

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, 2^e étage
London ON N6E 1L3
Tél. (519) 873-4020
Sans frais 1 800 265-4736
Télééc (519) 873-4018



December 11, 2013

Mr. Blair Labelle
City Clerk
City Hall
1 Carden Street
Guelph, ON N1H 3A1

Re: Official Plan Amendment No. 48
City of Guelph
MMAH File No. 23-OP-3888-048

Dear Mr. LaBelle:

Please find attached a Notice of Decision regarding the above-noted application.

If you have any questions regarding this matter, please feel free to call Scott Oliver at (519) 873-4033.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Curtis".

Bruce Curtis
Manager - Community Planning and Development

c.c. Todd Salter, General Manager, Planning Services, City of Guelph
All persons who requested notice

File No.: 23-OP-3888-048
Municipality: City of Guelph
Subject Lands: All lands within the City of Guelph

Date of Decision: December 11, 2013
Date of Notice: December 11, 2013
Last Date of Appeal: December 31, 2013

NOTICE OF DECISION
With respect to an Official Plan Amendment
Subsection 17(35) and 26 of the Planning Act

A decision was made on the date noted above to approve, with modifications, Official Plan Amendment No. 48 for the City of Guelph adopted by By-law No. (2012) -19407.

Purpose and Effect of the Official Plan Amendment:

Official Plan Amendment No. 48 (OPA 48) is the third and final phase of the City's 5 Year Review. OPA 48 amends, updates or provides new policies regarding: strategic direction and vision, growth management, watershed planning and resources, public health and safety, mineral aggregate resources, climate change, the City's community energy plan, cultural heritage, transportation, municipal services and infrastructure, affordable housing, parks and trails, urban design, land use designations, height and density bonusing, exterior building designs and policies enabling the establishment of a development permit system. OPA 48 also updates and revises existing Official Plan Schedules in accordance with the updates and revisions to the policies.

When and How to File An Appeal:

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal:

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. An appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of an individual who is a member of the association or group.

When the Decision is Final:

The decision of the Minister of Municipal Affairs and Housing is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Other Related Applications: None

Getting Additional Information:

Additional information about the Official Plan Amendment is available for public inspection during regular office hours at the Ministry of Municipal Affairs and Housing office at the address noted below or from the City of Guelph Municipal Office.

Mailing Address for Filing a Notice of Appeal:

Ministry of Municipal Affairs and Housing
Municipal Services Office - Western
659 Exeter Road, 2nd Floor
London ON N6E 1L3

Submit notice of appeal to the attention of
Scott Oliver, Team Lead - Planning

Tel: (519) 873-4033

Fax: (519) 873-4018

DECISION

With respect to Official Plan Amendment No. 48 to the
City of Guelph Official Plan
Section 26 and subsection 17(34) of the *Planning Act*

I hereby modify, and approve as modified, Amendment No. 48 to the Official Plan of the City of Guelph as adopted by By-law No. (2012) -19407, as follows:

1. **Details of the Amendment, Chapter 3, Planning a Complete and Healthy Community**, subsection 3.20.3, Community Infrastructure, is modified by deleting and replacing the phrase “complete communities” with “a *complete community*”.
2. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Watershed Planning and Water Resources**, subsection 4.3.3.1 (vii), Source Protection, is modified by adding the phrase “not associated with mineral *aggregate operations*” after the word “plants”.
3. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Mineral Aggregate Resources**, Subsection 4.5.5, Policies, is modified by adding the phrase “not associated with *mineral aggregate operations*” after the word “uses”.
4. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Community Energy, Building End-Use Energy Efficiency**, Section 4.7.4.1, Policies, is modified by deleting the second sentence and replacing it with the following sentence:

“The City will use the development approvals process, implementation tools included in chapter 10 of this Plan such as community improvement and site plan control, to ensure that new residential, commercial and institutional development include sustainable design features which, among other objectives, strive to achieve an improvement of 1.5% per year over the 2012 Ontario Building Code energy efficiency requirements.”
5. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Cultural Heritage Resources**, Section 4.8, Cultural Heritage Resources, is modified by deleting and replacing all references to the term “on-site” with “in situ”.
6. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Cultural Heritage Resources**, Section 4.8 (e), Objectives, is modified by inserting the phrase “, and adaptive re-use” after the word “rehabilitation”.
7. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Cultural Heritage Resources**, Section 4.8.6, Policies, is modified by adding the following:

“4.8.6.5
Six Nations of the Grand River and the Mississaugas of the New Credit shall be notified at such time that City of Guelph Council commences an Archaeological Master Plan and shall be invited to participate in the process.

