	Critically Imperiled (see definition under S-Ranks)
S2	Imperiled (see definition under S-Ranks)
S3	Vulnerable (see definition under S-Ranks)
S4	Apparently Secure
S5	Secure
TDM	Transportation Demand Management

Comment [MM1101]: OPA 42
Comment [MM1102]: OPA 42
Comment [MM1103]: OPA 42
Comment [MM1104]: OPA 42
Comment [MM1105]: OPA 42
Comment [MM1106]: OPA 42
Comment [MM1107]: OPA 42
Comment [MM1108]: OPA 42
Comment [MM1109]: OPA 42
Comment [MM1110]: OPA 42
Comment [MM1111]: OPA 42
Comment [MM1112]: OPA 42
Comment [MM1113]: OPA 42
Comment [MM1114]: OPA 42
Comment [MM1115]: OPA 42
Comment [MM1116]: OPA 42
Comment [MM1117]: OPA 42
Comment [MM1118]: OPA 42
Comment [MM1119]: OPA 42
Comment [MM1120]: OPA 42

12 Secondary Plans

Note: Future approved Secondary Plans will be incorporated into the Official Plan in this Chapter.

13 Schedules

Schedule 1	Growth Plan Elements
Schedule 2	Land Use
Schedule 3	Downtown
Schedule 4	Natural Heritage System
Schedule 4A	Natural Heritage System – Wetlands and ANSI's
Schedule 4B	Natural Heritage System – Surface Water and Fish Habitat
Schedule 4C	Natural Heritage System – Significant Woodlands
Schedule 4D	Natural Heritage System – Significant Valleylands and Significant Landform
Schedule 4E	Natural Heritage System –Significant Wildlife Habitat
Schedule 5	Development Constraints
Schedule 6	Staging of Development
Schedule 7	Road and Rail Network
Schedule 8	Trail Network
Schedule 9	Wellhead Protection Areas

Comment [MM1121]: OPA 39

Comment [MM1122]: OPA 42

Comment [MM1123]: OPA 42

Comment [MM1124]: OPA 42

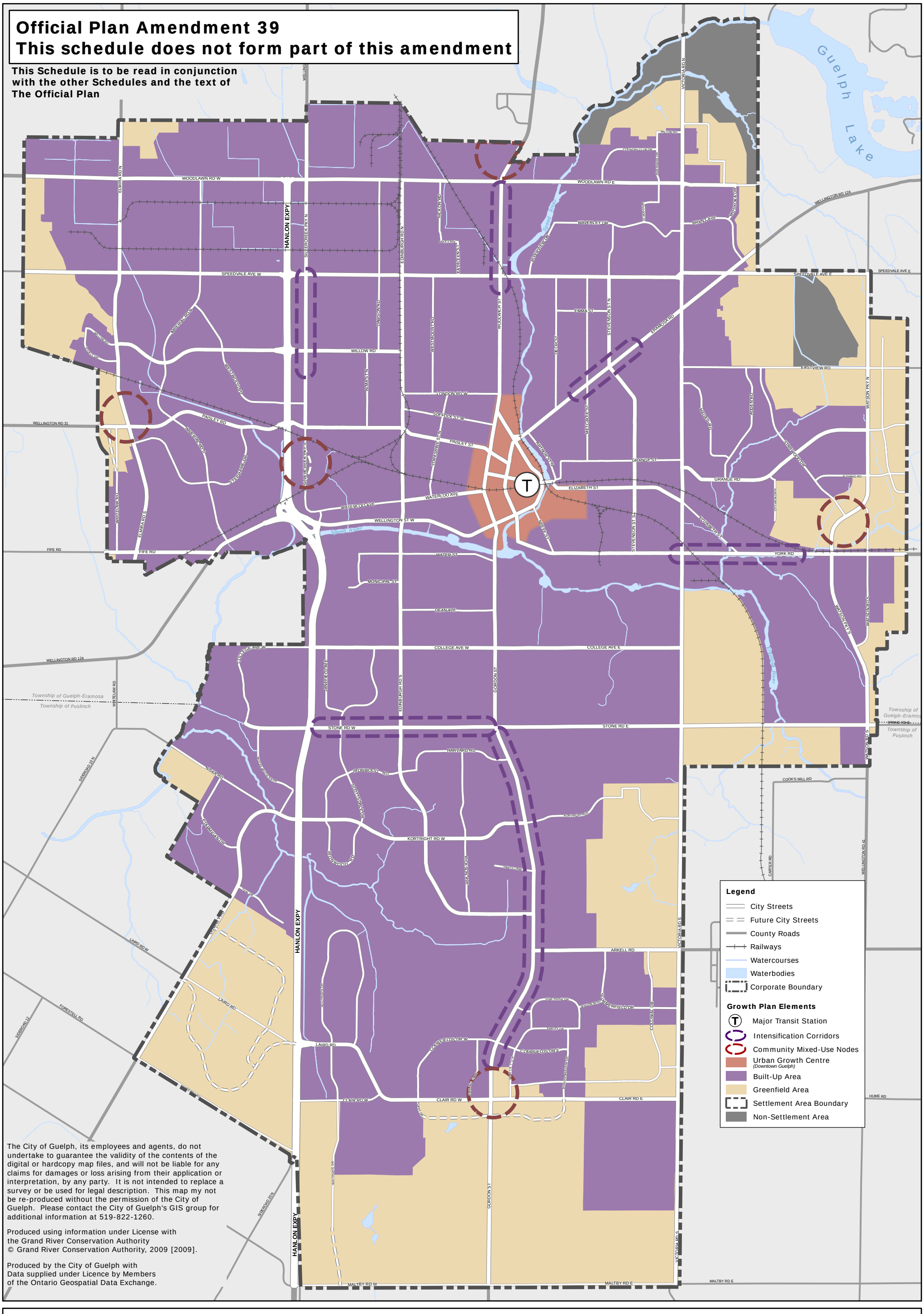
Comment [MM1125]: OPA 42

Comment [MM1126]: OPA 42

Comment [MM1127]: OPA 42

Official Plan Amendment 39
This schedule does not form part of this amendment

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CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 1:
GROWTH PLAN ELEMENTS

Making a Difference

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Guelph Lake

Legend

- City Street
- Future City Street
- County Road
- Railway
- Watercourse
- Waterbody
- Corporate Boundary

Land Use Designations

- Low Density Residential
- Low Density Greenfield Residential
- Medium Density Residential
- High Density Residential
- Downtown
- Mixed-Use Corridors
- Community Mixed-Use Centre
- Service Commercial
- Neighbourhood Commercial Centre
- Mixed Office Commercial
- Industrial
- Corporate Business Park
- Mixed Business
- Institutional / Research Park
- Major Institutional
- Special Study Area
- Major Utility
- Open Space and Park
- Significant Natural Area (currently under appeal)
- Natural Area (currently under appeal)
- Reserve Lands
- Secondary Planning Area
- Potential School Site

The Significant Natural Area and Natural Area designations that form part of Official Plan Amendment 42 are currently under appeal and are illustrated for contextual pruposes only.

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CITY OF GUELPH OFFICIAL PLAN

DRAFT SCHEDULE 2: LAND USE PLAN

Making a Difference

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Subject to Downtown Secondary Plan currently underway

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Legend

- Railways
- Watercourses
- Downtown Guelph

Land Use

- General Residential
- Medium Density Residential
- High Density Residential
- Residential Emphasis
- Office or Residential
- Commercial Residential
- Neighbourhood Mixed Use Centre
- Sensitive Commercial
- Commercial Base, Office and/or Residential Above
- Office Emphasis
- Open Space and Parks
- CBD Transition Area

100 50 0 100 M

CITY OF GUELPH OFFICIAL PLAN

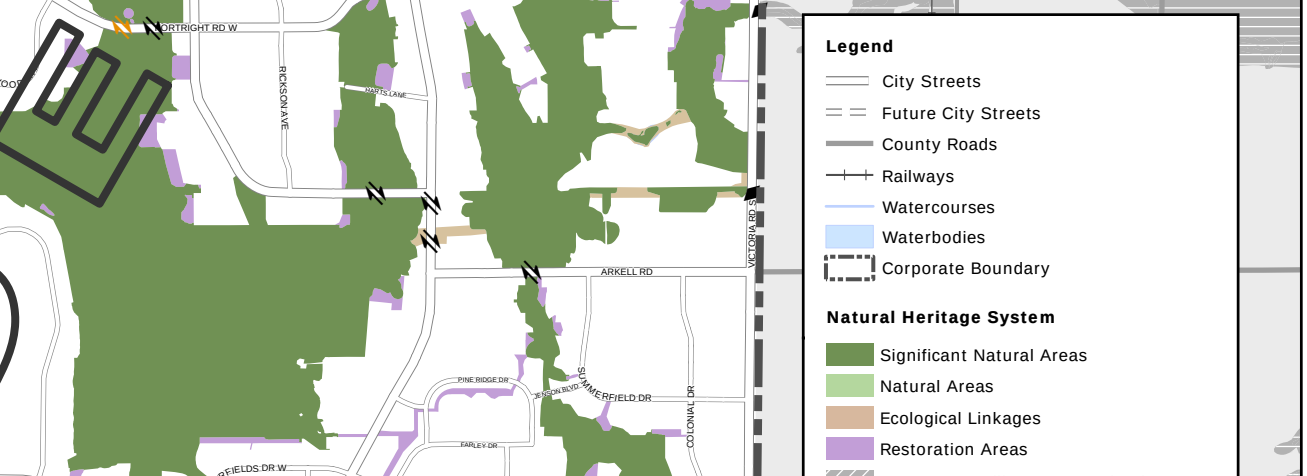
DRAFT SCHEDULE 3: DOWNTOWN GUELPH

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Community Design and Development Services, Planning Services
January 18, 2012

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SCHEDULE 4:

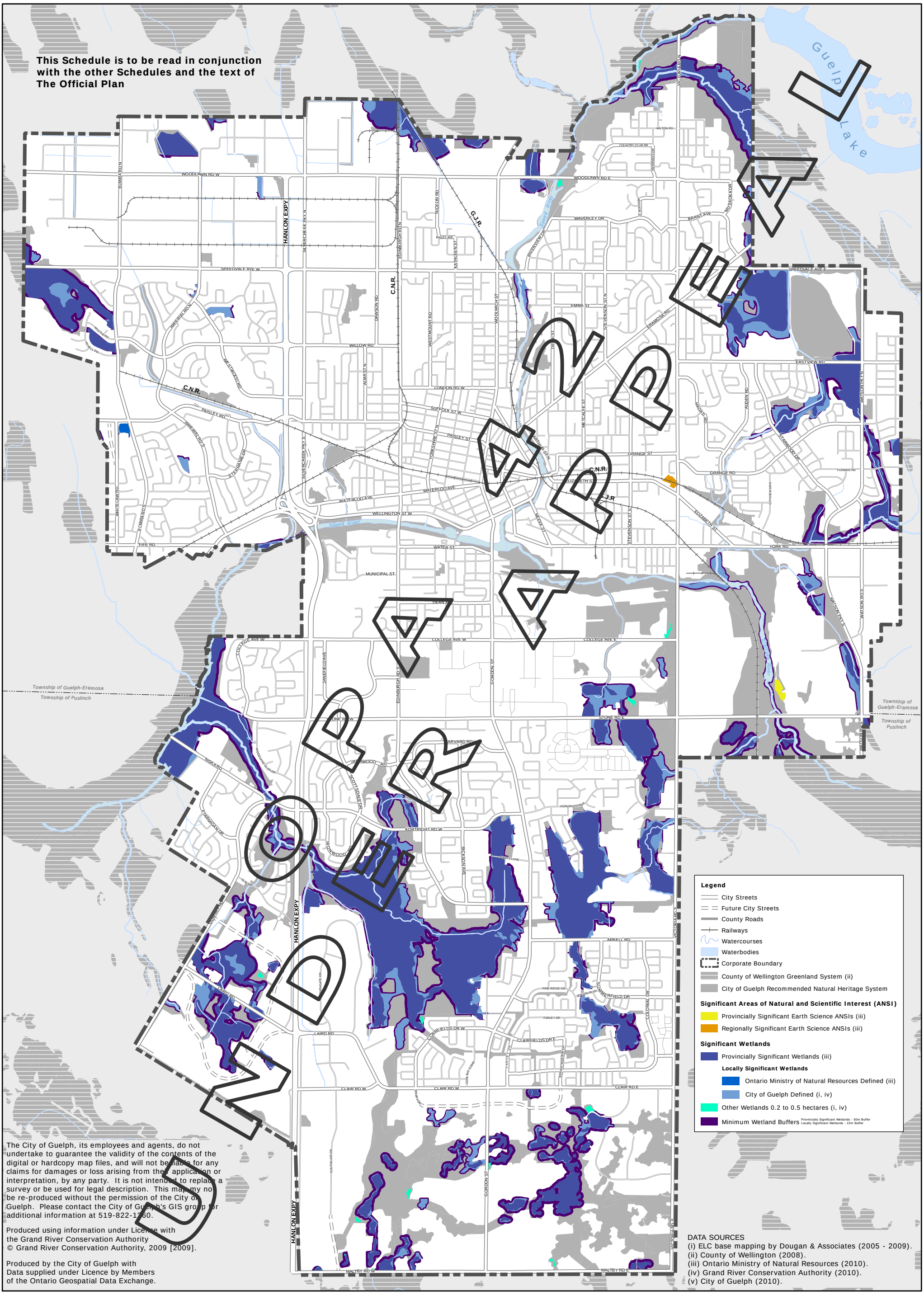
NATURAL HERITAGE STRATEGY

Natural Heritage System

Making a Difference

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Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Corporate Boundary
- County of Wellington Greenland System (ii)
- City of Guelph Recommended Natural Heritage System

Significant Areas of Natural and Scientific Interest (ANSI)

- Provincially Significant Earth Science ANSIs (iii)
- Regionally Significant Earth Science ANSIs (iii)

Significant Wetlands

- Provincially Significant Wetlands (iii)

Locally Significant Wetlands

- Ontario Ministry of Natural Resources Defined (iii)
- City of Guelph Defined (i, iv)
- Other Wetlands 0.2 to 0.5 hectares (i, iv)
- Minimum Wetland Buffers (Provincially Significant Wetlands - 30m Buffer; Locally Significant Wetlands - 15m Buffer)

DATA SOURCES
(i) ELC base mapping by Dougan & Associates (2005 - 2009).
(ii) County of Wellington (2008).
(iii) Ontario Ministry of Natural Resources (2010).
(iv) Grand River Conservation Authority (2010).
(v) City of Guelph (2010).

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SCHEDULE 4A:

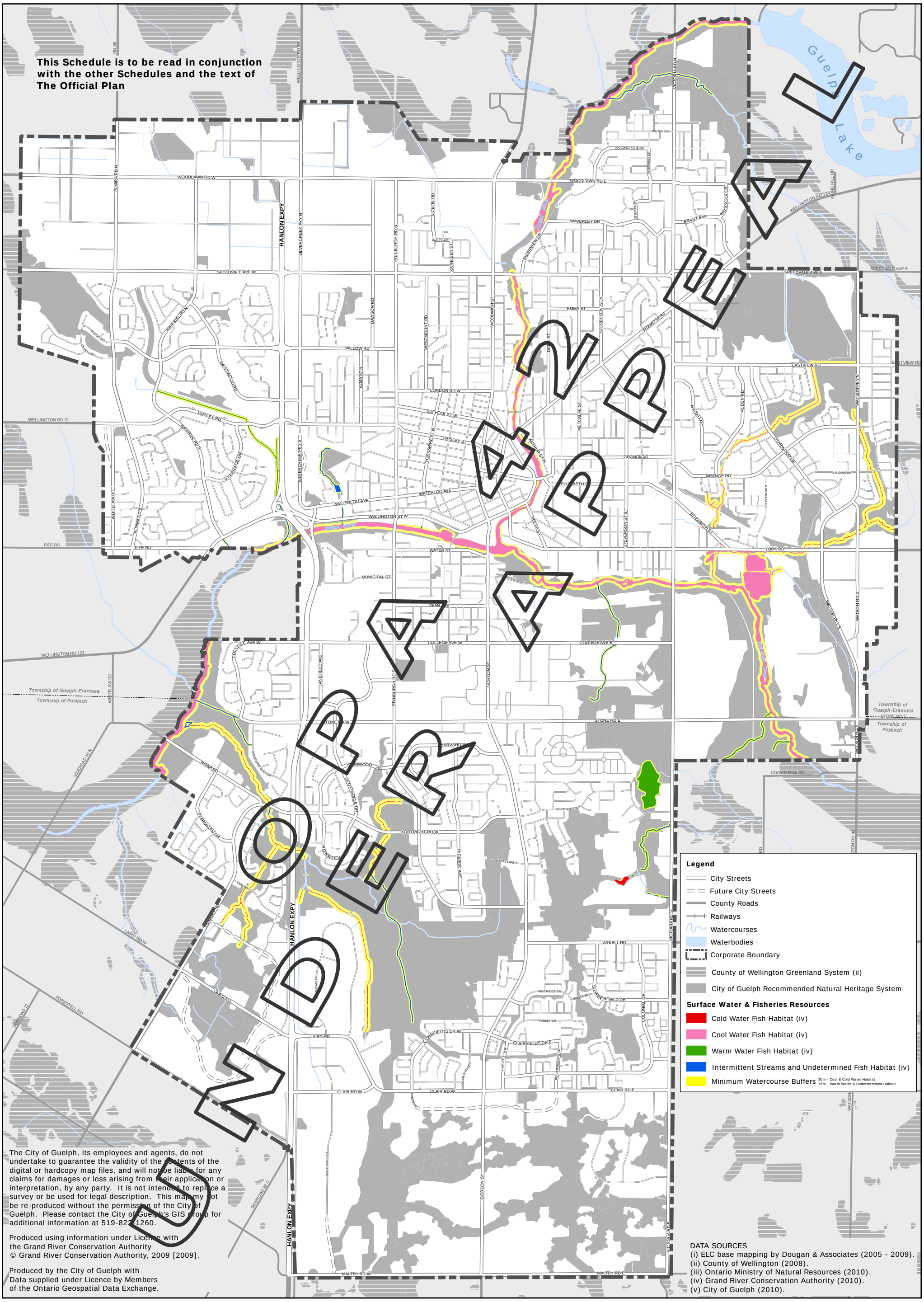
NATURAL HERITAGE STRATEGY

ANSIs and Wetlands

Making a Difference

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(iii) Ontario Ministry of Natural Resources (2010).
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SCHEDULE 4B:

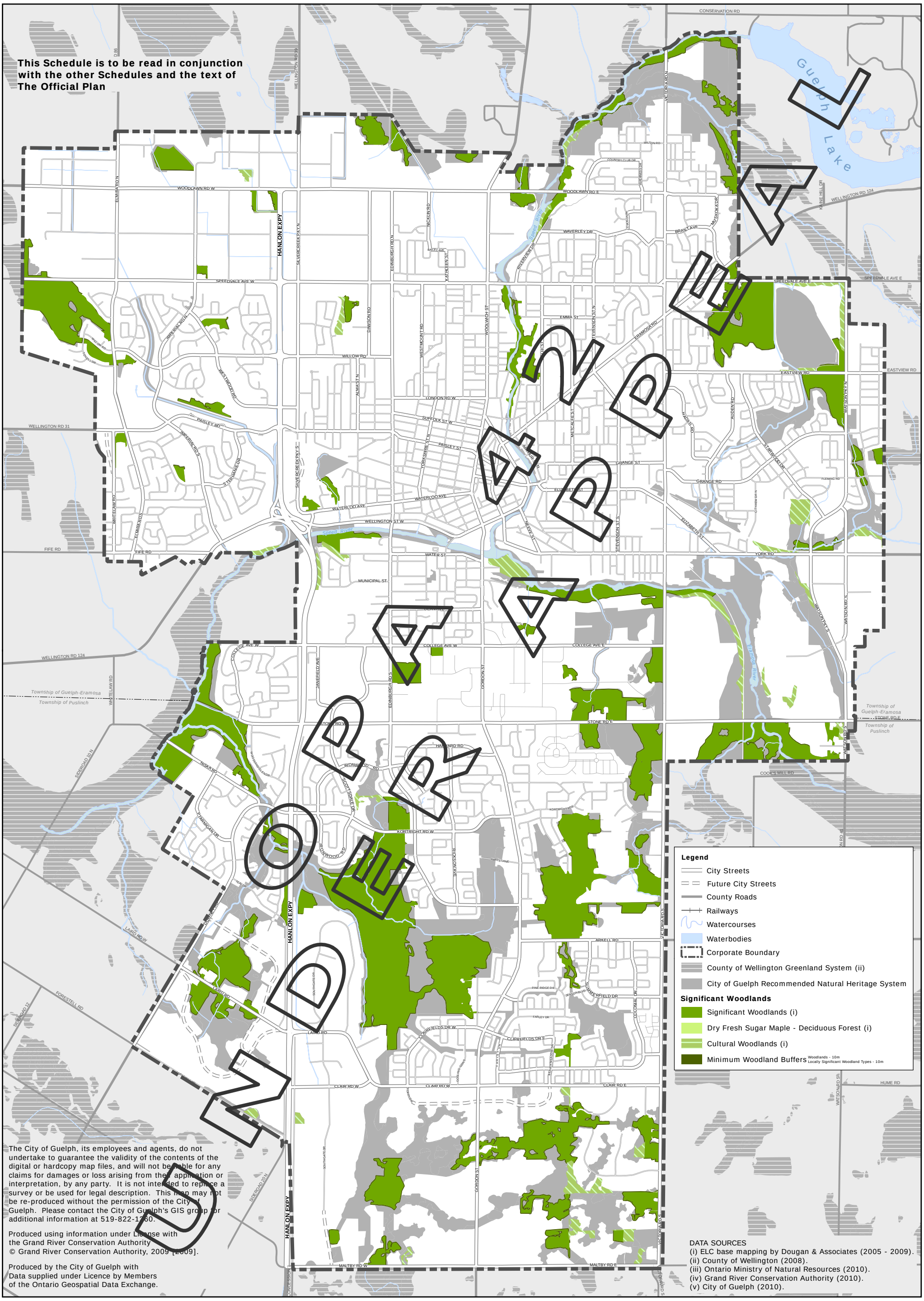
NATURAL HERITAGE STRATEGY

Surface Water and Fish Habitat

Making a Difference

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This Schedule is to be read in conjunction with the other Schedules and the text of The Official Plan



Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Corporate Boundary
- County of Wellington Greenland System (ii)
- City of Guelph Recommended Natural Heritage System

Significant Woodlands

- Significant Woodlands (i)
- Dry Fresh Sugar Maple - Deciduous Forest (i)
- Cultural Woodlands (i)
- Minimum Woodland Buffers (Woodlands - 10m; Locally Significant Woodland Types - 10m)

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CITY OF GUELPH OFFICIAL PLAN

SCHEDULE 4C:

NATURAL HERITAGE STRATEGY

Significant Woodlands

Making a Difference

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Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Corporate Boundary
- County of Wellington Greenland System (ii)
- City of Guelph Recommended Natural Heritage System

Significant Valleylands

- Undeveloped Portions of the Regulatory Floodplain (iv)
- Other Valleylands (iv)

Significant Landform

- Significant Portions of the Paris-Galt Moraine (v)

DATA SOURCES
(i) ELC base mapping by Dougan & Associates (2005 - 2009).
(ii) County of Wellington (2008).
(iii) Ontario Ministry of Natural Resources (2010).
(iv) Grand River Conservation Authority (2010).
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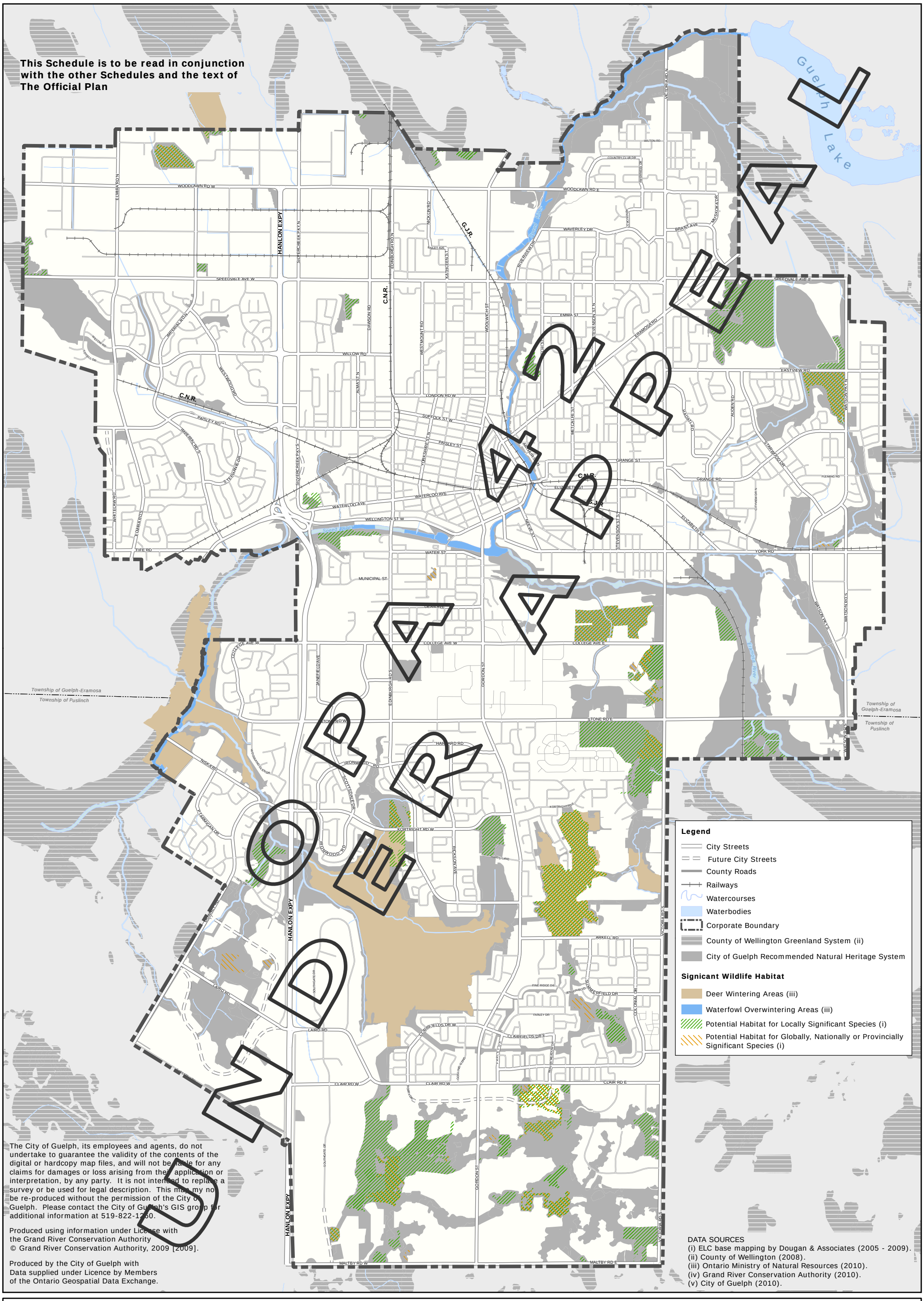
CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 4D:
NATURAL HERITAGE STRATEGY
Significant Valleylands & Significant Landform

Making a Difference

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DRAFT
OPERATIVE
UNDER APPEAL



Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Corporate Boundary
- County of Wellington Greenland System (ii)
- City of Guelph Recommended Natural Heritage System

Signicant Wildlife Habitat

- Deer Wintering Areas (iii)
- Waterfowl Overwintering Areas (iii)
- Potential Habitat for Locally Significant Species (i)
- Potential Habitat for Globally, Nationally or Provincially Significant Species (i)

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Planning Services
July 27, 2010

CITY OF GUELPH OFFICIAL PLAN

SCHEDULE 4E:

NATURAL HERITAGE STRATEGY

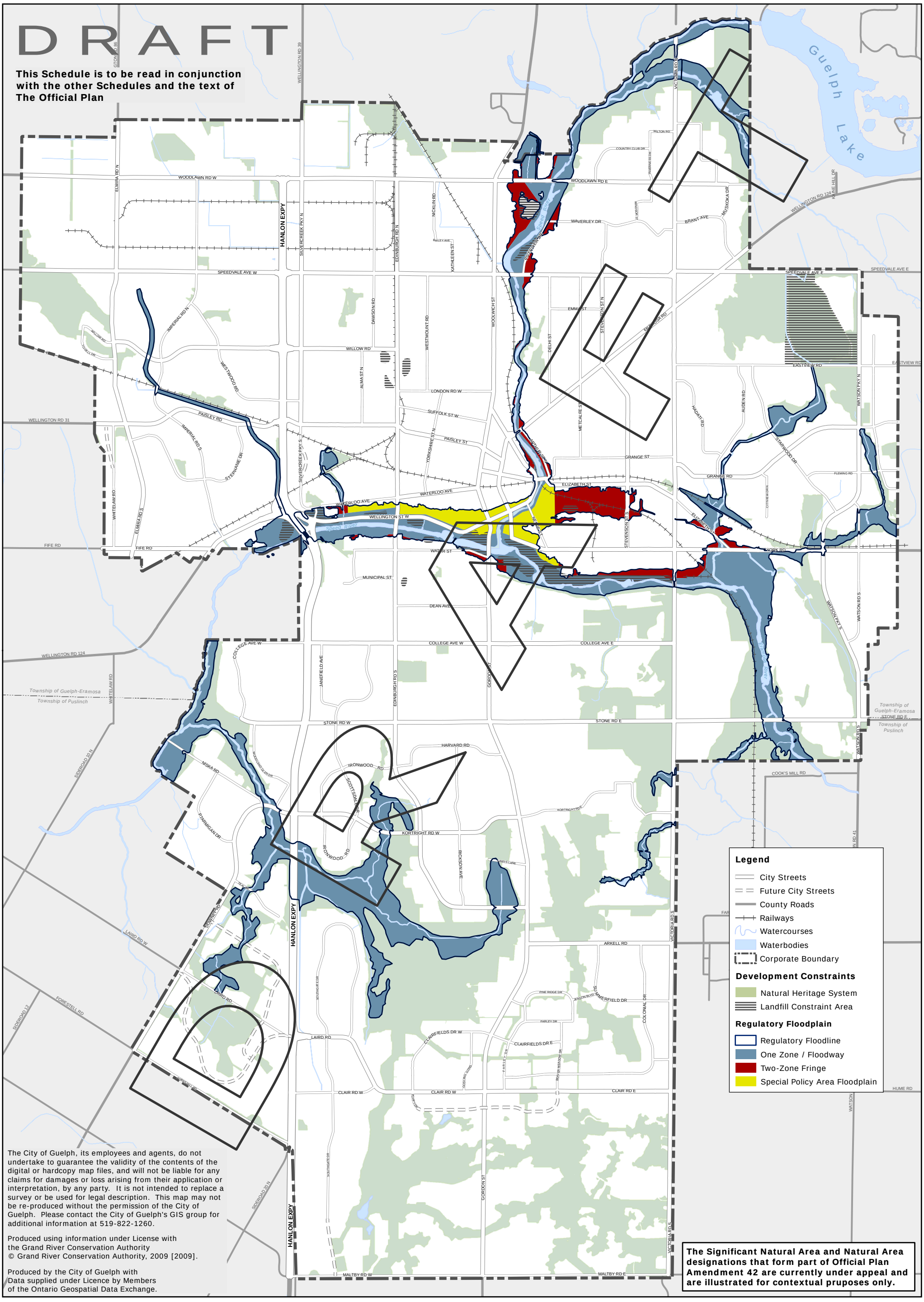
Significant Wildlife Habitat

Making a Difference

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This Schedule is to be read in conjunction with the other Schedules and the text of The Official Plan



Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Corporate Boundary

Development Constraints

- Natural Heritage System
- Landfill Constraint Area

Regulatory Floodplain

- Regulatory Floodline
- One Zone / Floodway
- Two-Zone Fringe
- Special Policy Area Floodplain

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The Significant Natural Area and Natural Area designations that form part of Official Plan Amendment 42 are currently under appeal and are illustrated for contextual pruposes only.

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January 30, 2012

CITY OF GUELPH OFFICIAL PLAN

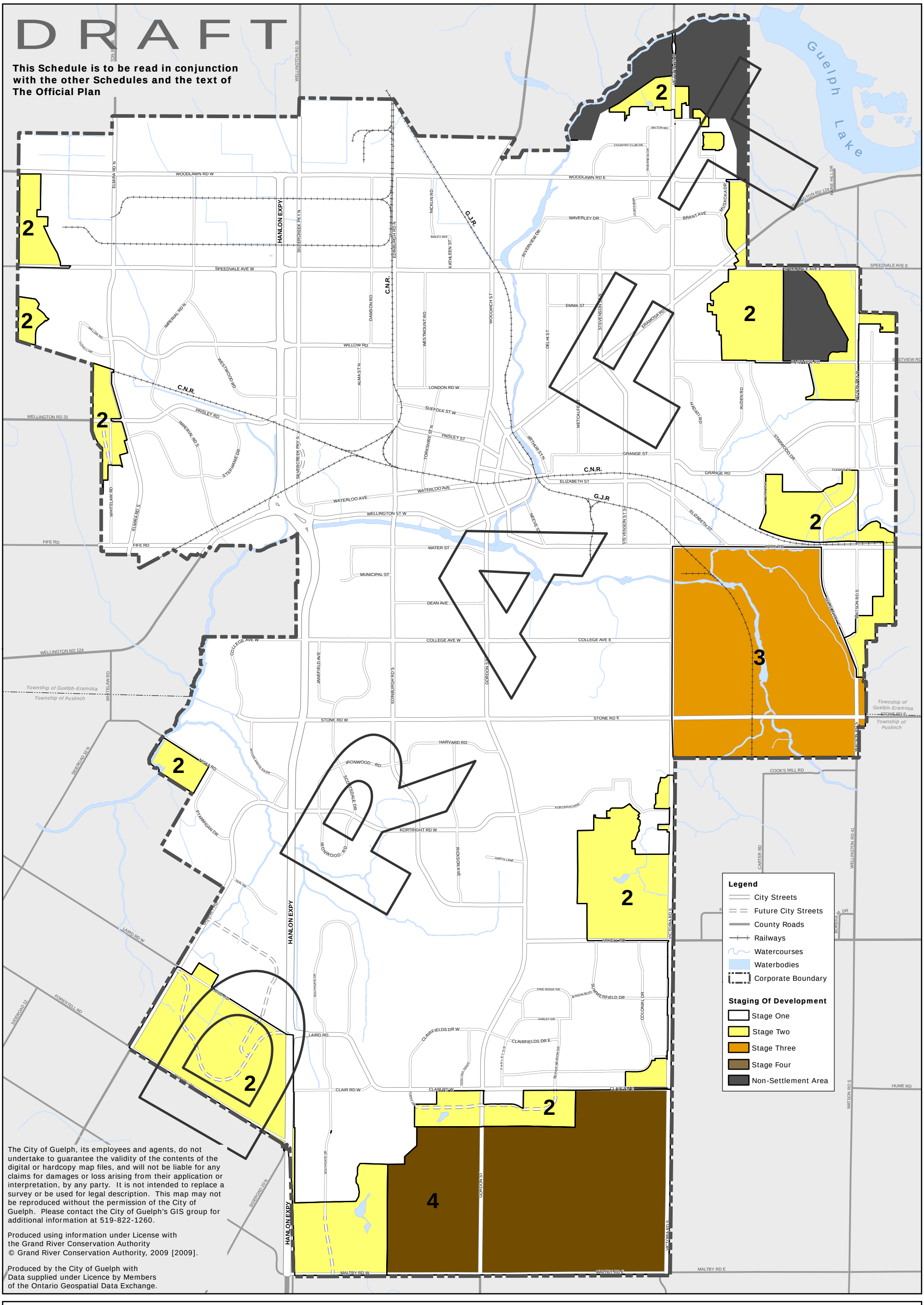
DRAFT SCHEDULE 5: DEVELOPMENT CONSTRAINTS

CITY OF Guelph Making a Difference

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DRAFT SCHEDULE 6: STAGING OF DEVELOPMENT

Making a Difference

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This Schedule is to be read in conjunction with the other Schedules and the text of The Official Plan

Highway 7 Expressway

Highway 6 North

Guelph Lake

WELLINGTON RD 39

WELLINGTON RD 124

MAINE HILL DR

Speed River

SPEEDVALE AVE E

WELLINGTON RD 31

SILVERCREEK PKWY S

REFER TO THE DOWNTOWN SECONDARY PLAN

Speed River

Highway 7

FIFE RD

WELLINGTON RD 124

Township of Guelph-Eramosa

Township of Puslinch

WHITELAW RD

SIDEROAD 10 N

Eramosa River

Township of Guelph-Eramosa

STONE RD E

Township of Puslinch

COOK'S MILL RD

LAIRD RD W

FORESTELL RD

SIDEROAD 12

SIDEROAD 20 N

HUME RD

MALTBY RD E

Highway 6 South

Legend

- Railways
- County Roads
- Watercourses
- Waterbodies
- Corporate Boundary

Existing Roads

- Expressway
- Arterial
- Collector
- Local
- Private
- University

Proposed Roads

- Proposed Expressway
- Proposed Arterial Roads
- Proposed Collector Roads

Infrastructure Improvements

- Potential Passenger Rail
- Railway Grade Separation
- Full Interchange
- Partial Interchange
- Proposed Road Closure

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CITY OF GUELPH OFFICIAL PLAN

DRAFT SCHEDULE 7: ROAD & RAIL NETWORK

Making a Difference

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This Schedule is to be read in conjunction with the other Schedules and the text of The Official Plan

TransCanada Trail to Elora (North) and Elmira (Northwest via Kissing Bridge Trail)

GORBA Trails developed and maintained under special agreement with the Grand River Conservation Authority.

GUELPH LAKE CONSERVATION AREA

Refer to the GORBA Trail Club for trails in the area.

Refer to the Downtown Secondary Plan

Refer to the University of Guelph Arboretum Trails

Continue to explore trail connections with the University of Guelph

Potential Connection to Guelph Radial Line Trail and Starkey Hill Trail

Trail routing in the new section of the Hanlon Business Park is based on the Draft Plan of Subdivision.

POTENTIAL TRAIL GATEWAY TO BE LOCATED AT CITY BOUNDARY WHEN AREA PLANS ARE DEVELOPED.

Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Natural Heritage System & Open Space
- Corporate Boundary

Trail Network

- Existing City Trails
- Proposed City Trails
- Structure Required
- Staging Area
- Canoe Launch & Node
- Trail Gateway

General note for all future development areas: It is imperative that the City Wide Trail Master Plan be referenced in conjuction with this schedule as supporting documentation. Trail routing is to be provided as part of the development planning process and will be consistent with the goals, objectives and guiding principles of the GTMP.

This schedule is intended to be used for planning purposes only.

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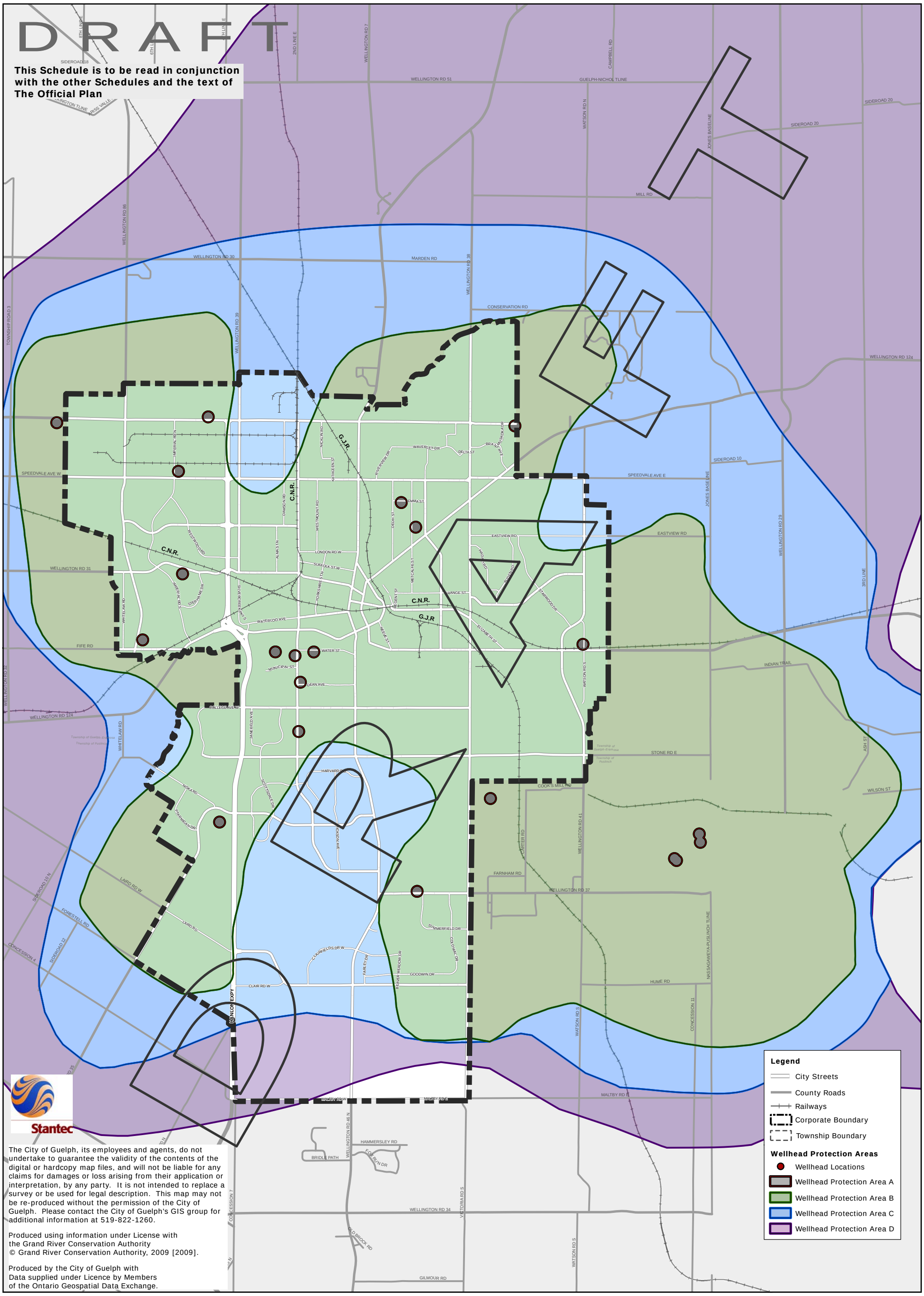
DRAFT SCHEDULE 8: TRAIL NETWORK

Making a Difference

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Legend

- City Streets
- County Roads
- Railways
- Corporate Boundary
- Township Boundary

Wellhead Protection Areas

- Wellhead Locations
- Wellhead Protection Area A
- Wellhead Protection Area B
- Wellhead Protection Area C
- Wellhead Protection Area D

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CITY OF GUELPH OFFICIAL PLAN

