

- ADDENDUM -
- GUELPH CITY COUNCIL MEETING -
June 27, 2011 -

PRESENTATIONS:

- c) "I Love Guelph Tap Water" youth video contest winners:
- 1st Place – Steph Caskenette
 - 2nd Place – Emma Tomas
 - 3rd Place – Tyler Sloane
 - Viewers Choice Award – Dustin Dolby and JC Arndt

DELEGATIONS:

- a) 1897 Gordon Street (Bird Property): Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (Consent Report A-5):
- John Valeriotte, Smith Valeriotte
 - Astrid Clos, Astrid J. Clos Planning Consultants
 - Judy Martin on behalf of the Sierra Club of Canada

The following people will be present to answer any questions:

- Katherine McLaughlin, Thomasfield Homes
- Chris Sims and Angela Kroetsch, Gamsby and Mannerow
- Steven Aboud, Aboud Consulting

Memorandum from Jim Riddell

Correspondence:

- Hugh Whiteley
- John D. Ambrose

- b) PPP Canada – Wilson Street Parking Facility – Information Report (Consent Report A-4):
- Lloyd Longfield on behalf of the Guelph Chamber of Commerce

Correspondence Received:

The Highland Companies' Melancthon Township Quarry Proposal – Assessment of Impact to Guelph's Water Supply

- John D. Ambrose

"THAT By-law Numbers (2011)-19225 to (2011)-19232, inclusive, are hereby passed."

BY-LAWS

<p>By-law Number (2011)-19230 A by-law to authorize the execution of an Agreement between Prior Construction Limited and The Corporation of the City of Guelph. (Contract No. 2-1107 for the servicing and road construction of the Watson Creek Phase 3 Subdivision).</p>	<p>To execute Contract No. 2-1107 for the servicing and road construction of the Watson Creek Phase 3 Subdivision.</p>
<p>By-law Number (2011)-19231 A By-law to provide for the temporary closure of Fleming Road, Severn Drive and Marshall Drive within the Watson Creek Phase 3 Subdivision during servicing and road construction. (Contract 2-1107)</p>	<p>To temporary close streets within the Watson Creek Phase 3 Subdivision during servicing and road construction.</p>
<p>By-law Number (2011)-19232 A by-law to confirm the proceedings of meetings of Guelph City Council held May 24, 25, 30 and June 7, 2011.</p>	<p>To confirm the proceedings of Guelph City Council meetings held May 24, 25, 30 and June 7, 2011.</p>



11th Field Regiment

Royal Canadian Artillery





Scope

- Canada's Army Reserves
- Guelph and 11 Field Regiment
- Brief History
- Operational Deployments
- The Regiment Today



11th Field Regiment Royal Canadian Artillery





Canada's Army Reserves

- National Defence Act
- Two components of the Canadian Forces
 - Regular Force
 - Primary Reserve
- Legal entity is called the “Militia”
- Almost 200 Reserve units (Army, Navy, Air) across Canada
- The Army Reserve is organized into Canadian Brigade Groups (CBGs). 10 CBGs across the country



11th Field Regiment Royal Canadian Artillery





Canada's Army Reserves

- Role of the Army Reserve is to augment the Regular Force for:
 - Domestic Operations
 - International Operations



11th Field Regiment Royal Canadian Artillery





Today's Reservist

- Who he/she is
- Where he/she comes from
- What they've done vis-a-vis operations



11th Field Regiment Royal Canadian Artillery





Ontario and SW Ontario 31 Canadian Brigade Group



- 31 CBG is **one of three Reserve Brigades in Ontario** commanded by Land Forces Central Area Headquarters, Toronto, which also commands 2 Canadian Mechanized Brigade Group, a Regular Force brigade in Petawawa, Ontario
- The Brigade's primary task is to **train reserve soldiers to augment the Regular Force on Operations.**
- The Brigade has a strength of approximately **200 full-time and 2,000 part-time soldiers.**
- 31 Canadian Brigade Group units and sub-units are found in **16 south-western Ontario** population centres.
- Reservists **live, work and attend schools** in those cities, towns and surrounding areas.



11th Field Regiment Royal Canadian Artillery





11th Field Regiment Royal Canadian Artillery





The Army Reserves in Guelph



11th Field Regiment Royal Canadian Artillery





Role of the Field Artillery



11th Field Regiment Royal Canadian Artillery





The 11th Field Regiment, RCA

- Regimental Headquarters
 - 11th (Hamilton-Wentworth) Field Battery
 - 16th Field Battery (nil strength)
 - 29th Field Battery
-
- Under command of 31 Canadian Brigade Group which is part of Land Forces Central Area (Ontario)



11th Field Regiment Royal Canadian Artillery





Mission Statement

11 Field Regiment will generate and sustain effective and relevant forces in order to meet assigned tasks in accordance with the Army's operational objectives

Centre of Gravity

The ability of The Regiment to sustain a sufficient number of trained, fit and qualified personnel to fulfill all assigned tasks

Main Effort

The recruitment, training and retention of sufficient soldiers in order to successfully achieve all tasks assigned to us, with emphasis on international and domestic operations