4.8.6.6

Six Nations of the Grand River and the Mississaugas of the New Credit shall be provided notification in regards to the identification of burial sites and significant archaeological resources relating to the activities of their ancestors.”

8. **Details of the Amendment, Chapter 4, Protecting What is Valuable, Cultural Heritage Resources**, Section 4.8.6.2, Archaeological Resources, is modified by inserting the phrase “as per Section 48 of the Ontario Heritage Act” after the word “license”.
9. **Details of the Amendment, Chapter 7, Community Infrastructure**, subsection 7.2.47, is deleted in its entirety.
10. **Details of the Amendment, Chapter 7, Community Infrastructure**, subsection 7.13, Natural Heritage System Designation, is renumbered to Section 9.11.
11. **Details of the Amendment, Chapter 9, Land Use**, subsection 9.4.2.15, Commercial and Mixed-Use Designations, is deleted in its entirety and the subsequent sections are renumbered accordingly.
12. **Details of the Amendment, Chapter 9, Land Use**, Section 9.4.2.16, is modified by deleting “52,000 sq. m” on the row for the Paisley/Imperial Community Mixed-use Centre and replacing it with “52,600 sq. m.”.
13. **Details of the Amendment, Chapter 9, Land Use**, Subsection 9.13.1, East Guelph Site Specific Policies, is modified by adding the following policy:
 - 9.13.1.16 180 Gordon Street
In spite of the provisions of policies 9.3.4.2 and 9.3.4.3, the minimum height is two (2) storeys and the maximum height is four (4) storeys; and the maximum net density is 59 units per hectare and not less than a minimum net density of 35 units per hectare.
14. **Details of the Amendment, Chapter 9, Land Use**, Subsection 9.13.3, South Guelph Site Specific Policies, is modified by adding the following policy:
 - 9.13.3.7 1077 Gordon Street
In spite of the maximum density provisions of Subsection 9.4.6.8, residential development may be permitted to a maximum net density of 150 units per hectare.
15. **Details of the Amendment, Chapter 9, Land Use**, Subsection 9.13.3, South Guelph Site Specific Policies, is modified by adding the following policy:
 - 9.13.3.8 716 Gordon Street
In spite of the provisions of policies 9.3.5.2 and 9.3.5.3, the minimum height is three (3) storeys and the maximum height is eleven (11) storeys; and the maximum net density is 156 units per

hectare and not less than a minimum net density of 100 units per hectare.

16. **Details of the Amendment, Chapter 10, Implementation**, the second bullet point of subsection 10.18.3 (ix) Sustainability, is modified by deleting and replacing the word “Heating” with “Energy”.
17. **Details of the Amendment, Chapter 10, Implementation**, subsection 10.4.2, Zoning By-laws, is modified by adding the phrase “and upon approval of enabling regulations established by the Province” after the word “*Planning Act*”.
18. **Details of the Amendment, Chapter 12, Glossary of Terms**, is modified as follows:

- (a) Deleting and replacing the title for “**Livestock-based Agriculture**” with “**Livestock-based Agricultural Operation**”.

- (b) Inserting the following definition in the appropriate alphabetic order:

“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*”.

- (c) Inserting the following at the end of the definition of “**Significant**”:

“In regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event or a people”.

- (d) Inserting the word ‘designated’ after the word “lands” in the first line of the “**Designated and Available**” definition.

- (e) Deleting the following text from the “**Subwatershed Plan**” definition:

A Subwatershed Plan provides enhanced detail to addressing local environmental issues. The Plan details and implements specific subwatershed targets, goals, objectives to establish: 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; specific implementation schemes and responsibilities for all recommendations; management practices for open space areas and green space corridors; and an implementation strategy. The plan also outlines directives for storm water management plans and other studies/designs for

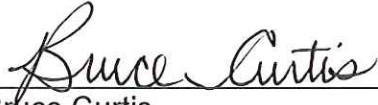
specific areas within the subwatershed. The plan also outlines a future impact monitoring system”.