DRAFT SCHEDULE 9: WELLHEAD PROTECTION AREAS

CITY OF Guelph
Making a Difference

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Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
1	Patrick Quirk	March 7, 2011	Request for a hard boundary for the Gordon Street intensification corridor to protect Lowes Road and Dawn Avenue from development that does not respect the size and scale of the existing neighbourhood.	The intensification corridor as displayed on Schedule 1 was approved through OPA 39. The proposed "Medium Density" designation along Gordon Street on the west side of Gordon Street at Lowes Road does not extend to Dawn Avenue. The intent of the proposed designation is to allow intensification that is oriented towards Gordon Street. Dawn Avenue at Lowes Road is proposed to remain within a low density residential designation and any development proposed for this area would be required to meet the development criteria in Chapter 10 and the Urban Design policies of the draft Official Plan. The draft Official Plan policies state that where infill and intensification is permitted it must be compatible with the immediate vicinity. Recommendation: New policy proposed for Intensification Corridors to state that development be directed and oriented towards arterial or collector roads.
2	Karen Armstrong Wellington-Dufferin-Guelph Public Health	August 19, 2011	Comments related to suggestions for revisions to existing policies and suggestion for new policies to enhance community, individual and environmental health.	Revisions have been made to the Plan where appropriate to make it more explicit that the policies of this Plan are directed at enhancing physical activity and well-being. Chapter 3 includes a section specific to the development of Healthy Communities. Recommendation: Policy revisions.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
3	Ryan Hayhurst Guelph-Wellington Food Round Table	August 27, 2011	Provided recommendations for the inclusion of policies related to urban agriculture, sustainable food systems and food security.	Policies for urban agriculture including community gardens are included in the draft Official Plan. Many of the proposed changes are beyond the scope of an Official Plan and staff are not recommending their inclusion. However, a policy has been included to acknowledge broader food system related issues and to indicate the City's commitment to engage on these issues in the future through collaboration with appropriate partners. Recommendation: addition of policies in Urban Agriculture section.
4	Jane Londerville Guelph Wellington Housing Committee	September 29, 2011	Supportive of the targets for affordable ownership and rental housing and for accessory apartments. Supportive of annual Affordable Housing Implementation Report. Expressed concern with implementation of the targets.	Housing policies have been simplified from the April 2010 draft and staff recommend that implementation strategies for affordable housing be developed during the update of the Housing Strategy in coordination with Wellington County. Recommendation: Future work program for Affordable Housing to address implementation strategies.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
5	Victor Labreche Labreche Patterson & Associates Inc on behalf of the Ontario Restaurant Hotel and Motel Association (ORHMA)	May 20, 2010	Objects to the prohibition of drive-throughs in all land use designations other than Commercial Service.	City staff have met with Victor Labreche and members of the ORHMA and reviewed the materials provided by them relating to drive-throughs. As a result, staff recommend removal of language from the Official Plan that specifically prohibits drive-throughs as a use. Rather, policies in the Urban Design section of the Official Plan are proposed to provide direction as to design and site matters for drive throughs. City staff recommend that a review of drive-throughs and associated policies and regulations be conducted as background to the Comprehensive Zoning By-law Review with the intent to regulate drive-throughs and where they may be permitted through the Zoning By-law. This would allow careful consideration of the issue and allow Council, the public and stakeholders input into the process and any proposed regulations. Recommendation: Policy changes to permitted uses and to strengthen urban design provisions.
6	Dennis Coumo Upper Grand District School Board	May 17, 2010	Request for an additional potential school site to be shown on Schedule 2 in the area of Grange Road and Cityview Drive North.	Recommendation: Potential school site symbol added to Schedule 2 as per comment.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
7	Transition Guelph	May 20, 2010	Suggest recognition of the role of green infrastructure. Concern that the Trail Map is confusing with trails on sidewalks. More mixed use areas should be included on the Land Use Schedule to create walkable neighbourhoods. Suggest higher percentage of modal share for trips by transit, walking and cycling. Monitoring section should be more detailed and include context monitoring (e.g., price of fossil fuel, availability of food and groundwater, climate change, etc).	Policies are proposed in the Official Plan dealing with sustainable design features, community energy and low impact development standards. The trail map is developed through the planning process for the Trail Master Plan and updates would be undertaken through the master planning process not through the Official Plan. The Official Plan contains many land use designations that allow a mix of land uses even though the title of the designation does not contain the wording "mixed use area". This Official Plan does include a higher percentage of modal share than the current Official Plan. The monitoring section contains a general list of items to consider as background to the next Official Plan update. The list may be expanded to include other items depending on the scope of future OP Reviews. Recommendation: No further changes to policies related to these comments.
8	Keith MacKinnon KLM Planning Partners Inc	May 20, 2010	Height limitations should be removed from the Official Plan to promote compact urban forms. Height and density bonusing will be a disincentive due to the additional fees that will need to be paid to allow for additional height.	Staff do not support the removal of height limits in the Official Plan. Maximum building heights were introduced into the OP as a means of providing greater certainty as to the form of development that is permitted in the designation. Recommendation: No changes proposed related to these comments.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
9	Jonathon Rodger Zelinka Priamo Ltd on behalf of Loblaw Properties Limited	May 20, 2010	Concerns about the following Urban Design policies: - suggest wording change to 7.4.9 to encourage new development to be designed to contribute to a pedestrian-oriented streetscape rather than require - policy 7.8.1 how to apply the policy design to enhance prevailing neighbourhood pattern in greenfield areas - policy to avoid blank facades will impact on commercial operations due to requirements for internal operations - policy 7.5.6 does not provide flexibility in terms of orientation of buildings and the term "visual access" lacks clarity - policy 7.8.8 concern with building design required to be unique and not simply reflect a corporate or franchise design - policy 7.22.1 through 7.22.4 concern with lack of flexibility whereby urban squares shall be included and whether they would be included in the calculation of maximum FSI for the site - avoidance of parking adjacent to buffers to natural heritage feature	The proposed urban design policies support the Council approved Urban Design Action Plan. Some of the policies have been revised to provide clarity to the intent. Concerns about how a policy would be applied would be addressed by staff at the time of a development application. Many policies will have site specific and development specific solutions to achieving the policy direction. Recommendation: Changes to urban design policies.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
10	Jonathon Rodger Zelinka Priamo Ltd on behalf of Loblaw Properties Limited	May 20, 2010	Concerns about the following Community Mixed Use Area policies: - requirement for Secondary Plan for CMUAs - requirement for residential uses and inclusion of residential target - drive-throughs and gas bars not permitted - requirement for main street type environment and freestanding individual retail uses over 5575 square metres to locate on peripheral sites. Lack of clarity as to what peripheral site means. - requirement to meet a minimum FSI of 0.5 - minimum building height of 2 storeys - where underground or structured parking may be required	The requirement for secondary plans for CMUCs has been deleted and replaced with requirement for concept plan for the overall node. Residential targets have been removed for the CMUC in favour of requiring residential development within the overall node as identified on Schedule 1 of the draft OP. Drive-throughs and gas bars are now proposed to be permitted in CMUCs; gas bars as an accessory use. Peripheral site means that large buildings would be situated away from intersections and main streets to allow for improved building placements along street frontages. Floor space index requirements have been removed from the Plan. Policy related to minimum building height of 2 storeys has been revised to indicate that the minimum height is required only along arterial and collector roads and identified "main streets". The policy for underground and structured parking states that this is encouraged not required as an alternative to large surface parking areas. <u>Recommendation</u>: policy changes

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
11	Jonathon Rodger Zelinka Priamo Ltd on behalf of Loblaw Properties Limited	May 20, 2010	Concerns about the following Mixed Use Corridor policies: - drive-throughs and gas bars not permitted - minimum building height of 2 storeys and whether it applies to building expansions - concern about conflict between policies 8.5.2.4.1 (maximum of 0.5 FSI) and 8.5.2.4.2 (maximum of 2.5 FSI for commercial).	Policy restrictions related to drive throughs have been removed in favour of urban design policies dealing with their location and siting. Service stations are now proposed to be permitted in commercial designations including Mixed Use Corridors. Minimum building height policy has been revised for clarity. Policies related to minimum and maximum FSI have been removed from the Plan. Recommendation: Policy changes.
12	Jonathon Rodger Zelinka Priamo Ltd on behalf of Loblaw Properties Limited	May 20, 2010	Concerns about the following Neighbourhood Mixed Use Centre policies: - drive-throughs and gas bars not permitted - minimum building height of 2 storeys and whether it applies to building expansions - underground or structured parking may be required	See staff responses above (#10 and #11). Recommendation: Policy changes.
13	Hugh Handy GSP Group Inc.	May 20, 2010	- concern about the rationale for the height limitation of 5 storeys for the Medium Density Residential designation	Recommendation: Height limit for the Medium Density designation has been changed to 6 storeys to be consistent with mid-rise building policies.
14	Hugh Handy GSP Group Inc. On behalf of SmartCentres	May 20, 2010	Concerned with Community Mixed Use Centre and Urban Design Policies: - prohibition of drive-throughs - minimum floor space index of 0.5 - minimum height of 2 storeys of usable space - encouragement for underground or structured parking - main street type development and location of free-standing uses on peripheral sites	See comments related to CMUCs above (#10 and #11). Main street development is encouraged as part of the design of CMUCs. Policies related to this have been revised for clarity and to provide greater direction to where this is appropriate and desired. Recommendation: Policy changes.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
15	Hugh Handy GSP Group Inc on behalf of The Tricar Group	May 20, 2010	Seeking clarification on how the affordable housing policies and targets are intended to be implemented.	Recommendation: Revisions to affordable housing policies and the target. Implementation strategies to be developed/refined through the Housing Strategy update.
16	John LaChapelle Bell Canada	May 20, 2010	Suggest that policy 5.3.6 be revised to state that electrical and cabled services be located underground where feasible because the burial of cabled services is not always feasible due to safety and maintenance requirements. Request for a new policy as follows: Prior to permitting a development proposal, the City shall undertake discussions with utility providers to ensure that adequate services are or will be in place to serve the development." Recommend changes to policy 5.3.13 to state: "the clustering or grouping of utilities, where feasible, and consideration of the locational requirements of larger infrastructure." Suggest including other required infrastructure into the staging of development policies as an item to consider in the ensuring the orderly provision of services. Introduce a new policy into the transportation policies to consider impacts to and opportunities for replacement of utility infrastructure. Suggest inclusion of policy to encourage utility providers to consider innovative methods for containing services within streetscape features. Suggest inclusion of a definition for "Utility".	Staff agree with the proposed wording to require underground services where feasible. The comment related to undertaking discussions with utility providers prior to development approval is operational in nature and a policy related to this is not required. The Planning Act requires the City to circulate development applications to utility providers for comment and this is current City practice. Staff do not propose to include utility infrastructure as an item to consider in the Development Priorities Plan (DPP). The DPP considers orderly staging of development and the financial impacts on the City. The provision of utility infrastructure such as telecommunications does not impact the City financially. The timing of the provision of utilities is conducted through the subdivision approval process. Recommendation: Policy changes as described above. No action as described above.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
17	Alfred Artinger GWDA	May 13, 2010	Concerned that the OP contains details beyond what is expected and required. Concern that there are unnecessary requirements for Secondary Plans. Concern with affordable housing policies and target specifically the proposed holding zone to require the development of affordable housing. Urban Design concerns include: - reverse lotting to be avoided - entrance features discouraged - garage width restriction. Concern with road widening policies. Concern with policies encouraging underground and structured parking. Request to increase maximum height in High Density Residential designation. Request removal of residential targets in CMUCs. Request that drive-throughs be permitted as long as they specified locational criteria. Concern that the density target for greenfield employment areas is too high. Would like clarification as to the legislative authority to require achievement of energy reduction targets.	In general, the proposed Official Plan policies provide a level of detail considered necessary to support the City's vision for development to the year 2031. Requirements for Secondary Plans in CMUCs have been removed from the Plan. Areas where secondary plans are required prior to development proceeding are clearly identified on Schedule 2 of the OP. Affordable housing policies have been revised to remove the policy related to the use of holding zones. The City is required to establish a target for affordable housing by provincial policy and the City's target is based on the City's Affordable Housing Discussion Paper (2009). Urban Design policies have been revised to provide clarity and positive direction to applicants. Road widening policies are similar to the current OP. Policies for road widening are required by the Planning Act. Staff continue to support policies that encourage alternatives to surface parking such as underground or structured parking. Staff are not supportive of changes to the maximum height in the High Density Residential designation. Increases in height may be permitted through a bonusing by-law.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
18	Alfred Artinger GWDA (continued)			The residential target has been removed from the CMUC policies (as noted in response #10). Policies related to prohibiting drive-throughs as a permitted use have been deleted in favour of specific urban design criteria. Policies for achieving energy efficiency are based on the recommendations of the Council approved Community Energy Plan. The draft policies include a policy related to the City investigating tools to support the achievement of energy reduction targets. Recommendation: Policy changes as described above.
19	Michael Hoffman and Linda Clay	May 17, 2010	Concerned about proposed policies for non-designated built heritage resources and non-designated cultural heritage landscapes. Concerned with policy 4.7.6.3 specifically the wording "Council...believes the property to be of cultural heritage value or interest." Concerned that proposed policies can be interpreted to require owners of non-designated properties to provide Cultural Heritage Impact Assessments or Scoped Cultural Heritage Impact Assessments if they apply for a building permit or minor variance. Recommend that all reference to requirements related to matters other than demolition as they related to non-designated properties be removed from the proposed Official Plan.	The policies proposed in the OP update are consistent with the Ontario Heritage Act and the PPS. Some revisions have been made to the Cultural Heritage Policies to provide clarity. The proposed policies state that non-designated properties that are involved in a development application should be conserved unless the proponent demonstrates through a Heritage Resource Impact Assessment that the property is not of cultural heritage value or interest. The requirements for a Heritage Resource Impact Assessment does not apply unless the property is not proposed to be conserved. Further, these policies do not apply to properties that are not listed in the Heritage Registry. Recommendation: No changes related to these comments.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
20	Michael Hoffman and Linda Clay	May 18, 2010	Recommend that the wording in the Official Plan be changed to permit all forms of housing. The comments include specific reference to housing in small developments that may be gated and include elements of modern or mid-century housing.	The OP supports the provision of a range of housing types and densities to meet the projected requirements of current and future residents. Staff are not supportive of gated communities. Recommendation: No changes proposed related to these comments.
21	Dr. Dennis Murr	May 20, 2010	Concerned about the Official Plan and its fiscal economic responsibility to taxpayers. Concerned that the Official Plan supports more residential growth that will result in the cutting of services of existing residents.	The Official Plan supports a projected population that has been required by the Province. The Official Plan, in conjunction with other municipal mechanisms, provides policy to manage the fiscal sustainability of the City. Recommendation: No changes proposed related to these comments.
22	Herb Neumann	May 19, 2010	The comments included the following concerns with the Community Mixed Use Area policies: - the residential target for the Community Mixed Use Area at Clair and Gordon - the proposed minimum building height of 2 storeys of usable space - prohibition of drive-throughs should be deleted and that locational criteria for drive throughs would be more appropriate - requirement for a secondary plan for Community Mixed Use Areas should be deleted - policy that requires residential uses to be provided primarily above commercial uses should be deleted - policy related to underground or structured parking should be deleted.	See response to other comments related to CMUCs (response #10 and #11).

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
23	Jonathon Rodger Zelinka Priamo Ltd on behalf of Home Depot Holdings Inc	May 28, 2010	Suggest that there should be wording to provide for flexibility or recognition that Community Mixed Use policies will be implemented and transitioned over the long term. The application of urban design policies may not be appropriate or applicable to individual sites. Concern with Community Mixed Use Area policies related to minimum total floor space index, residential unit targets and minimum building height.	See response to other comments related to CMUCs (response #10 and #11). Recommendation: Revisions to policies to include wording related to the CMUCs and their evolution over the long term.
24	Wendy Nott Walker, Nott, Dragicevic Associates Limited on behalf of Armel Corporation	May 20, 2010	Concern expressed about the residential targets for Community Mixed Use Areas given that the lands around the Paisley/Imperial node is already designated for medium and high density residential. The restriction of the proposed mix of uses to the commercially zoned lands will result in the lands not being able to accommodate the proposed 42 000 square metres of retail space. Suggest that there is no need for a secondary plan for the Community Mixed Use Area. Concern with minimum and maximum densities and building heights.	See response to other comments related to CMUCs (response #10 and #11).
25	Steve Harris Guelph and District Homebuilders Association	June 14, 2010	Concern about the proposed affordable housing policies. Suggest that the targets are not realistic and are not supported by a financial incentive program. The existing housing stock is significant in the provision of affordable housing. Requirements for secondary plans are burdensome and unnecessary.	See response # 17 related to affordable housing. The requirements for Secondary Plans for development within Community Mixed Use Centres have been removed from the Plan. Recommendation: implementation strategies for affordable housing to be developed through the Housing Strategy.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
26	Dwayne Evans Ministry of Municipal Affairs and Housing	June 25, 2010	The Ministry of Natural Resources suggests that a policy framework should be established in the Official Plan that provides for the long-term protection of mineral aggregate resources, making resources available close to markets and protecting resource areas and operations from incompatible development.	Recommendation: Mineral Aggregate policies have been included in Chapter 6 of the draft Official Plan. These policies focus on resource recovery during development and the need to ensure that mineral aggregate operations in adjacent municipalities is compatible with City interests.
27	Ian Brown	May 4, 2010	Recommends inclusion of policies in the Urban Design section to address the use of mobile signs.	The placement of mobile signs is best dealt with through the City's Sign By-law due to their temporary nature and movability. Recommendation: No changes to policies related to these comments.
28	Albert Willis	April 21, 2010	Suggests that a bridge to connect York Road to Wellington Street is needed to direct traffic away from downtown. Suggests the use of ring roads to aid in traffic circulation. Suggests the use of traffic circles to calm traffic and reduce need for traffic lights. Recommends reverting the City to a square grid plan to simplify transportation and bus routes. Introduce tramway lines to run north-south to serve villages and Wellington County. Recommends planning a green belt around the City to accommodate farmers' markets and a tramway. Supports amalgamation with Wellington County to simplify government and planning.	These comments have been directed to Engineering staff for consideration as part of the future review of transportation master plans or studies. The transportation policies in the Official Plan are based on the recommendations of the Transportation Master Plan and the Guelph-Wellington Transportation Study. The suggestion for a green belt is beyond the City's jurisdiction as the lands in question are part of Wellington County. Comments and concerns related to amalgamation are a political decision and are not part of an Official Plan or related planning processes. Recommendation: No changes proposed related to these comments.

Policy Specific Comments Received Since the Release of the First Draft April 2010

	Respondent	Date	Summary of Comments	Staff Response
29	Alfred Artinger GWDA	October 11, 2011	Requests that the lands designated "Reserve Lands" be designated to other uses as part of the Official Plan Review.	Staff have determined that the lands that are designated "Reserve Lands" require a comprehensive review related to future land uses and servicing. Staff recommend that these lands be subject to a Secondary Planning process. The Secondary Plan for the Clair/Maltby area has been included in the 10-year Capital Budget forecast. Recommendation: No changes proposed related to these comments.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
30	Robert Mason Mason Real Estate Limited	undated	363-369 Gordon St and 1 College Ave	Request subject properties to be designated "Neighbourhood Commercial".	The properties are designated "General Residential" in the current Official Plan. Staff propose to designate the existing commercial property located at 363-369 Gordon Street as "Neighbourhood Commercial Centre". Commercial designations are not recommended to be applied to the existing adjacent residential property at 1 College Avenue West. Recommendation: No changes.
31	Robert Mason Mason Real Estate Limited	undated	363-369 Gordon St and 1 College Ave	Opposed to road widening at the intersection of Gordon Street and College Avenue. State that widening on the west side of Gordon Street or the north side of College would severely impact the value, use and functionality of the property. Road widening should only be taken on the east side of Gordon or south of College.	The road widening for the Gordon and College intersection is intended to provide for alternative right-of-way design options. The inclusion of the intersection indicates to property owners that future right-of-way adjustments may be required, but there is flexibility given as to the location for the dedications, i.e. east side of Gordon rather than west. Detailed intersection design only occurs at a capital improvement stage, therefore it would not be appropriate to remove the general requirement of this corner for future intersection improvements. In addition, the Transit Growth Strategy indicates that the Gordon/College intersection is of strategic importance for future transit priority measures. Recommendation: No changes.

Note: Generally, property owner requests for site specifc designation changes are not supported by staff because they are outside the scope of this Five Year Review of the Official Plan.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
32	Robert Mason Mason Real Estate Limited	undated	Victoria Road North and Eramosa Road	Reference in the Official Plan to road widening of Victoria Road North approaching Eramosa Road and Eramosa Road approaching Victoria Road North should exclude widening at the intersection because the City has just completed reconstruction of the intersection. If further widening is necessary it should be taken from the City park on the northwest corner.	The intersection improvements noted in Table 5.2 of the draft Official Plan do not include Victoria-Eramosa as a road intersection improvement area. Recommendation: No changes.
33	Tom Krizsan Thomasfield Homes	March 28, 2011	2054 Gordon Street	Request change in designation from "Open Space" to Residential.	2054 Gordon Street is located within the area of South Guelph that is subject to a future Secondary Plan process. It is premature to consider changes to land use designations ahead of the required secondary plan process. Recommendation: No changes.
34	Mike Salisbury EarthArtist Planning and Design	October 4, 2011	211 Silvercreek Parkway South	Request change in designation from "General Residential" to "Community Mixed Use Centre".	Staff are not supportive of a change in designation at this time because site specific redesignations are not within the scope of the OP Review. Further information is needed to assess the proposal and this is more appropriately dealt with through a site specific development application process. Recommendation: No changes.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
35	Meg Thorburn	undated	Regent Street	Request change in classification of Regent Street from "Collector" to "Local" road. Regent Street is disconnected, is a steep hill, is difficult for motorists to reverse out of driveways and is dangerous for pedestrians to cross at the corner of Regent Street and Grange Street.	Staff do not propose a change in road classification for Regent Street through the OP update. Recommendation: No changes.
36	Fritz and Theresa Marthaler	May 20, 2010	1858 Gordon St	Request that designations for this property not change in the updated Official Plan to allow them to continue operating their business or potential expanding it.	No designation changes are proposed for this property. Recommendation: No changes.
37	Keith MacKinnon KLM Planning Partners Inc. On behalf of Watson 5-3 Inc	May 20, 2010	1 Starwood Drive	Concerned that their lands located north and south of Starwood Drive immediately west of Watson Parkway North are proposed to have three different land use designations including High Density Residential, Medium Density Residential and Community Mixed Use and that the lands are too small to accommodate all of these uses. Concerned that the retail permissions for this Node are too high and cannot be achieved. Preference is for the site to be developed solely as Medium Density Residential.	Staff are not supportive of the site being designated solely for Medium Density Residential. Staff recommend that the extent of the designations be revised and that the three designations remain with the Community Mixed Use Node. Revisions to the designations are displayed on Schedule 2 of the OP. Recommendation: Modifications to the boundaries of the proposed designations to maintain mix of uses in this area.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
38	Nancy Shoemaker BSRD Ltd on behalf of River Valley Developments Ltd	May 19, 2010	Dolime	Objects to the proposed designation of the subject property as "Open Space and Parks". These lands are within a licensed quarry operation.	Recommendation: Place the property within the "Reserve Lands" designation as per the current OP designation on the property.
39	Steven A. Zakem Aird & Berlis LLP on behalf of Silvercreek Guelph Developments Limited	May 20, 2010	35 and 40 Silvercreek Pkwy S	Concerned that proposed urban design policies and land use policies would apply to the subject site and conflict with the OMB approved Official Plan amendment for the site.	The 2010 draft of the Official Plan incorporated the OMB decision for these lands as an approved secondary plan. However, the OMB approved an Official Plan and Zoning By-law amendment not a secondary plan. The draft Official Plan has been revised and incorporates the Ontario Municipal Board decision for the Silvercreek Junction lands as a site specific amendment to the Official Plan. As such, the site specific policies apply regardless of the content of the general urban design and land use policies. Recommendation: No changes required related to these comments.
40	Jonathon Rodger Zelinka Priamo Ltd on behalf of Loblaw Properties Limited	May 20, 2010	1045 Paisley Road	The existing Zehrs store has been identified as an Area of Potential Archaeological Resource on Schedule 10. Asking for confirmation on the basis for the designation.	Mapping related to archaeological resources is proposed to be deleted in the second draft of the OP update. Policies for archaeological resources are included to trigger reviews where necessary based on established criteria. Recommendation: No changes required related to this comment. Issue will be dealt with through future development applications on this site.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
41	Jonathon Rodger Zelinka Priamo Ltd on behalf of Loblaw Properties Limited	May 20, 2010	115 Watson Parkway North	Concerned with urban design policies related to enhancing prevailing neighbourhood pattern in greenfield areas. Concerned with policy for avoidance of parking adjacent to buffers to natural heritage feature on this site.	All of the urban design policies do not apply to all sites within the City. New development areas may not have a prevailing neighbourhood pattern in the area and therefore this policy would not apply. Staff continue to support the appropriate siting of parking including avoiding areas adjacent to natural heritage features where feasible. Recommendation: Revisions to urban design policies have been made to provide clarity.
42	Hugh Handy GSP Group Inc on behalf of SmartCentres	May 20, 2010	11 Woodlawn Rd W	Concerns include: - requirement for residential in the node (target of 750 units) - need for Secondary Plans and concern about when the process is required and who would conduct the study - site designed and approved to met high level of energy conservation standards, concern that any changes to site plan could require additional studies related to energy usage and environmental design - urban design policies too prescriptive -request transitional wording in OP to recognize current planning approvals for the site	See other staff response to comments on CMUC's and urban design (response #10 and #11). Transitional wording is not required in the OP to recognize existing approvals as these would be subject to relevant provisions of the Planning Act and related regulations. Any new applications for site plan or other type of development would be required to meet the policies in place at the time of application. Recommendation: No further changes proposed related to these comments.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
43	Hugh Handy GSP Group Inc on behalf of Tricar Group	May 20, 2010	9 Valley Road 1242 and 1250 Gordon St	Would like to work with staff to determine the appropriate extent of the High Density Residential and Low Density Residential designations on the site. Asking for rationale for the Open Space and Parks designation applied to a portion of the site.	City staff will review the extent of the residential designations through future development applications for these lands. The Open Space and Park designation for this property has been removed from the draft Official Plan. The City has identified a need for a park in this area and the exact location will be determined through future development applications on these lands. Municipal parks are permitted in any land use designation (other than Natural Heritage System) and do not need to be designated Open Space and Park to be developed. Recommendation: Designation change proposed to remove Open Space and Parks from this property as per comment above.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
44	Laura Murr, President Kortright Hills Community Association	May 20, 2010	146 Downey Rd Teal Drive Niska Road	Does not support designation of 146 Downey Road as Medium Density Residential. Does not support the designation of lands on Teal Drive as Medium Density Residential. Designation of lands on Niska Road as Medium Density Residential is inappropriate. Support designation of lands on the north side of Niska Road to Open Space and Park but are not supportive of a major sports complex.	Council passed a resolution on June 7, 2010 stating that the property at 146 Downey Road remains within the General Residential designation and will not be changed in the upcoming Official Plan update . The corresponding designation in the proposed OP is Low Density Residential. 146 Downey Road continues to be designated in this category. The draft OP proposes a medium density designation on the south side of Niska Road; staff are supportive of this designation to allow for a range and mix of housing types in the area and to support the achievement of the City's density target. Lands on the north side of Niska Road are designated Open Space in the current Official Plan, no change in designation is proposed. If a park is to be developed on these lands, the type of park and its uses will be determined through zoning. The current zoning on the property is P.1 Conservation Land which does not permit a major sports complex. <u>Recommendation</u>: No changes.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
45	Ray Smith verbal correspondence with staff	February 2011	18 Watson Rd N	Request to include the property in the Industrial designation to be consistent with the designation of neighbouring properties.	Staff are supportive of this request. The mapping in the current Official Plan does not clearly identify the intended designation of these lands. It is appropriate that these lands be designated Industrial in accordance with the prevailing land use designation in this area. Recommendation: Designate property as Industrial.
46	Hugh Handy GSP Group Inc. On behalf of Gordon Creek Development Inc	May 18, 2010	1291 Gordon St	Concerned with proposed Medium Density Residential designation for the subject property and height limit of 5 storeys. The approved zoning for the site permits a height of 6 storeys plus underground parking. Would like to know the rationale for the height limitation and why the east side of Gordon Street is proposed to be designated High Density Residential allowing for a height of 10 storeys.	The maximum height in the Medium Density Residential Designation has been changed to 6 storeys to more closely reflect the proposed urban design policies for mid-rise buildings and to correspond with the height limits in the Zoning By-law for mid-rise apartments. Lands on the east side of Gordon Street have been designated high density residential to support the provision of a range and mix of housing types and to assist in meeting the City's intensification objectives and target. Recommendation: No further changes required. Staff propose a policy revision to permit a maximum height of 6 storeys in Medium Density Residential Designation.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
47	Nancy Sullivan on behalf of the University of Guelph	May 17, 2010	University of Guelph lands	Edinburgh and College (17 acres) - does not object to the change from General Residential to High Density Residential. Wellington Woods Student Family Townhouses (11 acres) - Does not support the change from Institutional/Research Park to High Density Residential. The University would like to continue to have the ability to extend the research park in the future should the student family housing cease to exist. Holiday Inn on Stone Road West and U of G Stone Road Retail Lands - The University supports the land use designation change from Intensification Area to Mixed Use Corridor. Turf Grass Institute - The University has no comment on the proposed change from Major Institutional to Special Study Area.	Recommendation: At the request of the University, the lands where the Wellington Woods Student Family Townhouses are situated continue to be designated Institutional/Research Park.

Property Specific Comments Received Since the Release of the First Draft April 2010*

	Respondent	Date	Property	Summary of Comments	Staff Response
48	Herb Neumann	November 29, 2011	132 Clair Rd W	Request to change the designation of the property to General Residential through a comprehensive municipal review as part of the Official Plan update.	Staff are not supportive of a change in designation as site specific designation changes are not within the scope of the Official Plan Review. The municipal comprehensive review of employment lands concluded that all lands that are designated for employment uses in the south end of the City should be maintained to provide an adequate supply of employment lands to the year 2031. Additionally, this property was the subject of an Ontario Municipal Board hearing in 2001 that dismissed the appeal to change the designation from Corporate Business Park to General Residential. Recommendation: No changes.
49	Astrid Clos on behalf of Parry Schnick	December 16, 2011	Lowes Road Area (west of Gordon Street)	Request to extend the proposed Medium Density Residential designation in the Gordon Street corridor at Lowes Road. Request that the lands between Gordon Street and the rear of a lot depth facing onto Dawn Avenue would be included in the Medium Density Residential Designation.	The proposed designations within the Gordon Street intensification corridor are intended to provide sufficient land area to allow for redevelopment within the corridor while ensuring that development is directed and oriented towards Gordon Street. Recommendation: No changes.

From: patrick.quirk
Sent: March 7, 2011 9:14 AM
To: Todd Salter
Subject: Re: Open House - Official Plan Update Directions

Hi Todd,

Thank you for getting back to me. I am hoping for an email response to my 2 concerns that were initially described in my email dated March 7, 2010 (below).

I am specifically concerned about a hard boundary on the Gordon St intensification corridor and protection for Lowes Rd and a portion of Dawn Ave to respect the size and scale of the existing neighbourhood.

I would also like to know where this official plan amendment stands - this has been going on for quite some time and I have lost track of the process.

Thanks for your help.

Pat

From: patrick.quirk
Sent: March 7, 2010 4:32 PM
To: Greg Atkinson
Subject: Re: Open House - Official Plan Update Directions

Hi Greg,

I am unable to attend either of these presentations. I have 2 questions.

1. Is there anything in these amendments dealing with infill developments - i.e. respecting the existing size and scale of the neighbourhood?

2. Is there a map showing what parts of Gordon St are to be considered high density intensification corridors - i.e. how far from Gordon St are these corridors?

Thanks for your time.

Pat Quirk

From: Karen Armstrong
Sent: August 19, 2011 2:37 PM
To: Tim Donegani
Subject: WDG Public Health Review of City of Guelph OP
Importance: High

Hi Tim,
On behalf of Wellington-Dufferin-Guelph Public Health's Healthy Living Team I am pleased to submit our comments on the Official Plan.

If you require clarification or have any comments on our feedback I would be pleased to speak with you.

Sincerely,

Karen Armstrong, BA, MA
Wellington-Dufferin-Guelph Public Health
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OUR VISION
A community where individuals can achieve their highest level of health.

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Official Plan Review by Wellington-Dufferin-Guelph Public Health

Land use planning shapes us in ways that we are only just beginning to appreciate – obesity, heart disease, mental health, cancer, social isolation, air quality and nutrition. In a number of Canadian provinces and territories, health-related spending is consuming 40% or more of budgets. According to the Canadian Institute for Health Information, health care spending is growing faster than Canada's economy and spending on prescription and non-prescription drugs is growing faster than spending on hospitals and physicians. This is reflected in Ontario.

Wellington-Dufferin-Guelph Public Health works in conjunction with municipalities to support the development of healthy communities. This includes the key areas of: access to healthy foods; physical activity; shade and appropriate infrastructure that reduce injuries. Good urban development involves shaping and managing the built environment to support human, as well as environmental health. This involves designing the built environment to provide various opportunities as well as remove barriers to health.

Wellington-Dufferin-Guelph Public Health is pleased to support the work of the City of Guelph Planning Department in the Official Plan by providing comments which enhance community, individual and environmental health.

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
1.1a	1	Introduction	"…social, ***health***, economic, culture…"	
2.2e	6	Prosperous & Progressive	…prosperity in research and development and the advancement of education, training, wellness, ***recreation***…	Communities that focus on improving health prosper financially at a significant level, than those that do not.
2.2h	6	Collaborative & Cooperative	"…(environmental, ***health***, cultural…)"	
2.3.1	6	Strategic Goals of the Plan	New: (c) Ensure that land use planning reduces disparities (e.g., social, economic, health) and inequities.	The determinants of health, including the social and physical environments play a key role in determining the health status of a population as a whole.
2.3.11	8	Transportation	Commend strategic goal.	Transportation is a key factor in healthy food access and includes the availability of public transit or safe walkable routes to healthy food outlets.
2.3.15(a)	9	Housing	Ensure that an adequate supply and range of ***safe*** housing types…	Ensuring that the affordable housing is safe will help to reduce injuries in the home such as falls, reducing emergency room visits and hospitalizations.
2.3.17(a)	9	Complete	New: "…affordable housing, access to healthy	Healthy eating opportunities and access to recreation vital

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
		Community	eating opportunities, access to recreation…"	to public health of individuals and community.
3.2(m)	11	Objectives	To provide an environment that supports the ***safe*** use of transit, walking and cycling for everyday activities.	
3.2	12	Objectives	New: (p) To provide access to healthy food outlets within all residents areas.	In communities with little access to healthy food outlets such as grocery stores or farmer's markets, it is common to see food being accessed at fast-food or convenience outlets. These types of food vendors tend to offer residents high cost, high calories and low nutrition food options. This type of scenario is especially prevalent in low-income neighbourhoods following the "migration of supermarkets to middle-class suburbs" post WWII, creating food deserts. Research shows that food deserts are associated with increased weight.
3.3	12	Population & Employment Forecasts	Commend the inclusion of recreation in 3.3.1.	
3.5.2.4(ii)	13	General Policies	"…transportation, trails, infrastructure and ***other active commuting modes as well as*** public service facilities;…"	
3.7 (iv) (vii) (viii)	14	Built Up Area & Intensification	Commend inclusion of mixed land use, high quality open space and development that supports ***the safe use of*** transit, walking & cycling for everyday activities.	Mixed land use and good infrastructure support increasing physical activity rates through walking and cycling. People who report having access to sidewalks are more likely to be active. A 5% increase in neighbourhood walkability (completeness of the sidewalk network, safety of street crossings, directness of route, etc) associated with 32.1% more minutes devoted to physically active travel. Those that take public transit increase walking. Transit users spend a median of 19 minutes daily walking to and from transit. 29% achieve 30 minutes of physical activity a day solely by walking to and from transit.
3.11.2(ii)	15	Community Mixed Use Nodes	"…walkable communities, ***access to healthy food***, and live/work opportunities;"	
3.12.2(vii i)	16	Greenfield Area	New: Achieve access for all regardless of age, ability or mode of transportation.	Provides inclusive criteria.

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
3.15.1(i)	17	Making Land Use & Transportation Connections	"…for moving people, ***increasing access to healthy food*** and good;"	
3.20.2	20	Community Infrastructure	"…and to foster a complete ***healthy*** community."	
4.6.6.1	76	Transportation – Urban Form/ Density	"…and development patterns that ***create a pedestrian oriented environment with mixed uses (e.g., services, jobs, recreation, open space).***"	Moves that focus from compact urban form to pedestrian oriented community, while maintaining the compact and mixed land use philosophy. Should compact urban form be italicized, as there is a definition in the back?
4.6.8.4.6	79	Climate Change Mitigation	New: The City will incorporate shaded parks to moderate urban heat island effects which not only mitigate the effects of climate change but also moderate air pollution, cool buildings, reduce ozone production, affect human comfort and health and in heat wave conditions may even save lives.	Note: Shaded parks can cool buildings up to 4,000 feet from park borders, depending upon the size of the park and the amount of shade trees. Differences in temperature can be about 7 degrees C.
5.12	98	Movement of People & Goods – An Integrated Transportation Network	A balanced integrated transportation network shall contribute to vibrant streets where ***the road design influences the behaviours of all transportation users affecting the safety, health and quality of life for everyone within the transportation network.***	Pedestrians and cyclists are more likely to be killed than motorists. Safe road design results in lower rates of vehicle-pedestrian collisions.
5.12.1(a)	98	Objectives	"…to move people and goods ***safely***, efficiently…	
5.12.1(c)	98	Objectives	To encourage walking and cycling as safe, ***healthy*** and…	To incorporate the health benefits of walking and cycling.
5.12.1(h)	98	Objectives	"…including people with disabilities ***and those of low-come***."	
5.12.3.1	99	Barrier Free Transportation	"…seniors, children, ***those of low-come***, and those with reduced mobility by:"	Public transit does not always consider helping people access food outlets more effectively with respect to routes, schedules & space to store parcels en route. Addressing these barriers would help impact people's access to healthy foods.
5.12.3.1	99	Barrier Free Transportation	New: ***Long-term transportation planning shall identify community-wide safe routes to school***	

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
			and implementation strategies to develop infrastructure that supports these routes. ***Creating safe routes and reducing the distances necessary for students to walk and cycle to school from adjacent neighbourhoods shall be considered in designating locations for new schools.***	
5.12.5	100	Active Transportation – Pedestrian Movement & Bicycles	Suggest a new #1 as "The City supports walking and cycling as priorities when designing the transportation network. This means that the infrastructure links the various uses in the community in such a way that it supports people's daily mobility needs between residences, workplaces, commercial, places of worship, recreation and educational institutions.	To increase the importance of walking and cycling vs. vehicular transportation.
5.12.5	100	Active Transportation – Pedestrian Movement & Bicycles	Old #1 – "…designed to be comfortable ***and safe*** for pedestrians and cyclists."	Incorporates injury prevention into language.
5.12.5	100	Active Transportation – Pedestrian Movement & Bicycles	#2 – "…serves commuter, recreational ***and utilitarian*** purposes…"	
5.12.5.3(v)	101	Active Transportation	Recommendation: Remove the word "accident." The new sentence would read: ***"Implement design and maintenance standard which can reduce the risk of injuries."***	Injuries are predictable and preventable. For this reason, the use of the word "accident" is discouraged when referring to injuries.
5.12.5 (x)	101	Active Transportation	New: Ensure a coordinated system of transit, pedestrian and bicycling services and facilities.	A coordinated system is key to increasing usage. Research shows that if we change the built environment, people will change their behaviour. For each 1.6 km of bikeways per 100,000 residents, it will increase commuting 0.075%, all else being equal.

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
5.12.5 (xi)	101	Active Transportation	New: Bicycle paths that are used for commuting will be open 24 hours a day, the same as roads. These routes require lighting (especially in winter months) and at the intersections of bike paths and surface streets; at night in underpasses and tunnels. All light will be pedestrian-scale and be sensitive to wildlife habitat areas and residences.	Supports 7.18.3 (page 145)
5.12.6.2(ii)	102	Public Transit	How do we determine which transportation option is first priority?	Rationale: Should it be active transportation methods, including public transit so that walking and cycling are included as a priority? Is the language "complete streets" appropriate to use here?
5.12.6.2(iii)	102	Public Transit	"…Generally a transit stop…" Can we change it to ***"Where possible"*** vs. generally?	Suggestion is to convey it is important/priority and not something that can happen but is not mandated.
5.12.6.2(iii)	102	Public Transit	Suggest adding "***healthy food outlets and recreational opportunities"*** to (iii).	
5.12.6.2(xii)	102	Public Transit	"…terminals for easy access, ***parcel storage for groceries, etc. that is accessible***…"	
5.12.8.1	103	Public Transit	New: "***Improving public transit service on routes which link residential concentrations with healthy food outlets and recreational opportunities.***"	
5.12.8.1(iv)	103	Public Transit	"…bus stop shelters, ***parcel storage,***…"	Can maximize level of transit ridership.
5.12.8.1(vi)	103	Transit Promotion	Consider removing the word "speed"…improving the ***timeliness*** and reliability of transit service…	Speeding is one of the main factors leading to motor vehicle collisions and resulting injuries as well as fatalities. It would be recommended to remove the word "speed" when making reference to the transit services in the City.

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
5.12.10.9	104	Policies	Add: The employment of traffic calming strategies will slow vehicular traffic while maintaining efficient vehicle movement (e.g., around schools, older adult facilities, child care centres, bus stops); while make it safe for children and older adults.	Provides rationale for slowing traffic in key areas to support reducing risk of injury.
6.1.2.4	119	General Policies	Within new growth areas of the City, this Plan encourages the provision of new schools within a reasonable time of the construction of new housing in the area. ***Creating safe routes and reducing the distances necessary for students to walk and cycle to school from adjacent neighbourhoods shall be considered in designating locations for new schools.***	
6.3.3.12	122	Policies	"…such as shopping, parks, ***healthy food outlets, recreational opportunities***…"	
6.4.1(b)	126	Objectives	"…cultural, ***health***, recreational…"	
6.5	126	Recreation & Parks	"An open space system…the character ***and health*** of the City."	Recognizes the importance of recreation and parks to the health of residents and the health of the community.
6.5.1(b)	127	Objectives	"To develop a ***safe***, cohesive and comprehensive…"	
6.5.1(c)	127	Objectives	To improve community ***and individual*** health,	Stresses the important role of parks and recreation in

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
			wellness ***and strengthen social cohesion.***	developing a "sense of community" and in individual health, not just community health.
6.5.1(d)	127	Objectives	"…regardless of physical ***ability, age, geographic location within the City, ethnicity or*** economic means."	Increases inclusiveness of objectives. Changed ethnic origin to ethnicity. Ethnicity is fluid and can change over one's lifetime and refers to how a person currently identifies in an ethno-cultural sense. Conversely, ethnic origin refers to one's ancestry. Ethnicity and ethnic origin/ancestry/heritage may differ. For example, my ethnic origin/ancestry is Polish and Scottish, but I don't identify as either. Rather, I would speak of my ethnicity, or culture, to be Canadian.
6.5.1(g)	127	Objectives	"…and open space locations***, linked by walking and cycling paths."***	Moves to an integrated active transportation system within the City.
6.5.1(k)	127	Objectives	"….enhances eco-corridors, ***green corridors, tree-lined streets, streams***…"	Provides for greater protection.
6.5.1(o)	127	Policies	New: To alter the design, operation and maintenance of highly used places & spaces to encourage locals to assume as much of their stewardship as possible.	Is this/could this be a goal of the City?
6.5.1(p)	127	Policies	New: To plant trees to shade parked cars.	Reduces vehicular VOC emissions.
6.5.1(q)	127	Policies	New: To provide shade trees in parks and along trailways.	Tree leaves absorb 95% of UV radiation and provide a cooling effect.
6.5.1®	127	Policies	New: To provide parks with a large portion of their area in vegetation, especially trees, to reduce air temperature.	Children who live in greener neighbourhoods weigh less than their same age, same sex counterparts living in less green neighbourhoods. Furthermore, children in greener neighbourhoods less likely to show weight gains over 2 year period than same age, same sec peers living in less green neighbourhoods. Children living in relatively green environments are found to be more resilient. Association between green space and psychological health strongest for children, individuals with low levels of education and income; as well as individuals between the ages of 45 – 65 years of age.
6.5.1(s)	127	Policies	New: To provide recreation facilities on public	Increases usage of facilities.

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
			transit routes.	
6.5.2.4(iii)	128	City Trail Network	***Safely*** integrating abandoned railway…	
6.5.4.2	129	Urban Squares	"…consist of mostly hard surfaces, ***shaded*** sitting areas…"	To provide protection from the sun & increase usage in rainy weather.
6.5.5.2(vii)	130	Neighbourhood Parks	New: (vii) ***That playgrounds, picnic areas and benches be shaded by either natural or built structures.***	
6.5.7	131	Parkland Dedication Table	Support the parkland dedication amounts.	Recommendation of the National Recreation & Parks Association, 2011 as well.
7.1(i)	135	Objectives	"To design space that is accessible to all, regardless of ***ability, and allows the space to be enjoyed safely and comfortably.***"	More inclusive language and highlights safety and comfort in urban design.
7.1(n)	136	Objectives	New: ***To create innovative green spaces such as green roofs, community gardens, workplace gardening, edible landscaping and fruit bearing trees.***"	
7.3	136	Sustainable Urban Design	Commend #4.	Research does show that people who live within ½ km of an open space, park, recreation facility etc. will use it.
7.4.2(vi)	136	Public Realm	What does "passive solar orientation of the built form" mean?	
7.4.6	137	Public Realm	New: "***Provision of shade trees "***	To provide protection from the sun, thereby ensuring comfort while shopping, walking and enjoying outdoor patios and events.
7.4.9(v)	137	Public Realm	"…measures such as canopies, awnings, ***shade trees,*** building projections…"	
7.4.9(viii)	138	Public Realm	New: "***Ensuring that residential areas have access to healthy food outlets and recreational opportunities."***	Land use planning can impact whether or not neighbourhoods have access to grocery stores, farmer's markets, etc. Access to healthy foods is essential for a thriving, vibrant and healthy community. Policies that support access to healthy food outlets such as grocery stores & farmer's markets contribute to long-term community well-being.
7.14	143	Parking	Support #8 on bicycle parking.	

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
7.14	143	Parking	Should there be a piece on providing shade for parked cars here as well or instead of section 6.5.1?	
7.18	145	Lighting	Should #3 include bicycle lanes in the list?	Can reduce the risk of injury.
7.19.1(v)	145	Landscaping & Development	New: ***v) Provide shade where possible.***	
7.19.2(vii)	145	Landscaping & Development	New: ***vii) Be appropriate for creating shade where appropriate.***	
8.3.1(l)	154	Objectives	"…shopping, ***healthy food outlets***, institutions…	
8.3.1(p)	154	Objectives	New: ***Ensure healthy food is available and accessible in every residential neighbourhood.***	Research shows that adolescents who go to school within a km of fast food restaurants are more likely to be overweight or obese. Similarly to schools, one can assume that neighbourhoods with access to fast food & convenience food vendors will also result in increased consumption of these foods contributing to unhealthy weights. This is especially profound in neighbourhoods that only have access to fast food and convenience foods as these are their only readily accessible food choices. One study examining the impact of the introduction of a farmers market on the price and availability of healthy food in an under-served urban neighbourhood found that the farmer's market had a major impact on grocery prices in the neighbourhood, which decreased by almost 12% in 3 years.
8.3.2.9	158	Day Care Centres	Should the title be Child Care Centres?	Staff working in the field have shifted the language to reflect that they are taking care of "children and not days."
8.3.2.9.2	158	Day Care Centres	New: Locate child care centres away from highways, arterials and major commercial and industrial developments.	This statement reduces the impact of poor air quality and reduces conflicts with traffic with one of the most vulnerable populations.
8.3.2.10.4	158	Non Residential Uses in Residential Areas	New: ***Food outlets shall be permitted that provide access to healthy foods to residents in the surrounding neighbourhood***.	
8.3.2.10.1.2	158	Schools	New: ***Locate schools away from highways, arterials and major commercial and industrial developments***.	This statement reduces the impact of poor air quality and reduces conflicts with traffic from a vulnerable population.