11th Field Regiment Royal Canadian Artillery





Main Tasks of 11 RCA

- Domestic Operations
 - Provide elements of 31 Territorial Battle Group
 - Troop to Reconnaissance Squadron
 - Regional Liaison Officer to EMO
 - Command Post staff
- International Operations
 - Standing task to provide a troop to 2 RCHA Petawawa for expeditionary operations
 - Individual augmentation to overseas deployments
 - United Nations
 - Afghanistan



11th Field Regiment Royal Canadian Artillery





The Guelph Gunners

A Short History of the
**11th Field Regiment,
Royal Canadian Artillery**



11th Field Regiment Royal Canadian Artillery





The Early Years 1866-1914

- Wellington Field Battery (now 29th Bty) raised in 1866
- Ontario Field Battery (now 16th Bty) raised at OAC in 1878
- Formed in 1880 as '1st Provisional Brigade of Field Artillery
- Renamed 11th Brigade Cdn Fd Artillery in 1920
- 11th (H-W) Bty raised in 1855, transferred to 11th Field Regiment in 1970



11th Field Regiment Royal Canadian Artillery





11th Field Regiment Royal Canadian Artillery





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The Great War

- 16th Bty mobilized in Nov 1914
- 29th Bty mobilized in June 1915
- 43rd Bty mobilized in Dec 1915
- 55 and 56 Btys mobilized in 1916
- 63rd and 64th Depot Btys created to generate follow on replacements. First draft leaves Aug 1916



11th Field Regiment Royal Canadian Artillery





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11th Field Regiment Royal Canadian Artillery





The Inter-War Years 1919-1939

- Now the **11th Brigade, CFA**, with
- 16th Field Battery
- 29th Field Battery
- 43rd Field Battery (in 1935)
- 63rd Field Battery (in 1936 from re-roled Wellington Regiment, CIC).



11th Field Regiment Royal Canadian Artillery





11th Field Regiment Royal Canadian Artillery





11th Field Regiment Royal Canadian Artillery





The Second World War 1939-1945

- 29th Battery mobilized September 1939. Served in Italy and Northwest Europe in 11 (Army) Field Regiment, 1st Cdn Corps Artillery.
- 16th and 43rd Batteries mobilized in May 1940. Served in Northwest Europe as part of 12th Field Regiment, 3rd Cdn Inf Div.
- 63rd Battery mobilized in September 1940 as part of 19th (Army) Field Regiment (SP), 2nd Cdn Corps Artillery.



11th Field Regiment Royal Canadian Artillery





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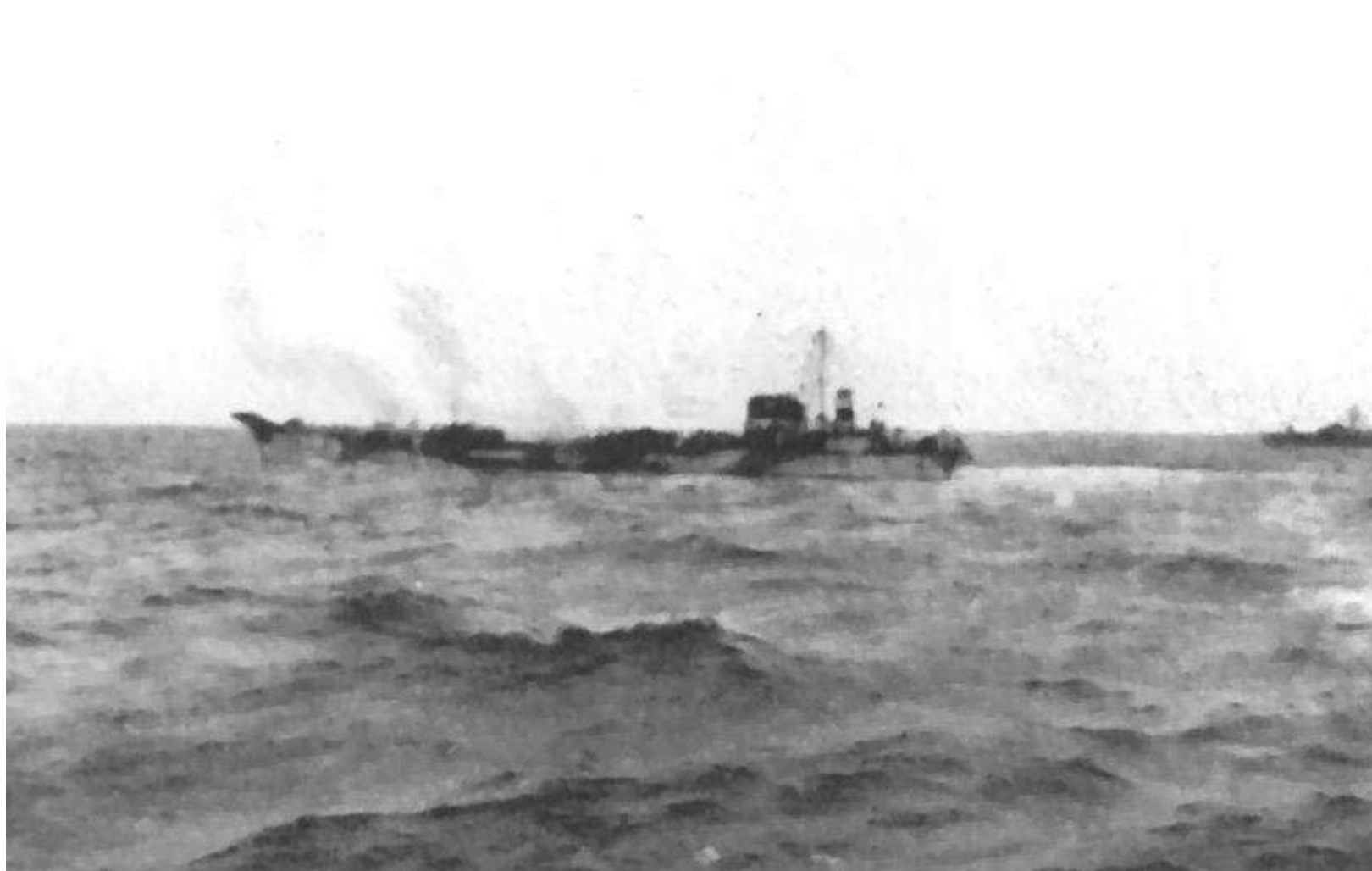
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Post World War II