- (f) Deleting the version of the “Affordable Housing” definition which reads as follows:

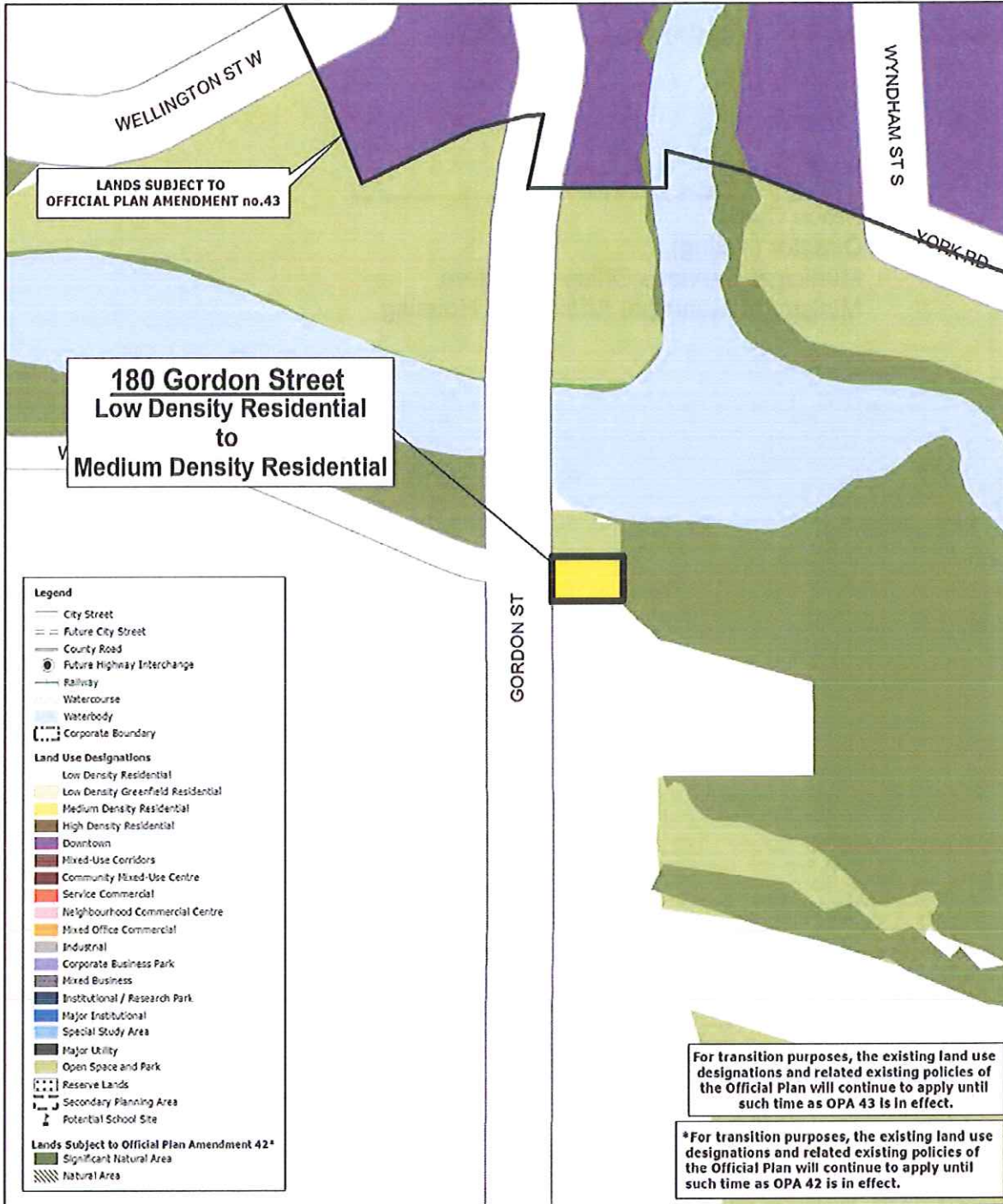
“Affordable Housing means accommodation, which is affordable to households with incomes in the lowest 60% of the income distribution for the Guelph housing market. Affordable housing also includes not-for-profit housing”.