Section Number	Page Number	Title	Proposed Wording	Rationale (If Applicable)
8.4.1(h)	162	Objectives	New: ***To ensure that residents have access to healthy eating opportunities and access to recreation opportunities Downtown.***	
8.5.1.1(f)	168	Objectives	"…live/work uses, ***healthy food outlets and recreational opportunities,***…"	
8.5.1.3.1	170	Permitted Uses	Recommend adding "***healthy food outlets, including grocery stores and farmer's markets"***	
8.5.2.3.1	173	Permitted Uses	Recommend adding "***healthy food outlets, including grocery stores and farmer's markets"***	
8.5.3.1(a)	174	Objectives	"…local convenience**,** neighbourhood commercial uses, ***healthy food outlets and recreational opportunities***,…"	
8.5.3.1(d)	174	Objectives	"…live/work uses, ***healthy food outlets***…"	
8.5.3.3.1	176	Permitted Uses	Recommend adding ***healthy food outlets, including grocery stores and farmer's markets***… to list of mixed uses.	
8.12	194	Open Space & Parks Designation	The NRPA recommended ratio is a minimum core system of parklands with 6.25 -10 acres of developed open space per 1,000 population.	Support the parkland dedication calculation in the OP.
8.12(g)	194	Open Space & Parks Designation	"…the need to balance (remove passive) recreational ***and commuting*** opportunities…"	Outlines the two types of use: recreation and commuting.
8.12.1(i)	195	Objectives	New: "***to foster opportunities for productive recreation such as community gardens***."	
9.15.5(xii)	218	Site Control Plan	New: ***Shade protection from the sun in parks, playgrounds, and other public spaces.***	

-----Original Message-----
From: Ryan Hayhurst
Sent: August 31, 2011 10:35 AM
To: Tim Donegani
Subject: Phase 1 Report

Hi Tim -

I have for you here a final draft of our recommendations for the Official Plan Update. Beyond the vast swath of detailed recommendations for the plan you will find in our summary a list of areas which we feel further research is required. It is an ambitious list that would likely keep a team of researchers busy for the next 5 years! Good thing you may well have a willing collaborator in our team at the Research Shop to help you navigate these questions in consultation with our community partners.

Please consider taking what you can from this work and 'beefing' up the OP in the current update; then consider meeting with us again in September to discuss a work plan for the fall and beyond.

We look forward to working with you in the future.

Ryan Hayhurst
Doctoral Student, Rural Studies PhD Program School of Environmental Design and Rural Development University of Guelph Landscape Architecture Building Guelph, ON N1G 2W1.







Institute for **Community** Engaged **Scholarship** (ICES)

The **Research** Shop



Infusing a Sustainable Food Systems Framework in Guelph's Official Plan: Comprehensive Scan Recommendations for City Staff Consideration

August 27, 2011

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Introduction

A review of academic literature and contemporary practice appears to suggest that the implementation of sustainable local food systems and urban agriculture can help create and foster healthy and complete communities. Evidence suggests that thoughtful integration of spaces for production, processing, distribution and consumption of food into the urban fabric in a socially just and environmentally considerate fashion will ensure that urban and rural communities alike have an opportunity to create systems that enable a thriving local food economy and inclusive local food culture (OPPI, 2011).

In recognizing the multitude of economic, environmental, social and spiritual dimensions of food, municipal planning tools should be used to promote and enable sustainable development that will improve the convenience of healthy food choices, increase food accessibility and create a resilient local economy. Capitalizing on under-used areas, creating multifunctional foodscapes in each community and fostering partnerships in urban agriculture are among to directions that planners can assist in supporting to help reduce a city's ecological footprint while ensuring sustainable and sound development in the future. Meanwhile full and complete accounting of the cost/benefit equation when it comes to food system's local and global ecological impacts relating to the consumption of water, energy, landfill, soil, air and other elements will ensure fair and just development outcomes for present and future generations.

While roads, sewers, subdivisions and other services have been the traditional domain of municipalities, food systems represent both a considerable challenge and an exciting new opportunity for local government to engage community stakeholders in a collaborative way. Though challenging in process, the impacts that this multi-stakeholder engagement can have on the cost-benefits for traditional municipal services (water, power, transport, urban design) can be considerable. It is therefore in everyone's best interest to address the impacts and outcomes of food system design and ensure that a process is in place to collectively steer the system in a direction that ensures healthy, safe and vibrant community futures.

Methods/Process

This body of work represents the culmination of our work fostered through a participatory action research framework. Beginning with the engagement of City staff in the spring of 2011, consultation with academic faculty and theoretical best practice throughout the project and consultation with community groups namely the Guelph Wellington Food Round Table (GWFRT) through the spring and summer, this set of recommendations represents not just the viewpoint of the authors but rather a broader opinion forged through dialogue among those who participated. This exercise has therefore been as much about developing a culture of inclusion in the planning process as it has been about generating a set of recommendations. It is our hope that the outcome that may have the most value moving forward is the will of the



partners to continue to work together in fostering an environment for participatory planning and collectively working towards a sustainable food systems framework in plan and in reality.

Our August 16th participatory planning session at the Guelph Community Health Centre was particularly pivotal as it put representatives from all stakeholder groups together in the same room for the first time around this issue. While the scope and depth of the session was limited by time and participant availability, the exercise was both immediately beneficial to all involved as well as constituting a foundation for future cooperation.

Section by Section Detailed Recommendations

In this section we make detailed, admittedly too detailed in some cases, recommendations as to how we see the Plan needing to be updated when viewed through a food systems lens. For comprehension purposes our recommendations are highlighted in yellow and those developed by City staff are in pink. By no means intended to be complete or refined, these comments should serve to highlight some areas that need work moving forward in addition to demonstrating where some immediate opportunities exist to impact the Official Plan.

1.0 Introduction

1.3: Interpretation

12. Amendments to the Plan

When considering an application to amend the Official Plan, Council shall consider the following matters:

viii) the impact of the proposed use on sewage, water and solid waste management systems, the transportation system, **food systems**, community facilities and the Natural Heritage System; and

x) the social, environmental and food system implications of the proposed development, for both present and future generations, in an increasingly complex world where food insecurity and climate variability are becoming persistent concerns for all

2.0 Strategic Directions

2.1: Vision

The vision for the City is derived from the Strategic Plan and seeks a healthy and liveable community. Vision: Integrated energy, transportation, **food systems** and land use planning will make a difference in the environmental sustainability, cultural vibrancy, economic prosperity and social well-being of Guelph and the world.



2.2: Guiding Principles

i) Secure, Sustainable and Inclusive Food System

"A sustainable food system is built on principles that further the ecological, social and economic values of a community and region. A sustainable food system is:

- **Secure and therefore reliable and resilient to change, and accessible to all members of society**
- **Energy, water and waste efficient**
- **An economic generator for farmers, whole communities and regions**
- **Environmentally beneficial or benign**
- **Balanced in food imports and capacities**
- **Climate adaptive, with agricultural practices and crop choices being regionally appropriate**
- **Highly productive in rural and urban areas**
- **Supported by multiple scales of food processing, storage, distribution and retail facilities**
- **Celebrated through community events, markets, restaurants and more**
- **Biodiverse in agro-ecosystems as well as in crop selection**
- **Educational to create awareness of food and agricultural issues**
- **Ethical, ensuring quality of life for livestock and providing a fair wage to producers and processors both locally and abroad (AU, p. 37)**

2.3: Strategic Goals of the Plan

5. Economy:

c) **Acknowledge that community-based economies can and do provide opportunities for socio-economic inclusiveness around services such as food provision, childcare, care for the elderly and education. Fostering these grass-roots economies can ensure stable and resilient communities that contribute to meeting residents' basic needs and are less susceptible to global market fluctuations that can de-rail and displace capital intensive private sector employers.**

8. Community Infrastructure:

a) **Plan to meet the needs of communities by ensuring that each neighbourhood has a hub to support a range of local programming including recreation, community gardening, education, celebration, food processing, storage and distribution space for locally produced, culturally appropriate foods.**

13. Sustainability:

c) **Foster the partnerships, infrastructure and incentives required to ensure that local sources of food which are sustainably produced and nutritionally rich are accessible for all city residents.**

15. Housing:

b) **Acknowledge that a lack of affordable housing can contribute to a host of other social problems, including food insecurity which can result in negative health and welfare for residents and additional social and economic costs to the public purse through loss of productivity, health care costs, policing, etc.**

18. Urban-Rural Transition & Linkages

Insofar as both the physical space where urban meets rural and the multitude of socio-technical, -cultural, -economic and -environmental interfaces of urban and rural are key to creating a more sustainable food system and resilient landscape form, a special committee will be struck to look at opportunities and challenges at the urban edge and in other linkages between Guelph and Wellington County.

3.0 Planning Complete and Healthy Communities

3.5 Settlement Area/Rural Boundary Separation

3.5.2 General Policies

4. v) Local Food Systems Planning including distribution, processing, storage, education, celebration, agri-tourism, nutrient management and provision of other agricultural inputs, services and amenities.

5. the City will actively engage surrounding municipalities to foster the protection of arable and agricultural lands in the region.

3.12 Greenfield Area

2. The Greenfield Area will be planned and designed to:

v) create high quality public open spaces with site design and urban design standards that support opportunities for transit, walking cycling, **urban agriculture and community gardens.**

3.17 Culture of Conservation

1. The City will develop and implement policies and other strategies in support of the following conservation objectives.

vi) to encourage consumption of local and sustainable food, reducing food miles, carbon footprints and water use in agricultural production.

3.18 Energy Sustainability

2. The City will reduce energy consumption and promote renewable and alternate energy systems by developing policies and programs for:

vi) developing and adopting policies and programs to account for the economic and environmental costs associated with the City's food and agricultural footprint (Note: Area in need of future research).

3.20 Community Infrastructure

Community Infrastructure

1. The City will encourage an urban open space system that may include but is not limited to **community gardens, urban agriculture**, rooftop gardens, urban squares, communal courtyards and public parks.

4.0 Protecting what is Valuable

4.1.8.2 Policies

1. Healthy native, non-invasive trees within the *Urban Forest* shall be encouraged to be retained and integrated into proposed *developments.* **Where possible multi-functional trees, shrubs and ground covers should be encouraged and integrated into the proposed development, including food bearing species where appropriate.**

4.1.9 Vegetation Compensation Plan

6. Agricultural Land Compensation

The detailed requirements for an Agricultural Land Compensation Plan will be developed by the City. The requirements once developed will be applied to determine appropriate soil and land compensation for the loss of arable agricultural land through development and site alteration (Note: Further research required).

4.2.1.3 Environmental Impact Studies

1. The Environmental Impact Study shall as a minimum address the following:

xii) conduct a cost benefit analysis of the loss of arable land in light of the benefit accrued to developers when rezoning and developing agricultural greenfield sites in order to share the resulting profits with the public good.

4.4 Water Resources

4.4.1 Objectives

e) To encourage the design of natural and edible landscapes that demand less water so as to promote water conservation.

f) To encourage design and implementation of on-site grey water separation and re-use systems for edible landscaping, community gardening and urban agriculture applications.

4.4.2 Water Resource Protection and Conservation policies

14. The entire City area is considered to be a recharge area for public and private potable water supply. In order to protect this valuable water resource, the City will introduce conditions of development approval that:

viii) Chemical free urban agricultural methods, including those that make use of organic composts, natural plant-based and biological controls, are encouraged given the close proximity to vulnerable populations. Mulch, nitrogen fixing cover crops, bio-accumulators and other beneficial companion plant species are among the techniques which could be adopted.

15. Urban agricultural practices should look towards adopting minimum water consumption approaches that rely on techniques that include but are not limited to drought tolerant species selection, mulch, perennials, multi-story poly-culture food forests, etc. Exploring all possible financial incentives to create the shift to water wise edible landscapes incentives should be explored by all levels of government including the City (Note: Further research required).

4.5.2 Landfill Constraint Area

4.5.2.1 Objectives

d) waste diversion through nutrient recycling and composting should continue to be an important objective, ultimately making reuse of this valuable organic material in urban gardens.

4.5.3 Contaminated Properties

4.5.3.1 Objectives

f) To create programs and incentives that enable soil testing to occur, especially in public spaces, to ensure that urban agriculture and food production are not being undertaken on contaminated sites. When there is proof of contamination, remediation should be a priority and again appropriate programs and incentives should be devised (Note Further research required).

4.5.4 Noise and Vibrations

4.5.4.2 Other Provisions

19. Given that mass trucking of imported foods is both noisy and polluting, urban agriculture, community gardens and edible landscapes are encouraged to meet the food demand of the City. Reducing food miles and having fewer trucks on the road means less noise, less pollution and less cost to the City (Note: further study required).

4.6.5 End use Efficiency/Conservation

1. iv) new landscaping and maintenance practices will be strongly encouraged to minimize water consumption**; these practices should be designed in such a way so as to reduce water needs and foster healthy soils to better withstand drought conditions.**

v) alternative water supply and demand management systems such as , rain water harvesting and grey water reuse is encouraged in all new development or redevelopment; **in particular, community gardens, residential food production, edible landscaping for public green spaces and urban agriculture projects should make full use of such techniques.**

ix) food systems should be optimized around the sourcing of local provisions due to the reduced energy required to deliver local goods to end user. Similarly, food production systems should account for water consumption and evolve towards minimum water consumption approaches in order to account for how the city uses water in the production and energy in the transportation of food.

4.6.5.3 Food System Ecological Footprint Analysis & Field to Table to Field Energy Accounting (Note: Further research required.)

How much energy is Guelph using to feed itself? What is the carbon footprint of our food system? How much water are we using to produce our food? What are the other human and environmental costs?

Are these levels sustainable? Can they be improved upon, what would it cost us to improve on these levels and how much would it save us in the long run? What would reducing our energy, water and chemical use mean for the environment, both locally and globally? Would localizing our food system create greater food security and how could that be measured?

A comprehensive mapping and auditing system would provide the City, producers, distributors, processors and consumers with a way to evaluate the existing ecological footprint of our food system across a range of indicators such that collectively over time we could move towards greater socio-ecological resiliency.

Upon the completion of the food mapping process the results will be used by the City to:

i) provide an approach to integrate community food modeling and land-use spatial analysis to undertake strategic development of infrastructure assets and long-range planning to meet

food needs and greenhouse gas objectives while accommodating expected population growth;

ii) track and monitor food production and consumption and provide a clear link to land-use and transportation strategies;

iii) identify land-use, building development and transportation practices that have a direct impact on food demand and provide the opportunity to implement a process to lower energy demands;

iv) enable the City and local food production, distribution, processing and storage operators to collaborate on planning for food systems and encourage activities to address local food system challenges;

v) inform the Official Plan and other policies to identify additional land use policies needed to achieve the targeted reduction in greenhouse gas emissions, water and energy use efficiency and harmful chemical reduction targets.

4.6.6 Transportation-Urban Form/density

12. Improve energy efficiencies and air quality by directing land use and development patterns that ensure compact urban form that provides for a mix of employment, commerce and housing that promotes walking, cycling and the use of transit. **Transit systems should aim to connect to food hubs and markets to maximize the efficiency of transportation routes and support local food systems. Transportation routes should be planned to enhance the access to healthy, local food choices and help reduce the City's ecological footprint and eliminate food deserts.**

4.6.7 Corporate Leadership

The City will aim to achieve energy efficiency and water conservation through implementing programs and policies which include but are not limited to:

2. vii establishing greenhouse gas emission targets for municipal assets **as well as establishing ecological footprint targets for food sourcing;**

ix) implementing green purchasing and sustainable green fleet procedures**; ie. implementing green purchasing including the sourcing of local, fair trade and sustainable food through Guelph Wellington Local Food; and**
x) strongly encouraging the use of low maintenance landscaping throughout the City **and exploring partnership development on residual urban lands that could be brought to higher uses in food production.**

4.6.8 Climate Change

The development and redevelopment of Guelph needs to be conducted as an integrated system where density is the key to the development of new transport and renewable energy

systems and whose systems help to meet the City's targets for greenhouse gas reductions. Trails and bike paths throughout the City will spur walking and cycling while connecting green spaces, urban agriculture, recreation and other social gathering spaces. An integrated *Official Plan* will use a systems approach to create an over-arching vision and structure that shows low carbon energy opportunities, viable sustainable transportation routes and nodes, potential for expanding open space and employment areas and appropriate housing density **and by fostering agricultural systems that are grown in a way that reduces fossil fuel dependence, that encourage carbon sequestration and are suited to Guelph's climatic conditions to create more resilient food systems.** This integrated approach is essential to achieving many of the long-terms goals of the *Official Plan* including taking measures to address climate change.

4.6.8.1 Objectives

d) to encourage the adoption of better adapted agricultural systems such as perennial over annual cultivation.

e) to encourage the localization of supply chains in order to reduce transportation requirements.

f) to encourage seed saving in order to ensure planting seeds that are better adapted to regional stresses versus seeds from non-local sources.

4.6.8.4 Climate Change Mitigation

3. The City will work towards reducing heat island effects through encouraging the use of reflective or green roofs, natural landscaping and increasing the tree canopy. **The City could also encourage and provide incentives for adopting an agro-ecological approach to food production by incorporating more trees into urban agricultural systems. These systems are more self-sufficient in nutrients when properly designed and are better at retaining water, are more resilient to climatic variability as well as regulating temperature and providing habitat/biodiversity.**

5. The City will incorporate the social **and environmental** cost of carbon emissions into its procurement, procedure, policies, capital planning and decision-making.

4.7 Cultural Heritage Resources

Cultural heritage resources are the roots of the community. They may include tangible features, structures, sites or landscapes that either individually or as a part of a whole are of historical, architectural, archaeological or scenic value. Cultural heritage resources may also represent intangible heritage such as customs, ways of life, values and activities. The resources may represent local, regional, provincial or national heritage interests and values. They include *built heritage resources, cultural heritage landscapes, archaeological resources* ***and agricultural heritage*****.**
The *cultural heritage resources* paint the history of the City and provide identity and character while instilling pride and contributing to economic prosperity.

4.7.2 General Policies

13. It is acknowledged that agriculture has played an important role in the history of the City and as such, its lineage should be honoured to include the perspective of agricultural producers in Guelph. Agricultural heritage reflects on the strong historical linkages to Guelph's rural lifestyles and acknowledges that while agriculture is no longer the primary use of lands within the city as well as moving toward the future, both within the built up city and surrounding the area, agriculture still forms a vital part of the economy and culture of the City.

5.0 Municipal Services

5.7 Solid Waste Management

Objectives

a) **As the City's organic waste recycling system comes online, uptake of the compost outputs should be encouraged for use in urban farms, community gardens, edible landscapes, and residential gardens. Free or discounted compost should be made available to low income and community non-profit projects.**
b) **Insofar as local food is produced in closer proximity to consumers and therefore requires less packaging to ensure freshness, whereas food from further afar requires more packaging and thus represents a cost to the municipal landfills and recycling facilities, the City will encourage local food consumption in order to reduce solid waste management costs.**

5.8 Stormwater Management

5.8.2 Policies

9.The City strongly encourages the use of low impact development measures such as bio-filters, grasses swales, rain gardens, etc, in the design of new development, site alteration**. Insofar as these stormwater management and other residual spaces can perform valuable ecological services they can also perform food system functions by being planted out with edible landscapes.**

5.11 Electric transmission lines and pipelines

5.11.2 General Policies

4. Land within transmission corridors will be encouraged to be made available for urban agriculture so long as they have been deemed safe and free of residual contaminants. **As with all residual and brownfield sites, comprehensive soil testing should be a priority.**

5.12 Movement of People and Goods: An Integrated Transportation Network

5.12.5 Active Transportation – Pedestrian Movement and Bicycles

3. Due to reduced carbon emissions of bicycle transit, the City encourages the use of bicycles for transporting goods and services within the city including food wherever feasible.

5.12.6 Public Transit

2. vi) locate higher density housing, commercial, employment centres and **healthy local food services along** major transit routes;

5. Given the importance of public transit to low income community members not only for employment but also for access to services, including food services, all efforts should be made to create enabling price structures and routing to ensure low income communities have sufficient access to transit (Note: programming element must be considered in relation to infrastructure design and goes beyond, but not totally exclusive of, the official plan).

5.12.13 trucking and goods movement:
4. The City will restrict the location of land uses, activities, **food system practices** and home occupations that increases truck traffic. In other words, food system design should minimize the transportation of provisions by building capacity into multi-functional mixed-use neighbourhoods where people live, work and play.

5.12.18
3. The City will coordinate with surrounding municipalities, the province and beyond to ensure that food is brought into the City in a sustainable manner and will encourage coordinated planning around the production, transportation and processing of food.

6.0 Community Infrastructure

6.1 Community Facilities

6.1.2 General Policies

1. The City will encourage the adequate provision of community facilities in conjunction with new residential growth. For the purposes of this Plan, community facilities include, but are not limited to such things as municipal recreational facilities, institutional health care facilities, library and museum services, religious, educational facilities, **community food hubs and related infrastructure including urban agriculture, community gardens, and public spaces with edible landscapes.**

6.3 Affordable Housing



6.3.1 Affordable Housing Objectives

c) To encourage and support education and awareness programs with private, public and local community stakeholders to highlight the economic and social advantages of *affordable housing* **including the connection between affordable housing and food security.**
f) To promote innovative housing types and forms to ensure affordable, sustainable housing for all socio-economic groups throughout the city **which enable community energy planning, promote water conservation, urban greening and foster community food systems (and thus greater food security).**
j) To encourage affordable housing to be located in mixed income and mixed use neighbourhoods to enable access to services, and in particular food resources.

Policies
11. The City may establish alternative development standards for *affordable housing* development proposals as conditions of approval, including the setting of maximum unit sizes, reduced parking requirements, etc. **so long as these standards do not deprive low income residents of community food system infrastructure such as potential space for community gardens, rooftop gardens, balconies, window boxes and yards.**

12. *Affordable, social and special needs* housing are encouraged to locate in **mixed income and mixed use areas** served by transit, and other services such as, shopping, parks and other community facilities. Housing proposed in the Downtown, and the Mixed Use designations is strongly encouraged for *affordable housing* because of the availability of nearby services.

6.4 Barrier Free Environment
6.4.1 Objectives
b) To encourage the provision of **healthy food sources,** cultural, recreational and educational services and facilities in order to improve accessibility by all age groups, regardless of ability or socioeconomic status.

6.5 Recreation and Parks

An open space system of parks and trails provides a variety of recreational activity while having regard for the City's natural areas. It plays an important role in defining the character of the City.

6.5.1 Objectives

o) To promote the growth of urban agriculture, community gardens, farmers markets, food education and celebration space within the city boundaries.

6.5.5 Neighbourhood Parks

Neighbourhood parks will primarily cater to the needs and interests of the residents living within its general vicinity for unorganized, unstructured and spontaneous leisure

activities. Neighbourhood parks contain a mixture of passive areas, low to intermediate sports facilities, informal and formal play areas and may contain natural areas, **edible landscaping and community gardens.**

6.5.6 Community Parks

1. Community parks may be developed to accommodate the conservation of *cultural heritage resources* and/or preservation of *natural heritage resources* or to provide facilities for active recreational activities at an intermediate and/or major level such as sports fields, recreation and/or community centers. Community Parks may contain natural areas, beaches, trails, picnic areas public recreation facilities, passive areas , **community gardens, urban agriculture, and associated community food hub infrastructure.**

6.5.7 Regional Parks

Regional parks are designed primarily to provide facilities or features that attract visitors from the local community and from the broader region. Regional parks may include: civic centres, botanical gardens, wildlife sanctuaries, natural reserves, **community gardens, space for urban agriculture,** scenic portions of waterway systems, museums, major historic sites, golf courses, university facilities, major sports and community recreational facilities **such as community food hubs where appropriate.**

6.5.10

5 v) in consultation with residents, a certain proportion of parkland should be designated for urban agriculture and community garden spaces.

vi) In consultation with nearby community groups and urban agriculture interest groups, the industrial sector should consider dedicating their residual lands to agricultural production in partnership with private, not-for-profit and community groups.

6.5.11 Other Agencies

2. vi) where feasible, the City will encourage community gardens and agriculture uses as accessory uses for community facilities such as places of worship, schools, health centres, cultural and recreational institutions.

6.6 Urban Agriculture

1. The City encourages the use of underutilized sites, and long-term development parcels for *urban agriculture* where appropriate and feasible, without limiting the potential for future development. Inappropriate locations may include potentially contaminated properties.

2. Space for community gardens may be identified as part of the development approvals process.

3. The City encourages the provision of space for *urban agriculture* in addition to common amenity space requirements for new *development*, including roof-top gardens.

4. The City will encourage community gardens by facilitating the use of parks and underutilized public lands for community gardens subject to the "Principals and Guidelines for the location of Community Gardens" as may be prepared and amended. The City may support these community gardens by providing water, wood mulch, on-site compost or other forms of in-kind support.

5. The City may identify and remove or mitigate barriers to *urban agriculture.*

6. The City may partner with community stakeholders to develop mechanisms to promote urban agriculture.

7. In consultation with stakeholders, the City will consider developing policies that advance a healthy, sustainable, secure, resilient, accessible, economically vibrant, and equitable food system. These may include polices addressing local food procurement; facilitating additional farmers' markets or farm stands throughout the city; planning for the availability of healthy foods within walking or biking distance of all residents; planning for food security to promote community resilience to changes to the world food system; and perusing opportunities for education and community building around producing local food.

7.0 Urban Design

7.1 Objectives

n) In order to encourage energy conservation in the food system, encourage accountability for water use and ensure that all residents of Guelph enjoy improved food security, the City will encourage and support the development of community food spaces in each neighbourhood, by helping to foster partnerships between the public, private, not-for-profit and community sectors.

7.3 Sustainable Urban Design

5. New developments should be required to build in community food spaces that allow for neighbourhood level production, processing, distribution, storage, celebration & education of culturally appropriate, fresh, healthy food. Where possible, these spaces should be linked to transit, incorporate a market space for local and regional vendors, and promote water and energy efficient chemical free growing techniques in the associated production spaces. These multi-functional 'community food hubs' are therefore as much education facilities as they are areas for recreation, production, consumption, distribution and celebration.

7.4 Public Realm

7. **Acknowledging that while all such landscaped areas can contribute to aesthetic appeal, groundwater recharge, species habitat and biodiversity, they can also provide added multi-functionality to site users and nearby community partners by being designated urban agriculture pockets and where appropriate planted out with a mixture of food bearing perennials, native beneficial species and annual fruits and vegetables. Such measures may represent not only a cost saving to property owners from decreased landscaping charges, a**

cost saving to the environment due to a measurable decrease in the amount of residual under-used lawns and berms to tend with noisy gas mowers and trimmers, but also represent a social, environmental and economic capital generation opportunity for an emerging class of urban micro-farmers. (Note: Future research required)

7.5 Landmarks Public Views & Vistas

3. Parks, schools, places of worship, **community food hubs** and other community facilities should be established in visually prominent, central and accessible locations to serve as neighbourhood focal points or gathering places. These focal features should have good access to all forms of transportation, be created to a high standard of design, and include uses serving the local community.

7.7 Built Form: Low Rise Residential Form

5. To create visual interest and diversity in the built environment, a wide variety of architectural designs are encouraged **and similarly horticultural diversity that adds variety, biodiversity and resiliency to neighbourhoods should be encouraged.**

7.9: Built Form: Buildings in Proximity to Residential and Institutional Uses

iv) a) providing perimeter landscape buffering incorporating a generously planted landscape strip, berming and/or fencing to delineate property boundaries and to screen the commercial or employment use from the adjacent use.

b) See section 7.4, #7.

Sec 7.13: Transition of Land Use

3. Integrated food and agricultural systems call for new approaches to planning and design of transition zones, which should be seen as opportunities to address mixed use and multi-functionality rather than segregation. Several different strategies can be used to create more value from transition zones depending on the uses contesting the space. It is thereby imperative for planners, landscape architects, architects, business owners, community groups and others to collaborate on design, implementations and management of such spaces. (Note: Subject well suited for additional research.)

7.14 Parking

1. Where permitted adjacent to the public realm, surface parking areas should be designed in a manner that contributes to an attractive public realm by providing screening and landscaping. Generously sized landscape strips incorporating combinations of landscaping, berming, **edible landscaping** and decorative fencing or walls shall be provided adjacent the street edge to provide aesthetically pleasing views into the site while screening surface parking areas.

7.16 Signage

5. The City will endeavour to create a special policy pertaining to signage for urban farms, community markets gardens and the like, which will create enabling conditions for producers looking to alert vehicular and pedestrian traffic to their establishments.

7.19 Landscaping and Development

1. Landscaping shall:

v) be low maintenance, minimally water consumptive and of maximum functionality in terms of agro-ecology and/or biodiversity.

2. The selection of plant material:

vii) where feasible is encouraged to yield food, fuel or fiber for the resident.

6. The retention of vegetation in front yards along residential streets is encouraged; vegetable gardening and edible landscaping in front yards in also permitted and encouraged.

7.22 Urban Squares

5. **Neighbourhood farmer's markets shall be encouraged in all urban squares.**

7.24 Development Adjacent to River Corridors

2. Riverfront lands that are available for public use shall be improved through opportunities such as the development review process. The improvement of riverfront lands that are available for public use, **community gardens**, pedestrian and cycling amenities is encouraged.

8.0 Land Use

8.1.2 Permitted Uses in All Land Use Designations excluding Natural Heritage System

1. The following uses may be permitted in all land use designations excluding Natural Heritage System subject to the applicable policies of this Plan:

i) existing uses;

ii) public and private infrastructure;

iii) community gardens and urban agriculture; and

iv) municipal parks and recreation facilities.

8.1.3.3 Agriculture

1. Community gardens and other compatible forms of *urban agriculture* may be permitted in all designations except Natural Areas and Significant Natural Areas unless otherwise limited by the provisions of this Plan and will be subject to City by-laws and guidelines.

2. New *livestock-based agricultural* operations or the expansion of existing *livestock-based agricultural* operations will not be permitted within any land use designation. (Note: Ensure clarification that appropriate scale livestock keeping is permitted in the case of residential or community urban agriculture.)

3. Notwithstanding the above policy, this Plan does not restrict livestock-based instruction, research and animal care on any lands used by the University of Guelph.

8.1.2.3

4. The sale of produce grown on site should be permitted from all land use designations, including the sale of eggs on the property of origin as permitted by the Chicken By-law.

8.3.2.10.2 Convenience Commercial

1. Convenience commercial uses may be permitted that provides goods and services primarily to residents in the surrounding neighbourhood**. It is encouraged that convenience commercial uses connect with local neighbourhood producers to provide greater access to fresh, local products. Where access to convenience commercial within walking distance is not available, the City shall work with residents to find a suitable location where retailing of healthy locally produced food can be sold.**

8.5 Mixed Use Areas, Corridors and Centres Designation

The Community Mixed Use Areas, Mixed Use Corridors and Neighbourhood Mixed Use Centres, identified on Schedule 2 are part of the City's commercial structure which also includes the Commercial Service and Commercial-Residential designations of this Plan.

The Community Mixed Use Areas, Mixed Use Corridors and Neighbourhood Mixed Use Centres will provide a range of uses in a compact urban form that is served by transit and linked to the surrounding community by trails and sidewalks. These areas are intended to develop over time as pedestrian-oriented urban villages with centralized public spaces and provide a range of uses including **urban agricultural**, retail and office uses, live/work opportunities, and medium to high density residential uses. These designations are an important opportunity for **adding** intensification **and multi-functionality** in the City.

8.5.1.1 Objectives

j) To honour the City's agricultural heritage and integrate it with urban design innovation by supporting urban agriculture where appropriate in conjunction with multi-use site development so as to capitalize on residual arable land and promote robust and sustainable local food systems.

8.12 Open Space and Parks Designation

Open space and parks provides health, environmental, aesthetic and economic benefits that are essential elements for a good quality of life. Lands designated Open Space and Parks are

public or private areas where the predominant use or function is recreational activities, parks, conservation management, **urban agriculture** and other open space uses.

8.12.1 Objectives

a) To develop a balanced distribution of open space, active and passive parkland, **community gardens** and recreation facilities that meet the needs of all residents and are conveniently located, accessible and safe.

b) To foster strategies to cooperate and partner with other public, quasi-public and private organizations in the provision of open space, **community gardens & urban agriculture**, trails and parks to maximize benefits to the community.

f) To work with the development community to encourage proponent built parks, urban squares, **farmer's markets and community gardens**.

h) To encourage edible landscapes and community gardens where appropriate that include indigenous species that are compatible with the site conditions.

8.12.3 Permitted Uses

1. vii) **urban agriculture and edible landscapes**

8.13 Major Utility Designation

8.13.3 Permitted Uses

vi) open space uses, **such as urban agriculture**

8.14.2.1 Guelph Innovation District Special Study Area

4. In light of the need to provide additional green space, community gardens and urban agriculture opportunities for City residents, the Innovation District Secondary Plan should be reviewed to evaluate the parcel's tremendous potential to become an urban agricultural district where innovation around sustainable local food systems can be fostered.

9.0 Implementation

9.1: Official Plan Update and Monitoring

2. To facilitate the updating of the Official Plan, the City may monitor the following matters:

xi) environmental impacts, including the achievement of energy reduction and generation targets **and environmental impacts of food production, distribution, storage and nutrient recycling.**

xii) social and economic food system, including access to food of nutritional quality (food security), cultural appropriateness of food, quantity and dollar value of local food produced and publicly procured.

xiii) other issues as required

9.2: Secondary Plans

(Note: Secondary Plans are beyond the scope of this phase of the research and may require revisions when subject to analysis through a food systems lens).

9.4: Community Improvement

9.4.2: General Policies

6. Recognizing that Community Food Hubs are an ideal vehicle to boost neighbourhood value and create synergies through programming and partnerships around food education, production, processing, storage, distribution and celebration, Community Improvement Plans should be actively utilized to stimulate the development of Community Food Hubs.

9.10: Pre-consultation and Complete Application Requirements

3. In addition to the requirements noted in the applicable sections of the Official Plan, the City may require additional information and material to be submitted as part of a complete application. The following broad categories describe additional information and material that may be required and the type of studies or documents that may be identified during the pre-consultation process as being required to be submitted as part of a complete development application:

ix) Sustainability:

The submission of reports, studies, and/or drawings that demonstrate, to the satisfaction of the City, how a particular development proposal and/or change in land use meets the energy, water, and sustainability policies of this Plan.

This may include, but shall not be limited to:

- Completion of the City's Sustainability Checklist
- District Heating Feasibility Study
- Renewable Energy Feasibility Study
- Water Conservation Efficiency Study
- Energy Conservation Efficiency Study
- **Food System Impact Study**

9.12: Bonusing Provisions

2. Community benefits may include:

xiii) community centres, **community food hubs** and/or facilities and improvements to such centres and/or facilities; and

9.19 Sign By-Law

2. The City will endeavour to create a special policy pertaining to signage for urban farms, community markets gardens and the like, which will create enabling conditions for producers looking to alert local and tourism vehicular and pedestrian traffic to their establishments.

9.22 Poultry By-Law (1985) -11952

Enshrining the right to raise poultry subject to sound management and respect for ones neighbours, as permitted under the poultry by-law, is an important cornerstone in sustainable urban food production, education and celebration. This City should look to expand this By-Law to include all forms of small livestock suitable to urban environments, including bees, fish, snails, worms, swine, and ruminants as well as other birds and fowl. Doing so would represent an economic opportunity for urban producers, additional mechanisms for nutrient recycling and input substitution, social benefits from additional food access and food system resiliency and environmental benefits from reducing food miles.

Furthermore, if enshrining the right to produce food on one's property, front yard, back yard, roof-top and indoors, subject to good management and respect for ones neighbours, is a foundation for resilient food systems, it is in the City's best interest to ensure that the rest of the 'food system house' is built through education, incentive and full-cost accounting programs, Secondary Plans and By-Laws designed to ensure that we collectively foster the human resources and infrastructure capital required for these systems to manifest. While regulation and monitoring will play an important role in ensuring that urban livestock do not detract from the quality of urban living, Municipal partnerships with research and education facilities and robust community-engagement will be crucial to ensure the successful reintegration of appropriate scale local food production within urban spaces.

(Note: Further research required on what constitutes appropriate livestock in the City and how livestock are to be housed and cared for in the small-scale urban/residential/community context. Ex: does it make sense for backyard chicken coops to be subject to the same design considerations as large scale chicken barns? In the backyard/small-flock/free run context, for example, it makes no sense for them to be housed on a concrete floor as this would restrict their access to healthy pasture and insects, and as well limit their ability to serve as a mechanism to enrich garden soil.)

10.0 Glossary

10.2 Definitions

Agricultural Urbanism: An emerging planning, policy and design framework for integrating a wide range of sustainable food and agriculture system elements into a community at a site-, neighbourhood- or city-wide scale. In short it is a way of building a place around food. (Agricultural Urbanism, p. 240)

Community Food Security: "A situation in which all community residents obtain a safe, culturally acceptable diet through a sustainable food system that maximizes self-reliance and social justice" CFSC, based on Hamm and Bellows, 2011. Community Food Security Coalition. www.foodsecurity.org

Complete and Healthy Community: A City that meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure **that fosters a sense of health, wellbeing and inclusiveness** including affordable housing, schools, **a range of green spaces to permit community gardening and recreation and enhance biodiversity** for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided**. Food security for all residents is acknowledged as a central objective of a *complete community***.

Edible Landscaping: Edible landscaping aims to maximize food production by integrating crop-yielding plants with common ornamental vegetation to create aesthetically pleasing landscaping while producing crops.

Food System: "The cycle of farming (aka food production), processing, transporting, distributing, celebrating and recovering food waste in the context of larger natural, social, political, and economic driving forces." (Agricultural Urbanism, p. 36)

Food Security: "A condition in which all people at all times have access to safe, nutritionally adequate and personally acceptable foods in a manner which maintains human dignity." Canadian Dietetic Association, 1991

Food Hub: A hub is an intermediary led by the vision of one or a small number of individuals which by pooling together producers or consumers adds value to the exchange of goods and promotes the development of a local supply chain. This added value may be gained through economies of scale, social value, educational work or services. In other words, the pure function of distribution is only one element of the hub and the distribution function may be contracted out to a third party. The hub may also provide a means for public sector services to reach disadvantaged communities, provide a space for innovation and act as a focal point for developing a political agenda around an alternative food system. (Horrell and Natelson, 2009)

Horrell, C. and Natelson, S. (2009). An investigation into the workings of small scale food hubs. Retrieved from: http://www.sustainweb.org/pdf/mlfw_hubs_research_summary.pdf

Resilience: The ability of a system to undergo change in response to external forces while retaining its basic structure and function. (AU, p.243)
Sustainable Local Food: Food that is locally produced and processed in an agricultural system that aims to maintain and improve the health and well-being of the biophysical environment and biodiversity while lowering energy consumption, reducing food miles and providing healthy and affordable food.

Urban Agriculture: The growing of crops or raising of animals for food at a small scale that is compatible with the surrounding neighbourhood. It may also include small-scale sales of urban agricultural products subject to zoning and other applicable regulations.

Summary

Production barriers to the development of a robust urban agriculture in Guelph do exist for both crops and livestock. Likewise Guelph lacks a comprehensive plan to create a sustainable food system in the face of inevitable local and global system shocks. As such increasing the resilience of Guelph's food system, ensuring food security for all while preserving and enhancing the ecological integrity of our urban green spaces and foodscapes, should be a priority. Proposed staff amendments to section 6.6 and 8.1 are a step in the right direction but as this report shows, much more work is required to infuse sustainable food systems into the Official Plan as well as By-Laws, Secondary Plans, Operational Plans and City budgets.

As the OPPI Call to Action around Planning for Food Systems in Ontario very clearly illustrated, barriers exist broadly and deeply throughout the lay of the land not just in terms of urban food production spaces, but correspondingly in the legal and planning frameworks that guide development, accounting and access to other infrastructure and amenities. Furthermore, the tensions between local and global systems, built form and growing space, as well as social justice and economic development are complex and interdisciplinary thus requiring thoughtful consideration and inclusive engagement processes.

Ultimately we see a need for both a strong set of guiding principles in the form of a policy statement (such as the GWFRT's Food Charter), and a more robust Official Plan informed by the knowledge that sustainable food systems can manifest but only will if conditions permit. This is not to say that the Official Plan is the only tool to make use of in fostering sustainable systems – much of this work has to be brought about through socio-cultural change manifested through shifts in consciousness, education and individual action. However, the literature does suggest that physical landscape, urban form and municipal infrastructure do play an important role in shaping behaviour, social norms, economic activity and environmental outcomes. As such, if planners are driven by the objective of fostering 'Healthy and Sustainable Communities' we feel it to be imperative to begin retooling the Official Plan as soon as possible.

Moving forward we hope to help you make this happen, beginning with this set of recommendations which we hope you will seriously consider both in making final changes to



the Fall 2011 Official Plan draft and in the future starting this fall by strategizing on next steps to a participatory planning process with the Research Shop and GWFRT. It is our feeling at the Research Shop, that ongoing involvement from our graduate students in conjunction with expertise and participation of the GWFRT will yield a most thoughtful and effective framework. In this regard we see this report as simply the beginning of a larger process in which we hope to be mutually engaged for some time.

Once City Staff has had a chance to digest this report and consider our suggestions for both immediate uptake and future research, we would like to recommend a meeting to discuss some areas of the plan that are ripe for further research before finalizing our fall work plan. In this regard, please consider the following subject areas:

- Consideration and detailed analysis of what constitutes appropriate vegetation, edible landscaping, and multi-functional landscape architecture in different scales and spaces throughout the City.
- Consideration of what constitutes appropriate agricultural practice at different scales, both in terms of animal husbandry and cropping, in the context of urban agriculture and how it differs from its rural counterpart. How do we balance public health considerations with the need to create capacity, opportunity and rationality in urban agriculture?
- Consideration of water and energy use in urban agriculture and some of the cropping systems, architectural considerations and socio-cultural norms that affect such use.
- Exploration of incentive schemes to encourage developers to build food system infrastructure into new developments; elements right across the food system landscape from production to education to post-harvest handling, processing and distribution and nutrient recycling.
- Exploration of how transitional lands create opportunities and challenges for agriculture; development practices in terms of soil removal and lost agricultural land resource compensation to the public good.
- Design and implementation of a Food System Report Card or Accounting System that can track performance measures such as water, energy, carbon, environmental pollution, biodiversity, economic benefits, food security, health and social justice.
- Consideration of how housing and transportation policy can affect both food security and food culture; how do mixed-use and mixed-income areas create opportunities and challenges for food system sustainability? What is the relationship between home ownership, poverty, food insecurity and health?
- Transition zone and residual urban spaces policy in relation to urban agriculture: how can we get more value from these spaces and save money on landscape maintenance costs by creating an enabling program to match these spaces with entrepreneurs and community groups that want to farm in the City?
- The Urban Edge and Rural-Urban Linkage: how can we create vibrant, high value agriculture zones in areas accessible to urban residents at the peri-urban margin of the City while preventing urban sprawl? How can we work with rural municipalities and rural residents to create partnerships that benefit urban and rural communities alike?



- What role can developers and other large private sector land owners play in creating capacity and opportunity for urban agriculture?
- What role can the City play beyond a regulatory framework to support the growth and development of a sustainable food system? Is the Community Improvement Plan mechanism an effective tool for developing neighbourhood level infrastructure to support local food systems?
- What role can institutions like University of Guelph, schools, hospitals and other large organizations play in system change?
- Are youth, seniors, new immigrant and other communities being engaged and empowered to capitalize of opportunities in the food system?
- What are some of the mechanisms that are showing the most promise in contribution to sustainable, resilient local food systems in other municipalities and how can we bring these ideas to Guelph?

Selected References

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Wellington & Guelph Housing Committee
[redacted]

September 29, 2011

Re: Proposed Amendments to the Official Plan

The Wellington Guelph Housing Committee would like to comment on the proposed changes to Guelph's Official Plan. We applaud the ambitious targets related to the production of affordable ownership and rental as well as social rental housing and the fact that this housing will be integrated throughout the city. There is a clear need, particularly on the rental side, for additional supply in these areas as evidenced by the large number of families and individuals on the Centralized Wait list for Social Housing.

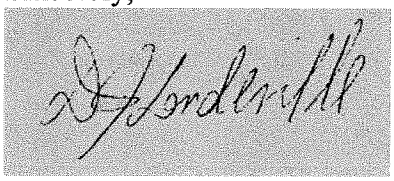
We also support the target of 90 accessory apartments a year. These provide affordable units for the occupants and also assist homeowners to afford their mortgage payments, as well as contributing to the city's intensification targets.

The production of an annual Affordable Housing Implementation Report to record progress towards these targets is also commendable. It will be important to measure progress towards these goals and adjust programs and incentives to ensure they are met.

Our concern with the targets is implementation. To encourage the production of lower price/rental properties, it will be necessary to devise incentives or other mechanisms to ensure the units are built in the appropriate price ranges. The Official Plan document mentions alternative development standards, alternative parking requirements and facilitated planning approval for affordable housing. It will be important to clarify these quickly to ensure the targets are met and other incentives may also be necessary. Even the target of 16% of units in the market rental category seems ambitious given the low number of market rent units that have been built in the last 20 years. It seems to be only economical to build new student rental housing at the present time; market rent is lower than economic rents for units for the general population still.

We would be happy to discuss any of these points if it would be useful. We are also willing to consult on incentives and other mechanisms to encourage affordable housing production; if you wish to discuss this further I can be reached at [redacted]

Sincerely,



Jane Londerville, Chair
Wellington and Guelph Housing Committee

Labreche Patterson & Associates Inc.
Professional Planners, Development Consultants, Project Managers

May 20, 2010

(E-mailed: clerks@guelph.ca)

City of Guelph
City Clerk's Office
1 Carden Street
Guelph, ON
N1H 3A1
Attention: Lois A. Giles, City Clerk

Dear Ms. Giles:

Re: Comprehensive Official Plan Update – OPA Amendment 42 – City of Guelph

We are responding to the City of Guelph's notice relative to the statutory public meeting for the above noted subject matter to be held on May 20, 2010 at 7:00 p.m., Council Chambers. Please accept this as our written submission on this matter and we would ask that you please provide this to all of Council if possible in advance of their meeting tonight for their consideration.

Please be advised that we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed new draft official plan for the City of Guelph and wish to note the following.

As some background to this, we wish to note that the ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations, and guidelines. Along with its members and the assistance of Labreche Patterson & Associates Inc., the ORHMA has a strong record of working collaboratively with municipalities throughout the province to develop mutually satisfactory regulations and guidelines that are fair and balanced in its approach and implementation for new drive-through facilities proposed within any given municipality. These planning based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum stacking/queuing requirements amongst other things.

We together with the ORHMA wish to note that the drive-through service option that is available to several restaurants including the above brands throughout Ontario provides an important and relied upon service option to many in our communities with mobility/physical challenges and the elderly. Those with mobility challenges and the elderly often rely on drive-throughs to obtain services of the restaurant industry as well as other service throughout their daily activities.