1950s



1960s

1970s



1980s



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Operational Deployments

- Domestic Operations
 - Manitoba Floods 1997
 - Ontario/Quebec Ice Storm 1998
 - Kosovo Refugee Crisis 1999
 - G8/G20 Summit 2010
 - Assistance to the Civilian Authority
 - Liaison with EMO and contingency planning



11th Field Regiment Royal Canadian Artillery





Operational Deployments

- International Operations
 - Cyprus
 - Sierra Leone
 - Golan Heights
 - Cambodia
 - Croatia and Bosnia
 - Afghanistan



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Afghanistan



- Task Force 3-06. 2006-2007
- Task Force 3-08. 2008-2009
- Task Force 1-10. 2010
- Task Force 3-10. 2010 to present
- 42 soldiers have deployed to “The Sand Box”



11th Field Regiment Royal Canadian Artillery







The Regiment Today



- **144 members from all facets of society in both Hamilton and Guelph**
- **Continues to serve Canada as part of 31 Canadian Brigade Group**
- **One soldier remains deployed to Kabul**
- **Anticipating positions for the “Training Mission” in Afghanistan**



11th Field Regiment Royal Canadian Artillery





11th Field Regiment Royal Canadian Artillery





Questions?



11th Field Regiment Royal Canadian Artillery



INTERNAL MEMO



DATE June 27, 2011

TO **Guelph City Council**

FROM Jim Riddell, General Manager, Planning & Building Services

DIVISION Planning

DEPARTMENT Planning & Building, Engineering and Environment

SUBJECT Staff Response to Issues raised at June 7, 2011 Public Meeting
RE: 1897 Gordon Street: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (23T-08505/OP0801/ZC0306) – Ward 6

Staff Report 11-30 was presented to Council at the June 7th Planning Council Meeting asking Council to consider the staff recommendation to approve the proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for the property at 1897 Gordon Street for a final decision on June 27, 2011.

The purpose of this memorandum from staff is to provide further information in response to the questions/issues raised by delegates at the June 7, 2011 Public Meeting.

Planning staff remain satisfied that all issues have been resolved and recommend approval of the proposed draft plan of subdivision and associated Official Plan Amendment and Zoning By-law Amendment in accordance with the regulations and conditions in Schedule 2 of Staff Report 11-30, dated June 7, 2011.

RECOMMENDATION:

"THAT the recommendations contained in Schedule 2 of Staff Report 11-30, dated June 7, 2011 be approved"

STAFF RESPONSE TO ISSUES RAISED BY DELEGATES AT JUNE 7, 2011 PUBLIC MEETING

Secondary Planning and Future Land Uses

The statement was made that a Secondary Plan has not been completed for the area which includes the subject property. There was also a request to provide more information regarding future land uses in the area surrounding the subject property.

Staff Response

The subject lands have been subject to detailed secondary planning exercises to address a comprehensive future development pattern for the South Guelph area (see page 43 of Staff Report 11-30).

- The South Guelph Secondary Plan was approved in 1996 and introduced land use designations and policies for the southern areas of the City that were annexed from Puslinch Township in 1993.