19. **Details of the Amendment, Schedule 2, Land Use Plan**, is modified for the property municipally known as 180 Gordon Street by changing the land use designation from the “Low Density Residential” designation to the “Medium Density Residential” designation in accordance with Attachment 1.
20. **Details of the Amendment, Schedule 2, Land Use Plan**, is modified for the property municipally known as 1077 Gordon Street by changing the land use designation on the rear 0.79 hectare portion from the “Medium Density Residential” designation to the “High Density Residential” designation in accordance with Attachment 2.
21. **Details of the Amendment, Schedule 2, Land Use Plan**, is modified for the property municipally known as 716 Gordon Street by changing the land use designation from the “Low Density Residential” designation to the “High Density Residential” designation in accordance with Attachment 3.
22. **Details of the Amendment, Schedule 2, Land Use Plan**, is modified for the property municipally known as 1897 Gordon Street by changing the land use designation of a portion of the property from the “Medium Density Residential” designation to the “High Density Residential” designation; changing portions of the property from the “Medium Density Residential” designation to the “Low Density Greenfield Residential” designation; and, changing portions of the property from the “High Density Residential” designation to the “Low Density Residential” designation in accordance with Attachment 4.
23. **Details of the Amendment, Schedule 2, Land Use Plan**, is modified for the property municipally known as 11 Starwood Drive by changing the land use designation for a portion of the “Community Mixed-Use Centre” designation to the “Medium Density Residential” designation and by changing the “High Density Residential” designation to the “Medium Density Residential” designation in accordance with Attachment 5.
24. **Details of the Amendment, Schedule 2, Land Use Plan**, is modified for the property municipally known as 132 Clair Road West by changing the land use designation for a portion of the property from the “Corporate Business Park” designation to the “Community Mixed-Use Centre” designation in accordance with Attachment 6.

Dated at London this 11th day of DECEMBER, 2013.



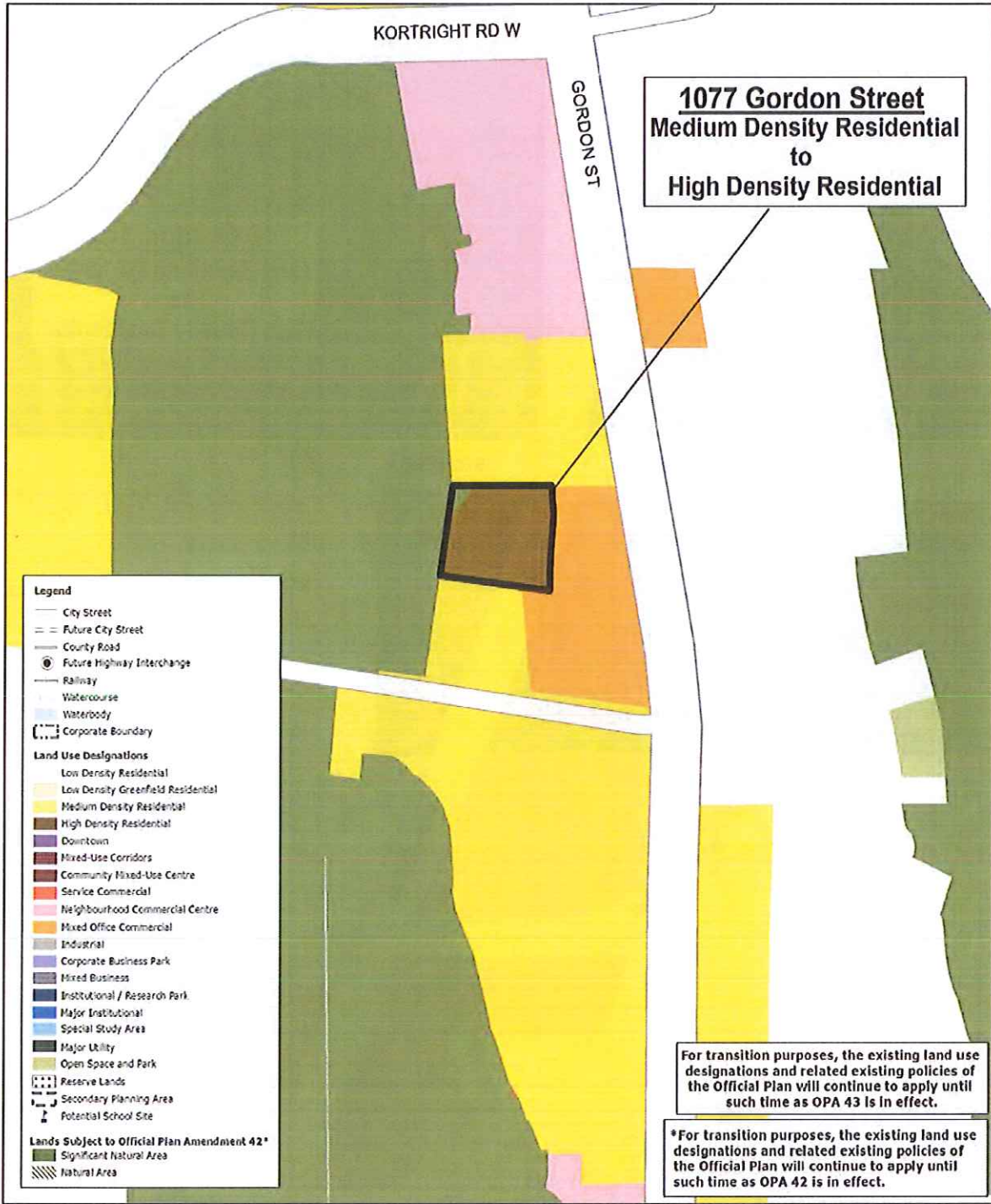
Bruce Curtis
Director (Acting)
Municipal Services Office - Western
Ministry of Municipal Affairs and Housing