Regarding the specific recommended Official Plan based policies proposed by planning staff in report number 10-59, the ORHMA and the noted member brands have recently requested that we review the proposed new official plan for the City of Guelph to determine if any proposed amendments would apply to its existing drive-through facility locations as well as areas of the City that should be considered for areas of future development.

Based on our review of the proposed Amended Official Plan, drive-through facilities would be prohibited in all land use designations except for the Commercial Service designation. This prohibition would result in 10 of the existing 18 locations of the four identified brands as no longer being permitted in their current location, this despite the fact that retail and service uses in general, including restaurants, will continue to be permitted along with their associated parking lots. We would object to their prohibition and further would note that all of the 18 locations are located along designated "Arterial" roads within the Official Plan which are the busiest and largest roads carrying the existing bulk of vehicles throughout the City other than the expressway and we see this as a contradiction.

Zoning based regulations and specific urban design guidelines for drive-through facilities are common throughout Ontario. However, it is important to note for your consideration that the implementation of Official Plan based policies that specifically prohibit drive-through facilities in areas that would otherwise permit service retail commercial uses, large format retail uses, plazas and supermarkets, which are considered destination oriented uses and accompanying expansive surface parking lots **is not a common or appropriate form of regulation applied to drive-through facilities in Ontario**. In fact, the Ontario Municipal Board has recently noted in a case regarding the new official plan for the City of Ottawa that *"the proper approach for controlling these is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its Official Plan. Official Plans do not need to be prescriptive like zoning by-laws."* This is an approach repeated in almost every case, both at the Ontario Municipal Board and in the Courts, relative to Official Plan prohibitions on specific uses.

Further, based on the above comments, it would be a contradiction to prohibit a drive-through use, which is not a destination use but rather it relies on existing large volumes of vehicles already traveling on busy roads (often termed pass-by traffic) for the vast majority of its customers in the same areas that large format retail, plazas, and supermarkets, etc. would otherwise be permitted by the draft Official Plan. As an example, the land use designation of "Community Mixed Use Area" that is being applied to the Wal-mart, Home Depot and Canadian Tire sites at the intersection of Woodlawn Road East and Woolwich Street at Hwy#6 would not permit a drive-through facility which would certainly be a contradiction. These destination uses contribute the vast majority of traffic, all with large required parking lots, **not drive-through facilities**. We question; what is the difference between these destination uses and their large parking lots compared to drive-through facilities? In this regard, we ask "what is the problem with drive-throughs that can't be addressed by the zoning by-law and by urban design guidelines specific to the use." No specific justification has been provided in staff's report explaining the rationale for the restrictions on drive-through development in the material we have seen related to the new Official Plan.

Referring again to the Ottawa Official Plan decision, the Board in that case decided that:

> *"The Board agrees that the policy as it exists gives no consideration to the possibility of minimizing any possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that drive-through facilities in appropriate circumstances, can be designed to have minimal effect on traffic and the pedestrian environment."*

The result of that decision was language in the OP that while discouraging drive-through facilities on Traditional Mainstreets, still allowed for their establishment if the policies of the OP that pertained to those streets could otherwise be maintained. This solution has now been followed in London, Kingston, and more recently in the downtown core of Ottawa. In other words, it may be appropriate to have additional specific policies for drive-through facilities for certain areas of a city but outright prohibition in areas where otherwise very similar uses are permitted are not justified.

Based on the above-noted commentary, it is our submission that official plan prohibition policies for drive-through facilities are not appropriate or necessary at the level of an official plan. We believe that at the basis of these rulings is the fact that drive-throughs locate in existing areas of any City that are already designated for service, large format, and destination oriented retail commercial land uses all of which rely on vehicular and pedestrian access already coming to and accommodated in the area by associated parking lots. As such, the only unique feature of a drive-through in these pre-determined commercial areas is the drive-through stacking or queuing lane. The drive-through facility and stacking is a detail which can clearly be regulated through the zoning by-law and/or urban design guidelines and under the municipal powers of Site Plan Control. Therefore, prohibition based policies at the level of an official plan is not warranted. To continue with the approach of official plan based prohibitions rather than more appropriately detailing possible restriction areas in the zoning by-law is a major concern for us and the brands we represent. Given the comments noted above relative to related OMB and court case decisions on the fact that drive-through facilities need not be prohibited or restricted at the level of the Official Plan, we attach hereto a memo prepared by Gowlings LLP that offers further case law research on this matter.

We wish to further note, contrary to what some may believe, that drive-through facilities **do contribute** to sustainability goals to a greater extent than the alternative which are parking lots. Based on our experience and related traffic and environmental impact studies of drive-through uses completed by others, the only other alternative to a drive-through for a restaurant use is larger parking lots in order to accommodate the same number of vehicles coming to these restaurants that would otherwise be split between the parking lot service option or using the drive-through option. Larger parking lots are needed if the drive-through didn't exist which leads to more asphalt heating, larger storm water management facilities, larger buildings to accommodate more people internal to these buildings, and larger HVAC units for these larger buildings all equating to a larger demand on the energy/hydro grid system. Further, based on related traffic studies and again in the City of Ottawa, the Ottawa Zoning By-law provides for a 20% reduction in the required number of parking spaces that applies to a restaurant when a drive-through service option is available with the restaurant. We are also aware that the City of Winnipeg provides for up to a 50% reduction in the same situation.

Furthermore, drive-throughs continue to be an ancillary use to the restaurant. In other words, the restaurant must be present in order for a drive-through to exist. Adding a drive-through is complementary to the restaurant use by lowering in-store demand which in turn helps in-store service and overall operating efficiencies of the restaurant.

In addition, a study was completed by RWDI Environmental Inc. on behalf of The TDL Group which compares the related emissions generated by vehicles that use the parking lot with those that use the combined drive-through service lane/parking lot during peak times in the morning rush hours. It was found that vehicles choosing the combined drive-through/parking lot services within the study period did not create more overall emissions than vehicles that would use the parking lot and often the overall emissions were less for vehicles using the combined drive-through/parking option. As a result of start up emissions, the parked car scenario creates somewhat higher overall emissions than if that car was to otherwise use the drive-through for service. **It is important to note that the RWDI study has been peer reviewed and accepted by Dr. Deniz Karman, PhD, P.Eng, Professor of Environmental Engineering, Carlton University.** A copy of the "Briefing Notes" of the RWDI study along with the comments of the peer review consultant is attached hereto.

We object to the 10 previously identified sites that would no longer be permitted within the proposed designations of these sites and we would also object to these locations becoming Legal Non-conforming within any future zoning by-law amendment pertaining to theses existing locations as a result of any future approval of an implementing Zoning By-law for these locations.

Based on our review of other proposed policies we would also object to policy 4.5.4.2.15 (policies relative to Noise and Vibration) and policy 7.12 (Built Form: Vehicle-oriented Uses).

Based on the foregoing, we request an opportunity to meet with the appropriate planning staff at their earliest opportunity to discuss our objections to the current draft of the official plan and its specific prohibition of drive-through facilities. We thank the city for its consideration to our comments and look forward to working with city staff over the coming weeks to mutually resolve concerns.

Yours truly,
Labreche Patterson & Associates Inc.

Victor Labreche, MCIP, RPP
Senior Principal

VL/sl
Attach.
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President and CEO – ORHMA

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Memorandum

To: Michael Polowin

Date: June 12, 2008 (updated to February 22, 2010 by Elad Gafni)

Re: Prohibition on Specific Uses in Official Plans

File Number: 01368989

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1. INTRODUCTION

You asked me to research information relating to the existing jurisprudence, particularly in Ontario, relating to attempts to prohibit specific uses of land at the level of an official plan.

2. SHORT ANSWER

Having canvassed a wide range of sources, my research leads me to the following conclusions. The notion that official plans should remain broad and flexible is rife throughout the jurisprudence. The majority of courts and tribunals endorse the view that official plans should be broad policy statements that rise above the level of detailed regulation. Further, the prohibition of specific uses within municipalities, such as drive-throughs, adult entertainment and pinball machines have overwhelmingly been achieved through mechanisms other than the official plan, such as zoning by-laws.

Despite this being the overall consensus in the current jurisprudence, the law as it currently stands, does not appear to preclude municipalities from prohibiting specific uses in their official plans. In fact I was able to locate an Ontario Municipal Board (the "Board") decision where the City of Peterborough chose to regulate adult entertainment parlours using their official plan. However, since that 1989 decision I have been unable to find any other decisions where official plans have been used in a similar capacity, and as demonstrated in some of the more recent decisions that follow, that decision is an exception rather than the norm.

3. SUMMARY OF RELEVANT JURISPRUDENCE

3.1 Contents of an Official Plan – See Tab 1

(a) *Goldlist Properties Inc v. Toronto (City)*[1]: In this case the city of Toronto adopted an official plan amendment to enact policies relating to the preservation and replenishment of rental housing, in part by restricting "the demolition of rental property and the conversion of rental units to condominiums." While defining the scope of official plan contents the court at paragraph 14 explained that the *Planning Act*[2], apart from sections 16(1)(a) and 16(2)(b), does not contain any other specific provisions limiting the contents of what can be included in the official plan. The court, at paragraph 49, dealt with the issue of what could be included:

> Section 16(1)(a) is cast in terms of the minimum requirements for an official plan, not the outside limits. It does not list heads of power or the subjects that may be addressed by the official plan. There are unquestionably limits to what a municipality may include within its official plan, but the wording and scope of s. 16(1)(a) indicate that those limits cannot be determined solely by a literal application of its terms. To determine what may be included in an official plan, as distinct from what must be included by virtue of s. 16(1)(a), reference must be had to the *Planning Act* as a whole. In this regard, it is important to bear in mind that the purpose of an official plan is to set out a framework of "goals, objectives and policies" to shape and discipline specific operative planning decisions. *An official plan rises above the level of detailed regulation* and establishes the broad principles that are to govern the municipality's land use planning generally.[3]

Ultimately, the court held that the municipality had authority to limit/control the conversion or demolition of rental housing. This decision was based on the overall purpose of the *Planning Act* taken together with a specific legislative directive, the Provincial Policy Statement (1997), indicating that the municipality should provide for a full range of housing.[4] The court stated that they were fortified in their decision by recent jurisprudence supporting the idea that decision-makers should avoid narrow and technical readings of municipal power.[5]

Paragraph 49 of the *Goldlist* decision, referred to above, is cited in the recent case of *Toronto (City) v. R & G Realty Management Inc.* for the proposition that "an Official Plan does not have the force of a statute"; rather, an Official Plan "is a 'recommendation, or statement of intention only, which may or may not be implemented by the municipality by the enactment of appropriate zoning by-laws'".[6] In further support of the proposition that an Official Plan does not have the force of a statute, the Court in *R & G Realty Management* cites the decision in *Woodglen & Co. Ltd. v. City of North York et al.*, where it was held that "an official plan and amendments thereto are not effective in themselves to regulate land use" and that "an official plan is a recommendation, or statement of intention only, which may or may not be implemented by the

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[1] [2003] O.J. No. 3931, D.L.R. (4th) 298, CanLII 50084 (Ont. C.A.) [*Goldlist* cited to CanLII].
[2] R.S.O. 1990, c. P.13.
[3] *Supra* note 1, at para. 49. [emphasis added].
[4] *Ibid.* at para. 55.
[5] *Ibid.* at para. 57.
[6] *Toronto (City) v. R & G Realty Management Inc.*, [2009] O.J. No. 3358 at para. 25 (Ont. Sup. Ct. J.).

municipality by the enactment of appropriate zoning by-laws".[7] Neither case, however, deals with the issue of what may or may not be properly included in an Official Plan.

(b) *Frontenac-Lennox & Addington (County) Roman Catholic Separate School Board v. Kingston (City)*[8]: In this case there was an inconsistency between the city's new comprehensive official plan and a zoning by-law. While the zoning by-law permitted schools in industrial zones, the official plan prohibited it. As the Board commented at paragraph 5, "[t]he hitch is that the official plan forbids a school. However, the plan is a statement of objectives and policy, designed to guide the City's land use decision-makers. Normally, land use rights depend on the zoning, not the official plan."[9] In a separate decision discussing the same issues arising from the same fact situation, the court determined that the official plan did not in fact prohibit schools in industrial zones, but rather stood for the proposition that they could be prohibited.[10]

(c) *Steven Polon Ltd. v. Metropolitan Toronto (Municipality) Licensing Commission*[11]: In this case the Court considered an appeal from the decision of the Metropolitan Licensing Commission refusing to issue to the applicant a salvage yard licence for land situate in the Township of Scarborough. In refusing to issue the licence to the applicant, the Commission based its decision on the Township's Official Plan, which designated the land at issue as agricultural and therefore did not permit the use of the land as a salvage yard or scrap yard, despite the fact that the Official Plan had not yet been implemented by a zoning by-law. The Court held that where an Official Plan has been enacted by a municipality, but no zoning by-law has yet implemented the plan, the official plan is simply a statement of intention and is not an effective instrument to restrict land use:

> As a result of a perusal of ss. 10 to 20 of the *Planning Act*, R.S.O. 1960, c. 296, I am of the opinion that the Official Plan adopted by the respondent municipality is little more than a statement of intention of what, at the moment, the municipality plans to do in the future. Provisions for the amendment of an official plan make it clear that the municipality is not bound to carry out that intention and may from time to time as circumstances develop make such changes as appear desirable. The Official Plan is not therefore an effective instrument restricting land use.[12]

3.2 Policy Versus Regulation – See Tab 2

(a) *Re Whitchurch-Stouffville (Town) Interim Official Plan*[13]: Here, the town's official plan had provisions requiring both a 200 ft. set-back and a minimum 500 ft. lot frontage along a highway. The Board held that the sections of the official plan were regulatory in nature rather than a policy statement and ruled that such matters should be confined to by-laws: "The board is

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[7] *Woodglen & Co. Ltd. v. City of North York et al.* (1984), 47 O.R. (2d) 614 at 617 (Div. Ct.).
[8] *Frontenac-Lennox & Addington (County) Roman Catholic Separate School Board v. Kingston (City)* (1994), 25 M.P.L.R. (2d) 110 at para. 5 (O.M.B.).
[9] *Ibid.*
[10] *Frontenac-Lennox & Addington (County) Roman Catholic Separate School Board v. Kingston (City)* (1994), 25 M.L.P.R. (2d) 102 (Ont. C.J.).
[11] *Steven Polon Ltd. v. Metropolitan Toronto (Municipality) Licensing Commission*, [1961] O.R. 810, 29 D.L.R. (2d) 620, CarswellOnt 147 (Ont. H.C.).
[12] *Ibid.* at para. 8.
[13] (1983), 16 O.M.B.R. 280, CarswellOnt 1914 (O.M.B.) [*Whitchurch* cited to CarswellOnt].

disturbed that the mention of measurements relative to set-backs is really a regulatory process having no place in the official plan"; and later, "[o]nce again this is regulatory rather than a policy statement and should be confined to the by-law. The board agrees with the concept but not the regulatory approach used."[14]

(b) *Re Brampton Planning Area Official Plan Amendment 75*[15]: The City of Brampton proposed to remove provisions from their official plan regarding detailed traffic control. Here the Board agreed with the city planner who expressed the opinion that "traffic regulatory provisions and particularly in such detail, have no place in an official plan and that they also encumber council's jurisdiction under the *Municipal Act* to properly exercise their authority."[16]

3.3 Broad & Flexible Approach – See Tab 3

(a) *Re Bradford & West Gwillimbury Planning Area Official Plan Amendments 13, 13A & 13B*[17]: Here, the town proposed several amendments to their official plan. The Board agreed with the opinion of planner Donald Given, in that there should be flexibility in an official plan to eliminate the necessity of amendments.[18]

(b) *Cadillac Development Corp. v. Toronto (City)*[19]: Here, the court recognised the necessity in having a flexible official plan to avoid the need to amend official plans. As stated by Henry, J. "a council that wishes to permit development that conflicts with the policy of the plan is restrained and must first have recourse to the cumbersome machinery for amending the plan and the meticulous scrutiny it entails."[20]

(c) *Halmir Investments Ltd. v. City of North York*[21]: This decision is illustrative of the problems faced by municipalities when official plans stray beyond policy. Here the applicant was seeking a specific text change in the district plan to permit the development of an apartment building as the plan only permitted a maximum density of 40 units to the acre. While the Board ultimately accepted the specific amendment to the official plan, to allow the requested 51 units per acre, the Board voiced its distaste for site specific amendments to official plans. As the Board stated, "this official plan could achieve the same result for the site in question by a more general statement of policy [...] This plan does not contain what several others do have incorporated within them, namely that the plan is not intended as an instrument to restrict the use of land in the manner of a zoning by-law."[22]

The notion that official plans should remain flexible is rife throughout the jurisprudence dealing with the issue. That said, it is not uncommon for the Ontario Municipal Board to approve amendments that appear restrictive.

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[14] *Ibid.*
[15] (1982), 14 O.M.B.R. 482, CarswellOnt 1966 (O.M.B.) [*Brampton* cited to Carswell Ont].
[16] *Ibid.* at para. 5.
[17] (1979), 10 O.M.B.R. 257, CarswellOnt 1669 (O.M.B.) [*Bradford* cited to CarswellOnt].
[18] *Ibid.* at para. 45.
[19] (1973) 1 O.R. (2d) 20, 39 D.L.R. (3d) 188, CarswellOnt 271 (Ont. S.C.) [*Cadillac* cited to CarswellOnt].
[20] *Ibid.* at para. 25.
[21] (1980) 10 M.P.L.R. 241 (O.M.B.).
[22] *Ibid.* at 246.

(d) *Elia Corp. v. Mississauga (City)*[23]: Here, the city contended that the amendments to the official plan should reflect all of the elements contained in the zoning by-law, including the numerical standards, in order to ensure there would be no potential misunderstanding in the future. Despite the appellant's argument that flexibility should be maintained in an official plan which by definition is a broad policy document, the Board nonetheless proceeded to accept the city's position and approve the amendments with all the elements contained in the proposed zoning by-law.

The approach taken in *Elia* seems counter to the direction provided by the Supreme Court of Canada in *Subilomar Properties v. Cloverdale.*[24] In *Subilomar*, the court stated "[t]he purpose of an official plan has been said on many occasions to be an outline of a scheme or proposal for controlling the use of lands within the municipality."[25] The court then went on to site *Campbell v. Regina (City)*,[26] where Johnson J. adopted the position taken by the city that, "the scheme is merely a general statement of future intentions. It contends that the scheme does not and is not intended to impose a straight jacket on future development."[27]

(e) *Bele Himmell Investments Ltd. v. City of Mississauga et al.*[28]: At issue in *Bele* was whether the Board erred in law or jurisdiction in deciding that a zoning by-law conformed to the official plan of the municipality. This case is often cited as providing direction on how official plans should be interpreted. At paragraph 22 the court explained that:

> Official Plans are not statutes and should not be construed as such [...] Official Plans set out the present policy of the community concerning its future physical, social and economic development [...] It is the function of the Board in the course of considering whether to approve a by-law to make sure that is conforms with the Official Plan. In doing so, the Board should give to the Official Plan a broad liberal interpretation with a view to furthering its policy objectives.[29]

3.4 Adult Entertainment Prohibited in Official Plan - See Tab 4

Having canvassed a wide range of sources, municipalities often regulate adult entertainment parlours through by-laws. That said, I have been able to locate an Ontario Municipal Board decision where the City of Peterborough chose to regulate adult entertainment parlours using their official plan. In *Re Peterborough (City) Official Plan Amendment 56*[30] the city approached a planning consultant who was already involved in a comprehensive official plan review and asked the planner to develop criteria for the regulation of adult entertainment parlours in Peterborough. Ultimately the policy was adopted in the official plan which provides very limited locations for adult entertainment parlours in the city.[31] The amendment also provided for site-

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[23] 2005 WL 2596774, CarswellOnt 6205 (O.M.B.) [*Elia* cited to CarswellOnt].
[24] [1973] S.C.R. 596 [*Subilomar*].
[25] *Ibid.* at 606.
[26] (1966), 58 D.L.R. (2d) 259 (Sask. Q.B.).
[27] *Ibid.* at 263.
[28] (1982), 13 O.M.B.R. 17, CarswellOnt 1946 (Ont. Div. Ct.) [*Bele* cited to CarswellOnt].
[29] *Ibid.* at para. 22.
[30] 23 O.M.B.R. 57, 1989 CarswellOnt 3512 (O.M.B.) [*Peterborough* cited to CarswellOnt].
[31] *Ibid.* at para. 7.

specific amendments to the zoning by-law to review any development proposal of an adult entertainment parlour in the municipality.

3.5 Regulation of Drive-Throughs – See Tab 5

(a) *TDL Group Ltd. v. City of Ottawa*[32]: At issue in this decision was the 2003 City of Ottawa official plans, which prohibited the establishment of new drive-through facilities in certain areas. TDL opposed the prohibition on the ground that there was no planning justification for the city adopting such a prohibition. The city, on the other hand, justified the prohibition as a means of protecting and enhancing the pedestrian environment in the given areas. In coming to their decision the Board took note of a decision rendered by the Board in 2004, commonly referred to as the "Toronto Drive-Through" case.[33] Further, the Board was accepting of the evidence that "urban drive-throughs" can be designed to suit the unique characteristics of specific locations, and took note of the City of Ottawa's Urban Design Guidelines for Drive-Throughs released in May of 2006. Ultimately, the Board ruled that there was no proper basis to support the prohibition, and that such matters should be dealt with in zoning by-laws. The Board's position was summarized as follows:

> The Board agrees that the policy as it exists gives no consideration to the possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that "drive-through facilities" in appropriate circumstances, can be designed to have minimal impact on traffic and the pedestrian environment. [...] The proper approach for controlling [drive-through facilities] is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its official plan. Official plans to not need to be prescriptive like zoning by-laws.[34]

This case is consistent with the view expressed in *Goldlist* that official plans rise above the level of detailed regulation. Apart from this decision, and the decision mentioned therein, there does not appear to exist any other cases dealing with the prohibition of drive-throughs in Ontario.

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[32] Decision/Order No. 2649, issued September 21, 2006 (O.M.B).
[33] TDL Group Ltc. v. City of Toronto, Decision/Order No. 0154, issued January 23, 2004 (O.M.B).
[34] *Ibid.* at 19.

Briefing Note - Summary of the Air Quality Assessment of Tim Hortons Restaurants: Ontario, Canada (May 2008)

Conducted By RWDI AIR Inc Consulting Engineers & Scientists

650 Woodlawn Road West Guelph, Ontario N1K 1B8 www.rwdi.com

PROJECT DIRECTOR: MIKE LEPAGE, M.S., CCM
PROJECT MANAGER: COLIN WELBURN, M.ENG., P.ENG.
PROJECT SCIENTIST: TERRY LYN PEARSON, B. SC. (AGR.)
SENIOR ENGINEER: SHARON SCHAJNOHA, P.ENG
PEER REVIEWER: DR. DENIZ KARMAN, PHD, P.ENG, PROFESSOR OF ENVIRONMENTAL ENGINEERING, CARLETON UNIVERSITY

Purpose:

RWDI AIR Inc. (RWDI) was retained by the TDL Group Corp. to conduct an air quality study of vehicles using their facilities. The TDL Group is interested in having sound technical information on vehicle emissions at its facilities that have a drive-through component. The TDL Group also requested comparing these vehicles emissions to other common sources of air pollution to assist the public with an easily understood comparison when discussing vehicle emissions at drive-throughs.

In addition, the TDL Group wanted to know how the drive-through emissions will change in the future as aging models of automobiles are gradually phased out and replaced by newer models with lower emissions. Finally, the TDL Group wants information on how the emissions at drive-through facilities affect the local air quality around those facilities.

Methodology

Based on actual traffic surveys taken at peak times in four typical stores, an emission inventory was developed for two scenarios, Scenario 1: a conventional store with both drive-through and in-store operations and Scenario 2: a store with in-store service only (no drive-through.) Typical patterns or modes of operation for vehicles using the drive through and the parking lot were developed from these and other observations

This study examined the main pollutants of concern for motor vehicles, which are as follows:

- Smog pollutants – oxides of nitrogen (NO_X), hydrocarbons (HC), sulphur dioxide (SO_2) and particulate matter (PM);
- Local pollutants – carbon monoxide (CO); and
- Greenhouse gases – carbon dioxide (CO_2).

Emission models produced by the U.S. Environmental Protection Agency and other accepted methodologies were used to estimate emissions. Tedesco Engineering provided detailed traffic survey data that was used to calculate site-specific emissions.

The emission inventory for the drive-through portion of the facility was compared to "everyday" emission sources (i.e. lawn mowers, snow blowers, etc.). Dispersion modelling was conducted for a drive-through facility to predict maximum pollutant concentrations in the areas adjacent to a Tim Hortons store and compare them to provincial standards set out by the Ontario Ministry of the Environment (MOE).

Further technical details of the methodology can be found in the main text of the report. The method and findings were subjected to peer review by Dr. Deniz Karman of Carleton University http://www.carleton.ca/engineeringdesign/research/profiles/personal_bio.php?id=64.

Briefing Note - Summary of the Air Quality Assessment of Tim Hortons Restaurants: Ontario, Canada (May 2008)

Findings

The total number of vehicles that use a conventional Tim Hortons facility during the morning peak hour was averaged to be 224; for vehicles using the drive-through, the average time on site ranged from 3 to about 4.5 minutes and for vehicles using the parking lot, the average time on site is about double, ranging from 7 to 8 minutes.

Modes of operation that produce emissions were determined to be:

- Moving into position in the queue lane or moving into a parking space (this mode of operation is referred to as "crawling");
- Idling while waiting for a parking space or warming up a vehicle in a parking space or waiting in the queue lane of the drive-through
- Pulling into and out-of a parking space;
- Starting up the engine in a parking space before exiting (referred to as a "start-up");
- Moving from the service window or from a parking space to the curb while exiting the site ("additional crawling"); and,
- Idling at the curb while waiting to get on the street.

Applying the standard vehicle emission data to these modes of operation for the average number of Tim Hortons customers at peak times in stores with drive throughs and without (using two scenarios in which the parking lot was approximately doubled and tripled in size, 2a and 2b respectively) produced the following emissions results during a peak hour of operation:

Figure i: Smog Pollutant Emissions for Drive-Through Restaurants (Scenario 1) and Non-Drive-Through Restaurants (Scenarios 2a and b)

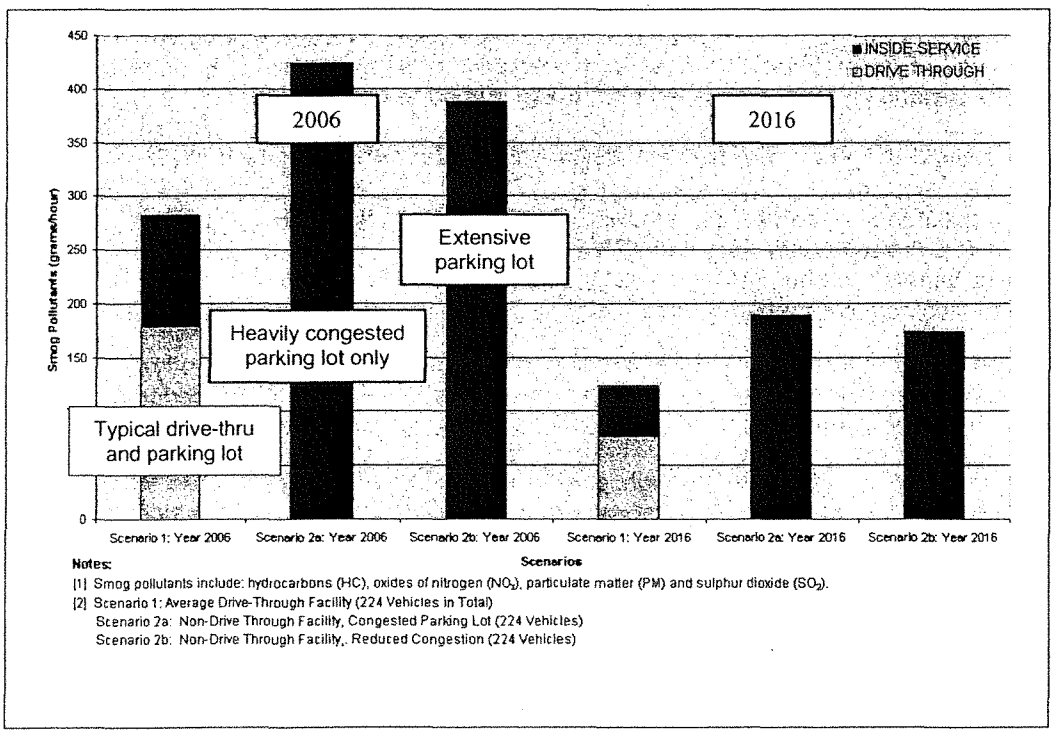
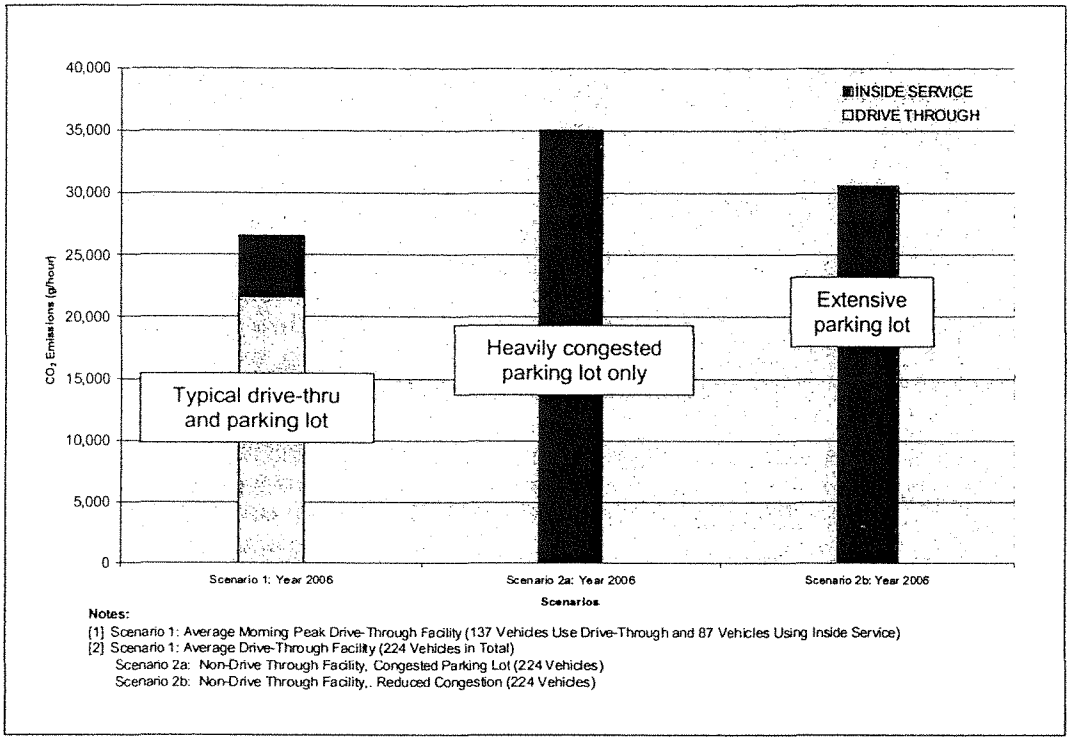


Figure ii: CO_2 Emissions for Drive-Through Restaurants (Scenario 1) and Non-Drive-Through Restaurants (Scenarios 2a and b)



Conclusions

- **Overall, the findings for the Tim Hortons stores examined in this study indicate no air quality benefit to the public from eliminating drive-throughs.**
- For a Tim Hortons store with no drive-through, the congestion that occurs in the parking lot, together with the start-up emissions and emissions from the extra travel distance to get to and from a space, all contribute to produce somewhat higher emissions per vehicle compared to a store that has a drive-through, this is particularly true in the case of smog pollutants and carbon monoxide (about 40 to 70% higher for those pollutants) but is also true for greenhouse gases (about 10 to 30% higher). These results are considered to be representative for Tim Hortons stores but cannot be generalized to other types of drive-through facilities.
- To put drive-throughs into perspective, combined emissions generated from all vehicles using a drive-through facility during a peak-hour of operation are relatively small in relation to other common emission sources: smog pollutant emissions from all vehicles are comparable to a single chain saw operating for one hour; CO_2 emissions are comparable to a single bus operating for one hour; emissions from all vehicles using a store with a drive-through during the peak hour are less than one fifth of the emissions at an urban intersection; and emissions of smog pollutants and greenhouse gases from a single vehicle using a drive-through are less than 10% and 5% respectively of a typical 30-minute morning commute.

- A comparison of Year 2006 and Year 2016 modelling indicates that predicted trends in fleet-wide emissions will result in reduced impacts from smog pollutants and carbon monoxide in the future.

- Dispersion modeling shows that 1-hour off-site concentrations of CO and NO_X are below the provincial standards in 2006 and even further below in 2016. Therefore, based on a typical site layout, there are no adverse air effects predicted for land uses adjacent to the drive-through facility.

Peer Review

Dr. Deniz Karman, PhD, P.Eng, received a Ph.D. in Chemical Engineering from the University of New Brunswick and is now a professor of environmental engineering at Carleton University in Ottawa. His research interests include: motor vehicle emissions and air quality in microenvironments; air pollution sources, control methods and dispersion modelling; and greenhouse gas emissions from industrial sources.

In addition to pursuing his own research interests, Doctor Karman has acted as a consultant on projects involving motor vehicle emissions monitoring, alternative fuel effects on motor vehicle emissions, dispersion modelling for roadways and street canyons, and receptor modelling source apportionment for volatile organic and particulate matter. http://www.carleton.ca/engineeringdesign/research/profiles/personal_bio.php?id=64

After reviewing the RWDI study Dr. Karman concluded

> **The RWDI study is a detailed quantitative attempt to estimate emissions from different vehicle patterns around *Tim Hortons* facilities with and without drive-through service. It has applied appropriate methodologies for quantifying these emissions in typical cases, has put the results obtained in the context of other emission sources, and estimated ambient concentrations around a typical facility. It provides a sound basis for estimating the effect of the two types of *Tim Hortons* facilities.**

Project Director

Mike Lepage, M.Sc., CCM, Principal / Project Director, joined RWDI in 1981 and became an Associate of the firm in 1988. As a Project Director, he provides overall direction on air quality and meteorological projects, ensuring that a high level of service is provided and, at the same time, RWDI's interests are preserved on all projects. Mike also oversees RWDI regional atmospheric modeling group, which is involved in high-end numerical modeling of regional air pollutants such as ground-level ozone and fine particulate matter. In recent years he has been extensively involved in regional modeling of meteorology and atmospheric chemistry to investigate large scale smog events, using models such MM5, Models-3/CMAQ, SAQM, CALGRID and CALPUFF.

RWDI

RWDI is the leading wind engineering consulting services firm in the world. With 400+ staff and offices in five countries, the company offers a complete range of wind engineering, sustainable design, environmental air quality, noise and risk services.

UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-9097

Martha C. Rogers
Director of Education

May 17, 2010

PLN: 10-21
File Code: R14
Sent by: mail & email

Mrs. Lois Giles
City Clerk, City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario N1H 3A1

RECEIVED
MAY 19 2010
CITY CLERK'S OFFICE

Dear Mrs. Giles;

Re: Official Plan Update – OPA 49, City of Guelph

Further to my telephone message today, I would like to pass on a comment from the Upper Grand District School Board regarding the Official Plan Update - OPA 49. The Draft Schedule 2: Land Use Plan for OPA 49 indicates only 1 potential school site - a site which the UGDSB has an option agreement to purchase. The recent Central Guelph Accommodation Review has identified a need for the construction of that school in south Guelph - referred to by the Board as Kortright East - sometime prior to 2017.

Notably absent from Schedule 2 is a site which is present in the current OP Land Use Plan (Schedule 1) - a site located south of Grange and east of Cityview. The need for this site was established in the Eastview Secondary Plan and current student yields in the area would suggest that a second public elementary school will still be required - in addition to the recently opened Ken Danby PS.

In 2009 the Board's Education Development Charges (EDC) Background Study identified a need for a 500 pupil place school in Northeast Guelph and based on this determination the Board's EDC by-law includes a charge based on the need for a site for this school.

I am requesting this Potential School Site, as shown in the current Official Plan, be included on Schedule 2: Land Use Plan in OPA 49.

Please contact me at the number below, to further discuss this request.

Sincerely,

Dennis Cuomo MCIP, RPP
Manager of Planning
519-822-4420 Ext. 820

Comments on Draft Official Plan Update, Envision Guelph, by Transition Guelph May 20, 2010

Represented by Sally Ludwig www.transitionguelph.org

Mayor Farbridge, Councillors:

I am here representing Transition Guelph. Transition Guelph is a grass-roots process for building greater resilience in our communities; our theme is "Resilient Guelph 2030." We are connecting people in order to generate creative responses to the environmental, social and economic challenges facing us and navigate a transition to a way of living with reduced inputs of fossil fuel energy, lower emissions for a healthier climate, and greater satisfaction for citizens. We have a list of 450 interested Guelphites, many of whom participated in visioning sessions for the City in 2030. I would like to share the Transition Guelph vision for community components covered by the Official Plan.

In 2030, Guelph will be a community of dense, diverse, largely self-contained neighbourhoods connected by healthy natural corridors with clear, free-flowing streams. Everyone will live near community gardens and communal play areas. Rain runoff will approach natural rates, largely soaked up by green roofs, street trees, gardens and permeable street surfaces.

Vegetable gardens will be numerous, replacing lawns and sprouting in schoolyards. University lands will be operating farms. Fruit and nut trees and shrubs will be widespread, and cold frames and greenhouses will be common. Some livestock and bee-keeping will be permitted. Bustling neighbourhood and central markets will be open daily. Permaculture methods will be popular; local food processing will proliferate.

Buildings – many attached - will be energy-self-sufficient and often energy-producing. Solar energy - passive, solar thermal, solar PV – will be used extensively along with highly effective insulation. Where appropriate, wind, water-power, ethanol and geothermal energy will be tapped and community energy sharing organized. Grey water systems will be routine. Affordable housing will be plentiful and unused big box stores will be transformed into community spaces.

Local business will flourish throughout the city, providing meaningful work for all. Many transactions will use local currency or other systems of exchange. The proximity of work and play will leave little need for distant travel. Regional and local public transit – rail and bus - will be integrated, affordable, convenient and renewably powered. Most people will walk and bike, enjoying a safe, extensive network of trails and streets. Cars will be few, very small, shared and powered renewably. Electric bikes and scooters will be numerous.

Neighbours will know each other and work together on projects they initiate. People at all stages of life will be valued and have opportunities to contribute their ideas to benefit their communities.

The Official Plan's strategic directions, principles and goals all fit well with the Transition Guelph vision. Features like the Culture of Conservation, Energy Sustainability, Natural Heritage System, and support for urban agriculture are very compatible.

We have some suggestions. The detail of the OP is hard to grasp in a brief review so we apologize if some are indeed covered.

1. We suggest recognition of the role of green infrastructure. Green space is discussed for recreational and natural heritage value, and there are policies for Low Impact Development. But the major role of green space for hydrological and micro-climate values is not clear. As built infrastructure becomes more expensive and climate change imposes bigger stresses (e.g., storms, heat, and less reliable rainfall and groundwater supply), we believe green infrastructure will be critical and that it deserves more explicit recognition. We also encourage consideration of policies for daylighting streams associated with natural or restored natural corridors.

2. We find the Trail map confusing – many of the mapped trails are simply sidewalks along roads.

3. Transition Guelph suggests that the Land Use Plan encourage even more mixed use areas, e.g. commercial residential along more arterials/collectors to create walkable neighbourhoods for daily needs. This concept may correspond to what are called "main streets". We note and welcome encouragement of urban villages in the Greenfield planning but wonder if Guelph can retrofit the built-up area similarly in its movement toward becoming a "complete" city. The draft appears to allow only convenience commercial in the extensive residential designations. Intensification corridors appear to be largely residential intensification: we urge that both also include commercial and service uses.

4. While we are pleased to see policies encouraging transit, walking and cycling, we note that the goal is just 33% of trips in those modes. We are concerned that this percentage is too low for the immediate mitigation of climate change that is needed, and will impose hardships on residents as gas prices rise. The focus on cars means that planned bicycle lane space is still far too limited; it also shifts the whole plan (e.g., commercial nodes assume cars). We realize that abrupt major transition can be disruptive. But in our view, it raises the importance of the Official Plan monitoring so that aspects of it can adapt to changing conditions - changes that Transition Guelph members believe may be enormous in the next 20 years.

5. The section on monitoring (9.1) receives just ½ a page. It also tends to list just internal features rather than contextual features that drive the internal ones. By context we mean price of fossil fuel, availability of food and groundwater, climate change distress etc. We urge inclusion of context monitoring and consideration of the implications it can have to the Plan. We also suggest monitoring of attainment of OP objectives.

Other monitoring points include:

- Include Community Energy Initiative attainment of its objectives with brief, clear public reporting;
- The Natural Heritage System has good monitoring policies. We suggest adding policies to monitor pre- and post- development to help improve future Environmental Impact Statements.

We commend the City councillors and staff on this excellent draft Official Plan and urge consideration of our suggestions. Thank you for this opportunity to give input and for your kind attention.

KLM
PLANNING PARTNERS INC.

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File: P-1865

May 20, 2010

City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Ms. Lois Giles
City Clerk

Re: City of Guelph Official Plan Amendment No. 42
Guelph Watson 5-3 Inc.
c/o Metrus Development Inc.
City of Guelph

Dear Ms. Giles:

As you are aware, KLM Planning Partners Inc. acts on behalf of Guelph Watson 5-3 Inc. in relation to their lands located on the north and south side of Starwood Drive, immediately west of Watson Parkway North.

Further to our comments provided in writing to Ms. Marion Plaunt and dated March 31, 2010 as it relates to the City of Guelph Official Plan Amendment No. 42, our concerns continue to be as follows:

1. The draft land use schedule proposes three different land use designations for the Guelph Watson 5-3 Inc. lands on the north side of Starwood Drive, including High Density Residential, Medium Density Residential and Community Mixed Use.

   It continues to be our opinion that given the size (approx. 5.5 hectares excluding the library), configuration and the recently constructed library, it is our opinion the City is continuing to try and "shoe horn" too many land uses onto a small parcel of land.

   The draft Official Plan sets out a maximum retail floor space for the "Watson Community Mixed Use Node Area" at 28,000 square metres. This is continuation of the policy in the existing City of Guelph Official Plan. As noted in our earlier correspondence, we understand that Loblaws is planning on utilizing

approximately 11,800 square metres which continues to leave a residual of 16,200 square metres of commercial floor area.

If the Guelph Watson 5-3 Inc. lands were to be developed exclusively with retail uses, at approximately 20% coverage it would only yield an estimated 11,000 square metres of retail floor space. It would seem as though the retail targets set for this node cannot be achieved and will be in direct conflict with the higher density residential development that is proposed.

2. The draft Official Plan continues to include a High Density Residential designation on the Guelph Watson 5-3 Inc. land. It continues to be our opinion this is not an appropriate location given that it is not adjacent to a major intersection, has limited transit opportunities in the area and is not compatible with the surrounding community which consists largely of single detached dwellings.

3. As stated in our earlier correspondence, it remains our opinion the Guelph Watson 5-3 Inc. lands are better suited to permit medium density residential uses which as outlined in the current draft, will permit up to a maximum of 100 units per hectare. The housing type and density permitted will be in keeping with the surrounding community and will provide a critical mass that would support transit and the commercial uses and provide a pedestrian friendly built form along the Watson Parkway street edge.

4. As a general comment, the draft Official Plan continues to set height limitations. In our opinion, the height limitations should be removed so that it will promote compact urban forms. Further, if the thought is to have height restrictions so that density bonusing will come into effect should a proponent wish to exceed the maximum height requirement, this will continue to act as a disincentive rather than an incentive, especially if additional fees will need to be paid in order to allow for the additional height.

Based on the above, it remains our opinion the Guelph Watson 5-3 Inc. land is better suited to develop solely with a Medium Density Residential designation as opposed to the High Density Residential and Community Mixed Use Node designations that are contemplated in the current draft Official Plan.

We have made numerous requests to meet with staff in order to discuss our concerns with the draft Official Plan. Although we have not received any response, we are still available and would appreciate meeting with staff to discuss the above noted concerns.

Finally, we request to be notified of any decisions related to Official Plan Amendment No. 42.

Yours very truly,

KLM PLANNING PARTNERS INC.

Keith MacKinnon, BA, MCIP, RPP
Partner

cc. Mr. Fraser Nelson – Metrus Development Inc.
cc. Mr. Peter Murphy – Metrus Development Inc.
cc. Mr. Chris DeVriendt – City of Guelph
cc. Mr. Greg Atkinson – City of Guelph

ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL AND REGULAR MAIL

May 20, 2010

Clerk's Department
City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attention: Ms. Lois A. Giles, City Clerk

Dear Ms. Giles:

Re: City of Guelph Draft Official Plan Amendment Number No. 42
Preliminary Comments on Behalf of Loblaw Properties Limited
Guelph, Ontario
Our File: LPL/GPH/04-01

We are the planning consultants for Loblaw Properties Limited (Loblaw) for City of Guelph draft Official Plan Amendment No. 42. Loblaw is the owner or lease holder of the following lands within the City of Guelph, including lands that are currently subject to planning approvals:

- The vacant lands at 115 Watson Parkway North (formerly 72 Watson Road North), which are subject to a Zoning By-law Amendment Application (File No. ZC0512) and an application for Site Plan Approval (File No. SP05C051);
- The vacant lands at 1750 Gordon Street, which are subject to an application for Site Plan Approval (File No. SP07C013). Please note that GSP Group are the agents for the application and have been copied on this letter;
- The existing Zehrs store at 1045 Paisley Road;
- The existing Zehrs store at 297 Eramosa Road;
- The existing No Frills store at 191 Silvercreek Parkway North; and
- The existing No Frills store at 35 Harvard Road.

On Thursday April 29, 2010 Loblaw was made aware of the draft Official Plan Amendment No. 42. On behalf of Loblaw, we have preliminary comments as outlined below, and will continue to review the draft Official Plan Amendment policies in more detail, and may provide further comments as required.