- These land use designations and policies affecting the subject lands and surrounding area were implemented into the City's Official Plan through Official Plan Amendment #2, which resulted in the subject property's current "General Residential" Official Plan designation.
- The land use designations for surrounding lands include the Mixed Use Node to the north, Corporate Business Park lands to the west and south and General Residential lands to the south fronting onto Gordon Street (see Official Plan Land Use in Schedule 1 attached)
- Further details regarding the context of surrounding land uses is also provided on Schedule 2 attached.
- The proposed subdivision is in conformity with the land use schedules and policies that were implemented through the South Guelph Secondary Plan.
- The lands between Clair Road and Maltby Road that are identified as "Reserve Lands" are part of a future secondary planning exercise, but do not include the subject property.
- As well, the residential subdivision proposed on the subject lands is also consistent with the South Guelph District Centre Study that was initiated in 2001 to plan a strategy to implement a comprehensive development and street pattern for the four quadrants (including the subject lands) at the intersection of Gordon Street and Clair Road (see Schedule 3 attached). This detailed planning exercise included the subject lands and contains urban design guidelines and transportation planning to accommodate future growth. The proposed residential draft plan is consistent with the planned development and street pattern already envisioned for this area and will allow development to proceed in a comprehensive manner. This included identifying the need to accommodate the ring road system surrounding the intersection, which has been achieved through the incorporation of Poppy Drive as a public street within the proposed draft plan of subdivision. The implementation of Poppy Drive, as well as the southerly extension of Gosling Gardens, will further facilitate the planned, comprehensive development pattern for this area, which includes the adjacent Mixed Use Node to the north.
- Planning staff's review with respect to the appropriate integration of the proposed subdivision with the surrounding lands is also provided on page 42 of the staff report.

Location of Parks

The issue regarding the location of parks to serve this development was also raised at the June 7, 2011 Council meeting.

Staff Response

Parks Planning staff have reviewed this application and recommended that cash-in-lieu of parkland be collected in association with this proposed subdivision development, as outlined in Condition 52 in Schedule 2 of Staff Report 11-30. This conclusion was based on the following:

- The option under the Planning Act for the City to acquire 5% of land for park purposes is not practical with this application, since the size of the property would result in a very small park facility (0.28 ha) with limited benefit and functionality.

- The proposed development is well served by parks in the area, which includes the South End Community Park (Larry Pearson Park) to the west and Gosling Gardens Park to the north (see Schedule 2 attached).
- The cluster townhouse development and the apartment blocks included within the proposed development would also include the provision of common amenity areas to serve the residents.

Archaeological Resources

The question was raised as to whether the archaeological potential identified for the subject property has been addressed.

Staff Response

The archaeological potential identified for the subject property has been recognized and addressed by staff. Condition 42 is included in Schedule 2 of the June 7th Staff Report 11-30 as the standard condition that requires the Developer to carry out an archaeological assessment. A letter is required from the Ministry of Citizenship, Culture and Recreation indicating that all archaeological assessment and/or mitigation activities have been met prior to grading or soil disturbances.

Environmental Review Process

The delegates at the June 7th Public Meeting raised concerns with respect to how the environmental review of this application was conducted.

Staff Response

Staff confirm that the proper planning review of this application has occurred, which included a thorough and proper environmental review. The following provides a background and summary of the environmental review. Details of the review of the Environmental Impact Studies (EIS) by the City's Environmental Advisory Committee (EAC) and the City's Environmental Planner are also provided.

Background

Official Plan Interpretation

- The "Core Greenlands" land use designation in the Official Plan recognizes significant natural heritage features that are to be protected for their ecological value and function. No portion of the subject lands are designated "Core Greenlands".
- The subject lands are designated "General Residential" in the Official Plan.
- There is an Official Plan Non-Core Greenlands Overlay (not a land use designation) that applies to the southerly portion of the subject property.
- Lands associated with a Non-Core Greenlands Overlay may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development (see page 33 of Staff Report 11-30).
- Non-Core Greenlands Overlay areas have been established in the Official Plan through a comprehensive integration of numerous environmental studies and were utilized to determine and refine the "Core Greenlands" designation and

the Non-Core Greenlands Overlay. The Hanlon Creek Watershed Study was one of these studies.

- Development may occur on lands associated with the Non-Core Greenlands Overlay provided an EIS is prepared that can demonstrate no negative impacts on the natural features or their ecological functions (see Official Plan Policy 7.13.6 on page 34 of Staff Report 11-30)
- The Non-Core Greenlands Overlay that applies to the subject lands represents an ecological linkage identified in the 1993 Hanlon Creek Watershed Study

1993 Hanlon Creek Watershed Study

- The Hanlon Creek Watershed Study represented a comprehensive study of the watershed and is utilized as one of the bases for review of the applications.
- The Hanlon Creek Watershed Study and its recommendations have been incorporated in the City's current Official Plan.
- The Study was formed through background review and integration of available data at the time from several sources and disciplines.
- However, it is important to recognize that considerable additional environmental work has been completed since 1993 to provide more refined information.

Environmental Review of Application

- In accordance with Official Plan policy, Environmental Impact Studies (EIS) are utilized to investigate the potential environmental impact of development and to determine whether a particular development can proceed.
- The City's Environmental Advisory Committee is used to review environmental impact studies.
- The delegates at the June 7th Public Meeting were also delegations at the Environmental Advisory Committee meeting held October 13, 2010, at which time they addressed the committee and presented similar concerns they have raised before Council. These environmental issues were raised through the review of the EIS and appropriately reviewed and addressed through the proper process.
- The EIS submitted in association with the latest draft plan of subdivision proposal was supported by EAC, the Grand River Conservation Authority (GRCA) and the City's Environmental Planner, which determined that there would be no negative impacts on the natural features or the ecological functions associated with the area.
- Therefore, this satisfies Official Plan Policy 7.13.6 related to the Non-Core Greenlands Overlay that applies to the southerly portion of the subject site (see page 34 of Staff Report 11-30).