Attachment 1

**Requested Modifications to
 Official Plan Amendment No. 48
 Schedule 2 - Land Use**

Projection: UTM 17N NAD83
 Produced by the City of Guelph
 Planning Services
 November 2013



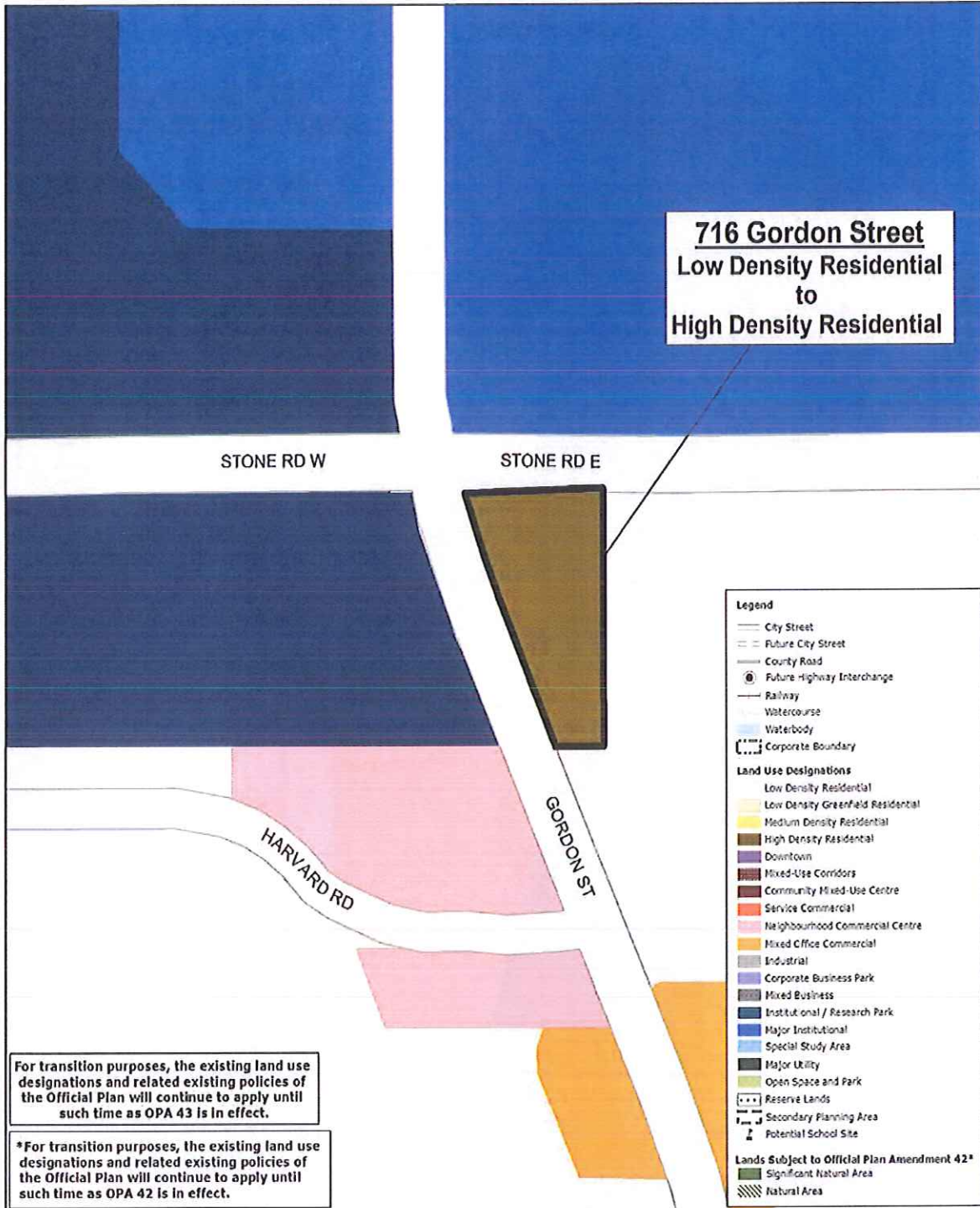
Attachment 2

Requested Modifications to
Official Plan Amendment No. 48
Schedule 2 - Land Use

50 25 0 50 Meters

Projection: UTM 17N NAD83
 Produced by the City of Guelph
 Planning Services
 November 2013