At this time, our preliminary comments are as follows:

- In general:
  - The ongoing Zoning By-law Amendment and Site Plan Approval applications as described above should continue to be considered under the current, in force, Official Plan and policies;

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- We respectfully suggest that there should be wording to provide for flexibility or a recognition that policies will be implemented and transitioned over the long term as development and intensification comes to fruition;
- It may be appropriate to include wording for implementation of the Official Plan Amendment whereby existing development approved under previous amendments are deemed to conform to the Official Plan, and that minor extensions or expansions of non-conforming development are permitted without amendment; and
- The overall application of Built Form, Public Realm and other urban design policies may not be applicable or appropriate to individual sites, and may result in unforeseen adverse conditions when not allowing for flexible implementation and interpretation of the policies.

- Section 4.1.4.1.3: For the new minimum buffers and adjacent lands that are as summarized and shown in Table 4.1, based on our preliminary review, the lands at 115 Watson Parkway North may be subject to buffers related to the Natural Heritage designations on Schedules 4, 4A, 4B, 4C, 4D and 4E. Clarification is requested as to how the required minimum buffers relate to the work that has been prepared for the valley lands as well as the recommendations that were previously accepted by the City.
- Section 4.1.7.2.1: It is unclear as to basis for the wildlife crossing location designation near the lands at 115 Watson Parkway North as shown on Schedule 4. Details and clarification are requested.
- Section 4.6.5.1.1.v: We have a concern that "ensuring" the energy efficient building design policies may not provide flexibility in the requirements, including those for a green or reflective roof when photovoltaic technology is proposed. In addition, the implications of minimizing surface parking are not clear.
- Section 4.7.7.1: With the existing Zehrs store at 1045 Paisley Road proposed to be designated Areas of Potential Archaeological Resources on Schedule 10, we request confirmation as to the basis for the designation in order to confirm whether the designation is appropriate.
- Section 5.4.2.3: A definition of "Municipal services" is not provided, and it is not clear whether roads would be included. Clarification is requested.
- Section 7.4.9: We have a concern that there is a lack of flexibility in the Public Realm policies related to locating built form and placing principal building entrances towards the street and maintaining or extending a continuous building façade or streetwall along the street. We would suggest that "New development shall be designed..." be changed to "New development is encouraged to be designed..."
- Section 7.5.6: The wording "where possible" has been removed from the existing policy 7.4.46.2, while the "visual access" wording is new. We have a concern that the policy no longer provides for flexibility, while the term "visual access" lacks clarity. In addition, we are concerned that the lack of flexibility will create a conflict with Section 7.4.9 where built form is required to be placed adjacent to the street edge.
- Section 7.8.1: For the lands within a Greenfield area such as 115 Watson Parkway North, there is currently no prevailing neighbourhood pattern to enhance. The policy related to blank facades will impact upon large commercial

buildings where exterior walls may not have consistent windows at ground level due to the requirements of internal operations.

- Section 7.8.8: We have concerns with the requirement that buildings be "unique" to a site and not simply reflect a standard corporate or franchise design. Franchise or prototype buildings change over time, and within a municipality there may be several different existing prototypes. Prototype buildings are carefully considered and reflect the internal operations and needs of a retail commercial use and the public. In addition, the policy may be in conflict with the Urban Design Objective under Section 7.1.h), since prototype buildings can provide for a range of architectural styles and promote expression and diversity in urban form and architectural design while responding appropriately to the local context and achieving compatibility.
- Section 7.14.7: For 115 Watson Parkway North, the avoidance of parking adjacent to the proposed buffer for the natural heritage feature is difficult at best. It is not clear whether there must be an intervening building, or whether a landscape strip qualifies as a separator. If not the latter, then it would be impossible, not difficult to accommodate, since long buildings cannot be placed at both the street edge as required under 7.4.9 and the back of the lands as required under 7.5.6.
- Section 7.14.11: There is a lack of clarity as to how and when underground parking structures "may be required" and whether any financial incentives will be provided by the City.
- Sections 7.22.1 through 7.22.4: We have a concern with the lack of flexibility whereby urban squares "shall generally be included", while the lands for urban squares would only be provided through easement or dedication and not through expropriation or purchase. In addition, it is not clear whether lands to be provided for urban squares will be included under the minimum and maximum FSI calculation as required under Section 8.5.
- Community Mixed Use Area Policies:
  - Sections 8.5.1.1.e and 8.5.1.1.g: It is unclear whether development can proceed prior to the preparation of a Secondary Plan and as to how residential uses will be ensured to locate within each Community Mixed Use Area.
  - Section 8.5.1.2.8: We request clarification as to the intention for the most restrictive parking standard that will apply to mixed use and main street type development.
  - Section 8.5.1.3.2: We have a concern that drive-through facilities including gas bars will no longer be permitted. We are unaware of any specific justification to remove the permissions for drive-throughs and gas bars.
  - Section 8.5.1.3.5: We are concerned with the new requirement for a main street-type environment and for freestanding individual retail uses exceeding 5,575 sq. m to locate on peripheral sites. There is a lack of clarity as to the definition of peripheral sites and how the policy will be interpreted for lands such as 115 Watson Parkway North and 1750 Gordon Street. In addition, there is a lack of justification of a requirement to locate freestanding individual retail uses exceeding 5,575 sq. m on peripheral sites.
  - Sections 8.5.1.4.1 and 8.5.1.4.3: We have concerns with the policy to require a minimum total floor space index (FSI) of 0.5 and a specific number of

residential units, as it is unclear where or how the residential units will be accommodated. The minimum FSI of 0.5 is well above current retail commercial FSI, and is related to the policies limiting surface parking, potentially requiring parking structures and requiring a minimum of 2 storeys. In addition, it is not clear whether expansions to existing buildings would need to be at 0.5 FSI. Lastly, it is not clear as to whether Buffer Areas as proposed to be required under Table 4.1 will be counted in the FSI calculation.

- Section 8.5.1.4.5: We have a concern with the minimum requirement of two (2) storeys of usable space for development. There is a lack of flexibility, for example, for the permitted freestanding individual retail uses exceeding 5,575 sq. m, while it is not clear whether a partial mezzanine would satisfy the 2 storey requirement for "usable space". For existing development it is not clear whether a building expansion would need to be a minimum of two storeys.
- Section 8.5.1.4.7: For 115 Watson Parkway North within the Greenfield Area, a concept plan with future phasing will be required to achieve a minimum initial FSI of 0.3. We have a concern that the ultimate concept plan provisions may affect the design and function of the initial development. In addition, as noted above, it is not clear as to whether Buffer Areas as proposed to be required under Table 4.1 will be counted in the FSI calculation.
- Section 8.5.1.5.1: The policy confuses the interpretation of Section 7.14.11, where underground or structured parking may be required. Clarification is requested.
- Section 8.5.1.6.1: It is not clear from the policy whether development can proceed prior to the preparation of a Secondary Plan. Clarification is requested.

- Mixed Use Corridor Policies:
  - Section 8.5.2.3.2: We have a concern that drive-through facilities including gas bars will no longer be permitted. We are unaware of any specific justification to remove the permissions for drive-throughs and gas bars.
  - Sections 8.5.2.4.1 and 8.5.2.4.2: It is not clear how 8.5.2.4.1 and 8.5.2.4.2 interact, since there appears to be maximum of 0.5 FSI under 8.5.2.4.1 and a maximum of 2.5 FSI for commercial development under 8.5.2.4.2.
  - Section 8.5.2.4.4: For the minimum of two (2) storeys of usable space for development, it is not clear whether the requirement would apply to expansions to existing buildings.
  - Section 8.5.2.5.1: The policy encouraging underground or structured parking confuses Section 7.14.11, where underground or structured parking may be required.
- Neighbourhood Mixed Use Centre Policies:
  - Section 8.5.3.3.2: We have a concern that drive-through facilities including gas bars will no longer be permitted. We are unaware of any specific justification to remove the permissions for drive-throughs and gas bars.
  - Section 8.5.3.4.2: For the minimum of two (2) storeys of usable space for development, it is not clear whether the requirement would apply to expansions to existing buildings.
  - Section 8.5.3.5.1: The policy encouraging underground or structured parking confuses Section 7.14.11, where underground or structured parking may be required.

We would welcome the opportunity to meet with Staff to discuss our preliminary comments and a process for implementing appropriate policies while working towards the goals of draft Official Plan Amendment No. 42 over the longer term.

Should you have any questions, or require further information, please do not hesitate to call. In addition, please kindly add the undersigned for notification of any further meetings with respect to this matter as well as notice of the adoption of the Official Plan Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.

Jonathan Rodger, MScPl, MCIP, RPP
Senior Planner

cc. Loblaw Properties Limited (Via Email)
Mr. Steven Zakem, Aird & Berlis LLP (Via Email)
Mr. Hugh Handy, GSP Group (Via Email)
Mr. Al Hearne, Senior Development Planner, City of Guelph (Via Email)
Mr. Greg Atkinson, Policy Planner, City of Guelph (Via Email)

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MAY 20 2010
CITY CLERK'S OFFICE

GSP group

SHAPING GREAT COMMUNITIES

May 20, 2010

Our File No: 1073

City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attn: Lois Giles, City Clerk

Re: City of Guelph Official Plan Update (Official Plan Amendment No. 42)
Loblaw Properties Limited & Fieldgate Commercial Properties Limited
1750 Gordon Street, City of Guelph

We act as planning consultants for Loblaw Properties Limited ("Loblaw") and Fieldgate Commercial Properties Limited ("Fieldgate") on a commercial development at the northeast corner of Clair Road and Gordon Street.

We are in receipt of a letter from Zelinka Priamo Ltd. dated May 20, 2010 in which they make comment on a number of issues and concerns related to OPA 42 ("draft OP") on behalf of Loblaw for all their sites in Guelph, including 1750 Gordon Street (the "Site").

Our firm has worked with Loblaw for a number of years on the planning and development of this Site. The Site at the northeast corner of Clair Road and Gordon Street is current designated as part of the Mixed Use Node and has a site specific zone (CC-17) to implement the proposed commercial development. There is currently an active site plan approval application for the Site (File No. SP07C013). It is our opinion that this site plan approval application should continue to be considered under the current, in force, Official Plan and policies.

In the fall of 2009, site plan approval was given for Phase 1 of the development, which includes two banks at the corner of Clair Road and Gordon Street (CIBC and Meridian), a City of Guelph bus transit transfer on Clair Road and an LCBO at the corner of Clair Road and Farley Drive. A parcel containing the two banks and another parcel containing the LCBO are now owned by Fieldgate and are currently under construction. Phase 2 of the development is planned for a major food store on the north end of the Site and will require site plan approval by the City.

On behalf of Loblaw and Fieldgate, we would echo the preliminary concerns brought forward in the May 20, 2010 Zelinka Priamo letter. We would also reserve the opportunity to further comment on the draft OP after meeting with City staff and reviewing the document in greater detail.

PLANNERS
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Our comments relate to two general policy areas in the draft OP:

1. Proposed buildings heights in Medium and High Density Residential Designations
2. Wetland and wetland boundary mapping

Item #1: Proposed Building Heights

The draft OP permits a maximum building height of five (5) storeys and a maximum density of 100 units per hectare in the Medium Density Residential designation. We note that the existing Official Plan does not provide a height limit on the Site ("General Residential" designation) and regulates building form through a maximum permitted density of 100 units per hectare. In light of the existing policies, an Official Plan Amendment was not required on the Site to permit the proposed six (6) storey residential building plus an underground parking level. The applicant applied to the City for a Zoning By-law Amendment to implement the existing General Residential Designation.

While the building height in the new Medium Density Residential designation is proposed to be limited to five (5) storeys, the Site forms part of intensification corridor. The intensification corridor is to be planned to achieve *'increased residential and employment densities that support and ensure the viability of existing and planned transit service levels'*. Land on the east side of Gordon Street (across from the Site) also forms part of the intensification corridor and is designated "High Density Residential". This designation permits a building height of ten (10) storeys. Land immediately south of the Site is designated as a "Neighbourhood Mixed Use Centre".

Section 7 of the draft OP outlines the urban design policies for the City. Section 7.8.1 states that the built form for new buildings shall *'have front façades with entrances and windows that face the street and that reflect and, where appropriate, enhance the rhythm and frequency of the prevailing neighbourhood pattern'*. The draft OP states in Section 7.10 that the built form for mid-rise buildings is between four (4) to six storeys (6) and high-rise buildings are above six (6) storeys. Where there is a transition between different land uses:

> *Development will be designed to create an appropriate transition through the provisions of roads, landscaping, spatial separation of land uses and compatible built form. Where proposed buildings exceed the built height of adjacent buildings, the City may require the new buildings to be stepped back, terraced or set back to reduce adverse impacts on adjacent properties and/or the streetscape (Section 7.13.1 and 7.13.2).*

We would appreciate the opportunity to discuss with the City the rationale for the height limitation of 5 storeys on the Site given our current zoning application and the proposed "High Density" designation on the east side of Gordon Street. Further, the urban design policies envision mid-rise building form between four (4) to six (6) storeys in height, while the policies for the Medium Density Residential limit the height to five (5) storeys.

Item #2: Wetland Boundary Delineation

Draft Schedule 4B, 'Areas of Natural and Scientific Interest, Habitat for Provincially Threatened and Endangered Species Significant Wetlands' map to the draft OP illustrates the location and extent of wetlands and the associated buffers in the City. The map illustrates the Provincially Significant Wetland (PSW) and wetland buffer on the Site as extending to Gordon Street.

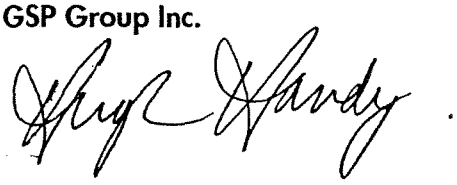
It is our understanding through conversations with City staff that this schedule was generated from the base mapping information prepared by the Ministry of Natural Resources using aerial photography. Both the Official Plan and watershed mapping delineated the extent of wetlands in the City through the use of aerial photography as opposed to on-site investigations.

As part of the Zone Change application for the Site, the applicant retained Stantec Consulting to prepare an Environmental Impact Statement (EIS). The EIS included an on-site evaluation of the wetland and delineated the actual extent of the wetland and wetland buffer. The extent of the wetland on the Site, as illustrated in the EIS, has been confirmed by both the Grand River Conservation Authority and the City of Guelph and endorsed by the Guelph Environmental Advisory Committee on April 14th, 2010. We would request that Schedule 4B be updated to reflect the actual extent of the PSW and the 30 metre wetland buffer boundary.

We would be happy to discuss these issues in greater detail with the City. Also, we would appreciate a written response to the issues raised in this letter. Should you have any questions or comments in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate

cc: Paul Aneja, Gordon Creek Development Inc.
Mickey Grover, Gordon Creek Development Inc.
John Valeriote, Smith Valeriote, LLP
Joe Harris, Stantec
Gwendolyn Weeks, Stantec
Jessica McEachren, City of Guelph
Katie Nasswetter, City of Guelph

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GSP group
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May 20, 2010 File No.: 10051.93

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attn: Lois Giles, City Clerk

Re: City of Guelph Official Plan Update –
Official Plan Amendment No. 42
SmartCentres – 6 & 7 Developments Ltd.
11 Woodlawn Road West, City of Guelph

We act as planning consultants on behalf 6 & 7 Developments Ltd., GSP Group has reviewed the draft Official Plan entitled envision Guelph for the City of Guelph ("draft OP"), dated April 2010 on behalf of our clients. We are providing our preliminary comments on OPA 42 at this time. We will provide additional comments in the near future following meetings with City staff and based on further review of the document.

6 & 7 Developments Ltd. owns a property at the northwest corner of Woodlawn Road and Woolwich Street (the "Site"). The Site is approximately 40 acres in size and contains a recently expanded Walmart store (now a Supercentre) and two additional commercial buildings.

The City granted zoning and Site Plan approvals in 2006 for the first phase of the Walmart store, as well as an additional 20,000 sq.ft. of retail space. Full Site Plan Approval and zoning for the full build-out of the Site was granted by the City in early 2009. These approvals required working very closely with Council and City staff to ensure the overall vision for the future development of the Site was implemented appropriately. With that in mind, it is our opinion that the site plan approval for the Site should continue to be considered under the current Official Plan and related policies.

The proposed designation of the Site in the draft OP is "Community Mixed Use Area" (more specifically the Woodlawn Community Mixed Use Area). The proposed designation essentially brings forward the overarching policy direction as a commercial node from the current Official Plan. While the overall importance of the Site for commercial use has generally been recognized by the draft OP, after reviewing the document we have a number of concerns and issues that we would appreciate further clarification from City staff.

The following represents our preliminary concerns based on our review of the document to date, as follows:

1. **Strategic Directions (Section 2)** – There is no recognition of the overall importance of existing commercial areas or the existing commercial structure in Guelph.

2. **Urban Form Policies (Section 3)** – Requires residential uses in the Community Mixed Use Areas, rather than encouraging residential uses which is the case in the current OP. Also, the Official Plan objectives are very prescriptive in requiring these Community Mixed Use areas to accommodate residential growth.

3. **Wellhead Protection Policies (Section 4)** – The Site is located in the Wellhead Protection Area B. What triggers the need for technical studies related to a development application?

4. **Energy Conservation Policies (Section 4)** – The Site has been designed and approved to meet a high level of energy conservation standards. In fact, the Site Plan Agreement (Section 6a) outlines energy efficiency requirements for the Site. We are concerned that any further modifications through the site plan process (i.e. movement of a building) might trigger additional studies relating to energy usage and environmental design, etc.

5. **Urban Design Policies (Section 7)** – As Council and staff are aware, the Site has been designed and built to a high level of architectural and urban design. In general, the urban design policies are very prescriptive in the draft OP and leave little flexibility to work with the unique aspects of a specific site, marketing for the development and the end retail users. For example, the requirement in the draft OP for all commercial buildings and storefronts to be unique to the site and not simply reflect a standard corporate or franchise is very onerus. Further, the requirement for a building's first storey to generally be taller in height to accommodate a range of non-residential uses, where appropriate, potentially complicates the architectural design process, building costs and satisfying the needs of the end retail user.

6. **Community Mixed Use Areas designation (Section 8)** - The land use policies appear to be moving to creating an "urban village/main street" within this Community Mixed Use Area by requiring additional land uses on a site that is already fully zoned and site plan approved. While we recognize and can appreciate a long term vision for these Community Mixed Use Areas, the prescriptive wording in the draft OP is very concerning. Accordingly, we would appreciate discussing transition wording to be included in the draft OP to recognize the current planning approvals for the Site and to allow for the proper, orderly and timely build-out based on the current commercial development plans for the 6 &7 Site.

Other areas of concern with the policies in Section 8 include:

- Requirement to accommodate 750 residential units;
- Outright prohibiting drive-throughs;
- Requirement for a minimum floor space index of 0.5 on the Site;
- Requirement for a minimum of two floors of useable space;
- Encouragement for underground and structured parking;
- Requirement for locating freestanding retail to create a main-street type of development or to locate uses on peripheral sites within the designation, which are directly linked to the main street;
- Allowance for the preparation of Secondary Plans within these Community Mixed Use Areas with no policies to indicated what triggers these plans, who is responsible and the reasons for undertaking the plan.

7. **Appendix 1 – Natural Heritage Strategy Ecological Classifications** – We note the inclusion of two appendices in the Official Plan, including Appendix 1. According to Appendix 1, the Site contains "Cultural Woodland" and "Cultural Meadow" features. We are concerned about the use of appendices in the draft OP, especially when specific policies are included in the text that relate to "Cultural Woodland" mapped in Appendix 1. Again, we note that the 6 & 7 Developments has been granted final Site Plan Approval for the full build-out of the Site and they have undertaken the necessary natural heritage work. The inclusion of features on the Site appears to be inappropriate.

We appreciate the opportunity to provide our preliminary comments on the draft OP. We look forward to discussing these issues and concerns in greater detail with the City staff.

We would also request to be added to the notification list with respect to any future meetings on this matter. Further, we would appreciate formal notification of the adoption of the Official Plan Amendment 42.

Should you have any questions or comments in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate

cc Christine Cote, SmartCentres
Emily Edmunds, SmartCentres

GSP group
SHAPING GREAT COMMUNITIES

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May 20, 2010 File No.: 10008

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attn: Lois Giles, City Clerk

Re: City of Guelph Official Plan Update –
Official Plan Amendment No. 42
The Tricar Group
9 Valley Road and 1242 and 1250 Gordon Street, Guelph

We act as planning consultants for The Tricar Group in relation to the above-noted properties. GSP Group has reviewed the draft City of Guelph Official Plan entitled envision Guelph ("draft OP"), dated April 2010 on behalf of our clients.

We are providing our preliminary comments on OPA 42 at this time. We will provide additional comments in the near future following meetings with City staff and based on further review of the document. We submitted previous comments on the draft Natural Heritage Study (NHS) on February 24, 2010 in relation to the above-noted properties, which I have attached for reference.

The subject properties (the "Site") are located on the east side of Gordon Street, at the intersection of Gordon Street and Edinburgh Road. The Site has a combined lot area of approximately 5 acres with frontage on Gordon Street and Valley Road.

The Tricar Group is interested in developing the Site for high density residential use. Based on our review of the draft OP, the Site is within the "Built-Up Area" and is part of the "Intensification Corridor" along Gordon Street as shown on Schedule 1 – Growth Plan Elements.

We also note that a portion of the property (along the Gordon Street) is proposed to be designated "High Density Residential", while the property Valley Road appears to be designated "Low Density Residential". At this time only preliminary concepts have been prepared for the Site. Therefore we would appreciate the opportunity to work with City staff to determine the appropriate extent of designations for the Site.

Also, we have reviewed Section 8.3.6 of the draft OP (High Density Residential Designation) and we note the proposed maximum density is 150 units per hectare and maximum height limitation of 10 storeys. Accordingly, we would appreciate the opportunity to discuss "High Density Residential" policies with City staff, along with the related urban design policies contained in Section 7. We would also appreciate clarification of how the affordable housing policies and targets (Section 6.3) are intended to be implemented.

Based on our February 24, 2010 comments on the NHS, we would still appreciate clarification for the extent of the "Significant Natural Areas" designation on the Site. Further, we note the proposed "Open Space and Parks" designation on the Site and would appreciate clarification as to the rationale for including this designation on the Site.

We appreciate the opportunity to provide our preliminary comments on the draft OP. We look forward to discussing these issues and concerns in greater detail with the City staff.

We would also request to be added to the notification list with respect to any future meetings on this matter. Further, we would appreciate formal notification of the adoption of the Official Plan Amendment 42.

Should you have any questions or comments in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.

Hugh Handy, MCIP, RPP
Associate

cc Adam Carapella, The Tricar Group
Chris Leigh, The Tricar Group
Al Hearne, City of Guelph

Bell

May 20, 2010

Jim Riddell, MCIP, RPP
Director of Community Design & Development Services
City of Guelph
City Hall
1 Carden St.
Guelph, Ontario, N1H 3A9

Re: City of Guelph Official Plan Update – April 2010 Draft Document

Dear Mr. Riddell,

Bell Canada thanks you for the opportunity to participate in the City of Guelph's Official Plan (OP) update**.** We have reviewed the April 2010 draft document and would like to provide the following comments to assist the City in ensuring that the updated Official Plan adequately considers the provisioning of utilities, such as communications /telecommunications. This will also assist the City in achieving its guiding principle of being "willing and able to invest in high-quality infrastructure" (Section 2.2.g).

As you are aware, Bell Canada is Ontario's principal telecommunications infrastructure provider. The *Bell Canada Act*, a federal statute, requires that Bell manage and operate most of the trunk telecommunications system in Ontario. Bell is also responsible for the infrastructure that supports most 911 emergency services in the Province.

The Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Places to Grow) both strongly support the integrated planning of communities, including telecommunications infrastructure. The PPS specifically requires that "planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs" (Section 1.6.1). Furthermore, the PPS states that infrastructure should be located to support the delivery of emergency management services (Section 1.6.3). We note that the definition of infrastructure in the PPS includes communications/telecommunications.

In light of Provincial policy, it is critical to understand the complexity of expanding and enhancing the telecommunications network to accommodate growth, both through outward expansion of an urban area and through intensification, infill and redevelopment. All types of growth and development place demands on the telecommunications network and its associated support infrastructure. Beyond simply extending fibre or copper cable, growth and development can precipitate the need for reinforcement and replacement of the support infrastructure. Reinforcement and replacement of the telecommunications network can represent an extensive and costly undertaking, which needs to be managed to avoid disruption of public services. This is particularly critical in relation to the

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provisioning of 911 emergency services and the services essential to City of Guelph‘s businesses operating in a global economy.

One of Bell’s main objectives is to become involved early in the planning process. This allows us to coordinate with the City on the provisioning of appropriate telecommunications infrastructure for new growth and development in a timely fashion. It also allows for greater consideration of the size and locational needs of large telecommunications infrastructure and equipment that house key electronics.

We were pleased to see that utilities and communications infrastructure had been taken into consideration in the draft Official Plan document; however, we feel that the document would benefit from some additional policies. As such, we would like to offer the following suggested policy wording relating to utility services, such as telecommunications, to be considered for inclusion in the draft document. Similar wording has been incorporated in municipal planning documents throughout Ontario and our suggested changes are shown in *italics*.

Section 4.64 – Local Sustainable Transmission

We were pleased to see that the City is cognizant of the importance of recognizing changing technology, such as telecommunications, to ensure that the City remains competitive in the global economy and provides its residents with access to the necessary infrastructure to meet their growing needs.

Section 5 – Municipal Services

Section 5.3 recognizes the importance of ensuring that adequate telecommunications facilities are, or will be, in place to service all new developments, where feasible and appropriate, in a coordinated, efficient, integrated and cost-efficient manner to meet current and projected needs. Although this supports the adequate provisioning of services, we would note that it also specifies that electrical and cabled services will be located underground. As the burial of cabled services is not always feasible due to safety and maintenance requirements, we would ask that the following modification be made to this section:

5.3.6

> Electrical and cabled services will be located underground, *where feasible*.

We would also like to highlight that the continual advancement of telecommunications technology, coupled with the need for rapid information transfer, has had a significant impact on the future growth, development and economic vitality of Guelph. Furthermore, as communities move towards an emphasis on leading-edge technological advancement to support the growth of existing businesses, and ensure an areas' ability to attract new employment opportunities, it becomes vitally important to be cognizant of the fact that much of the "backbone" of these new advancements relates to Bell Canada's infrastructure. As a result, to properly reflect the importance of utility services, such as communications/telecommunications to the development feasibility of an area, we would recommend that the following be added to Section 5.3:

5.3.x

> *Prior to permitting a development proposal, the City shall undertake discussions with utility providers to ensure that adequate services are or will be in place to serve the development.*

We would also recommend that the following modifications be made to Section 5.3.13:

5.3.13

> The City will ensure that infrastructure and public service facilities are provided in a coordinated, efficient, integrated and cost-efficient manner to meet current and projected needs, including:
>
> *iv) the clustering or grouping of utilities, where feasible, and consideration of the locational requirements of larger infrastructure.*

Section 5.4.2 – General Policies Re: Staging of Development

It is important for municipalities to undertake discussions with both public and private infrastructure service providers to ensure that sufficient infrastructure is, or will be, in place to meet new development or redevelopment needs. This includes looking at the need for infrastructure reinforcement and/or replacement, particularly as it relates to infill and intensification. As a result, we would ask that the following modifications be made to Sections 5.4.2.1 and 5.4.2.8:

5.4.2.1

> Development and redevelopment will be staged relative to a program for orderly extension, repair and upgrading of municipal storm, ~~*and*~~ sanitary sewers and watermains, *and other required infrastructure*.

5.4.2.8

The City will prepare a Development Priorities Plan to assist in defining the rate, timing and location of development and redevelopment in the City. This Plan will be prepared and updated on an annual basis and will provide a multi-year forecast for growth. The following matters will be considered in the preparation of the Plan:

iii) Ensuring the co-ordinated and orderly provision of municipal *and other utility* services and community facilities in conjunction with growth; and

Section 5.12 – Movement of People and Goods – An Integrated Transportation Network

It is also important to consider utility provisioning requirements within the transportation and road policies of an Official Plan as utilities often contribute to the streetscape. This is of particular importance as investments in transportation affect the location, density and design of new developments, thus impacting the level and provisioning of utility networks to service them, such as telecommunications and infrastructure. Furthermore, new transportation initiatives, such as road improvements, and revitalization and intensification initiatives along transportation corridors, may also affect existing utility infrastructure.

Section 5.12.12.5 indicates that the design of roads and road networks will incorporate streetscape design elements. We assume that this will include reviewing existing and future impacts on utility providers; however, to further support this objective, we would recommend that the following wording be added to Section 5.12.12 (Road Design):

5.12.12.x

To consider the potential impacts on existing utility infrastructure and opportunities for enhancement and/or replacement as part of street construction improvements and maintenance through discussion with utility providers.

These policies will help to assure utility providers that the City recognizes the potential impacts of transportation infrastructure improvements on the provisioning of utility services, and the need for cohesive planning to mitigate impacts, and undertake infrastructure improvements in a coordinated and cost-effective manner.

Section 7.0 – Urban Design

As municipalities in Ontario move towards incorporating contemporary urban design guidelines to planning policies, it is important to understand that there is a certain degree of acceptable impact that will occur when services are provided to communities to meet the public need. Bell is aware of the public interest related to urban aesthetics and the design of the public realm. However, this interest must be balanced with the need to provide communities with essential public services, such as utilities and telecommunication services. We are willing to work with municipalities to ensure compatibility between our larger infrastructure and the surrounding area. However, inflexible urban design guidelines can create very real concern, which may result in an inability to serve the community's needs.

Section 7.4 outlines policies related to the public realm and a need to increase the aesthetic quality of the streetscape in new developments. Although we understand the desire to create vibrant and sustainable public realm throughout the City, it is important to remember that not all elements of servicing facilities, such as telecommunications, can be placed underground for maintenance and safety purposes. As a result, we would to ask that the following modifications be made to Sections 7.4.9.vii and 7.4.10:

7.4.9

> New development shall be designed to contribute to a pedestrian-oriented streetscape through:
>
> vii) Ensuring that the placement of above-ground utilities do not visually distract from a cohesive streetscape, *by ensuring that appropriate locations and potential cluster sites have been determined and that utility providers are encouraged to consider innovative methods of containing these services on or within streetscape features, where applicable.*

7.4.10

> Where feasible, utilities within new development should be located underground. Upon replacement, utilities within the Built-Up Area are also encouraged to be located underground, *where feasible*.

We would also like to note that Bell Canada has produced an Urban Design Manual to assist municipalities in making informed decisions regarding the appropriate location of telecommunications infrastructure in both urban and suburban contexts commonly found in Ontario. This Manual presents an overview of the telecommunications infrastructure network, and provides guidelines, principles, and siting criteria to ensure that it is both

well integrated in the public realm, and of sufficient technical resilience to provide for the increasing number and quality of services demanded by the public. We have attached a copy of the Manual to this letter for your convenience, and would ask that it be considered as part of this, and future, urban design initiatives undertaken by the City. We are also available to meet to discuss this initiative in more detail at your convenience.

Section 8 – Land Use

We were very pleased to see that public and private infrastructure, which includes telecommunications, are permitted in any land use designation, subject to the criteria set-out in Section 8.1.3.2.2 of the Draft Official Plan.

Definitions

We were also pleased to find that the City's definition of "infrastructure" and "public and private infrastructure" in the draft Official plan includes telecommunications. We would suggest however that a definition of "utilities" be added as well as we feel that it will assist the City in providing greater clarification with respect to the policies of the updated Official Plan as this term is used throughout the document. Our suggested definition is as follows:

> *Utility: An essential public service such as electricity, gas, television or communications/telecommunications that is provided by a regulated company or government agency.*

We would like to thank you for the opportunity to provide comments on City's Official Plan Review. Please advise Bell of any further meetings, reports, decisions, etc. related to this matter We would ask all documents and information be forwarded to our Development and Municipal Services Control Centre:

Mr. John La Chapelle, MCIP, RPP
Manager – Municipal Relations
Access Network Provisioning, Ontario
Development and Municipal Services Control Centre
Bell Canada
Floor 5 BLUE, 100 Borough Drive
Toronto, Ontario
M1P 4W2

If you have any questions, please direct them to the undersigned.

Yours truly,



John La Chapelle, MCIP, RPP
Manager – Municipal Relations
Access Network Provisioning, Ontario

cc: Wayne Corrigan – Associate Director – Access Network – Bell Canada
Mike Underwood – Associate Director – Access Implementation – Bell Canada
Chris Tyrrell - MMM Group Ltd

Comment 17

GWDA

Community Design
and Development Services

MAY 17 2010

May 13, 2010

City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mayor Farbridge and Members of Council

Re: Guelph Official Plan Update (Released April 19, 2010)

The Guelph Wellington Development Association (GWDA) has reviewed the proposed changes to the Official Plan in detail. Please provide a written response to our concerns. The Official Plan is an important planning document which must be carefully worded and be in compliance with the legislation that permits it to exist. The proposed Official must also be consistent with the 2005 Provincial Policy Statement. The GWDA are very concerned with a number of the policies included in this proposed Official Plan.

GWDA have recently been informed that the Natural Heritage policies and map schedules of the of the proposed Official Plan will be brought to Council in July ahead of the remainder of the Official plan. GWDA specifically raised concerns regarding such an important document as the Official Plan coming to Council in July for a decision. Splitting the Official Plan into two parts will create more work for City staff and result in appeals that will have to be consolidated at any future OMB hearings. Nothing is gained by splitting the Official Plan approval. The Official Plan should be brought forward as one complete document once the issues have been reviewed and resolved by staff.

The GWDA general comments are below followed by more specific comments and concerns. The general comments regarding the Draft Official Plan are:

Consideration of the Official Plan Comprehensively

It would be premature to consider the Natural Heritage Strategy separately from the overall Official Plan to be considered by Council after the election. There needs to be further consultation with the GWDA regarding the implications of the NHS on future development and our comments on the NHS need to be incorporated in the policy considered by Council.

GUELPH AND WELLINGTON DEVELOPMENT ASSOCIATION • BOX 964 • GUELPH, ONTARIO N1H 6N1

Sharing Population and Employment Targets

The existing built up areas of the City need to share in the burden/benefits of intensification with other parts of the City.

Impact of Proposed Affordable Housing Policies

The GWDA has participated in workshops and commented on the policies related to affordable housing but no one is listening at the city staff level. The existing housing stock has a significant role to play in the provision of the affordable housing targets established. The affordable housing targets are not realistic and are not supported by a financial incentive program.

Basis of Legislative Authority

The proposed Official Plan contains a variety of detailed policy areas beyond the legislative authority of the City.

Detail Contained in the Proposed Official Plan

In many instances, the proposed Official Plan contains details beyond what is expected and required in an official plan. The official plan should function as a general guide and be implemented through the zoning bylaw. The level of detail proposed to be contained in the Official Plan will lead to unnecessary amendments and bureaucracy on a go forward basis which are both time consuming and costly.

Unnecessary Secondary Plan Requirements

Secondary Plans proposed as amendments to the official plan are burdensome and unnecessary. The same effect can be accomplished through more detailed planning that is used to finalize the implementing zoning bylaw.

Complex Schedules

There are far too many schedules in the proposed official plan especially pertaining to the Natural Heritage Strategy. These in particular go far beyond the established provincial policies dealing with environmentally significant areas.

Natural Heritage Strategy

In many sections within the Official Plan policies are proposed which go beyond the legislative authority provided to a municipality and should not be included in

the Official Plan. The examples are found in the detailed comments within this letter. (Vegetation Compensation Plan, Cash-in-lieu of Trees for example)

The Natural Heritage System (NHS) is not consistent with but exceeds the powers provided by the Provincial Policy Statement (PPS). Areas that are not identified by the PPS as significant and to be protected are proposed to be protected by the proposed NHS policies. The NHS policies propose to protect slopes which are not significant natural features that need to be protected. The NHS then overlays ecological linkages overtop of these slopes. The ecological linkages have in many cases been randomly located or relocated without the benefit of ecological expertise and have no significant ecological function. These matters must be resolved before the Official Plan is brought forward to Council for a decision.

The Natural Heritage System designations will be almost impossible to use to determine which policies in the Official Plan apply to which properties. GWDA challenges any member of Council to select a property that they are familiar with in the City and try to determine which Natural Heritage policies apply to that property based on the Official Plan as released. The document is unnecessarily cumbersome and should be rewritten.

GWDA is proposing an alternative approach which is consistent with the Provincial Policy Statement and will protect the Natural Heritage System within the City of Guelph.

The Official Plan should include the following designations:

Significant Natural Areas

Dark green designation that includes all Provincially Significant features as defined by the PPS. These areas are protected from Development.

Natural Areas

Light Green designation that identifies the buffers to Provincially Significant features as recommended by the PPS. This designation can also include all of the features that the City can legitimately consider to be locally significant. Roads, municipal services, stormwater management and development is permitted subject to an EIS or EA.

Ecological Linkages

Striped light green area. Roads, municipal services, stormwater management and development permitted subject to an EIS or EA.

All three of these designations may be shown on Schedule 2 - Land Use Plan without the need for the proposed nine NHS Schedules and Appendices. Three sets of policies can be written for the Official Plan which apply to these three land use designations. GWDA has been consistent since the NHS was begun that this is the appropriate approach.

Specific Comments related to the Draft Official Plan released April 19, 2010

1. Introduction	
Section	**Comment**
Section 1.2	Why are the Appendices included if they are not part of the Official Plan? They should not be included in the OP.
Section 1.3.16	The Natural Heritage policies go beyond what is permitted by the PPS. The Official Plan recognizes these more restrictive policies. GWDA questions the legality of this.
3. Planning Complete and Healthy Communities	
3.16 Natural Heritage System	The areas "connecting" natural heritage features are not themselves natural heritage features. The Official Plan confuses this depending on which section of the Official Plan is referenced.
3.16.2	"Development will be prohibited within defined features in accordance with the Natural Heritage System provisions." What does this mean? What are defined features?
4. 1 Natural Heritage System	
4.1 Natural Heritage System	Ecological linkages. Some of linkages included are arbitrary and have no proven ecological value. The linkages are there to provide legitimacy to protecting slopes. Both should be removed from the natural heritage designation.
4.1.1 Purpose	i) "provides permanent protection to the Significant Natural Areas and established buffers;" An EIS should be able to alter the areas being protected and the buffers. Protection from what?
4.1.1	Buffers should not be included in the Significant NH designation. Until development plans are created and transportation, servicing/SWM is known the buffers cannot be defined. What began as buffers being included in the NH designation is now "minimum buffers" which means that buffers on top of buffers will be required when development is proposed. This will result in a very inefficient land use and servicing within an urban area identified for development. "Significant Landform" This has no basis in provincial policy in the context that it is proposed in Guelph and should be deleted from the Official Plan.

	SWM facilitates should not be included in the Natural Heritage designation.
Schedules 4A to 4D	The land use schedule should include all the information related to land use designations.
Schedule 4 – Wildlife crossings	How were these identified, based on what evidence?
4.1.2	A hydrogeologist was not included on the project team for the NHS. The team assembled is not qualified to comment on the surface water, groundwater, ecological and hydrologic functions being retained. These have been arbitrarily established and revised by City staff with no consistent or scientifically defensible methodology.
4.1.2 h)	"To protect and enhance tree canopy cover within the City while providing for meadow habitat." This seems to apply City wide, not just in the NH designation.
4.1.2 i)	"significant portions of the moraine" have been arbitrarily identified and protected through the use of non-scientific criteria that go beyond the PPS.
4.1.3.2	site alteration (ie. grading) is not permitted in significant natural areas or buffers. This will be problem for servicing, roads and stormwater management areas. This policy should be deleted from the OP.
4.1.3.3	The adjacent lands definition should be used as found in the PPS. This section of the OP will require adjacent lands to include linkages between natural heritage areas, SWM facilities and slopes. The adjacent lands will extend into areas that it should not.
4.1.3.6	"Development or site alteration shall generally not be permitted within restoration area." Delete this sentence. It is very misleading.
4.1.4.1	Include linear and transportation as permitted uses within the general permitted uses in the Natural Heritage System subject to an EIS or EA. This is required to be consistent with other policies found within the draft Official Plan.
4.1.4.1	Adjacent lands should use the PPS definition. Not be measure from the NHS designation.
Table 4.1	Established buffers and minimum buffers appear to the same and are included in the designated NH areas. When development applications occur, in order to create viable parcels for development, buffers tend to be increased in some areas and decreased in other areas. Where buffers are decreased, enhancement plans including plantings are prepared. This flexibility is required and should be included in the OP policies. The NHS creates many areas which are not developable. The City will not be able to meet its Provincial density targets.

	Where are the calculations that show that the density targets can be met by the City? The MOE study requested by the City concluded that no additional legislation or policies were required to protect the moraine. The City has invented criteria in the NHS to go beyond the provincial plans. Other wetlands and plantations (cultural woodlands) should not be included as part of the Natural Heritage designation. There was a commitment from municipal staff that plantations would be removed from the NHS which has not been honoured.
4.1.4.2.3	What is meant by "other activities" in this section? It should be noted in this section that not all activities on private property require City approval. Specific exemptions of some activities are provided by City By-laws.
4.1.5.3	The significant wetland definition in the PPS should be used in the Official Plan and that is what should be protected by the NH designation. The Official Plan should be consistent with the PPS and not misuse the terms and definitions found in the PPS.
4.1.5.3.2	All wetlands whether they are provincially significant, locally significant or other wetlands are all proposed to be "significant wetlands" and afforded with the same level of protection in the OP. This is an error in the plan.
4.1.5.3.3	As an example, a road should be permitted to be located within the buffer of an "other wetland." This policy would not permit that.
4.1.5.3.3	The definition of a significant woodland should be the same as the one in the PPS. There should be no confusion on this point. Roads should be permitted in the established buffer of a woodland subject to an EIS or EA.
4.1.5.6	Significant valleylands should use the PPS definition. What happens if a road is required to cross a significant valleyland? It does not appear that this would be permitted by the current policies.
4.1.5.7 Significant Landform	This section should be deleted from the Official Plan. The significance of this has not been established. Significant landform and linkage wording is intermingled in this section. Essentially the City is trying to create arbitrary linkages that overlay slopes and using both of these to justify each other.
4.1.5.7.2	What does "in proximity to other natural heritage features or areas included in the natural

	heritage system mean?" How close does it have to be? What is the difference between a natural heritage area vs a feature? Where is this mapped? How do different policies apply to them?
4.1.5.7	Municipal services are permitted in Significant Landform as long as there is no negative impact to the contours. This is not possible and should not be included as a requirement. SWM should be permitted in the Landform since it is one of the identified functions in the OP of these areas. Roads should also be permitted in the Significant Landform.
4.1.5.8	Use the definition in the PPS for significant wildlife habitat. Ecological linkages should not be included in areas designated as significant wildlife habitat. There should be separate permitted uses for the features vs. the buffers. The features and the buffers should be in separate designations with different policies. Roads, services and SWM should be permitted in buffers subject to an EIS or EA. The Land Use Map 2 should clearly indicate where these designations are located and the policies should clearly identify what is permitted in each designation. The current mapping and policies fail to do this.
4.1.5.8.3	Add to the end of this "have been approved by an EIS or EA."
4.1.5.8.3.11	This section allows ecological linkages to be refined but not be less that 50 m wide. The 50 m minimum should be permitted to be reduced subject to an EIS or EA.
4.1.5.9	SWM areas should not be included as restoration areas. The objectives do not even recognize their SWM function which is why they exist.
4.1.6.1.3 vii)	Why does the "other wetland" policy include a linkage between larger wetlands or significant natural areas?
4.1.6.2	Are cultural woodlands part of the NHS? There was a commitment made to the development industry through this process that plantations would not be included as part of the NHS. What is the definition of a healthy tree? Does it include a tree raised for commercial purposes?
4.1.6.2.3.2	This policy states that if the plantation is not already designated in the NH designation development and site alteration is permitted. Many of the plantations are include in the NH.
4.1.6.2.3 iii)	Shrubs to be protected must be identified in a tree saving plan?

4.1.6.2.3.4	What does "protected to the full extent possible mean?" This is in italics is it defined?
4.1.6.2.3.8	A **Vegetation Compensation Plan** shall be required. Where is the legislative authority for this in the Municipal Act? (identifying and compensating for all healthy native shrubs.)
4.1.6.3	Habitat for Significant Species Why is this being repeated from the earlier section?
4.1.6.3.2.4	The Locally significant species list for Wellington County has not been accepted, has no status and should not be referenced in the City's Official Plan.
4.1.6.3.3.3	"Development and site alteration may be permitted provided that there is no negative impact to maintenance and survival of the species." What does this mean since these "locally significant species" survive in developed areas. These policies should not be included in the Official Plan.
4.1.7.2.2	The criteria to identify wildlife crossing locations is, "areas where wildlife is likely to cross." Apparently no evidence is required.
4.1.7.3	"Potential wildlife crossings" are protected.
4.1.7	Essentially every tree in the City is protected by this policy even though it is not in the NH designation. The Urban Forest should include street trees, park trees and they should be incorporated into the City's tree cover canopy cover calculation.
4.1.8.2.1	Plantations are Cultural Woodlands. Why are there separate policies?
4.1.8.2.1 ii)	Plantations that do not provide ecological linkages are permitted to be developed. However, the ecological linkages have been arbitrarily applied in the NHS where plantations are located.
4.1.8.2.1.2 and .3	Native shrubs are to be protected and a Vegetation Compensation Plan required. No legislative authority for this under the Municipal Act..
4.1.9	Vegetation Compensation Plan, no legislative authority in the Municipal Act to require this.
4.1.94	The plantings that occur as part of site plan approval are not included as part of the compensation plantings. Why not?
4.1.9.5	"Where replanting is not possible on the subject property the planting can be directed off-site or cash-in-lieu of plantings will be required." There is no legislative authority for this in the Planning Act. Delete this requirement.
4.5.3.2.2	The last sentence should include the words in italics, "On a site known to be contaminated" a Record of Site Condition will also be required where a more sensitive land use is proposed.