For background purposes and information, the EIS review process in association with this application is outlined below:

The EAC Process:

- Since the application was originally submitted in 2003 there have been two iterations of the Environmental Impact Study (EIS).

- The Terms of Reference for the EIS was dated February 12, 2008. This was then reviewed at the May 14, 2008 Environmental Advisory Committee (EAC) meeting. The resolution from that meeting was as follows:

Terms of Reference to EAC May 14/08. Resolution was as follows:

Moved by K. McCormack and seconded by S. Barnhart:

"Staff recommend that the Environmental Advisory Committee support the Terms of Reference prepared by Aboud & Associates Inc. for 1897 Gordon Street –Bird Property (ZC0306) with the following:

- *A hydrogeologic component is provided that includes pre-development and various post-development calculations for all site-level impacts (surface drainage/water balance/SWM facility/groundwater impacts).*
- *Invasive species are identified as well as recommendations for removal and/or monitoring is provided.*
- *The Environmental Impact Study should discuss topographic features in 3.1."*

Motion Carried

-Unanimous-

Following the support of the Terms of Reference, the first submission of the Environmental Impact Study (EIS) was dated October 9, 2008. This document was reviewed at the January 14/09 EAC meeting and the resolution was as follows:

Moved by J. DeBruyn and seconded by K. McCormack :

"The Environmental Advisory Committee defers making a recommendation regarding the Environmental Impact Study and the Tree Preservation Plan prepared by Aboud and Associates Inc. (October, 2008) and the Site Servicing and Stormwater Management Report prepared by Gamsby and Mannerow for 1897 Gordon Street (Bird Property) until the EIS specifically addresses:

- *Topography (Paris Moraine terminology).*
- *Analysis of linkage function, including Hanlon Creek Watershed Study (Figure 3.4.2).*
- *Buffer creation options on Southern edge using locally sourced native species.*
- *Vegetation, coverage loss and compensation option and strategic approach.*
- *Previous land use and servicing studies, decisions and future plans.*
- *Roadway extending south of property into linkage area."*

Motion Carried

-Unanimous-

When the Committee deferred making recommendation on the EIS, the proponents revised the document to incorporate the information requested, and address concerns identified in both the staff report as well as by the Committee. It is noted that the draft plan proposal was also revised to remove the roadway extending the southerly property line.

The applicants submitted a second EIS dated September 3, 2010. This submission was heard at EAC on October 13/10 with the following resolution:

Moved by M. Gillen and seconded by J. Tivy

"Whereas the recently approved Natural Heritage Strategy (OPA #42) does not apply to this application, the Environmental Advisory Committee support the Environmental Impact Study prepared by Aboud & Associates Inc., based on the following conditions, some of which are still to be submitted and approved by City staff:

Required for the EIS

- *That the EIS consider retaining even a portion of the habitat currently being used by the Savannah Sparrow, or provide detail in the EIR as to how the areas being restored (SWM block and wetland buffer) could emulate habitat required for this species;*
- *That the EIS address the true number of trees being removed from the site and discuss proposed compensation ratios and consider retention of meadow habitat;*
- *That the EIS elaborates on the pre and post development monitoring plan which studies the impacts to groundwater recharge, depth, flow and quality at the site. Consideration should be given to implementing/ installing additional ground water monitoring wells.*

Required for the EIR

- *That the EIR considers and discusses opportunities for lower impact development on the site;*
- *That the EIR address fencing alternatives for Open Space block 27 and present the best option to allow species to access the feature;*
- *That the EIR addresses methodology for successful transplant of the Braun's Wood Fern (i.e. Timing, follow up monitoring/watering as required etc) to ensure their continuing success in their transplant locations.*
- *That the buffer to the wetland be identified as a no touch zone and adequately protected on site throughout the process;*
- *That the EIR identify proposed timelines for vegetation removal, and that it conforms with associated breeding times;*
- *A detailed tree preservation/compensation plan be provided in the EIR;*
- *That the EIR please provide more detail on methods to be employed for invasive species removal, including timing for removals."*

Motion Carried
Unanimous-

Hanlon Creek Watershed Study

Delegates at the June 7th Public Meeting restated previous concerns that the application is not in conformity with the 1993 Hanlon Creek Watershed Study in that it fails to protect the ecological linkage across the southern portion of the subject property to lands on the east side of Gordon Street that is shown within this plan.

Staff Response

An extensive evaluation of the linkage was done both through the Environmental Impact Study prepared for the subject property and through the City of Guelph's Natural Heritage Strategy (OPA 42) Study. This updated information concluded that this ecological linkage, previously identified in the 1993 Hanlon Creek Watershed Study no longer exists.