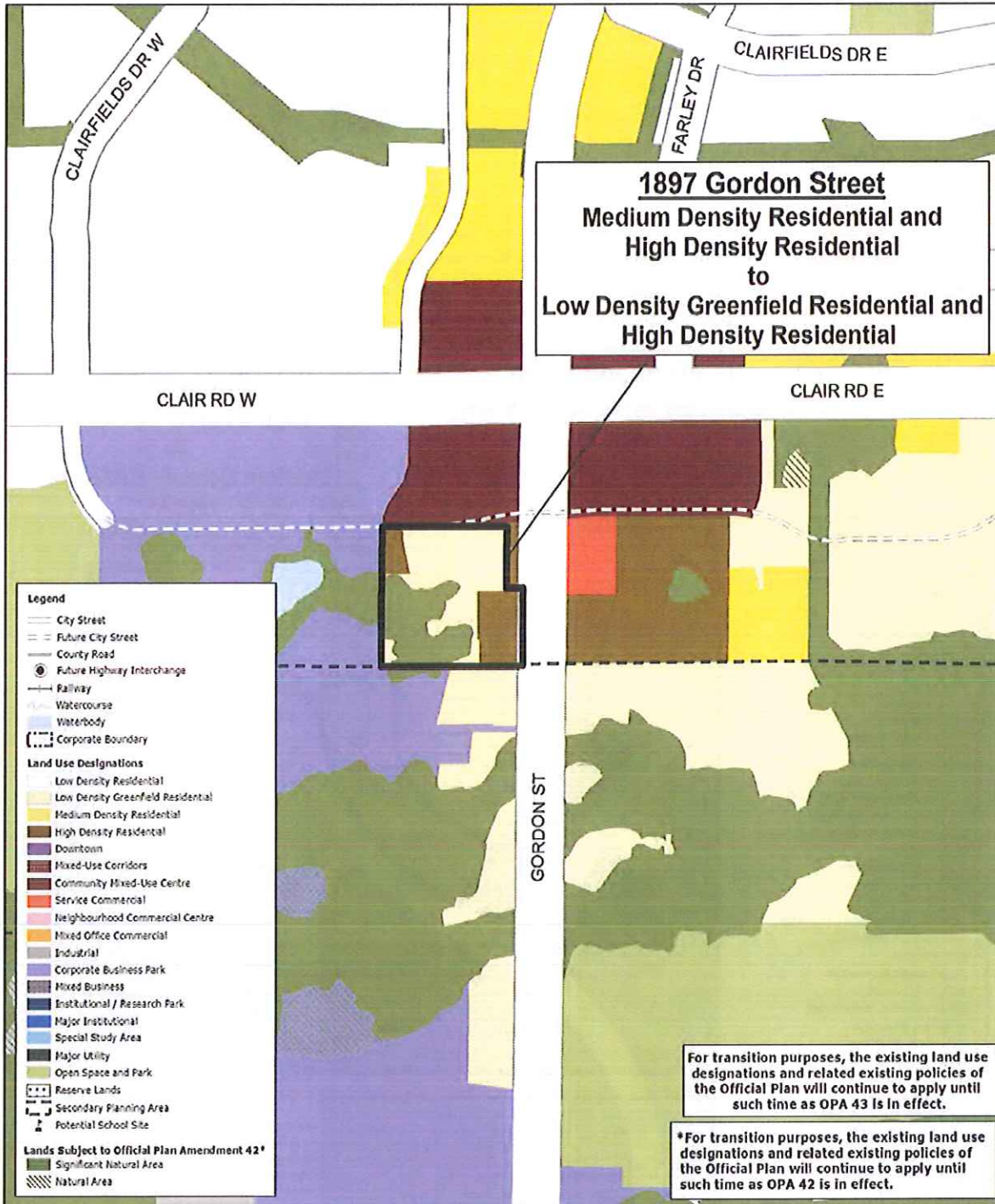
City of Guelph
Making a Difference



Attachment 3

**Requested Modifications to
 Official Plan Amendment No. 48