4.5.4	Add the wording in italics to this section, Noise, vibration, and other emissions such as dust and *odours "which exceed MOE Guidelines,"* from specific land uses …
4.5.4.2.13	Add the wording in italics to this section, New noise-generating activities *"which exceed MOE Guidelines"* will be located away from sensitive land uses.
4.5.4.2.14	"Drive-through lanes and similar uses adjacent to sensitive land uses will be avoided." What does adjacent mean in this case? What if a drive-through is permitted in the land use designation? Mitigation should be an option to deal with any potential issue.
4.7.9 Heritage Trees	*"will be protected to the fullest extent possible."* Will heritage trees be identified in City parks and along City road allowances? The definition of a heritage tree in the glossary of the OP includes the *"beauty"* of the tree and a *"tree treasured by a community"*. Would the trees in Royal City recently cut down by the City have been considered heritage trees under these Draft OP policies?
5.8.2.8	"Stormwater management facilities are not permitted in all land use designations on Schedule 2." I think that this statement needs to be reworded.
5.8.2.8.14	The Special Study Area south of Clair Road should correspond with the "Reserve Land" designation in the existing Official Plan. All the land south of Clair Road does not require a watershed study.
5.12.5.8	"In new developments, sidewalks shall be provided on both sides of the street except on streets with less than 10 units." Current City standards define the sidewalk requirements based on road width and classification and are working well.
5.12.21 Road Widenings	"Road widenings in excess of the ultimate widths listed in Table 5.1 may be required at intersections listed in Table 5.2 for traffic operation and safety improvements such as sidewalks, bike lanes, daylight triangles, turn lanes, channelization, transit priority measures, grade separations and where topographic challenges exist." Road widenings must be specifically identified in the Official Plan. There is no legislative authority in the Planning Act to

	take these additional road widenings.
6.3.2.2	According to this policy, almost half of all new housing constructed in Guelph will be affordable housing (36% plus 90 accessory apartments annually) This is an inappropriate target for Guelph. Existing affordable housing should be included in the calculation and the housing target modified. The private sector should only be expected to provide affordable housing when municipal incentives are offered. Developers and builders cannot build residential units that are not profitable. Blocks of serviced land in an urban area meant for development will be sterilized with affordable housing designations (H) being applied. All housing in the City will become more expensive and unattainable for more purchasers while these blocks of land sit vacant.
6.3.5 Retention of Existing Housing	The restrictions on demolitions should be rethought. The City is proposing to demolish 14 affordable rental housing units in the downtown for the library relocation. Would this have been permitted under the proposed OP policies?
6.3.6 Condominium Conversion from Rental	Due to the unfavourable tax regime for rental housing many building owners are converting their properties to condominium and continuing to rent the units. This maintains the City's rental housing stock as a good investment and in good repair. This should be recognized by the OP policies.
6.5.2.6	Is an *"environmental corridor"* defined in the OP?
6.5.10	The parkland dedication policies must be within the legislative mandate of the Planning Act. Additional land beyond the legislative requirements for park purposes may not be required by the City.
7.4.5	*"Reverse lotting and 'eyebrow streets' flanking arterial and collector roads should be avoided."* What is the definition of an "eyebrow street" in the Official Plan?
7.6.9	"Entrance features to new subdivisions, such as ornamental walls and signs are strongly discouraged." Why are gateway features encouraged on commercial and mixed use sites and at entrances to the City but not for residential development? This seems inconsistent.
7.7.3	*"Front facing garages should be no wider than half the width of the house. Garage doors should be recessed and not project ahead of the front wall of the house."* Double car garages will be permitted only on a very few large lots in the City based on this policy. Garages should

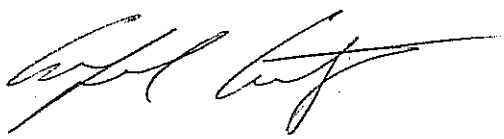
	be able to project ahead of the front wall if a front porch is provided.
7.14.7	*"Parking adjacent to identified natural heritage features and associated buffers should be avoided."* Parking is not encouraged in a front yard so it has to be provided somewhere.
7.14.11	*"Underground parking structures are encouraged and may be required to provide opportunities for intensification and open space amenities."* Underground parking is not always financially viable or physically possible and should not be required.
8.	Secondary Plans should not be required for Mixed Use Nodes.
8.3.2.2.3	This section should state that a Planning Justification Report for applications within the built up area *"may"* be required. It should not be necessary for every application.
8.3.2.10.2	The maximum GFA for Convenience Commercial should be increased to $400m^2$ to be consistent with the C.1 Zone. Alternatively is should be increased even higher since Convenience Commercial allows residential units in the same building and this will allow for small scale intensification in existing neighbourhoods.
8.3.6.1	The High Density designation permits townhouses therefore the minimum height in section 8.3.6.2.2 should be permitted to be 2 storeys and not 3 storeys. The maximum building heights should be increased since these buildings will only be constructed if they are financially viable.
8.3 Downtown Guelph Designation	The sub areas and policies related to the downtown should be reconsidered. Flexibility should be the main goal for the downtown polices. It is difficult to proposed redevelopment in the downtown due to heritage buildings, inadequate municipal services, inadequate hydro service, inadequate stormwater management facilities, land values and land assembly requirements. The Official Plan should not be a road block to reinvestment and redevelopment in the downtown.
8.5	Community Mixed Use Areas should not be required to accommodate residential development. How will the OP be interpreted in the Clair Community Mixed Use Area, for example, where only one corner does not have any development approvals? Will this corner be required to accommodate all 550 units allocated to this area? The mixed use nodes are for the most part surrounded by residential designations which should be adequate. The Draft Official Plan by requiring residential development proposes to take significant value away from the sites that

	are now designated Community Mixed Use.
8.5.1.3.2	Drive through Uses should be permitted as long as they meet specified locational criteria. The Official Plan should not prohibit them.
8.5.1.3.2.5	The minimum building height of 2 usable storeys for all buildings in the Mixed Use Node should not be a requirement. Single use larger buildings will not be able to achieve this in the Guelph market. Examples from downtown Toronto or Chicago to not translate to the Guelph land values and market reality.
8.5.1.5	Underground and structured parking is not financially viable in all cases.
8.5.1.6	Secondary Plans should not be required for Community Mixed Use Areas. The requirement for Secondary Plans will delay the development of these properties and little value since detailed concept plans are required in support of the zone change applications required for these sites.
8.8.4	*"In the Greenfield Area, the City shall plan to achieve average density targets of 70 jobs per hectare."* This exceeds the Places to Grow Target of 50 people and jobs per hectare and is entirely unrealistic.
8.13.2.3 Major Utility Designation	"The expansion of a major utility use or establishment of a new facility beyond the boundaries of the Major Utility designation outlined on Schedule 2 shall require an amendment to this Plan..." Utilities should not require Official Plan Amendments.
8.14.1 8.14.1 Special Study Areas Designation	The limit of the Special Study Area designation south of Clair Road should correspond with the "Reserve Lands" designation in the current Official Plan. In addition, **all** land south of Clair that will be subject to a future Secondary Plan should be shown as part of the Special Study Area. There should be no other (NHS) designations within this area. Designating the Natural Heritage System is premature until the servicing, stormwater management, traffic routes and land uses are determine for the "Reserve Lands". This will allow the area to be planned in a comprehensive manner. No development will be permitted prior to the Secondary Plan being completed for the Special Study Area.
9.10.4 Complete application	*"The date of application shall be date upon which all required information and material is submitted in a form that is satisfactory to the Director of Community Design and Development Services."* Should this state that, the date of a 'complete' application...?
9.11.8	*"The Zoning By-law may provide for certificates of occupancy for specified uses of land."* Please provide the legislative authority for the City to provide certificates of occupancy.

9.15.4 x) Site Plan Control	*"achieve the energy reduction targets of the City's Community Energy Plan consistent with policies of this Plan."* Please provide the legislative authority for the City to require this through site plan approval. The entire section 9.15.4 of the Official Plan should be deleted since section 9.15.5 includes the items permitted pursuant to the Planning Act.
10. Glossary	Every word or series of words which is already defined in the Provincial Policy Statement should have the same definition in the Official Plan, particularly those words associated with the Natural Heritage System. The definition of **"Significant"** in the draft Official Plan goes far beyond what the PPS defines. The same is true for definitions provided in other legislation (ie. Building Code, Municipal Act, Condominium Act, Heritage Act) which includes definitions. The same definition should be used in the Official Plan.
Ecosystem Services	What is the source of this definition?
Environmental Impact Study	The proposed definition is unclear. The definition in the current Official Plan should be used.
Heritage Tree	"Beauty" and "treasured by the community" are too subjective and should not be included in the definition.
Woodlands	What is the source of this definition?

Thank you for the opportunity to provide these comments. GWDA have been actively participating in the Official Plan process without significant changes to the proposed Official Plan being realized. The City needs to have considerably more dialogue with the GWDA. This needs to occur prior to the consideration of the proposed Official Plan by Council or any amendment to the existing Official Plan on a piece meal basis such as any amendment dealing with the Natural Heritage Strategy which the City is trying to unnecessarily expedite. We sincerely hope that our concerns will be satisfactorily addressed before entire the Official Plan returns to Council for a decision.

Yours truly,



Alfred Artinger, P.Eng.
President

cc: Jim Riddell, Director of Community Design and Development Services
Marion Plaunt, Manager of Policy Planning and Urban Design

(GWDA.Draft Official Plan Comments.doc)

May 17, 2010.

RECEIVED
MAY 19 2010
CITY CLERK'S OFFICE

City of Guelph,
1 Carden Street,
Guelph, ON. N1H 3A1.

Attention: The City Clerk's Office and Guelph City Council

Re: Official Plan Amendment 42 Concerning the Proposed Update to Guelph's Official Plan and the Plan's Proposed Policies for Non-designated Built Heritage Resources and Non-designated Cultural Heritage Landscapes

The authors of this letter previously stated before Council that:

- the list of non-designated properties added to the Municipal Register was completed in the absence of weighting and/or ranking criteria used to evaluate the cultural/heritage characteristics of the properties listed;
- the list of non-designated properties subsequently added to the Municipal Register was completed prior to existing Provincial legislation and policy which permits the addition of non-designated buildings and landscapes to the Municipal Register;
- the City of Guelph has chosen to make property owners responsible for the provision of information necessary to remove their property from the Municipal Register (reverse onus); and
- the City states that removal from the non-designated properties listed in the Municipal Register may require support documentation provided by a heritage professional where the costs of that professional work must be paid by the applicant requesting removal of their property from the Municipal Register. Therefore, there are potentially direct costs to individual property owners as a result of the non-designated status. There may also be other costs to property owners whose properties are included as non-designated. These other costs have not been evaluated by the City.

Nothing that has been done by the City of Guelph since those statements were made that would alter those same statements. In fact, the City proposes to place additional responsibilities on homeowners whose properties are listed as non-designated.

The necessity for adding non-designated properties to the municipal register was presented to Council and to the public as necessary because of timelines associated with demolition. The short timelines could be increased to 60 days for non-designated properties on the municipal register. The need for the non-registered list was therefore centered on demolition or removal and the evidence for this is found in past documents. Excerpts of documentation are found in Appendix 1. Underlining has been added to the quoted document information to emphasize specific words. Additional proof of the demolition rationale for the list of non-designated properties occurred during Guelph City Council discussions. Counselor Kovach asked city staff if the purpose of the non-designated list was for demolition purposes only. The reply to that question was yes. Counselor Kovach sought clarification and continued by asking if the addition of the non-designated property to the Municipal Register would affect people's decisions and ability to make alterations to their homes if they were on the non-designated list. The reply was that those decisions and abilities would not be affected. Unfortunately, the minutes of Council meetings do not include a verbatim, or minimal reference to, all questions and answers made as part of those Council meetings.

In the interim, the undersigned had the opportunity to discuss the process that another landowner with property on the non-designated list had to go through in order to obtain a building permit. Full or partial demolition of the structure was not anticipated and has not occurred. In this instance, the landowner felt compelled to attend a meeting with Heritage Guelph and had to defend decisions made about the replacement of rotten wood siding and the addition of windows to the structure. Therefore, the building permit process for non-designated properties would appear to require the provision of information unrelated to demolition.

Regardless of the wording used within previous documents and meetings, the proposed Guelph Official Plan will change the way in which homeowners can make decisions about their property if that property is listed as non-designated. Interestingly, the proposed Official Plan already supports previous statements about a lack of rigorous factual analysis associated with the formulation of the list of non-designated properties. The plan suggests by its wording in section 4.7.6(3) that all that Council has to do is <u>believe</u> that a particular property may have *cultural heritage value or interest* and that that is sufficient rationale for adding that property to the Heritage Register. As outlined previously, the wording of the proposed Official Plan referenced within this letter has been included in Appendix 2. Underlining has been added within the referenced excerpts to assist the reader in finding the wording discussed within this letter.

The proposed Official Plan has phrases that can be interpreted to require owners of non-designated properties to provide Cultural Heritage Impact Assessments or Scoped Cultural Heritage Impact Assessments if they should apply for a building permit or require a minor variance. This requirement is significantly different from the rationale related to demolition presented previously.

In summary, the proposed Official Plan broadens the scope of activities subject to review by the City of Guelph for owners of non-designated properties. The proposed wording suggests that all the City of Guelph and Guelph Heritage are required to do is believe that property may have characteristics of cultural heritage value or interest and that that belief is sufficient rationale for forcing the owners of the property to provide factual information to assure the City that an activity such as adding a bathroom to their home will not negatively affect cultural heritage value or interest. How such a power relationship as well as an approach to the provision of information will encourage people to maintain and/or improve their property has not been referenced within the Plan.

Because the proponent of the current as well as any proposed new non-designation list is the City of Guelph as well as Heritage Guelph, the provision of a defensible systematic cultural heritage evaluation is the responsibility of the City and Heritage Guelph. Allowing the City and Heritage Guelph to force others to provide that information is, at minimum, not sustainable and is therefore not good planning. All reference to requirements related to matters other than demolition as they relate to non-designated properties are recommended to be removed from the proposed Official Plan.

Sincerely,
Michael K. Hoffman and Linda E. Clay

APPENDIX 1

BACKGROUND INFORMATION EXCERPTS

1. ***Community Design & Development Services (Report 07 - 64) July 6, 2007 Expansion of the Municipal Register of Cultural Heritage Properties Work Plan***

Amendments made to the Ontario Heritage Act in June 2006 provide interim protection from demolition for non-designated properties included on the Municipal Register. Owners of listed properties must provide the municipality with at least 60 days notice of their intention to demolish or remove a structure on the property. This allows sufficient time for a municipality to decide if it intends to formally designate a property under the Ontario Heritage Act which would provide greater protection including prohibiting the demolition of any structures of cultural heritage significance. This additional protection is essential in light of the accelerated building permit review timeframes established through changes to the Ontario Building Code Act in January 2006.

Currently the combined Heritage Inventory is used by the City as a source of potential designations and is a consideration in the development approval process. The inventory is included in the City's property tracking system, AMANDA, which serves as a flag for any development applications or queries made on a property. Essentially, owners become aware of their inclusion on the inventory when they want to do something with their property. The inventory has not been part of a comprehensive public consultation process nor has it been approved by City Council. Management of the inventory has been left up to Heritage Guelph members and City staff. In addition, there has been no assessment or weighting of properties on the inventory to guide the priority of future designations, however, this is contemplated in the future.

2. ***CD&ES Report No. 08-108 Expansion of the Municipal Register of Cultural Heritage Properties to Include Non-designated Burcher-Stokes Properties (Revised)***

The Register may be expanded to also include "non-designated" properties that a Council believes to be of cultural heritage value or interest on its Municipal Register under section 27.1.2 of the Ontario Heritage Act. If an owner wishes to remove or demolish a "non-designated" property included on the Municipal Register the owner must provide the City with at least 60 days notice. This time period provides a municipality with additional time to consider the application and decide if the property should be designated. If designated, the heritage elements identified in the designation by-law would be protected and their demolition/removal subject to an approval process prescribed in the Ontario Heritage Act. For properties not listed on the Municipal Registry, a municipality has 10 working days to consider a residential demolition permit and 20 working days to consider a commercial/industrial demolition permit under the Ontario Building Code. These review timeframes are typically inadequate to determine the heritage significance of a property and whether further protection should be applied to elements of the property through designation.

APPENDIX 2

EXCERPTS FROM THE PROPOSED OFFICIAL PLAN RELATED TO NON-DESIGNATED BUILT HERITAGE RESOURCES AND CULTURAL HERITAGE LANDSCAPES

4.7.6 Non-Designated Properties Included in the Heritage Register

1. A Heritage Register shall be maintained and kept up to date by the City that includes non-designated properties that Council believes to be of cultural heritage value or interest. Such properties are identified as properties included in the Heritage Register.

2. Council, in consultation with Heritage Guelph, as appropriate, may remove non-designated properties from the Heritage Register, provided it has been demonstrated through a Cultural Heritage Review to the satisfaction of Council, that the property is no longer of cultural heritage value or interest.

3. Properties may be added to the Heritage Register where Council, in consultation with Heritage Guelph, believes the property to be of cultural heritage value or interest.

4. Non-designated built heritage resources or cultural heritage landscapes included in the Heritage Register shall not be demolished or removed without the owner providing written notice to the City of the intent to demolish in conjunction with an application for a demolition permit. Council, in consultation with Heritage Guelph, will assess requests for demolition to determine the significance of the built heritage resources and/or cultural heritage landscapes affected. The Council may refuse to issue the demolition permit and determine that the property is of sufficient cultural heritage value or interest that it should be designated under Part IV of the Ontario Heritage Act.

5. Council, in consultation with Heritage Guelph, may determine that a property included in the Heritage Register has no cultural heritage value or interest, and in such instances, demolition may be permitted.

6. Built heritage resources and cultural heritage landscapes that have been included in the Heritage Register may be considered for conservation and/or incorporation into development applications initiated under the Planning Act, unless the applicant demonstrates to Council in consultation with Heritage Guelph, through a Cultural Heritage Impact Assessment, Scoped Cultural Heritage Impact Assessment or Cultural Heritage Review, that the built heritage resource or cultural heritage landscape does not meet the criteria for designation under the Ontario Heritage Act.

7. Where a non-designated built heritage resource or cultural heritage landscape is included in the Heritage Register, the City may require, as a condition of approval of a development application under the Planning Act, a building permit, a partial demolition or change of use, that the proponent enter into agreements to conserve and/or permit to be designated, by the City, in consultation with Heritage Guelph, the built heritage resource or cultural heritage landscape.

8. The City may require the proponent to prepare a Cultural Heritage Conservation Plan as a condition of approval for a development proposal, a building permit, including partial demolition, and/or a change in use that has the potential to impact a non-designated built heritage resource or a cultural heritage landscape included in the Heritage Register.

4.7.10 Cultural Heritage Impact Assessment

1. The City will require as a condition of approval, a Cultural Heritage Impact Assessment or a Scoped Cultural Heritage Impact Assessment for the following development application types if the subject property has been designated under the Ontario Heritage Act or has been included as a non-designated property in the Heritage Register: Official Plan Amendment (when combined with a Zoning by-law Amendment or a Plan of Subdivision) Consent Zoning By-law amendment Plan of Subdivision Minor Variance Site Plan Control.

2. A Cultural Heritage Impact Assessment or a Scoped Cultural Heritage Impact Assessment shall be carried out to the satisfaction of the City, in consultation with Heritage Guelph, to identify and evaluate potential impacts (proposed by the development, redevelopment or alteration) to designated properties or non-designated properties included in the Heritage Register.

3. The Cultural Heritage Impact Assessment shall be conducted by professional(s) qualified in the field of cultural heritage resources and in accordance with the City's Cultural Heritage Impact Assessment Guidelines.

4. The Cultural Heritage Impact Assessment shall include, but is not limited to the following:

i) a description of the proposed development, redevelopment or alteration, including a location map showing proposed buildings, existing land uses, and a site survey, architectural drawings, detailed conceptual façade renderings, interior architectural details were the heritage attributes are identified within a building or structure and other details as specified by the City;
ii) a detailed description of the built heritage resource(s), cultural heritage landscape features, heritage attributes, sources of research and conclusions regarding the significance of the cultural heritage resource with respect to their cultural heritage value or interest;
iii) a description of the existing regulations if any, affecting the proposal (e.g. flood or fill regulation);
iv) a description of cultural heritage resources and heritage attributes that might directly or indirectly be affected by the proposal;
v) a description of the impacts that might reasonably be caused to the cultural heritage resource or heritage attributes and how the impacts may affect the value or interest of the resource or attribute;
vi) an evaluation of alternative conservation and mitigation measures and their effectiveness in conserving the cultural heritage resource or heritage attributes. Such evaluation shall be based on established principles, standards and guidelines for heritage conservation and include an assessment of the advantages and disadvantages of each;
vii) an implementation and monitoring plan shall be required and include a reporting structure, for the implementation of the recommended actions as development and site alteration proceeds; and
viii) any other information required by the Province or the City, in consultation with Heritage Guelph, that is considered necessary to evaluate the proposal.

4.7.11 Scoped Cultural Heritage Impact Assessment
1. A Scoped Cultural Heritage Impact Assessment may be prepared in instances where the proponent can demonstrate, to the satisfaction of the City, in consultation with Heritage Guelph, that a particular proposal can proceed without adverse impact on any cultural heritage resources or heritage attributes.
2. The Scoped Cultural Heritage Impact Assessment shall be conducted by a professional(s) qualified in the field of cultural heritage resources and in according to the City's Cultural Heritage Resource Impact Assessment Guidelines.
3. Heritage Guelph may assist in the review of Cultural Heritage Impact Assessments and/or Scoped Cultural Heritage Impact Assessments and provide recommendations to Council. The conservation and/or designation of any cultural heritage resource identified through the assessment may be a condition of a development approval by the City.

4.7.12 Cultural Heritage Conservation Plan
1. A Cultural Heritage Conservation Plan shall be required as part of, or separate from the Cultural Heritage Impact Assessment, and describe the recommended actions necessary to prevent, change and/or mitigate, change, remedy or avoid expected impacts upon the cultural heritage resources or heritage attributes. The Cultural Heritage Conservation Plan may also describe how the heritage attributes will be integrated into or commemorated within the new development.

4.7.13 Cultural Heritage Review
1. A Cultural Heritage Review is required when requests are made to remove, add or modify a description of non-designated properties included in the Heritage Register.
2. A Cultural Heritage Review will be conducted in accordance with the Cultural Heritage Review Guidelines.

4.7.14 Implementation Policies
Pursuant to the Planning Act, the Municipal Act, the Building Code Act and other relevant legislation, the City may pass by-laws or implement other tools to ensure the conservation of built heritage resources and cultural heritage landscapes, including but not limited to the following:
1. The City may use a range of implementation tools to achieve the objectives with respect to built heritage resources and cultural heritage landscapes, including Site Plan Control to require exterior design drawings which address matters such as: the character, massing, scale, appearance and design features of buildings; relationship of proposed building to adjacent buildings and the street; interior walkways; stairs; elevators, etc. that are accessible to the general public; and impacts on the design elements within the municipal right of way.

2. Regulate development so that it is sympathetic in height, bulk, location and character with built heritage resources and cultural heritage landscapes, where character includes, but is not limited to, form and massing, materials, fenestration, facade treatments, building orientation, existing scale and pattern and existing landscape and streetscape qualities.
3. Control demolition of built heritage resources in a defined area.
4. Provide financial incentives to encourage the retention of built heritage resources and cultural heritage landscape.
5. Provide for an exemption from parking requirements or for increasing the height or density of development when deemed appropriate through the bonusing provision of this plan, for specific development proposals.
6. Facilitate the retention of built heritage resources and cultural heritage landscapes.
7. The City may enter into heritage easement agreements with the owner of any real property pursuant to the provisions of the Ontario Heritage Act for the purpose of:
i) conserving, protecting and maintaining the heritage features of the property in perpetuity;
ii) preventing any demolition, construction, alteration, addition or any other action which would adversely affect the heritage features of the property; and
iii) establishing criteria for the approval of any development affecting the heritage property.

Include means:
In the context of the Municipal Register of Cultural Heritage Properties, the addition of non-designated properties to the Heritage Register that have been identified by Council as having cultural heritage value or interest.

Municipal Register of Cultural Heritage Properties (Heritage Register) means:
A register established pursuant to Section 27 of the Ontario Heritage Act and filed with the Clerk which identifies properties of cultural heritage value or interest within the City. Designated properties are listed in the Municipal Register of Cultural Heritage Properties. Non-designated properties are included in the Municipal Register of Cultural Heritage Properties.

May 18, 2010.

City of Guelph,
1 Carden Street,
Guelph, ON. N1H 3A1.

Attention: The City Clerk's Office and Guelph City Council

Re: Values and a Full Spectrum of Housing Types - Comments concerning the Proposed Update to Guelph's Official Plan

The authors of this letter previously attended open houses related to the Official Plan update for the City of Guelph. Questions were posed to Guelph planning staff that have not been explicitly answered within the proposed Official Plan, were not answered verbally during the open house or answered within background documents for the Plan update. In general terms these questions include:

1. Is the Official Plan based primarily on probabilities or possibilities (fact or fiction)? Where are all references listed for those facts used within the Plan?
2. Is the Official Plan a document of permissions or a document of prohibitions? Will the plan permit the people of Guelph a full spectrum of choices to create the built environment in which they wish to live?

In answer to the first question, the Plan does not contain a references section containing the scientific literature supporting the built environment recommended within the proposed Plan. Neither does the Plan include reference to general literature documenting the changing physical and social needs of city dwellers when the availability of energy will be low and the costs for that energy high (see Rubin, Homer-Dixon or Kunstler).

With respect to the second question, the wording within the Plan can be interpreted as a prohibition against some housing types. The prohibition can best be illustrated by use of an example in the form of a group of questions. Could a group of individuals choose to put together a small development in a form that would:

- have no flow through traffic and an entry point that would allow the development to be gated?
- have individual architecturally designed houses of less than 2000 ft.² similar to those produced by Eichler?
- be designed to include elements of modern or midcentury modern housing?

The wording of the Plan in section 5.12.6 (vii) referring to a grid street pattern would prevent the curvilinear streetscape normally part of Eichler developments. As well, discussions within section 7.4 (2) of the proposed Official Plan would discourage midcentury modern house designs because those designs present a blank face to the public. The houses are also designed to have a direct connection to the out of doors and the large windows allowing this connection are to the side and/or back of the house. The connection to the out of doors is intended to be private as opposed to public. In addition, discussions with Guelph planning staff suggested that the proposed Official Plan intended to discourage development such as the one called Manor Park located in Guelph or to allow development of strata like those found in British Columbia.

The information previously presented within this letter provides evidence that the proposed Official Plan for the City of Guelph cannot meet section 1.4.3 (b) of the Provincial Policy Statement (2005) which states that: *Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by... permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special-needs requirements...*

Therefore, it is recommended that the wording in the proposed Official Plan be changed to permit all forms of housing.

Sincerely,
Michael K. Hoffman and Linda E. Clay

APPENDIX 1

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Rubin, Jeff. 2009. *Why Your World Is about to Get a Whole Lot Smaller: Oil and the End of Globalization.* Random House Canada, Toronto, Ontario.

RE: Proposed OPA # 42

Madame mayor and Council

May 20 2010

Many years ago the existing citizens of Guelph spoke out loudly against Guelph becoming another version of Mississauga or Brampton. We could grow but we would do it differently. We would not become the next Mississauga or Brampton. We were different: we had extensive green spaces, scenic moraine viewscapes, beautiful tree lined streets and watersheds that we wanted protected. These are just a few reasons why Guelph is a desirable place to live.

You have an opportunity and an obligation to future generations in this OPA to protect the natural heritage that sustains our air and water.

However, the OPA that is before you tonight is a blueprint that will turn Guelph into just another suburb of Toronto. It is already happening. Council has been lock step with the Places to Grow.

This OPA does not deal with the grim economic reality that is already happening because growth does not pay for itself. And the Ontario government has not told us how we are going to pay for it in the short or long term. It has been left to you our councilors. According to the 2 CN Watson Reports to Council growth does not pay for itself. No: it should cost us a 4.5 to 5% increase in property taxes each and every year to pay for the shortfall in development charges and the services that each new citizen who comes to Guelph will need and/or demand. Instead we have a less than 4.5% tax increase and now reductions of services such as transit are occurring. What services will be cut next year to keep our property taxes artificially lower than the true costs of growth?

So where in this OPA is the fiscal economic responsibility to ratepayers? Is it responsible to pass an OPA that supports more residential growth and while knowingly cutting services of existing residents at the same time?

In fact the Planning Act provides that good planning must consider the impact that new development has fiscally, ecologically and on the health and safety of the current residents who live in this city, here and now.

Our green infrastructure within our city boundaries which excludes the Guelph Lake Conservation area are not now protected adequately. Our canopy cover is shrinking not growing. Our Urban Forest Strategy is apparently stagnant since April 2009 while mature city street and park trees are being logged or damaged during new infrastructure activities and mature forests are logged. This council and OPA talks about climate change yet at the same time is not protecting or stewarding the local ecosystem where we live. The proposed Natural Heritage Strategy does not protect the recommended areas contained in the 1994 Hanlon Creek Watershed Plan or the 2004 State of the Hanlon Creek Watershed Study. Other natural heritage areas are not recommended for protection or restoration.

It is premature and unnecessary to advance the Natural heritage Strategy while other portions of the OP are still being circulated for comment. To prematurely move the Natural Heritage strategy forward, in effect, approves the Draft Land Use Plan Schedule 2 in advance of the entire OPA 42 approval, resulting in the jump starting of development in adjacent or sensitive lands identified in the Natural Heritage Strategy Report. For instance, currently there is no protection for provincially significant plant communities in the proposed OPA. Some locally significant species are not protected so their habitat will not be protected. An example of this is the apparent removal of 2 bird species from the mapping on the lands proposed for an apartment building at Edinburgh and Gordon adjacent to the Hanlon PSW.

I am still reviewing the proposed OPA as it is my understanding that there are more opportunities for comment before final approval. It would be helpful if Council were to direct city staff to produce a comparison between the existing OP and what is now proposed. What has been altered, added or deleted? Without this comparison it is difficult to know what areas and policies of the old OP are still in the proposed OPA. My wife Laura attended the last Envision Guelph information session and indicated her concerns with the OPA. There were no comment sheets at this meeting. One should not have to take the time to go home and submit the same comments twice.

Dr. Dennis Murr

[redacted]

RECEIVED
MAY 20 2010
CITY CLERK'S OFFICE

May 19, 2010

City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mayor Farbridge and Members of Council

Re: **Public Meeting May 20, 2010**
132 Clair Road West, 1827 & 1843 Gordon Street, City of Guelph
Guelph Official Plan Update OPA No. 42 (Released April 19, 2010)

These comments are being provided to Council on behalf of the owners of the property located at 132 Clair Road West, 1827 and 1843 Gordon Street, City of Guelph. This property is located at the southwest corner of Clair Road and Gordon Street. The area of this property is approximately 44 hectares (108 acres).

This property was annexed into the City of Guelph in 1993 to provide urban land for future growth. This property was also the subject of an Ontario Municipal Board hearing which resulted in the current land use designations for the property which are shown in the Official Plan which include mixed use, residential and employment lands. Severances have been taken from this property over the years for public purposes such as a park, high school, church and municipal emergency services facility.

The proposed OPA No. 42 proposes to make more than half of the area of the subject property undevelopable. This is unacceptable to the owners of this property. We have met with City staff and expressed our concerns regarding the proposed Natural Heritage designations for this property and the new restrictions proposed to be applied to the remaining undeveloped Mixed Use corner at Clair and Gordon. We require changes to be made to OPA No. 42 to address our concerns. Our concerns are listed below:

1. The Natural Heritage designations should be applied only to the features recognized as requiring protection from development in the Provincial Policy Statement 2005 (PPS). Slopes and closed depressions are not required to be protected in the PPS and should be deleted from the Natural Heritage designations proposed on the subject property.

2. The requirement for 550 residential units to be provided in the Clair Gordon Community Mixed Use Area should be deleted. This requirement was not imposed on the other three corners which have now been developed, or are underway, and it is unfair to add this new requirement to apply to the only remaining corner which has not yet been developed.

3. The requirement to provide a minimum building height of 2 storeys of usable space should be deleted. This is an unrealistic requirement in the Guelph market and will result in the land remaining vacant and unleasable for commercial tenants. This is a relatively small commercial site and cannot support his unreasonable requirement.

4. The prohibition of drive-throughs in the Community Mixed Use Area should be deleted. Locational criteria related to the provision of drive thoughs would be acceptable. The other commercial sites at Clair and Gordon have well designed drive throughs that do not interfere with pedestrian activity. This corner should have the same opportunity to provide well designed drive through facilites.

5. The requirement for a Secondary Plan for Mixed Use Areas should be deleted.

6. The requirement that "residential uses should be provided primarily above commercial uses" should be deleted. This is an unfair requirement for the last corner of this intersection to be developed and will not find uptake in the Guelph market

7. The requirement for underground or structured parking in the Community Mixed Use Area should be deleted. The cost to provide this would prohibit the development of this corner.

We would appreciate the requested changes being made to OPA No. 42 prior to it coming back to Council for a decision. These are serious concerns which will impact the viability of this property to be developed. The City should not approve an Official Plan which will make serviced urban land unable to develop. Thank you for the opportunity to provide these comments.

Yours truly,

Herb Neumann

Comment 23

ZELINKA PRIAMO LTD
A Professional Planning Practice

RECEIVED
MAY 31 2010
CITY CLERK'S OFFICE

VIA EMAIL AND REGULAR MAIL

May 28, 2010

Clerk's Department
City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attention: Ms. Lois A. Giles, City Clerk

Dear Ms. Giles:

Re: City of Guelph Draft Official Plan Amendment Number No. 42
Preliminary Comments on Behalf of Home Depot Holdings Inc.
63 Woodlawn Road West
Guelph, Ontario
Our File: HOM/GPH/04-01

We are the planning consultants for Home Depot Holdings Inc. (Home Depot) for City of Guelph draft Official Plan Amendment No. 42. Home Depot is the owner of the lands known municipally as 63 Woodlawn Road West, which was recently developed with an approximately 85,290 sq. ft. (7,293 sq. m) Home Depot store.

On Wednesday May 19, 2010 Home Depot was made aware of the draft Official Plan Amendment No. 42. The Home Depot lands are proposed to be designated Community Mixed Use Areas and Significant Natural Areas according to draft Schedule 2 – Land Use Plan. It is our understanding that the Home Depot Store would be interpreted as one of the four permitted free standing individual retail uses exceeding 5,575 sq. m of gross leasable floor area within the Woodlawn Community Mixed Use Area.

On behalf of Home Depot, we have preliminary comments as outlined below, and will continue to review the draft Official Plan Amendment policies in more detail, and may provide further comments as required. At this time, our preliminary comments are as follows:

- In general:
  - We respectfully suggest that there should be wording to provide for flexibility or a recognition that policies will be implemented and transitioned over the long term as development and intensification comes to fruition;
  - It may be appropriate to include wording for implementation of the Official Plan Amendment whereby existing development approved under previous amendments is deemed to conform to the Official Plan, and that minor extensions or expansions of non-conforming development are permitted without amendment; and

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  - The overall application of Built Form, Public Realm and other urban design policies may not be applicable or appropriate to individual sites, and may result in unforeseen adverse conditions when not allowing for flexible implementation and interpretation of the policies.
- Community Mixed Use Area Policies:
  - Sections 8.5.1.4.1 and 8.5.1.4.3: We have concerns with the policy to require a minimum total floor space index (FSI) of 0.5 and a specific number of residential units, as it is unclear where or how the residential units will be accommodated. In addition, it is not clear whether expansions to existing buildings would need to be at 0.5 FSI; and
  - Section 8.5.1.4.5: We have a concern with the lack of flexibility of the minimum requirement of two (2) storeys of usable space for development. It is not clear whether a building expansion would need to be a minimum of two storeys.

We would welcome the opportunity to meet with Staff to discuss our preliminary comments and a process for implementing appropriate policies while working towards the goals of draft Official Plan Amendment No. 42 over the longer term.

Should you have any questions, or require further information, please do not hesitate to call. In addition, please kindly add the undersigned for notification of any further meetings with respect to this matter as well as notice of the adoption of the Official Plan Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.

Jonathan Rodger, MScPl, MCIP, RPP
Senior Planner

cc. Home Depot Holdings (Via Email)
Mr. Greg Atkinson, Policy Planner, City of Guelph (Via Email)

Walker, Nott, Dragicevic Associates Limited
Planning
Urban Design

May 20, 2010

City of Guelph
Community Design and Development Services
Planning and Development Services
1 Carden Street
Guelph, ON
N1H 3A1

Attention: Mr. J. Riddell, MCIP, RPP
Director, Community Design & Development Services

90 Eglinton Avenue East
Suite 701
Toronto, Ontario
M4P 2Y3
Tel. 416/968-3511
Fax. 416/960-0172
e-mail: admin@wndplan.com
web: www.wndplan.com

Dear Sir:

Re: City of Guelph Draft Official Plan
Our File 10- 529

We act as planning consultants to Armel Corporation ('Armel') who is an owner of substantial landholdings within the City of Guelph. In this regard, we and our client have initiated a preliminary review of the recently-released Draft Official Plan and are providing the following preliminary comments as input to the further review and refinement of the document.

At this time, our comments focus on two components of the draft document:

1. The 'Community Mixed Use Node' component of the Plan, including surrounding planned residential land uses (Section 8.5); and,
2. The 'Natural Heritage Strategy' policies of the Plan (Section 4).

Once we have had an opportunity to review the complete document, additional comments will be provided on these and other sections of the Plan.

1. Community Mixed Use Node

The following comments deal with the draft Official Plan's approach to community mixed use nodes. In this regards, Armel's interests focus on its landholdings in the westerly portion of the City.

1.1 Guelph's Proposed Urban Structure

Building upon the City's Local Growth Management Strategy, Official Plan Amendment No. 39 ('OPA 39') provides the urban structure framework for the draft Official Plan. That urban structure framework consists of:

- A Provincial 'Urban Growth Centre' in the Downtown;
- Four 'Community Mixed Use Nodes', located in the north, east, south and west areas of the City (with a fifth node recently incorporated at Silver Creek Junction);

Peter R. Walker, FCIP, RPP
Wendy Nott, FCIP, RPP
Robert A. Dragicevic, MCIP, RPP
Senior Principals

Martha Coffey
Controller

- Built-up urban areas;
- Greenfield development areas; and,
- Intensification corridors along portions of major roads.

Each of these structural components is intended to contribute to the achievement of Provincial and local policy objectives, including those of the Growth Plan.

OPA 39 established a policy framework for CMUNs (Section 2.4.9) which indicated:

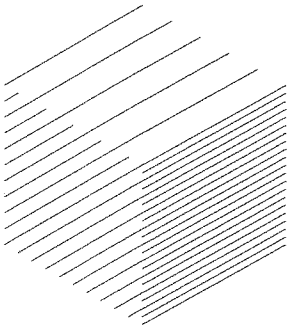
> *Community mixed use nodes are identified on Schedule 1B. These areas will be planned for higher density mixed uses including residential and employment uses, as well as a wide range of retail, service, entertainment, and recreational commercial uses that serve the local and wider community.*
>
> *The community mixed use nodes will be planned and designed to:*
> *a) be well served by transit and facilitate pedestrian and cycling traffic;*
> *b) provide a mix of commercial, offices and residential development in a higher density compact urban form that supports walkable communities and live/work opportunities; and*
> *c) allow complementary uses such as open space, institutional, cultural and educational uses, hotels and live/work studios.*

Of significant note is that the delineation of the 'Community Mixed Use Node' ('CMUN') elements in OPA 39 (Schedule 1B) is that of a symbol centred on various major roads. Further, the symbols were an overlay to two other urban structure elements: Built-up areas and Greenfield areas. Therefore, in our submission, the logical intent of the CMUN was to capture a range of existing or planned land uses, both in Greenfield and Built-up area situations.

In the case of the Elmira CMUN, the symbol was focussed on the intersection of Imperial Road, Elmira Road North and Paisley Road and thus encompassed existing developed lands within the built-up area containing community, commercial and a variety of residential uses, as well as undeveloped Greenfield lands presently designated for commercial and various residential uses.

Similarly, in the City's Urban Design Action Plan (April 2009), a land use symbol centred on the same area identifies the 'West Community Node' (albeit the geographic area captured by this symbol is larger than that of OPA 39; extending north of the rail line and east of Imperial Road). The proposition that the node would be comprised of an extended geographic area containing a number of properties with a range of land uses was apparent, understandable, and consistent.

On the basis of the general policy framework of CMUNs established in OPA 39 which indicated a clear intent regarding the inclusion of the residentially-designated and zoned lands as part of the CMUN, Armel had no concerns with the proposed urban structure or the identification of the westerly CMUN at Elmira Road North and Paisley Road. Further, these demarcations were consistent with long standing planning intentions expressed in previous official plans and historical planning policy documents pertaining to these lands to establish a focal point of land use activity to serve as a hub for the west side of Guelph. The West Hills portion of the commercial node is currently partially developed in a manner consistent with official plan designation(s) that have been in place for decades, and leasing commitments to existing tenants have been made based on these lands being built out as a commercial shopping centre.



1.2 Commercial Policy Review

The current Official Plan reflects and implements the results of the City's 2005 comprehensive commercial review (CPR) which evaluated and revised the policy framework for commercial development throughout the municipality.

The conclusions of that review formed the basis of the existing Mixed Use Node designations, including the range of permitted commercial uses. Specifically, the absolute amount of land so designated purposely correlated to the retail floor area assigned to each location. Therefore, the current Official Plan prescriptively controlled the scale of each Mixed Use Node by limiting both the assigned new retail floor space and the land area available to accommodate that assigned floor space.

In the case of the (then) Paisley/Imperial Mixed Use Node, the existing commercial development (i.e. Zehrs and commercial plaza at the southeast corner of Paisley/Imperial) was excluded from the new retail floor space limitation. Thus the land area available to achieve the assigned 42,000 sm new floor space is less than that encompassed by the designation.

1.3 Mixed Use Node in the 2001 Official Plan

The 2001 Official Plan (OP), as amended, is the policy document currently in effect in the City. The most significant amendment to the 2001 OP occurred in 2006, when the entire commercial policy section was repealed and replaced (via OPA 29) to reflect current and go forward commercial planning philosophy. As noted, OPA 29 followed on the heels of a very extensive commercial policy study, one element of which was to forecast commercial floorspace needs for the municipality to the year 2021.

The 2001 Official Plan as amended by OPA 29 designated significant portions of Armel lands as "Mixed Use Node" (MUN). This designation carried with it an apportionment of the total retail floorspace needs for the City to the year 2021, specifically in the case of the Armel node, 42,000 square metres of **new** retail floorspace. In other words, the 42,000 m2 of new retail floorspace was allocated

to the Armel MUN, and this was exclusive of any existing retail floorspace in place prior to the passing of OPA 29.

Based on the approach and the steps that were followed by the City, it is CLEAR that the intent of the MUN designation of OPA 29 (Section 7.4.5 and 7.4.6) was to establish a policy framework for the creation of **retail** focal points, one on the Armel lands, and others around the City. These are collectively intended to serve the future retail needs of neighbourhood residents/workers as well as to provide City-wide shopping services. The further intent was to group complementary uses in proximity to each other in order to *"...satisfy several shopping and service needs in one location."*

Thus, in our submission, the primary function of the Mixed Use Node designation in the existing Official Plan is to accommodate commercial activities. This conclusion is supported by the range of permitted uses (Section 7.4.9) which focuses on *"... retail, service, entertainment and recreational commercial uses ..."* with a permitted cumulative new retail floor area of 42,000 sm (i.e. existing and permitted new retail floor area will require all of the area designated MUN). While the 2001 Official Plan also permits medium and high density residential uses, such uses are not mandatory elements of a development proceeding under the Mixed Use Node designation.

In fact, the City's prevailing Zoning By-law presently zones the Mixed Use Node lands as established by the 2001 Official Plan as 'Community Commercial', 'Service Commercial' and 'Urban Reserve'. Residential uses are not permitted in any of these zone categories. This reinforces the 2001 Official Plan's intent that Mixed Use Node designations were primarily intended for community- and City-serving commercial uses. Any development which sought to integrate residential uses on-site would have required a re-zoning application. This again reinforces the primacy of the Mixed Use Area designation for commercial purposes.

It logically follows that commercial uses are directed primarily to lands having commercial designations and zoning, while residential uses would be established on lands having residential designations and zoning. We understand that the new Official Plan is intended to introduce current planning philosophy with respect to a 'mixing of uses'.

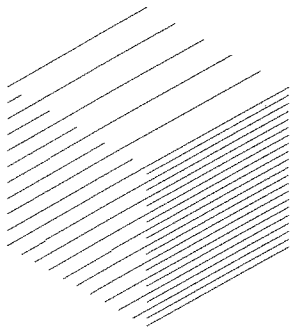
1.4 Background to the Elmira CMUN

In our submission, the historical planning context is relevant and must also be considered to ensure proper calibration of the new policy framework, particularly where 'nodes' are already in place, partially developed, or where previous planning decisions have contemplated the provision of higher density residential uses in proximity to (but not within) the commercial centre.

The planning for this westerly area of the City (originally known as 'West Hills') commenced in the mid-1970s with the most recent phase of development having been zoned and draft plan approved in 1986. The area as originally conceived

was intended to advance a complete community with a range of commercial, institutional, recreational and residential uses.

With respect to residential uses, the West Hills area provides for a range of medium and high density housing. In particular, blocks in proximity to the commercially-zoned lands at Elmira/Paisley/Imperial were established and zoned for multiple-family housing types. This occurred with the same intent of current day policy: that is, to establish a vibrant, intensive mix of land uses to serve as a focal point for the west side community. While some of these blocks have been built over the last ten years, many blocks remain undeveloped today as a result of consumer choice preference, residential land/housing supply and demand, and further demographic/market conditions not yet supporting these housing types.



However, as noted the intended residential use of these lands continues to support the long-range objective for the Elmira CMUN to contain a mix of housing types, including medium and high density residential uses in locations which are complemented by community-serving commercial, recreational and institutional uses that will support local transit use. The characteristic evolution of suburban mixed use nodes is that of establishment of the commercial uses followed by more intensive residential development. Outside of downtown or major core areas, the commercial and higher density residential uses rarely develop simultaneously. For example, the residential components of the Mississauga City Centre have only been realized in the past decade; prior to that time, the centre was primarily a commercial focal point. Similarly, the 40-year Don Mills Centre was demolished two years ago and re-built as a life-style commercial centre with abutting high density residential uses.