Additional Information

Further information regarding this linkage identified in the Hanlon Creek Watershed Study is provided on page 45 of Staff Report 11-30:

"The Hanlon Creek Watershed Plan was approved by Council and incorporated into the Official Plan. The Non-Core Greenland Overlay in the Official Plan that applies to the subject site was intended to reflect the other natural heritage features identified in the Hanlon Creek Watershed Plan (ie. buffers, linkages, corridors) and requires the preparation of an Environmental Impact Study (EIS) to investigate the potential environmental impact of development. The Non-Core Greenland Overlay policies state that residential use is permitted in the General Residential designated lands provided that an EIS is prepared that can demonstrate no negative impacts on the natural features or their ecological functions. The EIS submitted in conjunction with the applicant's latest draft plan of subdivision proposal has been supported by EAC, the City's Environmental Planner and the GRCA. In addition, the owner's requirement to prepare an EIR, as outlined in Condition 13 in Schedule 2, will ensure that the recommended mitigation and monitoring measures identified in the EIS are implemented appropriately.

For information purposes, it is noted that there is no linkage identified across the subject property in the Council approved Natural Heritage Strategy (Official Plan Amendment 42). While a southwesterly portion of the subject property has been identified as "Significant Natural Area" in the Natural Heritage Strategy, these features are identified as "significant landform" and do not extend to the lands on the eastern side of Gordon Street and are not as extensive as what is illustrated in the Hanlon Creek Watershed Plan. This "Significant Natural Area" does not represent any other natural features within the new Natural Heritage Strategy, as it is not identified as wetland, significant wildlife habitat, significant woodlands or ecological linkages. However, as discussed previously, these new natural heritage policies are not applicable to this application in any event".

Further to this information, the proposal is in conformance with the Hanlon Creek Watershed Study and the Hanlon Creek State of the Watershed Study. Staff recognize that the Hanlon Creek Watershed Study identified a "primary linkage" on the subject lands. The study explains the role of linkages, stating that "linkages which connect the core natural areas perform a relatively minor role in terms of water balance of the watershed, due to their relatively small areas in comparison to the core natural areas. The value of linkages must therefore be judged on the basis of their wildlife and vegetative merit alone" (HCSS, 1993).

With that being said, the evaluation of the linkage was done both through the City of Guelph's Natural Heritage Strategy (OPA 42) and the Environmental Impact Study prepared for the subject property. The City's NHS does not identify a linkage on or across the subject property. Through the development of the Natural Heritage System, adjacent land uses were examined and the linkage originally identified within the Hanlon Creek Watershed Study was not seen as having merit from a connectivity perspective as the surrounding land uses had changed and the linkage would not provide a connection from the subject property as there are no nearby features to connect the site to. The existing high school, emergency services station and future commercial lands, religious establishment and corporate business park planned for lands south of Clair Road limit connectivity of this site.

The conclusion that this linkage no longer exists was also reached within the EIS completed for the subject property. The document states that "the linkage area assigned by the Hanlon Creek Watershed Study, while contiguous with off-site core natural areas and buffers, does not use the subject property to connect or link core natural areas located north, south or west of the subject property to other natural features". Therefore, during the review of the proposed application, staff determined that the proponent, as well as the extensive environmental work carried out through the City's latest Natural Heritage Strategy (OPA 42) provided the necessary rationale for not including the linkage identified within the original 1993 Hanlon Creek Watershed Study.

Official Plan Amendment 42 (Natural Heritage Policies)

Delegates at the June 7th Public Meeting stated that the new Natural Heritage Policies adopted by Council in July 2010 through Official Plan Amendment 42 should be applied to this application.

Staff Response

As referenced on page 4 of Staff Report 11-30, the City received the complete application resubmission on November 20, 2008 which was prior to the adoption of the Natural Heritage Strategy by Council. Correspondingly, the policies that apply to the application are those in place at the time following the receipt of this complete application. Further discussion on this matter will be provided by Legal Services. It should be noted that OPA 42 is under appeal.

Natural Heritage Strategy (OPA 42) Landform Feature

Delegates at the June 7th Public Meeting have continued to draw a direct relationship between the ecological linkage identified in the 1993 Hanlon Creek Watershed Study and the new "significant natural area" that applies to the subject property in the 2010 Natural Heritage Strategy (OPA 42), stating that this latest environment review has confirmed the presence of this ecological function.

Staff Response

- The purpose of OPA 42 is to replace the current Core and Non-Core Greenlands policies and mapping within the City of Guelph's Official Plan.
- Substantial field investigations and background review were undertaken to produce the data used to form the NHS, which was produced with the intention of replacing/updating the current Core and Non-Core Greenland overlays in the City's Official Plan.
- While OPA 42 has introduced a significant landform feature across the southerly portion of the subject property, it is very important to clarify that this does not represent the ecological linkage function originally identified in the 1993 Hanlon Creek Watershed Study.
- As stated on page 45 in the staff report, this is a landform feature in the new Natural Heritage Strategy that does not extend to the lands on the east side of Gordon Street and does represent any other natural features such as wetland, significant wildlife habitat, significant woodlands or ecological linkages.