 Schedule 2 - Land Use**

Projection: UTM 17N NAD83
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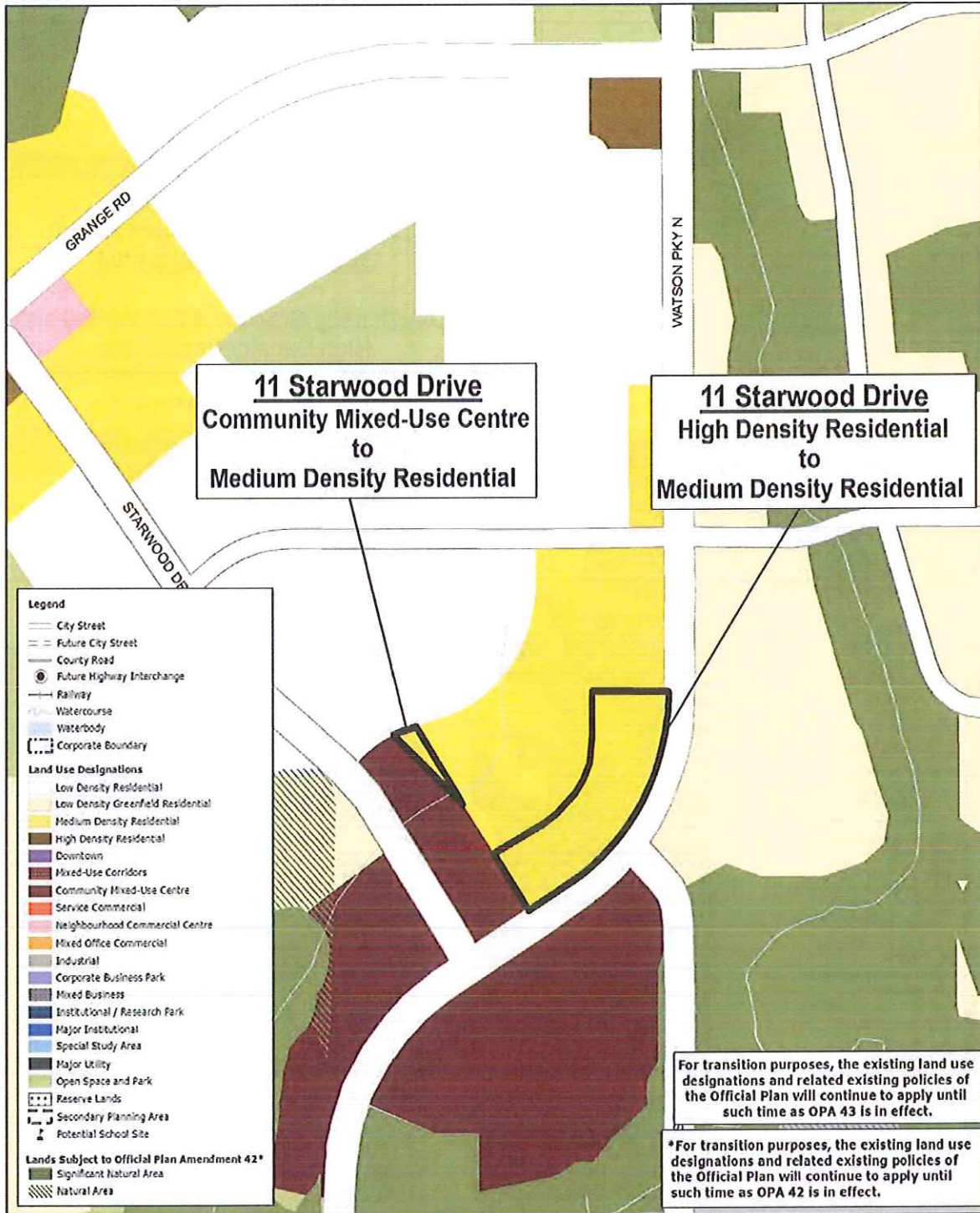