1.5 Does the Draft Official Plan properly implement the new Urban Structure?

Armel's primary concerns with the Elmira CMUN as it is now being advanced within the draft Official Plan are:

- The more limited geographic area assigned to the CMUN designation in the draft Official Plan, as compared to that indicated (by symbol) in OPA 39 and other reports;
- The prescriptive policy framework for this designation; and,
- The failure for the proposed Official Plan to reflect the historic context of planning that has shaped this westerly mixed use node.

As noted above, OPA 39 indicated a CMUN area which encompassed lands that were designated for commercial, recreational and a range of residential uses in the current Official Plan. Such delineation appropriately reflected that nodes contain a number of properties within a larger area and that properties within the broader area may develop with a single land use or a mix of land uses on any particular site but, in totality the appropriate diversity of land uses in a relatively compact, walkable urban form can be achieved. In our submission, the limited definition of the CMUN lands to the commercially-zoned lands is an inappropriate

implementation of OPA 39 and related documents (such as the Urban Action Plan and Commercial Policy Review).

The proposed policy framework for CMUNs while retaining many of the existing Official Plan policies (such as objectives which direct the CMUNs provide an adequate supply of commercial land and to form major concentrations of commercial activity) is advancing a more prescriptive residential development framework.

Specifically the requirement that the Elmira CMUN contain (approximately) 625 residential units on the limited area of land so designated is seemingly arbitrary, and problematic from an implementation perspective. We also respectfully request clarification of the determination of the 625-unit allocation.

As previously noted, the geographic assignment of the entire CMUN designation to only the commercially-zoned lands in this location will frustrate the achievement of the planned commercial function of these lands to accommodate the assigned 42,000 sm new retail floor space identified through the Commercial Policy Review and implemented through OPA 29 as the land base is insufficient to accommodate both the intended commercial function and the requirement for 625 residential units.

Further, imposing a requirement for the Elmira CMUN to accommodate 625 residential units through its next phase of development will result in an inequitable treatment of the five CMUNs advanced in the draft Official Plan. Other CMUN sites which are built or have site plan approval will not be required to accommodate their assigned residential unit assignments within any short- to medium-term planning horizon. In fact, achievement of any potential residential uses on these other CMUNs may only occur when the sites are redeveloped from their current commercial purposes.

As previously noted, Armel did not have concerns with the CMUN component of the City's urban structure as generally advanced through OPA 39. In that context, the CMUN would be addressed in a more holistic manner and include a broader area within which a mix of land uses (including medium and high density residential uses) would be provided in a compact, walkable and transit-supportive manner. By taking this broader, more appropriate perspective then the Elmira CMUN would properly include the existing lands designated and/or zoned for medium and high density residential uses as contributing to the residential component of the mixed use area. For example, the existing West Hills Community Centre and high school would similarly contribute to the mixed use function of the broader area.

Armel has historically supported the City's objectives to realize a CMUN in this area. However, the proposed policy framework should recognize a more encompassing approach to the CMUN which reflects the contributions of a number of existing and planned sites to the achievement of the City's overall

objectives. In our estimation, existing medium and high density residential sites adjacent to or in close proximity with the Elmira CMUN will contribute significantly to the policy objectives of a mixed use area containing concentrated retail and residential development.

Armel does support a flexible policy that would permit (but not require) medium and high density residential uses on the CMUN lands in order to allow such sites to evolve in response to demographic and market demands. By providing such policy flexibility, the private sector can respond to current market realities as well as envisioned long term planning trends, when they emerge.

1.6 Residential Development in the Elmira CMUN

As noted above, there are existing residential land use designations adjacent, or in close proximity to the Elmira CMUN. The draft Official Plan maintains these designations and carries forward a number of related residential policies from the existing Official Plan. In this regard, Armel encourages the City to consider other contemporary forms of housing, such as stacked townhouse and back-to-back townhouses. These housing forms can advance the City's objectives of achieving a greater mix and higher densities of residential development as part of a CMUN, while responding to more immediate demographic and market demands. Such forms of housing can also provide appropriate transitions between the areas of existing low density residential housing forms and the planned medium/high density residential areas and non-residential uses.

In this regard, Armel would like to discuss opportunities for alternative forms of housing (such as stacked and back-to-back townhouses) that would support these policy objectives and therefore are appropriately included in the draft Official Plan.

1.7 Secondary Plan Requirement

The draft Official Plan suggests (Section 8.5.1.6.1) secondary plan may be prepared for CMUNs to detail policies for future development. With respect to the Elmira CMUN, the detailed geographic planning framework was established by the subdivision plan approvals. The current and future development within this area is now focussed on the development of the last of the vacant lands. We note that the language of Section 8.5.1.6.1 is permissive (i.e. 'may') and in our submission, there is no need for a secondary plan to facilitate the balance of the development of the Elmira CMUN.

1.8 Other CMUN Matters

Armel has a number of other comments with respect to other policies for the CMUNs such as the minimum and maximum development densities/building heights.

We would appreciate an opportunity to review these CMUN matters City Staff.

2. Natural Heritage Strategy

Armel recognizes and supports the public interests and benefits arising from a comprehensive approach to the planning for significant environmental features. However, the Official Plan policy framework should be based on a holistic approach which balances environmental considerations with other aspects of the development of a complete community in Guelph.

2.1 Early Approval of the Natural Heritage Strategy Policies

It is our understanding that the City may advance its new Official Plan in two phases; the first being only the Natural Heritage Strategy ('NHS') policies (Section 4 primarily), with the balance of the policies of the draft Official Plan to be considered for approval at a later date.

The draft Official Plan itself requires (Section 1.3) that it be considered as one whole policy document, as illustrated by the following *(emphasis added)*:

1. ***The Plan must be read in its entirety as a comprehensive policy framework*** *to be used in evaluation for decision making by Council, committees appointed by Council, Boards and Commissions having jurisdiction within the City, and by staff and the public, including the Ontario Municipal Board.*
2. ***All Schedules form part of the Plan and must be read in conjunction with the text of the Plan.***

The policies of Section 4 in particular cross over and integrate with many other sections of the draft document. It is reasonable to expect that when the balance of the Official Plan is finalized, there may be potential revisions to parts of the Official Plan as currently drafted, which may then require modifications to the (pre-adopted) NHS policies. As noted above, the draft Official Plan in fact contains language indicating it would be inappropriate to consider individual sections of the document on their own, and that the Plan must be considered in its entirety.

We would encourage Council to provide appropriate time for the entire document to be properly considered in an integrated manner and to not independently adopt the Official Plan on an incremental basis.

2.2 NHS Policies

Section 4.0 (representing the natural heritage strategy) sets out over sixty-five pages of detailed policies, regulations, constraints, prohibitions, and approval process requirements, together with six Official Plan schedules and an appendix illustrating the natural heritage system.

A review of the draft policies suggests that there are a number of new approaches being adopted from other jurisdictions (such as those established for the Oak Ridges Moraine) together with other new policies being proposed for Guelph. We also question the application and/or interpretation of a number of policies, including (but not limited to) the following:

- Measurement of the 15-metre setback from watercourses (Section 4.1.5.4);
- Meeting even one criteria for identification (as a wetland) automatically will result in protection of 'Other Wetlands' even though it may be that the area does not contribute to the ecological or hydrological function of a Significant Natural Area (Section 4.1.6.1).
- Minimum size requirements for significant and/or cultural woodlands (Sections 4.1.5.5 and 4.1.6.2).
- The implementation of the 'Vegetation Compensation Plan' (Section 4.1.6.2.3.8) is to be based on the yet to be completed Urban Forest Management Plan (Section 4.1.9). No compensation policy should be included in the new Official Plan until the details of the implementation framework are drafted and subject to public review.
- In general, the Vegetation Compensation Plan requirements (Sections 4.1.6.2.1.e and 4.1.6.2.3.8) could be a prohibitively expensive measure with, as noted above, the implementation details not being defined at this time.
- Minimum buffers are established for many of the natural heritage features but criteria for establishing ultimate width are left to the discretion of the City (Section 4.1.6.2.3). Definitive criteria should be identified and confirmed through the required EIS study process based on the site-specific context. Further, buffers are often varied (with the consent of the Conservation Authority) to accommodate viable development parcels, etc whereas the draft policies imply that the buffer widths are absolute.
- Definitions inconsistent with the Provincial Policy Statement;
- NHS policy requirements that exceed the Provincial Policy Statement;
- Lack of reference to the involvement of the Conservation Authority in several components of the NHS.
- Inconsistent permissions for land uses within several components of the NHS; in particular, servicing and transportation infrastructure.
- Multiple schedules identifying a series of various environmental constraints are included, some which seem to be inconsistent with what is shown on the Land Use Schedule. Schedule 4A is particularly problematic, showing erroneous classifications on Armel lands.

Additional dialogue to permit a fulsome understanding of the basis for, and inter-relationships between the components of the NHS and related policies would be beneficial. However, as noted above, such discussions should be set within the context of the entire framework of the proposed Official Plan.

2.3 Armel Properties Affected by the NHS

Armel has been involved in the NHS process and have in the past identified various concerns to the City respecting various Armel holdings, primarily in the west side of Guelph. Over the decades, Armel and the City have worked collaboratively in reaching agreement on land use approvals for the west side of the City. Development has incrementally occurred in a manner consistent with approvals to the point where the west side is near maturity in terms of

development. Although there remain some Armel lands which are not yet developed, for the most part these lands are approved for development in terms of their Official designations, zoning and/or draft approval status.

The new environmental policy directions of the draft Official Plan in some cases are contrary to existing planning approvals on undeveloped Armel lands. In such instances, it would be reasonable for the new Official Plan to reflect the status of existing approvals and such an approach would also be consistent with transitional planning principles and regulations.

The attached map illustrates two specific properties which Armel has previously discussed with the City. Discussions with staff to-date have been open and constructive. However, prior to Council adoption of Section (as currently proposed) coming into effect we believe additional discussion is required. In our view, both noted properties should retain the development status as are currently in place, and this should be recognized in the new Official Plan (if necessary, by way of a special policy area):

a) *Property 1 – Mitchell Farm Phase II Draft Approval Area*
This parcel is located at the extreme westerly edge of the City, in what will be the final registered phase of what has become known as the Chillico area, likely to be built out in the next 2-3 years.

This parcel is draft approved and zoned (R.3A) and was subject to previous consideration in an environmental study required to secure draft approval, with some additional further detailing being required as part of a future site plan approvals submission.

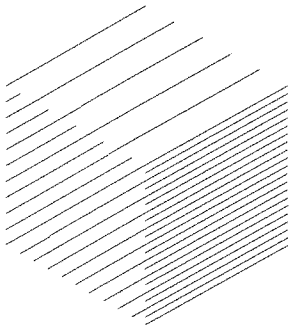
The Schedule 2: Land Use Plan in the draft document correctly designates this site. However Schedules 4A, 4C, 5, and Draft Appendix 1 all infer (in the context of the draft NHS policies) future uncertainty with respect to the existing, planned development potential of this parcel, and/or adjacent trail systems which is inconsistent with the development approvals (including previous supporting environmental analyses) currently in place.

For clarity, the new Official Plan should identify this land as a special policy area if necessary, reflecting the existing development approval status. Armel's discussions with staff regarding this property have been positive and constructive and Armel would be pleased to continue these discussions with staff to resolve this matter.

b) *Property 2 – West Hills Draft Approval Area*
The parcel is located on the south side of Paisley Road between Elmira Road and Whitelaw Road and is the final undeveloped parcel in the West Hills draft plan of subdivision (zoned R.4A). Even though these lands are undeveloped, the lands have been assessed and taxed at the value of

their planned land use for a number of years thus contributing to the City's financial base.

Beyond consideration of zoning, Armel has discussed with staff, the practical requirement for significant grading of this site to accommodate its planned future development. The site was originally approved in the 1980's but the zoning bylaw more recently has been amended to show a constraint area generally near the intersection of Elmira and Paisley associated with a treed area. The original (existing) grade of this area is 3 – 5 metres below the grade at the corner of the now constructed Elmira and Paisley Roads. Analogous constraint areas are illustrated in the zoning bylaw on nearby lands which have been since been developed and/or graded to accommodate the in place zoning of the land.



Similar to Property 1, it would be appropriate to establish a special policy area for this site within the new Official Plan that would recognize reflecting the existing development approval status.

2.4 NHS Summary

In summary, we encourage the City to provide further opportunity for the plan to be considered in its entirety, that the NHS section (Section 4) not be separated out and adopted in advance of the balance of the plan. Further, Armel would request and opportunity to discuss its concerns with respect to the two properties noted herein, as well as a discussion of the general comments.

Armel also generally supports a number of the comments relating to the NHS policies as raised by the Guelph Wellington Development Association.

In general, Armel supports a balanced policy framework that recognizes all key attributes of the City, including those reflective of the positive character of Guelph as a complete community, with relatively affordable housing options in both older and recently-built areas of the City. Guelph is consistently ranked as one of the most desirable places to live by national media. This image has evolved based on the balanced planning framework currently in place.

3. Other Matters

The full version of draft Official Plan has only very recently been released for consideration and review by the public. It introduces many significant new policy directions, some being enacted in response to Provincial requirements and others being an extension of Provincial control. Implementation strategies for many of these policy directions have not been yet developed. Given the many 'new' approaches and magnitude of the new, restrictive and regulatory aspects the draft OP, appropriate time is required to fully consider and appreciate how in practice the new framework will work and apply *in its entirety*.

In addition, we are conducting a review with Armel of the balance of the draft Official Plan and will be providing further commentary on other topics, and/or expanding on our initial comments contained herein. Armel's objective is to work collaboratively with staff with the intent of arriving at a mutual understanding and, hopefully, resolution of these concerns prior to adoption of the new Official Plan by City Council (and void any need to protract the process through appeals).

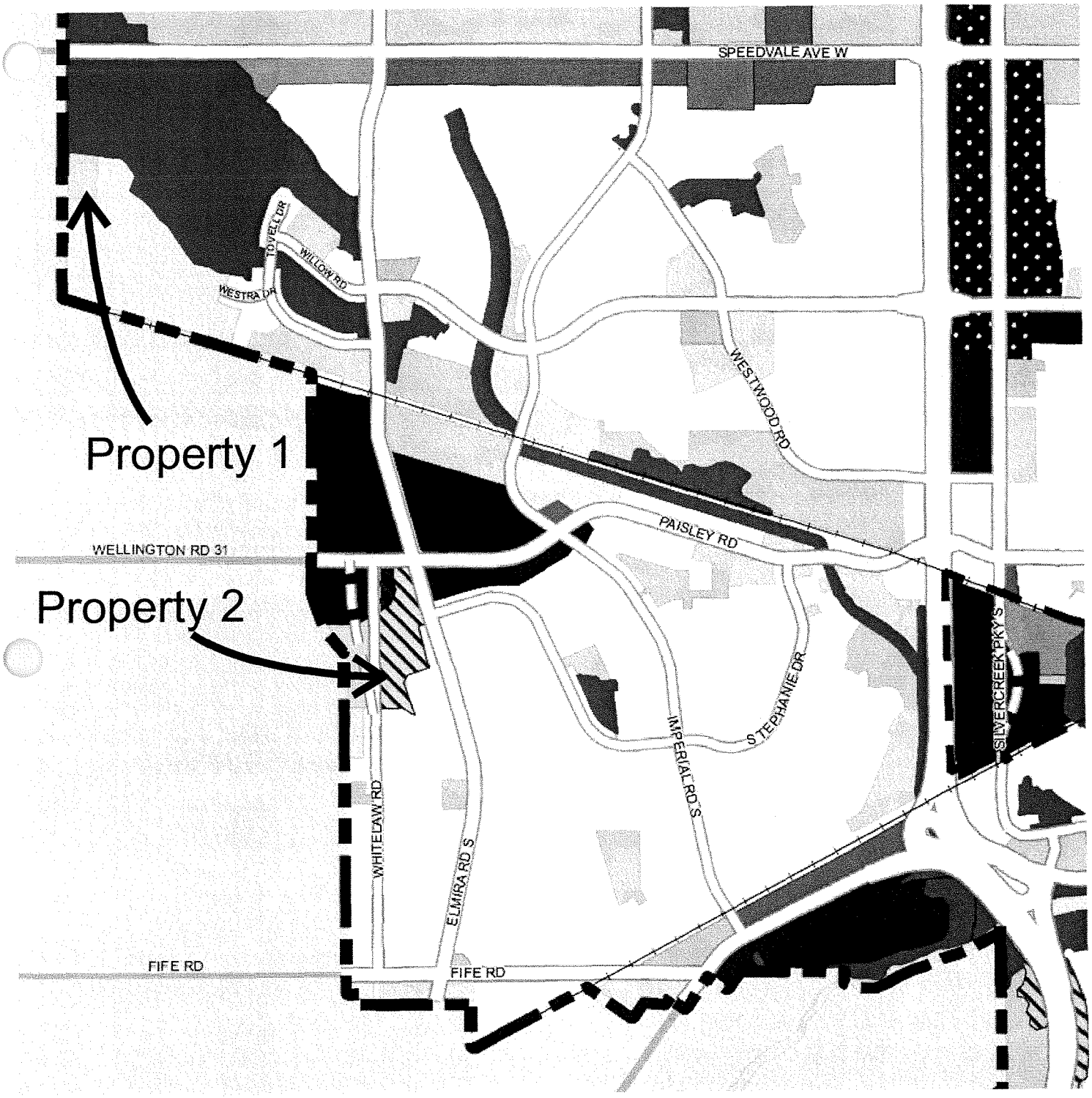
We would be pleased to discuss these comments at your convenience.

Yours very truly,

WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED
Planning · Urban Design

Wendy Nott, FCIP, RPP
Senior Principal

cc. C. Corosky, Armel Corporation
City Clerk (for members of Council)
N. Shoemaker



Legend

- City Streets
- Future City Streets
- County Roads
- Railways
- Watercourses
- Waterbodies
- Corporate Boundary

Land Use Designations

- General Residential (Built-Up Area)
- General Residential (Greenfield Area)
- Medium Density Residential
- High Density Residential
- Downtown
- Mixed Use Corridors
- Community Mixed Use Areas
- Commercial Service
- Neighbourhood Mixed Use Centres
- Commercial Residential
- Industrial
- Corporate Business Park
- Institutional / Research Park
- Major Institutional
- Special Study Areas
- Regeneration Areas
- Major Utility
- Open Space and Parks
- Approved Secondary Plans
- Potential School Sites

Natural Heritage System

- Significant Natural Areas
- Natural Areas

Community Design
and Development Services

JUN 1 6 2010

Comment 25

June 14, 2010

City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mayor Farbridge and Members of Council

Re: Guelph Official Plan Update (Released April 19, 2010)

The Guelph and District Homebuilders' Association (GDHBA) has reviewed the proposed Official plan Amendment No. 42. The Official Plan is an important planning document which must be carefully worded and be in compliance with the legislation that permits it to exist. The proposed Official must also be consistent with the 2005 Provincial Policy Statement.

GDHBA objects to the Natural Heritage policies and map schedules of the proposed Official Plan being brought to Council in July ahead of the remainder of the Official Plan. GWDA specifically raised concerns regarding such an important document as the Official Plan coming to Council in July for a decision. Splitting the Official Plan into two parts will create more work for City staff and result in appeals that will have to be consolidated at any future OMB hearings. The Official Plan should be brought forward as one complete document once the issues have been reviewed and resolved by staff.

Impact of Proposed Affordable Housing Policies

The GDHBA is very concerned about the affordable hosing policies proposed in the OPA No. 42. The existing housing stock has a significant role to play in the provision of the affordable housing targets established. The affordable housing targets are not realistic and are not supported by a financial incentive program.

Basis of Legislative Authority

The proposed Official Plan contains a variety of detailed policy areas beyond the legislative authority of the City. The City Legal Department should review the Official Plan on this basis before it comes back to Council for approval.

Unnecessary Secondary Plan Requirements

Secondary Plans proposed as amendments to the official plan are burdensome and unnecessary. The same effect can be accomplished through more detailed planning that is used to finalize the implementing zoning bylaw.

Complex Schedules

There are far too many schedules in the proposed official plan especially pertaining to the Natural Heritage Strategy. These in particular go far beyond the established provincial policies dealing with environmentally significant areas.

Natural Heritage Strategy

In many sections within the Official Plan policies are proposed which go beyond the legislative authority provided to a municipality and should not be included in the Official Plan. The examples are found in the detailed comments within this letter. (Vegetation Compensation Plan, Cash-in-lieu of Trees for example)

The Natural Heritage System (NHS) is not consistent with but exceeds the powers provided by the Provincial Policy Statement (PPS). Areas that are not identified by the PPS as significant and to be protected are proposed to be protected by the proposed NHS policies. The NHS policies propose to protect slopes which are not significant natural features that need to be protected. The NHS then overlays ecological linkages overtop of these slopes. The ecological linkages have in many cases been randomly located or relocated without the benefit of ecological expertise and have no significant ecological function. These matters must be resolved before the Official Plan is brought forward to Council for a decision. The document is unnecessarily cumbersome and should be rewritten.

Please provide a written response to our concerns.

Steve Harris, President
Guelph and District Home Builders Association

cc: Jim Riddell, City of Guelph
Greg Atkinson, City of Guelph

(GDHBA.OPA 42.doc)

Ministry of
Municipal Affairs
and Housing

Municipal Services Office -
Western

659 Exeter Road, 2nd Floor
London ON N6E 1L3
Tel. (519) 873-4020
Toll Free 1-800-265-4736
Fax (519) 873-4018

Ministère des
Affaires municipales
et du Logement

Bureau des services aux municipalités -
région de l'Ouest

659, rue Exeter, 2e étage
London ON N6E 1L3
Tél. (519) 873-4020
Sans frais 1 800 265-4736
Téléc (519) 873-4018

Ontario

June 25, 2010

Ms. Marion Plaunt
Manager of Policy Planning and Urban Design
Community Design and Development Services
City of Guelph
City Hall, 1 Carden Street
Guelph, ON N1H 3T9

Dear Ms. Plaunt,

Re: Proposed Official Plan Amendment No. 42
Official Plan 5 Year Review-Chapter Four Policies
City of Guelph

Thank you for your recent circulation of the above-noted matter. It is understood proposed Official Plan Amendment No. 42 is the second phase of the City's comprehensive Official Plan update. Phase one of the update was approved by the Ministry in 2009 (Official Plan Amendment No. 39) and established a growth management framework for the City to the year 2031. Official Plan Amendment No. 42 proposes to address consistency with the 2005 Provincial Policy Statement, detailed implementation of the City's growth management framework, recent changes to Provincial legislation, recommendations from recent Master Plan and studies, and a range of other planning matters including natural heritage, urban design, cultural heritage, energy conservation, affordable housing, transportation and other community infrastructure. The proposed changes apply to all lands within the municipal boundaries of the City of Guelph.

Regarding process, it is understood Chapter Four titled 'Protecting what is Valuable' is proposed to be adopted by City Council under Section 26 of the *Planning Act* at the end of July, 2010 and the remainder of the amendment will be adopted by City Council under Sections 17 and 22 of the *Planning Act* (Exempt Official Plan Amendment) early next year. Section 26 of the *Planning Act,* as amended, states that before the City of Guelph adopts the policies contained in Chapter Four of Official Plan Amendment No. 42, the City needs to satisfied that the policies are consistent with the 2005 Provincial Policy Statement and conforms with provincial plans. The City of Guelph falls within the jurisdiction of the Growth Plan for the Greater Golden Horseshoe.

On June 7th, 2010, staff from the Grand River Conservation Authority, the Ministry of the Environment, the Ministry of Natural Resources and the City of Guelph met to review and discuss the policies contained in Chapter Four. This was a productive meeting and we commend and thank the City of Guelph for taking the initiative to host this meeting. The comments provided below are being offered for the City's consideration and reflect most of the discussions from our meeting. If/when comments are received from the Ministry of Culture (MCL), they will be provided under separate cover.

Ministry of Natural Resources (MNR)

Section 4.1, Natural Heritage System

In Section 4.1.1 MNR notes both the terms *natural features* and *natural heritage features and areas* are used. MNR also notes that a definition for *natural features* is not included in the glossary and the glossary definition provided for *Natural Areas* refers to the PPS definition for *natural heritage features and areas*. MNR suggests this is potentially confusing given the description in Section 4.1.1 that indicates Natural Areas are comprised of three distinct feature types, whereas *natural heritage features and areas* refers to a greater number and range of features. Given the use of the term *natural heritage features and areas* and its corresponding definition, MNR suggests it may not be necessary to include both terms in the OP.

Further and as discussed, MNR suggests the treatment of *Ecological Linkages* in the context of the City's Natural Heritage System (NHS) is not clear. While Schedule 4 indicates that Ecological Linkages are part of the NHS, the corresponding description of the NHS provided in Section 4.1.1 does not refer to these features. Ecological Linkages are addressed in Section 4.1.5.8 as one of the criterion for the identification of Significant Wildlife Habitat (SWH); however no linkages are mapped on the corresponding SWH schedule (4E). The City may wish to review the NHS framework to clarify the treatment of these features.

Similarly, there appear to be conflicting statements in Section 4.1.1 about the status/treatment of *Natural Areas* within the NHS. It is stated in Section 4.1.1 that Natural Areas are one of two designations that make up the NHS and this is reflected on Schedule 4. Schedule 4 clearly shows Natural Areas as part of the NHS. However, elsewhere in Section 4.1.1 (and in subsequent sections of the OP) MNR notes that Natural Areas require further study to determine whether or not there are features and functions that require long term protection. MNR suggests these statements give the impression that Natural Areas are not part of the NHS unless it can be demonstrated they meet the criteria for inclusion as *Significant Natural Areas* (SNA), and that where a Natural Area is further evaluated and determined to not be significant it would be removed from the NHS. MNR suggests it may be helpful to review and clarify the treatment of Natural Areas within the NHS framework.

Also, MNR notes *Restoration Areas* are identified as *Significant Natural Areas* in Section 4.1.1. However, this term is not defined in the glossary, nor is it included in the definitions that are provided for *Significant* (as used in relation to 'natural areas') or *natural heritage features and areas*. The City may wish to review the use of this term in the OP to determine if any amendments to the glossary or Section 4.1.1 are necessary. Similarly, MNR notes the term *significant portions* is used/italicized in policy (objective) 4.1.2(i) in relation to the Paris Galt Moraine, but a corresponding definition is not included in the glossary. MNR also suggests the City review policy 4.1.3.6 regarding *Restoration Areas* to ensure that the development permissions/restrictions are accurately described. As drafted, the current wording of this policy is somewhat confusing.

MNR suggests that policy 4.1.3.9 be amended, or a new policy added, to recognize that in addition to species designations the boundaries and status of natural heritage features can also change over time. Further, through periodic investigations or site-specific studies that may take place as part of the development application review process (e.g. EIS) new natural heritage features may be identified. MNR suggests the OP should include policy to address the potential for these situations, and to require appropriate recognition in planning processes for newly identified features and/or where a feature's status may have changed. Further, MNR suggests the second sentence in policy 4.1.4.2.3 be reviewed to ensure the policy direction is clear.

Under Section 4.1.5.1, MNR notes that while a policy for development on lands adjacent to Earth Science ANSI is provided (policy 4.1.5.1.3.3) a similar policy for Life Science ANSI does not seem to be included. It also does not appear that policy to address development on *adjacent lands* is included for most of the SNA feature policy sections. As discussed, if the intent is to defer to the

general policy for development on adjacent lands that is provided in 4.1.3.3, then it is not clear why a specific adjacent lands policy has been included for Earth Science ANSI. Further, although a policy prohibiting development in SNA is provided in the general policies section (policy 4.1.3.2), this policy is also reiterated in each specific SNA feature policy section. This appears to differ from the policy approach that seems to have been taken for development on lands adjacent to SNA. The City may wish to review Section 4.1 to ensure consistency in approach.

Section 4.1.5.2 addresses the Significant Habitat of Endangered and Threatened Species. The criterion listed for the identification of such habitat in the OP is "the *Significant Habitat of Provincially Endangered and Threatened Species* identified by the *Ontario Endangered Species Act*...". MNR notes that the '*significant habitat of endangered and threatened species'* is defined pursuant to and for the purposes of the PPS. 'Habitat' may also be defined under and for the purposes of the Endangered Species Act (ESA). The definitions of habitat under the PPS and ESA are different, and while there would likely be a reconciliation of different habitat definitions on any site-specific basis, the section/policy as currently worded seems to confuse the relationship between the PPS and ESA. MNR suggests Section 4.1.5.2 be reviewed to clarify the relationship between the PPS and ESA regarding significant habitat of endangered and threatened species.

MNR notes section 4.1.5.8 addresses *Significant Wildlife Habitat* and defines three criteria for its identification, including 'habitat for provincially *significant* vegetation types'. The habitat for provincially significant (wildlife) species does not appear to be addressed in this section, but is treated as a *Natural Area* feature type (section 4.1.6.3). MNR is not clear why the City has made a distinction between significant vegetation and significant wildlife because a variety of wildlife habitat/values could potentially be evaluated and determined to be SWH (as described in the Ministry's *Significant Wildlife Habitat Technical* Guide). MNR suggests it may be more appropriate to treat habitat for significant wildlife species as a *Significant Natural Area* under *Significant Wildlife Habitat*.

Under 4.2.1.1(a), regarding Environmental Study Requirements, MNR notes the term *Environmental Assessments* is used/italicized but that a corresponding definition is not included in the glossary. Similarly, the term *ecologic function* is used but not defined (although a definition for *ecological function* is provided in the glossary). The City may wish to consider adding definitions for 'Environmental Assessments' and 'Ecologic Function' to the glossary of terms.

As discussed, MNR notes the term 'Environmental Study Report' is used in policy 4.2.1.2 and both terms 'Environmental Study Report' and 'Environmental Implementation Report are used in Section 4.2.1.4. Neither of these terms appear to be used elsewhere in the OP, nor do they appear to be defined in the glossary. MNR suggests the relationship of the Environmental Study Report and Environmental Implementation Report to Environmental Impact Studies (EIS) and Environmental Assessments (terms used earlier and more consistently in the OP) is not clear. MNR also suggests policy 4.2.1.3(iv) should be reviewed to ensure the EIS requirement is clear (e.g. '*description of the* Natural Heritage System, surface water...).

Further, MNR notes that the term *comprehensive environmental impact study* is used in policy 4.3.2.1, but a corresponding definition does not appear to be provided in the glossary and nor is the term referred to in Section 4.2.1.3 regarding EIS. MNR suggests the City may wish to consider adding a definition for 'comprehensive environmental impact study' to the glossary of terms and referencing this term in Section 4.2.1.3.

Under policy 4.4.2.8, MNR notes the term 'designated vulnerable areas' is not defined, and it is therefore not clear what features this would include. Conversely, a definition is provided for the term *sensitive* in the glossary, but this term is not italicized in policy 4.4.2.8. The City may wish to review this policy (and the Water Resources section more generally) to ensure terminology is clear, consistent and linked to the glossary.

It appears policy 4.4.2.14(vii) proposes to place restrictions on certain land uses in 'areas of greatest risk to contamination of groundwater resources'. MNR notes it is not clear from this policy what the 'areas of greatest risk' are interpreted to be. This policy does not seem to be linked to 'sensitive' or 'vulnerable' areas, or the various Wellhead Protection Area (WHPA) categories that are defined in Section 4.4.3.1. MNR suggests that if certain land uses are proposed to be restricted it should be clear in the OP where such restrictions are being contemplated. MNR would be pleased to discuss this further with the City of Guelph.

Mineral Aggregate Resources

While not specific to Chapter Four, MNR notes the OP does not contain mapping or policies related to mineral aggregate resources. This is concerning given that primary and secondary mineral aggregate resource areas are present within the City, notably in the area north of Forestell Road, between the Hanlon Expressway and Downey Road. A licenced mineral aggregate operation (MAO) also occurs adjacent to and partially within the City limit, west of the Hanlon Expressway between Wellington Road and College Avenue.

As discussed, MNR suggests the OP should contain policies to protect the existing MAO and identified resource areas from incompatible development. MNR also suggests policy should be included to allow opportunity for access to resource areas, including provisions for resource recovery where feasible and in conjunction with any future development of the south/southwest area of the City.

Further, MNR notes the natural heritage policies included in the OP restrict development in a wide range of feature types, including non-provincially significant features. MNR suggests some of the natural heritage policies would be unduly restrictive on the development of a mineral aggregate operation.

To address these matters and in keeping with the provisions of the PPS, MNR suggests that a policy framework should be established that provides for the long-term protection of mineral aggregate resources, making resources available close to markets and protecting resource areas and operations from incompatible development.

Mapping

MNR notes Schedule 4A identifies areas of 'Significant Habitat for Provincially Endangered and Threatened Species - Habitat for species provincially designated Endangered (END) or Threatened (THR) in Ontario's Endangered Species Act'. As discussed, MNR is responsible for identifying/approving such habitat, and it is not clear on what basis these areas have been mapped. Further, mapping for species at risk is considered sensitive information and MNR is not necessarily supportive of including such information in a publicly available document such as an OP. As noted above, there is a distinction between 'significant habitat' under the PPS and 'habitat' under the Endangered Species Act, each of which is referred to on Schedule 4A. As a result of our June 7th, 2010 discussions, MNR understands the significant habitat mapping included is based on known occurrences of Butternut. MNR is giving this matter further consideration and may wish to provide additional comments regarding this matter. If MNR provides additional comments, they will be shared with the City under separate cover.

Also, MNR notes Schedule 4B identifies the Speed and Eramosa Rivers as warm water fish habitat. Please be advised these should be considered cool water features and mapped accordingly.

Finally, MNR notes Records for significant species are delineated using numbered dots on Schedule 4E. As a result of our June 7th, 2010 meeting, MNR better understands the use of the numbered dots.

Ministry of the Environment (MOE)

MOE has reviewed Chapter 4 of the City of Guelph Draft Official Plan Update and offers the following comments for the City's consideration.

As discussed at our June 7th meeting, Section 4.4.2.14 iii) speaks to the need for adherence to MOE's "...containment policies and guidelines". The MOE Guideline referred to in Section 4.4.2.14 iii) is unclear however, City staff are confident that a MOE containment requirement guideline exists. MOE requests the containment policies and guidelines referred to Section 4.4.2.14 iii) be specified.

Further, three additional items were discussed at our June 7th meeting. The first item was with regards to the numerous references to an environmental assessment. The second item was a reference to the completion of an *Environmental Study Report* in Sections 4.2.1.2 7 and 4.2.1.4, respectively, and the third item was with regards to groundwater being restored to an appropriate potable condition (Section 4.4.2.14 vi).

As discussed, it is understood the environmental assessment phrases in Chapter Four were in reference to the *Environmental Assessment Act* and the 'Environment Study Report' mentioned in Sections 4.2.1.2 7 and 4.2.1.4, respectively, should have read 'Environmental Impact Report'. Regarding the restoration of groundwater to an appropriate potable condition, it is understood Section 4.4.2.14 vi will be revised to reference Ontario Regulation 153/04. Last, but not least, at our June 7th meeting the City made it clear that they are seeking the support of the Province with respect to the policies contained in Chapter 4.

As alluded to during our meeting and at this time, MOE has not formulated anything specific that would address the *significant landforms* and specifically the Paris-Galt Moraine. However, while the Ministry's EBR Review Response (April 2009) concluded that additional legislation was not required to protect the Moraine, the response also indicated that MOE would develop guidance materials to address the protection of hydrologic functions. The City should continue to seek the advice of the Ministry of the Environment's Land Use Policy Branch in this regard. You may wish to contact Barbara Anderson, Senior Policy Analyst, Ministry of the Environment at: (416) 314-7046 or email: Barbara.Anderson@ontario.ca.

On behalf of our Ministry, and the other provincial Ministries, thank you for the opportunity to review and provide comments on the proposed Official Plan Amendment. If there are any questions or concerns on these comments, please contact me at (519) 873-4695 or by email at: Dwayne.Evans@ontario.ca

Yours truly,

Dwayne Evans

Dwayne Evans, M.A., MCIP, RPP
Planner
Municipal Services Office – Western

c.c Barb Slattery, MOE (Hamilton)
Heather Doyle, MTO (St.Catharines)
Ian Smyth, MTO (London)
Ragini Dayal, MCL (Toronto)
Tanzeel Merchant, MEI (Toronto)
Mike Stone, MNR (Guelph)
Fred Natolochny, GRCA (Cambridge)
Barbara Anderson, MOE (Toronto)

-----Original Message-----
From: Ian Brown
Sent: May 4, 2010 2:30 PM
To: Mayors Office; guelphtribune.com; guelphmercury.com
Subject: Mobile signs

Dear; Mayor

In the development of an official plan and specifically the section related to "design" I am wondering if we can expect that much tighter regulations around the use of mobile signs and the "blight" it is creating will be addressed?

Is it reasonable that ALL non downtown commercial areas (with the exception of Stone Road Mall) and new commercial areas in the city be accompanied by big black neon lettering signage?

Everywhere we go in Guelph is "polluted" with these terrible signs that exist year round. In fact, I see that the City itself is using these signs. The City hence is endorsing there use? And adding to our blight!

This is not an acceptable 21st century version of a window display!

Sincerely, Ian Brown
Sent from my BlackBerry device on the Rogers Wireless Network

ENVISION GUELPH

GUELPH CITY HALL

Date

COMMENT SHEET. 21 APRIL 2010

(OPA 42) PLANNING

SCHEDULE

(7) ROAD & RAIL DRAFT.

LONG TIME NEED (10 YEARS) CONNECTING (BRIDGE) YORK YORK ROAD TO WELLINGTON TO DIRECT ~~TRAFFIC~~ PASSING AWAY FROM DOWNTOWN.

- RING ROADS OUTER & INNER NEEDED TO AID CIRCULATION.

- MANY MORE TRAFFIC CIRCLES NEEDED AT JUNCTIONS TO CALM TRAFFIC & ELIMINATE EXPENSIVE TRAFFIC LIGHTS

- PREPLAN GREEN BELT AROUND CITY TO ACCOMODATE FARMERS MARKETS. AND FUTURE TRAMWAY RING.

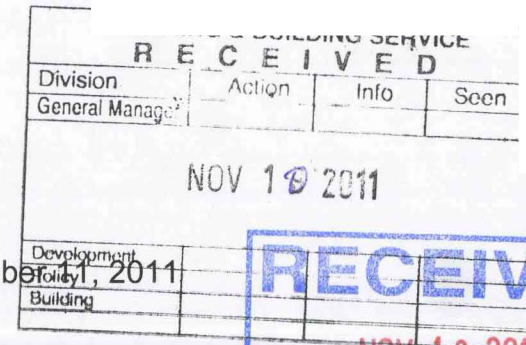
- REVERT CITY TO SQUARE GRID PLAN TO SIMPLIFY TRANSPORTATION ROUTES BUSSES TO CIRCLE (EAST/WEST) AND TRAMWAY LINES TO RUN. (NORTH SOUTH) TO SERVE VILLAGES & WELLINGTON COUNTY. BY POTENTIAL CONTINUOUS EXTENSION

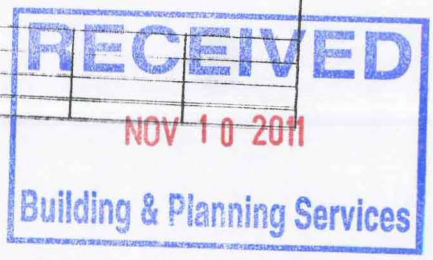
- AMALGAMATE GUELPH & COUNTY WELLINGTON TO SIMPLIFY GOVERNMENT & PLANNING.

Albert H Willis.

[redacted]

GWDA





October 11, 2011

Mr. J. Riddell
Director, Community Design and Development Services
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. Riddell,

RE: Redesignation of the 'Reserve Lands'

The land located south of Clair Road, identified as the 'Reserve Lands' were annexed in 1993 and have yet to be designated for development. In the meantime, approval has been obtained for Hanlon Creek Business Park and Southgate Business Park which upon build-out, has the ability to create tens of thousands of jobs in Guelph.

Recently the Chamber of Commerce made a presentation to a GWDA meeting and identified the shortage of housing as a major constraint to future industrial development in the City of Guelph. There will not be enough housing and choice of housing nearby for future employees. Failure to deal with this situation has the potential to result in an overinflated housing market in the City, employees commuting from other communities and the inability to attract new businesses to the City of Guelph.

Furthermore, the failure to provide the sufficient housing will not result in the creation of complete communities; and the risk of increased commuting is the polar opposite of what the Places to Grow legislation intends.

The City of Guelph Council recently approved OPA No. 42 setting the Natural Heritage Strategy (NHS) for these Reserve Lands. OPA No. 42 is the subject of 14 OMB appeals. The City should defer OPA No 42 as it applies to the Reserve Lands and complete the land use, servicing and traffic studies required to designate these lands for development within the Official Plan.

Section 7.16.4 of the November 2006 Consolidation of the Official Plan states that "the redesignation of 'Reserve Lands' to other land use designations will be considered at the next Official Plan Review." Envision Guelph is the next Official Plan Review and the redesignation of these lands should be occurring as part of the Official Plan Review.

GWDA members were advised that the redesignation of these lands would commence in 2008 and that the funds were available for this redesignation in the Development Charge Reserve Fund. The GWDA therefore requests that City commence with the redesignation of the 'Reserve Lands' as part of the Envision Guelph Official Plan Review.

GUELPH AND WELLINGTON DEVELOPMENT ASSOCIATION • BOX 964 • GUELPH, ONTARIO N1H 6N1
TEL: 519-822-8511 FAX: 519-837-3922

Should you wish to discuss this with us further a group of our members would be willing to meet with you at your earliest convenience.

We thank you for your consideration of this very important issue.

Sincerely,

Guelph Wellington Development Association



Alfred Artinger

President

Mayor Farbridge, Councillors and Planning Staff:

Further to our telephone and email discussions with Mr. Greg Atkinson, we are writing to comment on the draft official plan.

(a) We are the registered owners of the northwest commercial/residential corner at College & Gordon. We are pleased to note that the draft official plan has shown this area as 'neighbourhood mixed use centre'; however, we would like clarification that the boundary of this designation includes, our contiguous holdings at this corner (both 363-369 Gordon Street as well as our additional holding at 1 College Avenue, immediately to the west of the corner.) Furthermore, the Old University CIP recommended that the corner be expanded to the north and west and accordingly, the draft OP should be specifically amended to reflect this. Can you please confirm by return mail or by memo in the OP the inclusion of these two properties in the boundary of this 'neighbourhood mixed use centre' as well as the intent to expand the corner as directed in the CIP.

(b) Again with respect to the same property, we note that the draft OP contains provisions for road widening at this corner. We are strongly opposed to any such widening. Any widening on the west side of Gordon Street or the north side of College would cause a severe and permanent loss of value, use and functionality of this important small neighbourhood site. Furthermore, any widening would be at the expense of the existing sidewalk, making it dangerous for pedestrians. Any road widening contemplated at this corner must therefore be taken on the east side of Gordon or south side of College.

(c) There is a provision for road widening at Victoria approaching Eramosa Road and Eramosa approaching Victoria Road. We would respectfully submit that the city has just completed reconstruction at this intersection and that reference be made in the OP specifically excluding any contemplated road widening at this intersection, or alternatively be taken from the City park on the northwest corner.

Please give us written response to our queries herein. Thank you.

Yours truly,

Robert Mason

Mason Real Estate Limited

Thomasfield Homes Limited

March 28th, 2011

City of Guelph
1 Carden St.
Guelph, ON N1G 3A1

Attention: **Jim Riddell, General Manager**
Planning & Building Services

Re: **Springfield Golf Course, 2054 Gordon Street**

Dear Mr. Riddell,

As the Official Plan review for Guelph is underway, I would like to make the request for consideration of the Springfield Golf Course property in the south end. Twenty two years ago I purchased the land that is now Springfield for future residential development and built the golf course as an interim use within the urban boundary. As you know, my primary business interest is as a developer and homebuilder.

We have been careful stewards of this property and I am proud that Springfield is fully Audubon certified.

Since our land is currently designated as "Open Space", I would like to request that residential use is the future designated use in the updated Official Plan. The conversion of this property to residential will assist the City in meeting the Places to Grow population target. As the population of Guelph continues to grow and the new Hanlon Creek Business Park and Southgate Business Park bring in new jobs, there will be a need for future residential development, particularly in the south end. Therefore I kindly request that you consider 2054 Gordon Street for future residential use. I thank you for your co-operation and consideration.

Sincerely,

Tom Krizsan

CC: Astrid J Clos, Planning Consultants

295 Southgate Drive, P.O. Box 1112, Guelph, Ontario N1H 6N3
Phone: (519) 836-4332 Fax: (519) 836-2119 info@thomasfield.com

From: Mike Salisbury
Sent: October 11, 2011 6:15 PM
To: Jim Riddell
Subject: Recommendation to the May 2010 DRAFT Official Plan Update

Jim Riddell
Planning Services, Guelph City Hall
1 Carden Street, 3rd Floor, Guelph, Ontario, N1H 3A1

DRAFT Official Plan Update - Request to extend the Community Mixed Use Area designation along the West side of Silvercreek Pkwy South to Waterloo Avenue

HAND DELIVERED AND EMAILED - OCTOBER 11 2011

Dear Jim:

On behalf of the landowners of 211 Silvercreek Parkway South (aka 501 Wellington Street) we respectfully submit this recommendation to the May 2010 DRAFT Official Plan Update for your consideration.

The property consists of approximately 2.5 acres, is home to the historical Sleeman Manor, is located within approximately 150 meters of the approved Silvercreek Junction Secondary Plan and is bounded by

- a diverse mix of uses including a six storey residential apartment tower to the North
- single family detached homes and a place of worship to the East,
- vacant City owned property (remnants from the Wellington street realignment) and several 11 storey residential apartment towers to the South/East,
- Wellington Rd and the Speed River Park to the South and the Hanlon Expressway to the West.

The City of Guelph Official Plan 2001 designates the property as “General Residential” while the site is currently zoned Specialized Service Commercial.