Interpretation of the Official Plan Non-Core Greenlands Overlay

In submissions and at the June 7th Public Meeting some delegates interpreted that the Non-Core Greenlands Overlay sets out that development can only occur on the subject lands through an adjustment of the Non-Core Greenlands Overlay boundaries, where areas of protection would remain and development would only be permitted within the excluded portions.

Statements were also made claiming that Non-Core Greenlands Overlay Official Plan Policy 7.13.6 was not being met since the EIS did not demonstrate that there would be no negative impacts on the natural features or their ecological function.

Staff Response

- The Non-Core Greenlands Overlay policies permit residential development on the entire subject property provided an EIS is prepared that can demonstrate that no negative impacts on the natural features or their ecological functions.
- The EIS submitted in conjunction with this application has been supported by EAC, the City's Environmental Planner and the GRCA (see page 45 of Staff Report 11-30).
- Any adjustment of the Non-Core Greenlands Overlay boundary is not applicable nor would serve any benefit in this case, as the ecological linkage for which the Non-Core Greenland Overlay boundary previously represented has been removed.
- Non-Core Greenlands Overlay policy (Section 7.13.6 of the Official Plan) states that development may occur on lands associated with the Non-Core Greenlands Overlay consistent with the underlying land use designation in instances where

an environmental impact study has been completed and it can be demonstrated that no **negative impacts** will occur on the natural features or the ecological functions which may be associated with the area.

- Further, **negative impact** is defined in the Official Plan as, "the loss of the natural features or ecological functions for which an area is identified".
- Since the approved EIS has identified no ecological linkage across the subject property (as previously discussed), the appropriate justification has been provided that there will be no loss of ecological function.
- In addition, the EIS that has been supported by EAC, the City's Environmental Planner and the GRCA has determined that the subject property does not contain any significant natural features, such as wetlands, woodlands, valleylands, wildlife habitat or ecological linkages.
- The application is also consistent with the Natural Heritage policies of the Provincial Policy Statement (PPS), as stated on page 40 of Staff Report 11-30. There are no provincially significant natural features (wetlands, valleylands, woodlands) or significant wildlife habitat identified on the subject site.

Impacts of Development on the Small Wetland Area

The issue was raised regarding the impact of the proposed development on the small wetland area on the western portion of the site. The concern was expressed that the extent of the wetland buffer would not be adequate to protect the entire catchment area of the wetland or protect species found in and around the wetland area.

Staff Response

- Page 47 of Staff Report 11-30 addresses this issue.
- The pre and post development conditions for the wetland catchment area will remain the same; draining a small area that does not contain any locations of great concern.
- The stormwater discharge into the wetland would not contain runoff from roadways or parking areas, as all of these areas would drain to the stormwater management pond where there will be a treatment train providing pre-treatment and infiltration of stormwater runoff prior to discharging into the wetland.
- Stormwater from residential lots (roof and rear yard runoff) directed to the wetland would be considered clean runoff.
- The wetland buffer, which ranges between 13 to 30 metres has been identified as being adequate by the Grand River Conservation Authority, the Environmental Advisory Committee, and City Planning & Building and Engineering departments for various levels of protection. This includes protection for amphibian habitat as well as protection of the integrity of the wetland feature from a water quantity and quality perspective.
- The wetland located on the site is not a Provincially Significant Wetland or identified by the Grand River Conservation Authority.
- The groundwater table is located at elevations below the wetland itself, and therefore is not groundwater fed, but supplied through perched groundwater. The hydrology of the isolated wetland acts independently of the groundwater and is not hydrologically connected to off-site wetlands or part of any off-site wetlands or wetlands complexes.

- From a biological connectivity standpoint, studies done to support the EIS demonstrated that there is a very low species diversity and numbers utilizing the wetland, while species concentrations were centered on adjacent properties. Amphibian call surveys were conducted as during appropriate breeding season (April-June) as per the Marsh Monitoring Protocol. During the three (3) surveys completed only 3 individuals were heard calling from within the subject wetland. All three were heard during the same survey which took place on May 26th, 2008 and the individuals were comprised of a Gray Tree Frog, a Spring Peeper and a Green Frog, all of which are species which are common and abundant in Ontario.

Savannah Sparrow

Delegates at the June 7th Public Meeting restated concerns that the proposed development fails to comply with the Provincial Policy Statement in that it does not protect significant wildlife habitat for the Savannah Sparrow.

Staff Response

This issue has been addressed through the following information provided on page 47 of Staff Report 11-30:

"The Government of Canada Committee on the Status of Endangered Wildlife in Canada (COSEWIC) lists the Savannah Sparrow as a species of special concern for the Nova Scotia population. The Ontario population is not identified as being at risk by COSEWIC. The species is also not listed on the Ontario Species at Risk list. The Provincial Policy Statement refers to protection of endangered and threatened species as defined by the Ontario Ministry of Natural Resources. Furthermore, the reference was made to the protection of "Significant Habitat" of the Savannah Sparrow. The Provincial Policy Statement defines significant habitat as being "habitat as defined by the Ontario Ministry of Natural Resources that is necessary for the maintenance, survival and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species". As discussed previously, the application does comply with the Provincial Policy Statement, noting that the Savannah Sparrow is not identified as a species at risk in Ontario. Even if this species was identified as a species of conservation concern in Ontario, the application would still comply, as the Provincial Policy Statement refers specifically to species that are "threatened or endangered".