Attachment 4

**Requested Modifications to
 Official Plan Amendment No. 48
 Schedule 2 - Land Use**

200 100 0 200 m

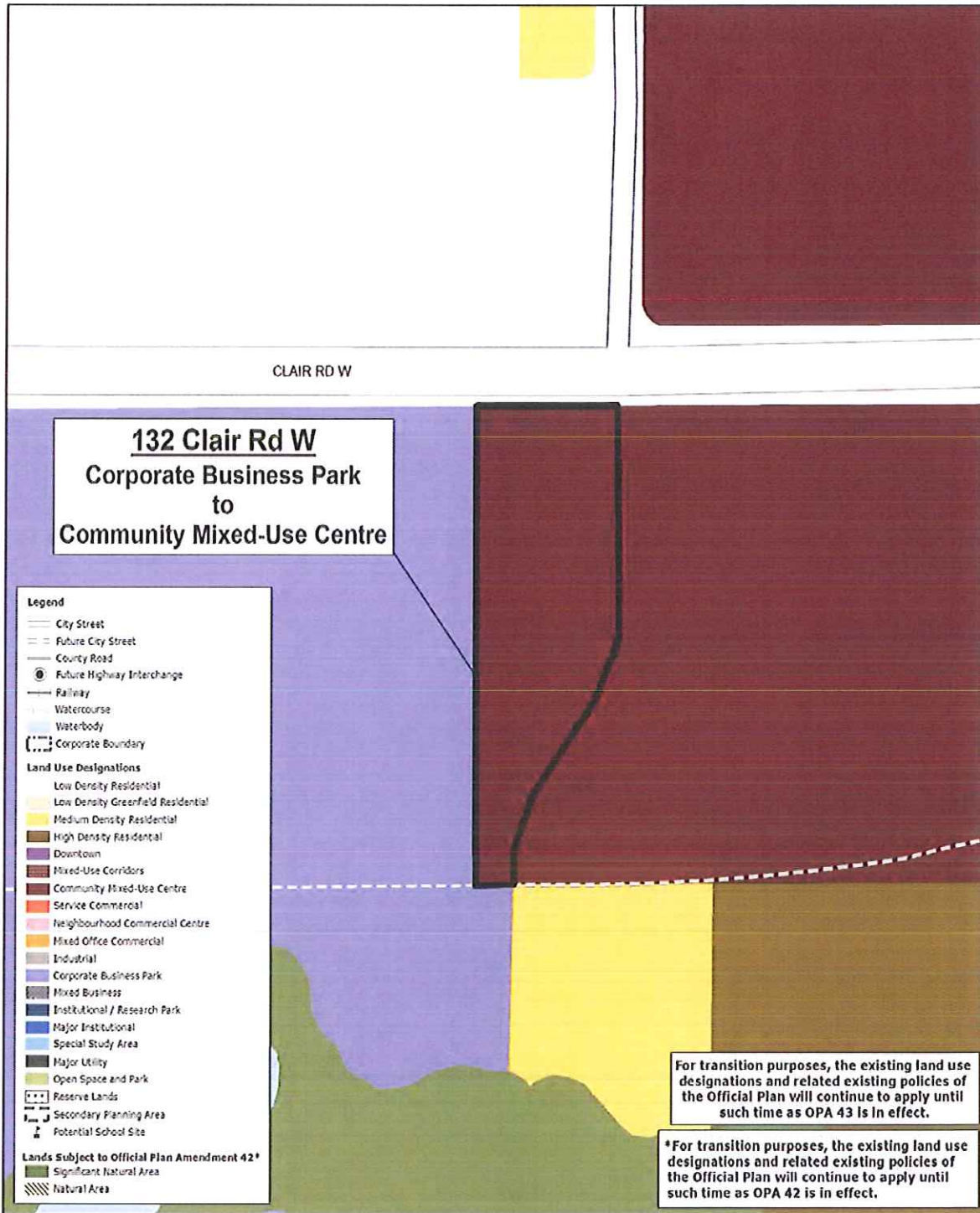
Projection: UTM 17N NAD83
 Produced by the City of Guelph
 Planning Services
 November 2013



Attachment 5

**Requested Modifications to
 Official Plan Amendment No. 48
 Schedule 2 - Land Use**

Projection: UTM 17N NAD83
 Produced by the City of Guelph
 Planning Services
 November 2013



Attachment 6

Requested Modifications to
Official Plan Amendment No. 48
Schedule 2 - Land Use

50 25 0 50 m

Projection: UTM 17N NAD83
 Produced by the City of Guelph
 Planning Services
 November 2013