The extension of the Community Mixed Use designation along the West side of Silvercreek Parkway South to Waterloo Avenue brings the Official Plan in alignment with the current land use and existing SC.1-21 zoning while contributing to the creation of a compact, well-defined node at the intersection of Highways 7, 6 and 24.

We believe this update is in keeping with the urban design policies and guidelines of the Official Plan Update, by facilitating a range of uses including, retail and office uses, live/work opportunities, and medium to high density residential uses consistent with the character of the neighbourhood.

Thank you for the careful consideration of this request.

Mike Salisbury

To the Guelph City Council:

I am writing in respect to Schedule 7 of the draft Guelph Official Plan update. Residents of many neighbourhoods, particularly throughout the older parts of the City, are extremely frustrated by the City's lack of progress in implementing effective traffic calming measures. Road classification is part of the backbone to good traffic calming.

The example that concerns me most is Regent Street. The update in the OP provides an opportunity to reclassify it as a Local road. There are several reasons why it should not be classified as a Collector.

1. It is significantly narrower than the desired width for Collectors (which is a minimum of 8.5 metres of pavement). I wonder if in determining the width of Regent St city staff have incorrectly considered the two separate Regent Streets to be one street. Note that "lower" Regent is 5-10 metres below the elevation of "upper" Regent, and separated by a huge concrete wall. These two separate streets should not be considered to be one street. Is lower Regent proposed to be a collector as well? It neither leads from anywhere, nor goes anywhere, except to about 5 residences.

2. According to the OP, on collectors "direct access to private property may be permitted, but controlled to avoid traffic hazards." Nothing is being done to control traffic hazards for the residents of (upper) Regent St. Because it is on a hill, drivers are generally accelerating to climb it, or speeding down it. Regent is a short stretch of straight road, and it is difficult for residents exiting onto it from their driveways to see approaching vehicles in time.

3. It is very dangerous for pedestrians (and there are a lot of them) crossing at the corner of Regent and Grange. There is no sidewalk at the top of the stairs on Grange, so pedestrians have to cross at that corner. But there is no crosswalk to allow them to cross safely. Traffic volume and speeds are high as is common on collectors, and non-regulated; pedestrians do not have enough time to cross safely.

Thank you for your consideration.

Sincerely,

Meg Thorburn

May 20, 2010

Lois Giles
City Clerk
City of Guelph
City Hall
1 Carden Street
Guelph, ON
Phone: 519-837-5603
Email: clerks@guelph.ca

MAY 20 2010
CITY CLERK'S OFFICE

Dear Ms. Giles,

Please accept this letter as comment to the Official Plan Update for the City of Guelph, scheduled for public meeting on May 20, 2010.

We intend to continue operating our business at [redacted] with the potential for future expansion and development at our location. It is our hope that the official plan will not hinder our operation or the potential for future expansion or development at our location.

Thank you,

Fritz and Teresa Marthaler

BLACK, SHOEMAKER, ROBINSON & DONALDSON
LIMITED

BSR&D Ontario Land Surveyors
Urban and Rural Planners

351 Speedvale Avenue West
Guelph, Ontario N1H 1C6

TEL: 519-822-4031
FAX: 519-822-1220

May 19, 2010

Project: 03-5169

Ms. Suzanne Young
Environmental Planning
Community Design and Development Services
City of Guelph
1 Carden Street
GUELPH, Ontario N1H 3A1

Dear Ms. Young:

Re: River Valley Developments Inc.
(Guelph Do-Lime Property)
Draft Official Plan and Natural Heritage System

I am writing to you on behalf of the owner of the above-noted property and wish to advise you of my client's objection to the proposed "Open Space and Parks" land use designation that is identified on the "Schedule 2: Land Use Plan". You will recall that we discussed this matter some time ago and staff was to investigate a possible mapping error in this area.

River Valley Developments owns the lands between the west side of the Hanlon Expressway and the City of Guelph Corporate boundary, extending from Stone Road, north to the Speed River. These lands are within a licensed quarry operation. The proposed "Open Space and Park" designation is inappropriate on this property.

In addition, the owner's environmental consultant wrote to the City in October 2008 identifying a number of concerns regarding the designation of a small wooded area adjacent to the Hanlon Expressway as part of the Natural Heritage Strategy. This continues to be a concern to my client. The draft Official Plan includes a "Locally Significant Natural Areas" designation on these lands. It is not clear in the text of the Official Plan what is contemplated with this designation. Until we receive a response to the concerns raised in correspondence from North-South Environmental, the owner continues to have objections to this proposed designation.

We would welcome the opportunity to discuss this matter in greater detail as you move forward with this Official Plan update.

Yours truly,

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

Nancy Shoemaker

Nancy Shoemaker, MCIP, RPP

Copy: River Valley Developments Inc.
Marion Plaunt, Manager of Policy Planning
Jim Riddell, Director of Community Design and Development Services
John Valeriote, Smith Valeriote

A. B. DONALDSON, O.L.S., O.L.I.P. I. D. ROBINSON, B.Sc., O.L.S., O.L.I.P. K. F. HILLIS, B.Sc., O.L.S., O.L.I.P. N. C. SHOEMAKER, B.A.A., M.C.I.P., R.P.P.
R. J. SIBTHORP, B.Sc., O.L.S., O.L.I.P. S. W. BLACK, O.L.S. (1917 - 2007) R. L. SHOEMAKER, O.L.S. (1923-2008) W. F. ROBINSON, O.L.S. (Retired)
BRIAN BEATTY, B.A.A., M.U.R.PL

AIRD & BERLIS LLP
Barristers and Solicitors

Steven A. Zakem
416.865.3440
E-mail: szakem@airdberlis.com

VIA FACSIMILE

May 20, 2010

File No. 94693

Mayor and Members of Council
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

Attention: Lois A. Giles, City Clerk

Dear Ms. Giles:

Re: Proposed Official Plan Amendment No. 42
Public Meeting Date: May 20, 2010

We are counsel to Silvercreek Guelph Developments Limited. As the City is aware, our client owns approximately 22 hectares of land known municipally as 35 and 40 Silvercreek Parkway South (the "Lands"). The Lands comprise a former gravel pit and ready-mix plant and have been vacant since 1994.

In January 2010, the Ontario Municipal Board approved our client's applications, supported by the City and the Howitt Park Neighbourhood Residents Association, for an Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use development comprised of a Mixed Use Node, Business Park and High Density Residential components. The approval followed a five-year process of application review and negotiations between the parties. Since that time, our client has been progressing toward the next stage of approvals.

We have reviewed the policies of proposed Official Plan Amendment No. 42 and have the following comments on behalf of our client:

1. Schedule 4D depicts a Regulatory Flood Plain not only along Howitt Creek but also along an east-west watercourse which has been shown not to exist on the subject lands and has been removed from Schedule 4 (Natural Heritage System). Likewise, Schedule 5 (Development Constraints) incorrectly shows a Regulatory Flood Line along the same watercourse.

2. Schedule 2 (Land Use Plan) of OPA No. 42 ought to be revised to remove the Silvercreek stormwater management area (east of Howitt Creek) from the "Significant Natural Area" designation due to its stormwater management function.

3. The Urban Design policies of OPA 42 (section 7.5) include the following:

> *"5. Reverse lotting onto natural areas and other components of the public realm are discouraged.*
>
> *6. Buildings should be oriented to maintain public vistas of and visual access to natural features on lands adjacent to the site.*
>
> *7. Streets should create view corridors and vistas of significant natural areas, the river valleys and park facilities."*

These policies have the potential to conflict with the concept plan which forms part of the instruments approved by the Board and has been incorporated into the proposed Silver Creek Junction Secondary Plan.

4. Section 8.5.1.5 (Parking) states that, in the Community Mixed Use Area designation, underground or structured parking will be encouraged and that surface parking shall only be permitted in the rear and side yard. This policy may well result in a conflict with the concept plan which forms part of the Secondary Plan. As you know, this concept plan formed the basis of the settlement between the City and Silvercreek, was endorsed by the Board and is specifically referenced in the Minutes of Settlement.

5. The policies in sections 7.10 and 7.11 (Mid-rise and High-rise Buildings) encouraging below-grade parking with limited visitor surface parking may make the high density residential development of the Silvercreek lands a challenge.

6. Policy 7.14, which states that, "Parking adjacent to identified natural heritage features and associated buffers should be avoided" may be incompatible with the concept plan in the Secondary Plan.

7. The policies pertaining to "Community Mixed Use Area" (section 8.5.1.2) provide that:

> "iii) residential uses should be provided primarily above commercial uses in addition to some free-standing residential buildings; and
>
> iv) the width of storefronts should be limited to encourage pedestrian activity along the street. ...
>
> 8. The Zoning By-law may establish the maximum length of frontage along arterial roads that may be used for surface parking. This provision may provide different standards for various land uses with the most restrictive standard applying to mixed use and main street type development."

Since the Zoning By-law Amendment with respect to the Silvercreek lands has already been approved, the potential inconsistency between these provisions and the Silvercreek plan is not of immediate concern. However, we would request that the lands be exempted from the application of these policies.

8. Policy 8.5.1.3, paragraph 2, states that "2. Drive-through facilities of any type, vehicle sales and vehicle related uses, including vehicle service stations shall not be

permitted." This is inconsistent with the approved Zoning By-law for the Silvercreek lands which states that "Drive-Through Uses shall be prohibited within 30 metres of the Market (Public) Square."

9. Policy 8.5.1.3, paragraph 4, states as follows: "The permitted uses can be mixed vertically within building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development." We assume that the effect of this policy would not be counter to the concept plan and reasonable modifications thereto.

10. The maximum FSI set out in section 8.5.1.4 may not correspond to the development approved in the Secondary Plan.

11. The draft policies of the Silver Creek Junction Secondary Plan indicate that, "Where there is a conflict between the provisions of this Secondary Plan and the Official Plan, the provisions of the Secondary Plan apply." This appears to leave a measure of uncertainty as to what would constitute a conflict. For instance, the Silvercreek Official Plan Amendment approved by the Board intentionally requires "a minimum building massing equivalent to two storeys (7.6m)", whereas proposed OPA 42 states that "development shall be a minimum of two storeys of usable space" in the Community Mixed Use designation.

12. The Minutes of Settlement between the City and Silvercreek indicate that the City would bring forward an amendment to its Brownfield Community Improvement Plan to permit retroactive applications under the TIBGP, for eligible costs, notwithstanding the fact that the costs were not pre-approved by the City. We would request that such an amendment be brought forward.

Our client respectfully requests a site-specific exemption from any policies in the proposed Official Plan Amendment which would be inconsistent with the instruments endorsed by Council and approved by the Board with respect to the Silvercreek lands.

Given our understanding that the City's work on fine-tuning OPA 42 is ongoing, our client may have additional comments with respect to the proposed policies as the process progresses.

We would be pleased to discuss this matter further with City Staff.

Yours very truly,

AIRD & BERLIS LLP

Steven A. Zakem
SAZ/TH

Cc: Silvercreek Guelph Developments Limited
Greg Atkinson
Scott Hannah
Peter Pickfield

6743916.2

May 20, 2010

Madame Mayor and Councillors:

RE: Envision Guelph – City of Guelph Proposed Draft Official Plan

At a Kortright Hills Community Association meeting on May 19, 2010 a discussion was held with respect to the proposed changes contained in Draft Schedule 2: Land Use Plan and Draft Schedule 8; Trail Network and how these proposed changes may impact the residents in Kortright Hills. The majority of members present supported KHCA opposing the changes to re-designate portions of Kortright Hills to medium density. The trail linkage from Hazelwood to Downey was also discussed. Recognizing that all members of KHCA Inc. were not present at our meeting, we understand that our position may not represent the neighbourhood and membership as a whole and that individual members and residents still have the right to express their support, concerns and objections for the proposed OPA changes in writing or at meetings.

Proposed medium density: (see attached map)

Specifically, comments and concerns were received with respect to the proposed medium density designation on Niska Rd., Teal and 146 Downey these include:

General Comments about increased density:

- Potential negative impacts of increased density on quality of life of existing residents
- Increased density must be compatible with and not negatively impact adjacent residents and our community as a whole
- OPA policies should support compatible development in existing neighbourhoods
- More density will further exacerbate existing traffic problems
- Residents cannot support higher density in Kortright Hills as no comprehensive traffic management plan has been conducted.
- Concern about economic impacts of growth and increased property taxes

146 Downey Rd.

Since 146 Downey Road will be covered by a site-specific zoning by-law under the provisions of the in-force Official Plan, it would be inappropriate to re-designate the site as "Medium Density Residential" in the proposed Official Plan amendments. City Staff, adjacent residents and the developer have already gone through an extensive consultative planning process with agreements reached for a 45 unit development. Any future developer should be bound by the same site-specific by-law, if, for whatever reason, Seaton Ridge were unable to develop the site.

Therefore KHCA cannot support the proposed re-designation of 146 Downey to medium density.

Teal Drive

Proposed re-designation to medium density from R-3 to change the existing minimum and maximum density and allow up to 5 storey apartment buildings on lands already zoned for R3 - cluster townhomes.

This cluster townhouse straddles lands in Phase 4 of Kortright Hills and lands that are part of the Hanlon Creek Business Park. This zoning has already gone through an extensive public planning process as part of Kortright Hills Phase 4 and the Hanlon Creek Business Park. The Draft Plan of Subdivision and zoning approved by the OMB appears to show the portion of the lands proposed for re-designation in the HCBP as R3 which does not appear to allow the proposed medium density with potential for up to 5 stories. Therefore KHCA cannot support this proposed re-designation.

Niska Rd.

On April 9th 2010 a request was made to planning staff for further information with respect to the maximum number units that could be allowed on Niska related to the number of hectares to be re-designated to medium density residential. In other words how many 5 storey apartments could potentially be built if the lands were rezoned? To date we have not received this information. Without this information there is insufficient information to evaluate what impacts higher density will have on residents on Ptarmigan and the community as a whole.

Residents along Niska Rd. are already negatively impacted by regional traffic from Highway 24. Niska RD. was originally designed to discourage regional traffic. Niska was not designed to be an arterial road. Without a comprehensive traffic management plan the re-designation of lands on Niska to medium density will further aggravate existing health and safety problems related to traffic and is therefore inappropriate.

The one lane Bailey bridge is a courtesy bridge with history of fatalities and accidents. A one way traffic light at this bridge could potentially alleviate some of the safety issues at this bridge. Members did not support the upgrading of the bridge to a 2 lane structure as this would only increase regional traffic. The current road grades and elevations are not safe for the existing volume of traffic especially in winter. The intersection of Niska and Downey meets the warrants for traffic lights but may not be permitted related to the location of Woodland Glen and the Hanlon.

The Niska Rd. Environmental Assessment is needed before any changes in density are approved.

Medium density on Niska does not appear to support the OP principles of a walk able, compact community as this proposal is on the fringe of the city and there are few services in this area.

Higher density may impact the ecological integrity of the adjacent Speed River PSW.

The proposed minimum density does not allow flexibility in future zoning proposals.

Proposed Re-designation of lands on the north side of Niska to Open Space and Park.
To date there has been no community consultation with respect to this are as regional "major sports complex.

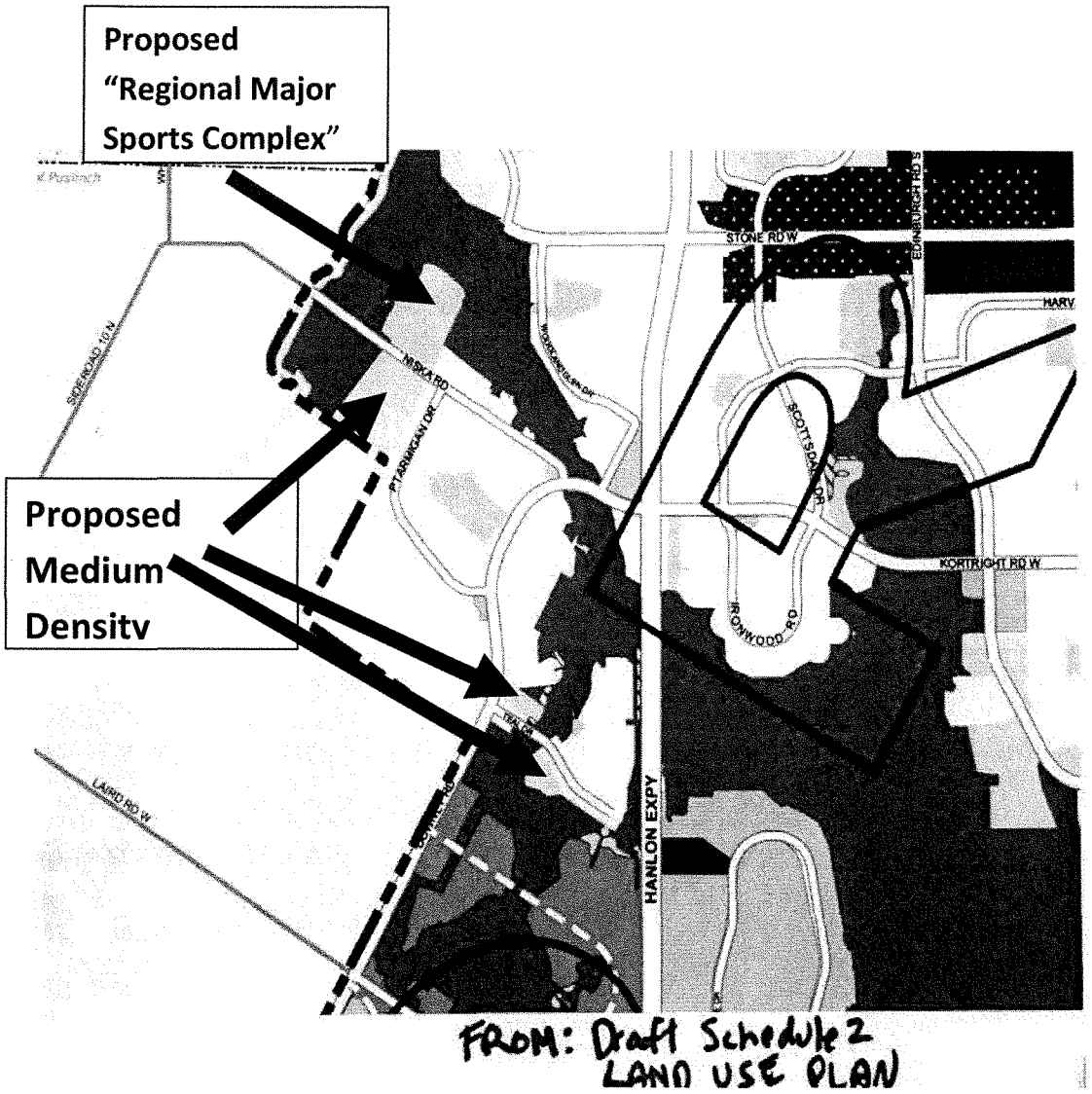
Residents supported the re-designation of these lands as open space but did not support the plan for a regional "major sports complex" on these lands as an appropriate use. This area is part of the adjacent lands to the Speed River PSW and should be zoned for passive parkland uses only. The land could be reforested.

Proposed Trail Linkage on OP Draft Schedule 8 from Hazelwood to Downey (see attached map)

As one member put it this trail is in a "rubber boot area". This proposed trail appears to be within close proximity to an identified provincially rare vegetation community. Concerns were raised about negative impacts to the ecosystem. Members agreed that a trail could be supported if it was appropriately designed and constructed did not impact the ecological integrity of the wetland. The area would need good trail stewardship post development.

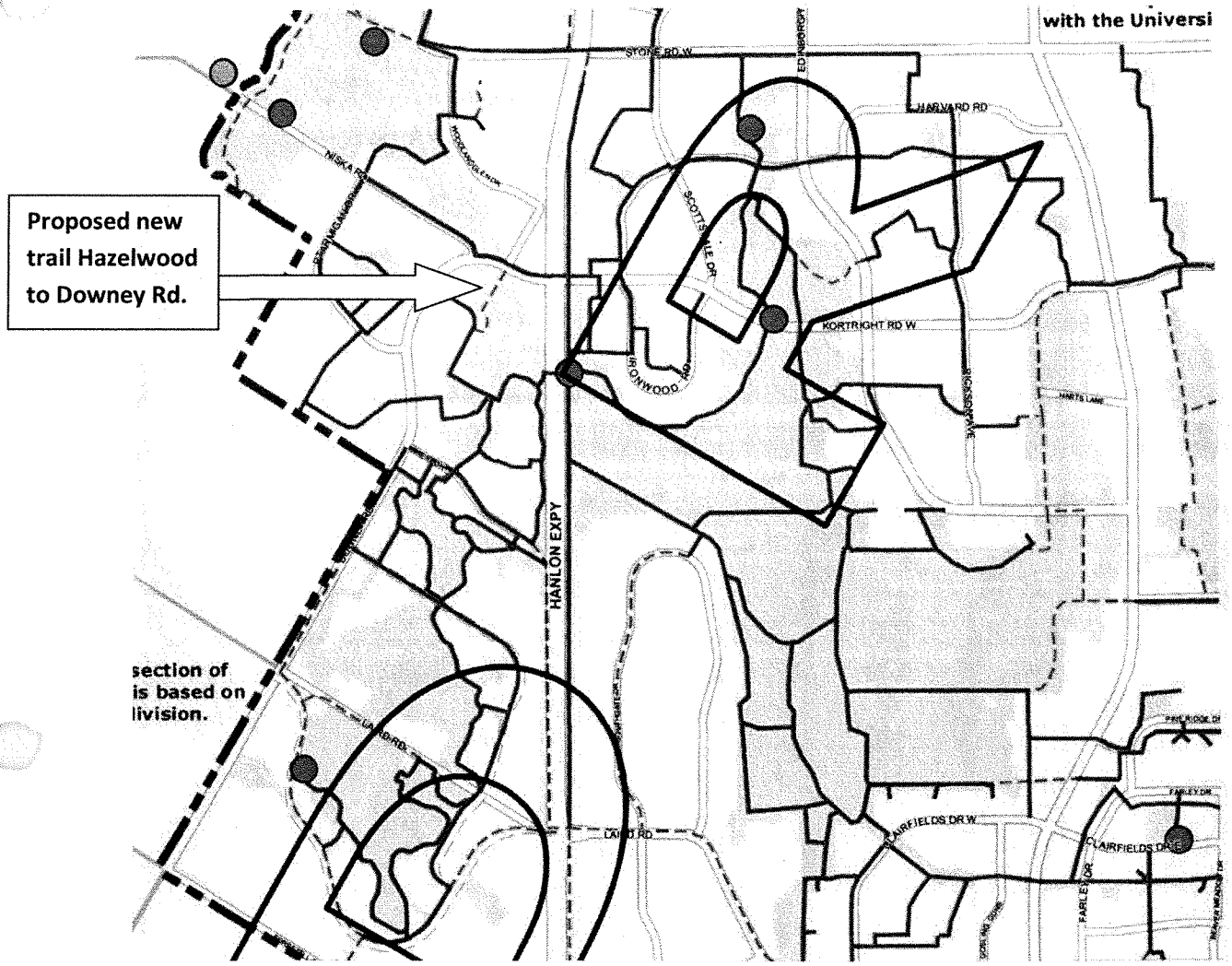
Respectfully submitted on behalf of KHCA Inc. by:

Laura Murr
President KHCA Inc.



Attachment #1

Extracted from - From City of Guelph Draft OP Schedule 2 Land Use Plan



Attachment 2 Extracted From: City of Guelph OP Draft Schedule 8: Trail Network

Comment 46
RECEIVED
MAY 19 2010
CITY CLERK'S OFFICE

GSP group

SHAPING GREAT COMMUNITIES

May 18th, 2010 File No.: 6058.30

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attn: Lois Giles, City Clerk

Re: Draft Official Plan
Gordon Creek Developments Inc.
1291 Gordon Street, Guelph

PLANNERS
URBAN DESIGNERS
LANDSCAPE ARCHITECTS

As the authorized agent for Gordon Creek Development Inc., we are pleased to provide comments on the draft Official Plan for the City of Guelph ("draft OP"), dated April 2010. We appreciate the opportunity to provide comments on this important initiative.

By way of background, Gordon Creek Development Inc. submitted a Zone Change application in July of 2009 for land known municipally as 1291 Gordon Street (the "Site"). The Zone Change application is requesting that the Site be rezoned to permit a 6-storey multi-residential building plus one level of underground parking. We note that GSP submitted previous comments on February 24th, 2010 on behalf of Gordon Creek Development Inc. regarding the draft Natural Heritage Strategy.

Schedule 1 ('Growth Plan Elements') to the draft OP identifies the Site as being part of the "Built-up Area" with an "Intensification Corridor Overlay". The Site is designated on Schedule 1 ('Land Use Plan') as "Medium Density Residential" and "Significant Natural Area". Schedule 4, the 'Natural Heritage System' illustrates an "Ecological Linkage" on the Site (deer corridor).

The 'Areas of Natural and Scientific Interest, Habitat for Provincially Threatened and Endangered Species Significant Wetlands' map (Schedule 4A) illustrates the Provincially Significant Wetland (PSW) and wetland buffer on the Site as extending to Gordon Street.

GSP Group Inc.
72 Victoria Street S., Suite 201
Kitchener, ON N2G 4Y9
P 519.569.8883
F 519.569.8643

www.gspgroup.ca

Our comments relate to two general policy areas in the draft OP:

1. Proposed buildings heights in Medium and High Density Residential Designations
2. Wetland and wetland boundary mapping

Item #1: Proposed Building Heights

The draft OP permits a maximum building height of five (5) storeys and a maximum density of 100 units per hectare in the Medium Density Residential designation. We note that the existing Official Plan does not provide a height limit on the Site ("General Residential" designation) and regulates building form through a maximum permitted density of 100 units per hectare. In light of the existing policies, an Official Plan Amendment was not required on the Site to permit the proposed six (6) storey residential building plus an underground parking level. The applicant applied to the City for a Zoning By-law Amendment to implement the existing General Residential Designation.

While the building height in the new Medium Density Residential designation is proposed to be limited to five (5) storeys, the Site forms part of intensification corridor. The intensification corridor is to be planned to achieve *'increased residential and employment densities that support and ensure the viability of existing and planned transit service levels'*. Land on the east side of Gordon Street (across from the Site) also forms part of the intensification corridor and is designated "High Density Residential". This designation permits a building height of ten (10) storeys. Land immediately south of the Site is designated as a "Neighbourhood Mixed Use Centre".

Section 7 of the draft OP outlines the urban design policies for the City. Section 7.8.1 states that the built form for new buildings shall *'have front façades with entrances and windows that face the street and that reflect and, where appropriate, enhance the rhythm and frequency of the prevailing neighbourhood pattern'*. The draft OP states in Section 7.10 that the built form for mid-rise buildings is between four (4) to six storeys (6) and high-rise buildings are above six (6) storeys. Where there is a transition between different land uses:

> *Development will be designed to create an appropriate transition through the provisions of roads, landscaping, spatial separation of land uses and compatible built form. Where proposed buildings exceed the built height of adjacent buildings, the City may require the new buildings to be stepped back, terraced or set back to reduce adverse impacts on adjacent properties and/or the streetscape (Section 7.13.1 and 7.13.2).*

We would appreciate the opportunity to discuss with the City the rationale for the height limitation of 5 storeys on the Site given our current zoning application and the proposed "High Density" designation on the east side of Gordon Street. Further, the urban design policies envision mid-rise building form between four (4) to six (6) storeys in height, while the policies for the Medium Density Residential limit the height to five (5) storeys.

Item #2: Wetland Boundary Delineation

Draft Schedule 4B, 'Areas of Natural and Scientific Interest, Habitat for Provincially Threatened and Endangered Species Significant Wetlands' map to the draft OP illustrates the location and extent of wetlands and the associated buffers in the City. The map illustrates the Provincially Significant Wetland (PSW) and wetland buffer on the Site as extending to Gordon Street.

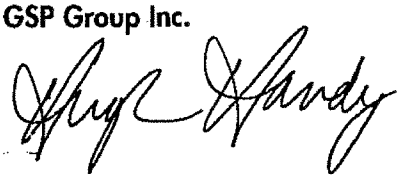
It is our understanding through conversations with City staff that this schedule was generated from the base mapping information prepared by the Ministry of Natural Resources using aerial photography. Both the Official Plan and watershed mapping delineated the extent of wetlands in the City through the use of aerial photography as opposed to on-site investigations.

As part of the Zone Change application for the Site, the applicant retained Stantec Consulting to prepare an Environmental Impact Statement (EIS). The EIS included an on-site evaluation of the wetland and delineated the actual extent of the wetland and wetland buffer. The extent of the wetland on the Site, as illustrated in the EIS, has been confirmed by both the Grand River Conservation Authority and the City of Guelph and endorsed by the Guelph Environmental Advisory Committee on April 14th, 2010. We would request that Schedule 4B be updated to reflect the actual extent of the PSW and the 30 metre wetland buffer boundary.

We would be happy to discuss these issues in greater detail with the City. Also, we would appreciate a written response to the issues raised in this letter. Should you have any questions or comments in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate

cc: Paul Aneja, Gordon Creek Development Inc.
Mickey Grover, Gordon Creek Development Inc.
John Valeriote, Smith Valeriote, LLP
Joe Harris, Stantec
Gwendolyn Weeks, Stantec
Jessica McEachren, City of Guelph
Katie Nasswetter, City of Guelph

UNIVERSITY of GUELPH

OFFICE OF THE VICE-PRESIDENT
Finance and Administration

May 17, 2010

Mayor Karen Farbridge
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mayor Farbridge,

RE: Draft Guelph Official Plan Update

The University of Guelph welcomes the opportunity to provide comments to you and City Council on the proposed changes to the Official Plan as they affect University properties. For ease of reference, we have provided the comments below as they pertain to each property:

1. **Edinburgh and College (17 acres)** - Change from "General Residential" to "High Density Residential"

Comment: The University does not object to this change and understands that it is consistent with the City's stated intention of intensification in the urban area.

2. **Dairy Bush** - Change from "Non-Core Greenlands Overlay" to "Significant Natural Areas."

Comment: We do not object to this change which is consistent with the intent of the University Campus Master Plan.

3. **Wellington Woods Student Family Townhouses** - (11 acres) - from "Institution/ Research Park" to "High Density Residential."

Comment: The University does not support this change. We wish to retain the ability in the long term to extend the existing Research Park south of Stone Road West should the existing family student housing cease to exist. There is no plan at this time to change the current use of this site as student family housing. However, looking to the future, given the location and the importance of having land available to support the significant Agri-Food and Life Science sectors, we believe that it is important to retain the current "Institutional / Research Park" designation for this strategic 11 acres. We believe that this is consistent with the City's long-term economic development plans to attract future employers in the agri-food and life sciences sectors to Guelph.

4. **Holiday Inn on Stone Road West** (5.5 acres), **U. of G. Stone Road Retail lands**, including Edinburgh Market Place and the Zellers/Canadian Tire/Future Shop lands- from "Intensification Area" to "Mixed Use Corridor"

Comment: The University supports these changes as they reflect the current uses and will permit a wide range of retail and service uses, plus medium to high density residential and offices.

5. **Brown's Wood** - change from "Major Institutional" to "Significant Natural Areas"

Comment: The University supports this change provided the uses anticipated by the OVC as part of its overall teaching/clinical role related to small animal care are permitted under the "Significant Natural Areas" designation. Attached please find a copy of letter to the City's planning staff that outline the intended uses.

6. **University Arboretum** - changes from "Major Institutional with Core Greenlands and Non-Core Greenlands Overlay" to either "Significant Natural Areas" or "Locally Significant Natural Areas"

Comment: The University generally supports the proposed changes; however, we are seeking clarification on the aerial extent of the two designations to ensure that existing and proposed buildings in the Arboretum are not affected. We will provide additional comments once this determination has been made.

7. **Turf Grass Institute,** east on Victoria Road, change from "Major Institutional" to "Special Study Area."

Comment: The University has no comment on this proposed change for provincially owned lands which are now used as the Guelph Research Station managed by the University as part of the OMAFRA Agreement. We look forward to participating and commenting on the policies land use initiatives at the secondary plan process.

The University welcomes the opportunity to provide these comments. We look forward to further dialogue and discussions with the City prior to the adoption of the Official Plan Update.

Yours truly,

N. Sullivan

Nancy Sullivan,
Vice President (Finance and Administration)

C: Robert J Carter, Assistant Vice-President (Physical Resources)
P. Wong, Director (Real Estate Division)

Comment 48

November 29, 2011

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mr. Todd Salter, Manager of Policy Planning

Re: Envision Guelph
Gordon Street and Clair Road West
Herbert Neumann, Frank Cerniuk, Sieben Holdings Limited,
H and J Produce Limited and McEnery Industry Limited

I am providing this letter on behalf of the owners of this property which include, Herbert Neumann, Frank Cerniuk, Sieben Holdings Limited, H and J Produce Limited and McEnery Industry Limited (Neumann Property). The area of this property is approximately 40.4 hectares.

The designations for this property in the current Official Plan include Mixed Use Node, Corporate Business Park and Industrial with a Non-Core Greenland Overlay on the southern portion. The Non-Core Greenland Overlay permits development with an approved Environmental Impact Study.

The property was annexed into the City in 1993 and has been marketed as Corporate Business Park and Industrial for many years with no interest from any purchaser. The only designation with any market interest has been the Mixed Use Node which was recently severed and sold and is now subject to a Zone Change application by Sobeys. There remains a Mixed Use Node designation on the Neumann Property which is 40m in depth along the extension of Gosling Garden.

OPA No. 42 (Natural Heritage Strategy), which proposes to sterilize from development much of this property, is under appeal by the landowners.

The Draft Official Plan (Envision Guelph May 2010) now in circulation, proposes to designate the property as Corporate Business Park and appears to recognize the OPA No. 42 designations which are under appeal.

The landowners are hereby requesting that the City change the designation to General Residential through a comprehensive municipal review as part of this Official Plan Envision Guelph process.

The City of Guelph Employment Lands Strategy was prepared in July 29, 2008 by Watson & Associates. The conclusions of this study are as follows:

> *"Over the short to medium term (i.e. 2008 to 2013) the City has identified that approximately 267 hectares (661 acres) of employment lands will be serviced within the Hanlon Creek Business Park and South Guelph Industrial Area."* (Page 5-6)
>
> *"In accordance with the existing net developable supply of vacant employment lands, the City has an adequate amount of designated employment lands to accommodate future demands on employment lands to 2031;* (Page 8-3)
>
> *By 2031 a surplus of 238 net ha (588 net acres) has been identified in accordance with the employment growth forecast and land needs analysis in Chapters 6 and 7 of this report;"* (Page 8-3)

The City appears to have a healthy supply available of short, medium and long term employment lands. In fact, a surplus of 238 hectares (588 acres) has been identified by the City's Employment Lands Strategy by 2031.

The City's Employment Lands Strategy also identified important market choice requirements for employment lands. These market requirements include:

> *"• neighbourhood and setting;*
> *• visibility;*
> *• highway access;*
> *• topography;"* (Page 5-2)

The market requirements identified in the City's Employment Lands Strategy are consistent with our experience trying to actively market this property over many years. The Neumann Property has no highway access, has topography which is virtually impossible to grade to accommodate the need for large, flat industrial sites, visibility is very poor to the Neumann Property and the neighbourhood setting is parkland, recreational facilities, residential, shopping and schools. Clearly the site does not meet the market requirements for employment lands and the market agrees since there has been no uptake on this land over many years of having a willing seller.

An important concept that the City's Employment Lands Strategy also identifies is that,

> "ensure that the City's employment demand is not unduly constrained by a lack of appropriately designated supply." (Page 7-7)

In other words, if inappropriate lands are designated as employment lands that will never proceed to be serviced and available, the City's employment demand will be

unduly constrained. The Neumann Property, by being designated Corporate Business Park, with no prospect of ever proceeding to be part of the employment land supply, is actually hurting the City's ability to designate appropriate employment lands that meet the market requirements that will proceed to be serviced and available.

We, therefore, respectfully request that the City seriously consider the designation of the Neumann Property as General Residential. In addition, we believe that Envision Guelph should not proceed ahead of the resolution of the OPA No. 42 appeals at the OMB. Once the OPA No. 42 appeals have been resolved by the OMB the City will know the Natural Heritage designations that they are dealing with in the revised Draft Official Plan.

Could we please meet with you to review the status of the Official Plan process and how it impacts our property. I can be reached at [redacted] to set up this meeting. Please also provide us with all notices of Public Meetings, Open Houses and the release of documents related to the Official Plan. Thank you very much for the consideration of our request.

Yours truly,

Herb Neumann

cc: Mayor Farbridge and Members of Council

ASTRID J. CLOS
PLANNING CONSULTANTS

December 16, 2011 Project No: 1131

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Todd Salter, RPP, MCIP, Manager of Policy Planning

Re: **Lowes Road Area**
[redacted]
Envision Guelph

Thank you for meeting with us on December 2, 2011 to review the Draft Official Plan policies and designations as proposed in the Envision Guelph Draft Official Plan (released April 19, 2010). As discussed at our meeting, [redacted]

Current Official Plan (November 2006 Consolidation)

The current Guelph Official Plan designates the subject properties as General Residential. The General Residential designation permits all forms of low-rise residential development subject to the development criteria found in policy 7.2.7 being satisfied. (7.2.31) The maximum density permitted in the General Residential designation is 100 units per hectare. (7.2.32)

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

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

It is my understanding that within current Official Plan in the "General Residential" designation on the subject properties, townhouses and apartments with a maximum density of 100 units per hectare (in conformity with the Official Plan policies) are permitted without an amendment to the Official Plan.

423 Woolwich Street, Suite 201, Guelph, Ontario, N1H 3X3
Phone (519) 836-7526 Fax (519) 836-9568 Email astrid.clos@ajcplanning.ca

OPA No. 39 (Local Growth Strategy) OMB March 17, 2010

OPA No. 39 (Schedule 1B Growth Plan Elements) identifies the subject properties as part of the "Built-Up Area" and introduced an "Intensification Corridor" along Gordon Street in proximity to the subject properties.

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

*a) By 2015 and for each year thereafter, a **minimum of 40% of the City's annual residential development will occur within the City's built-up area** as identified on Schedule 1B. Provision may be made for the fulfillment of this target sooner than 2015.*

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

*c) Vacant or **underutilized lots**, greyfield, and brownfield sites will be revitalized through the **promotion of infill development**, **redevelopment** and expansions or conversion of existing buildings.*

*f) Intensification of areas will be encouraged to generally achieve **higher densities than the surrounding areas** while achieving an appropriate transition of built form to adjacent areas.*

*i) The **City will** identify the appropriate type and scale of development within intensification areas and **facilitate infill development where appropriate**."*

*"2.4.8.1 **Intensification corridors** will be planned to achieve:*

*a) **increased residential and employment densities** that support and ensure the viability of existing and planned transit service levels;"*

Definitions introduced by OPA No. 39 include:

> ***"Intensification Corridors** means intensification areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned transit service levels."*

"Intensification means the development of a property, site or area **at a higher density than currently exists through:**

a. redevelopment, including the reuse of *brownfield sites*;
b. the development of vacant and/or **underutilized lots within previously developed areas;**
c. *infill development*; and
d. the expansion or conversion of existing buildings."

OPA No. 39 identifies the subject properties as within the "built-up area". In accordance with the Official Plan a minimum of 40% of the City's annual residential development will occur within the City's built-up area. The City will promote and facilitate intensification throughout the built-up area. Underutilized lots, such as the subject properties, are intended to be redeveloped to achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas.

OPA No. 39 also identifies the subject properties as being located in proximity to the "Intensification Corridor" along Gordon Street. "Intensification Corridors" are intended to provide increased residential densities to support and ensure the viability of transit service levels. There is some question with respect to the physical limit of the "Intensification Corridors" and how much land is captured within the corridor. The "Intensification Corridors" shown in Schedule 1B appear conceptual and bisect property lines. The intent is that the densities of development within the "Intensification Corridors" be transit supportive.

Transit Supportive Land Use Planning Guide (April 1992 MTO and MMAH)

*"**Guideline: 3.4.1** - A maximum walking distance of **400 m** to a transit stop is the commonly accepted standard in North America. To help to achieve this standard, **properties located adjacent to transit routes should be designated for higher density development.**"*

Based on the accepted 400 m walking distance to a transit stop and that the "Intensification Corridors" are meant to increase development densities to support transit use, there is justification to interpret the "Intensification Corridors" as capturing properties located within 400 metres of the transit stops located along Gordon Street.

Could City staff please clarify in writing how the physical limits of the "Intensification Corridor" will be interpreted with respect to development applications?

Draft Envision Guelph Official Plan (April 19, 2010)

The Draft Schedule 2 – Land Use Plan proposes to designate the subject properties as "General Residential (Built-Up Area) and "Medium Density Residential"." The boundary between these designations does not follow the property lines of the unidentified lots but bisects properties in a somewhat arbitrary location.

"8.3.3 General Residential - Built Up Area Designation

The character of development shall generally be low-rise housing forms.

8.3.3.1 Permitted Uses

iv) multiple unit residential buildings such as townhouses and apartments, may be permitted without amendment to this Plan, provided the Development Criteria for all Residential Development and the Development Criteria for Residential Development within the Built Up Area are met.

8.3.3.2 Density and Height

The Built-Up Area is intended to provide for lower densities that are compatible with existing neighbourhoods while also accommodating intensification. The general character will be low-rise housing forms. The following density and height policies apply within this designation:

1. *Development may be permitted up to a* ***maximum density of 35 units per hectare*** *and not less than a minimum density of 15 units per hectare.*

2. *Buildings may be permitted up to a* ***maximum height of three (3) storeys****.*

3. *Notwithstanding subsections 1 and 2,* ***increased density and height may be permitted up to a maximum density of 100 units per hectare and a maximum of four (4) storeys adjacent to arterial or collector roads*** *in accordance with the Development Criteria outlined in this section."*

8.3.2.1 Development Criteria for Residential Development

Residential development proposals may be permitted provided the following Development Criteria and all other applicable provisions of this Plan are met within all Residential designations.

1. *Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with the surrounding neighbourhood.*

2. *Where a development represents a transition between different land use designations or housing forms, a gradation in building height will be encouraged to achieve a transition from adjacent development.*

3. *Residential development can be adequately served by local convenience and neighborhood shopping facilities, schools, parks and recreation facilities and public transit.*

4. *Vehicular traffic generated from the proposed development will have minimal impact on local residential streets and intersections.*

5. *Vehicular access, parking and circulation can be adequately provided or impacts mitigated.*

6. *Surface parking shall be minimized.*

7. *Development on larger sites shall extend, establish or reinforce a street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic.*

8. *Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas, privacy, views, and microclimatic conditions such as wind and shadowing.*

9. *New development backing on open space, parks and the Natural Heritage System will be discouraged.*

10. *The conservation and integration of built heritage resources and structures can be achieved subject to the provisions of the Cultural Heritage Resources section of this Plan.*

11. *Affordable housing and special needs housing will be encouraged throughout all residential designations in accordance with the Affordable Housing provisions of this Plan.*

12. *That adequate municipal infrastructure, services, utilities and amenity areas for the residents can be accommodated.*

13. *The upgrading and rehabilitation of existing housing, particularly in older neighbourhoods, is encouraged.*

14. *Notwithstanding the maximum residential densities that are specified for various land use designations of this Plan, development projects designed exclusively for occupancy by senior citizens may be permitted to exceed the maximum permitted unit density allowed without bonusing and provided that the applicable Residential policies are met.*

8.3.2.2 Development Criteria for Residential Development within the Built Up Area

In addition to the Development Criteria for Residential Development (Uses), the following criteria apply to development within the Built-up Area.

1. *That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings and general lot fabric in the immediate vicinity.*
2. *That the site is of sufficient frontage and depth to accommodate appropriate intensification.*
3. *Where a development application is proposed within the Built up Area a Planning Justification Report will be required to demonstrate how the proposed development can be integrated into the existing community and how the residential policies and development criteria are met. Architectural drawings or modeling may be required."*

"8.3.5 Medium Density Residential Designation

The predominant use of land within the Medium Density designation will be medium density housing forms that can be supported by transit.

8.3.5.1 Permitted Uses

1. *In addition to the Permitted Uses within Land Use Designations Permitting Residential Use, the following building forms may be permitted subject to the General Policies for Residential Development and the applicable provisions of this Plan:*

    i) all forms of multiple unit residential buildings;
    ii) townhouses and row-dwellings;
    iii) walk-up apartments and apartments; and
    iv) low density housing forms, such as detached and semi-detached dwellings, in limited circumstances to provide a transition to existing low density development.

8.3.5.2 Density and Height

1. *Development may be permitted up to a maximum density of 100 units per hectare and not less than a minimum density of 35 units per hectare.*

2. *Buildings may be permitted up to a maximum of five (5) storeys and not less than two (2) storeys.*

3. *Notwithstanding subsections 1 and 2, increased density and height may be permitted in accordance with the bonusing polices contained within the Implementation section of this Plan.*

8.3.5.3 Parking

1. *Structured or underground parking is encouraged."*

Recommended Revisions to the Draft Official Plan

Please see the attached plan which identifies our proposed designations for this area in the City's new Official Plan as also outlined below. The "General Residential" designation should be identified along the Dawn Avenue corridor including a lot depth. This is consistent with the severances that have been approved along Dawn Avenue and the stable residential area identified in the South Gordon Community Plan for this area.

Now that Places to Grow and the City's Local Growth Strategy are in effect in the City's Official Plan, the land between Gordon Street and the rear of a lot depth facing onto Dawn Avenue should be included within the "Medium Density Residential" designation. The City's Official Plan policies clearly encourage intensification and transit supportive densities along the Gordon Street corridor. There should not be a need to have the Official Plan interpreted to extend the Medium Density designation to extend onto these lands, or a need for an Official Plan amendment. In addition, the City's intention should be clear in the mapping to allow the existing residents to see the intention for future redevelopment of this area. The northwest corner of Gordon and Lowes should be included within a mixed use designation.

We look forward to reviewing the revised version of the Draft Official Plan. Could you please respond to our letter in writing. Please inform us of any meetings and reports being released related to the Official Plan review.

Yours truly,



Astrid Clos, RPP, MCIP

cc: Parry Schnick (1131.Envision Guelph Comments.doc)

Dec 14,2011 – 12:10pm
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