Condition 13 in Schedule 2 does include the requirement that the owner to provide detail in the EIR as to how the areas being restored (i.e. stormwater management block and wetland block) could emulate habitat required for this species. This was one of the items identified in the Environmental Advisory Committee resolution dated October 13, 2010".

Additional Supporting Information

- The Savannah Sparrow is not rare in Wellington Count, as per the Significant Breeding Birds in Wellington County
- The species is not identified as rare or regionally significant by the Hanlon Creek Subwatershed Report (2004)

- COSEWIC has released the assessment is expected species to be included in their list up to the spring of 2013 and the Savannah Sparrow is not listed as a candidate species for future assessment at this point

Purpose of the Environmental Implementation Report (EIR)

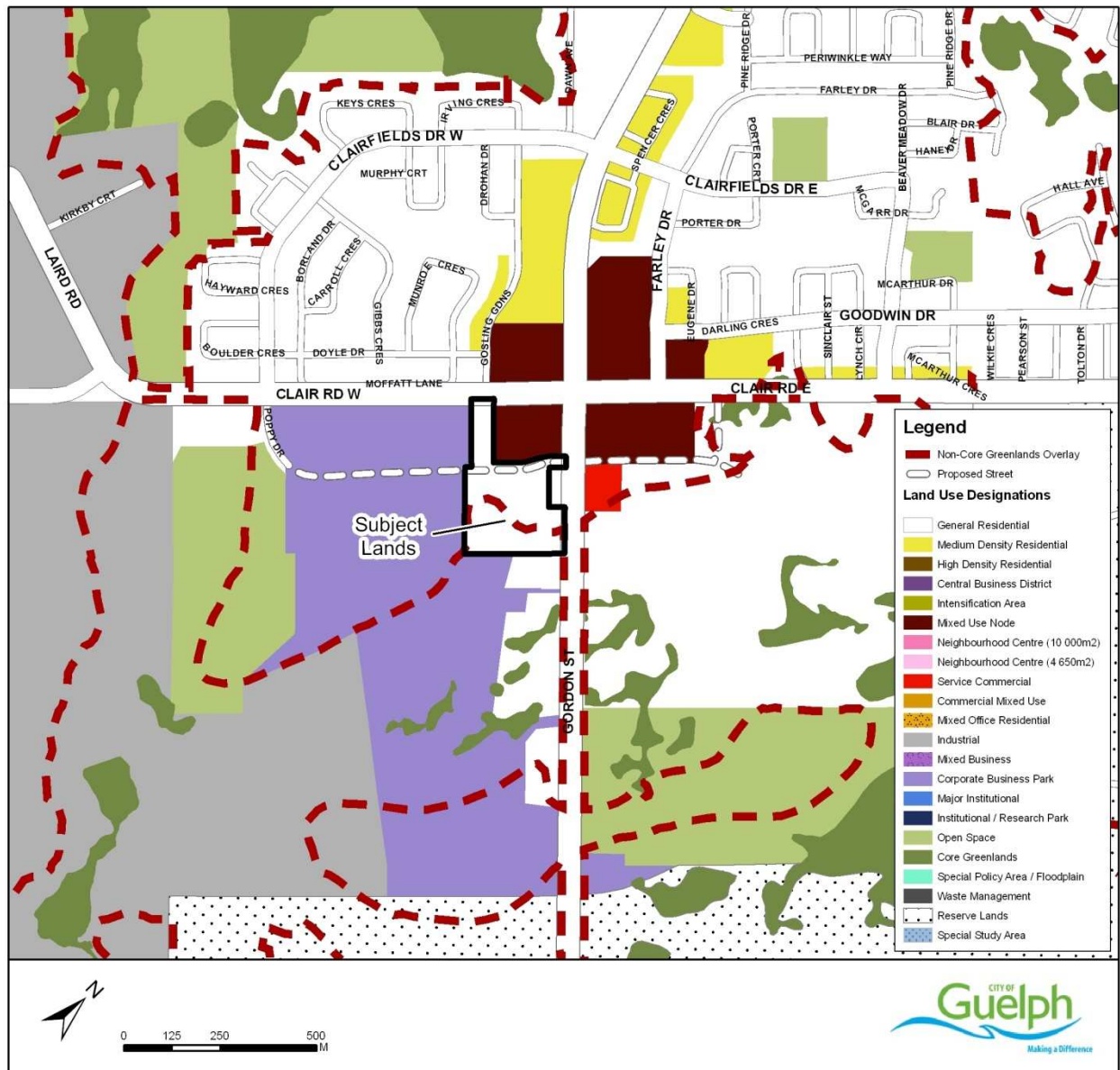
There were questions raised at the June 7th Public Meeting regarding the scope of the EIR and its general relationship to the Environmental Impact Study (EIS) that has been approved in association with this application.

Staff Response

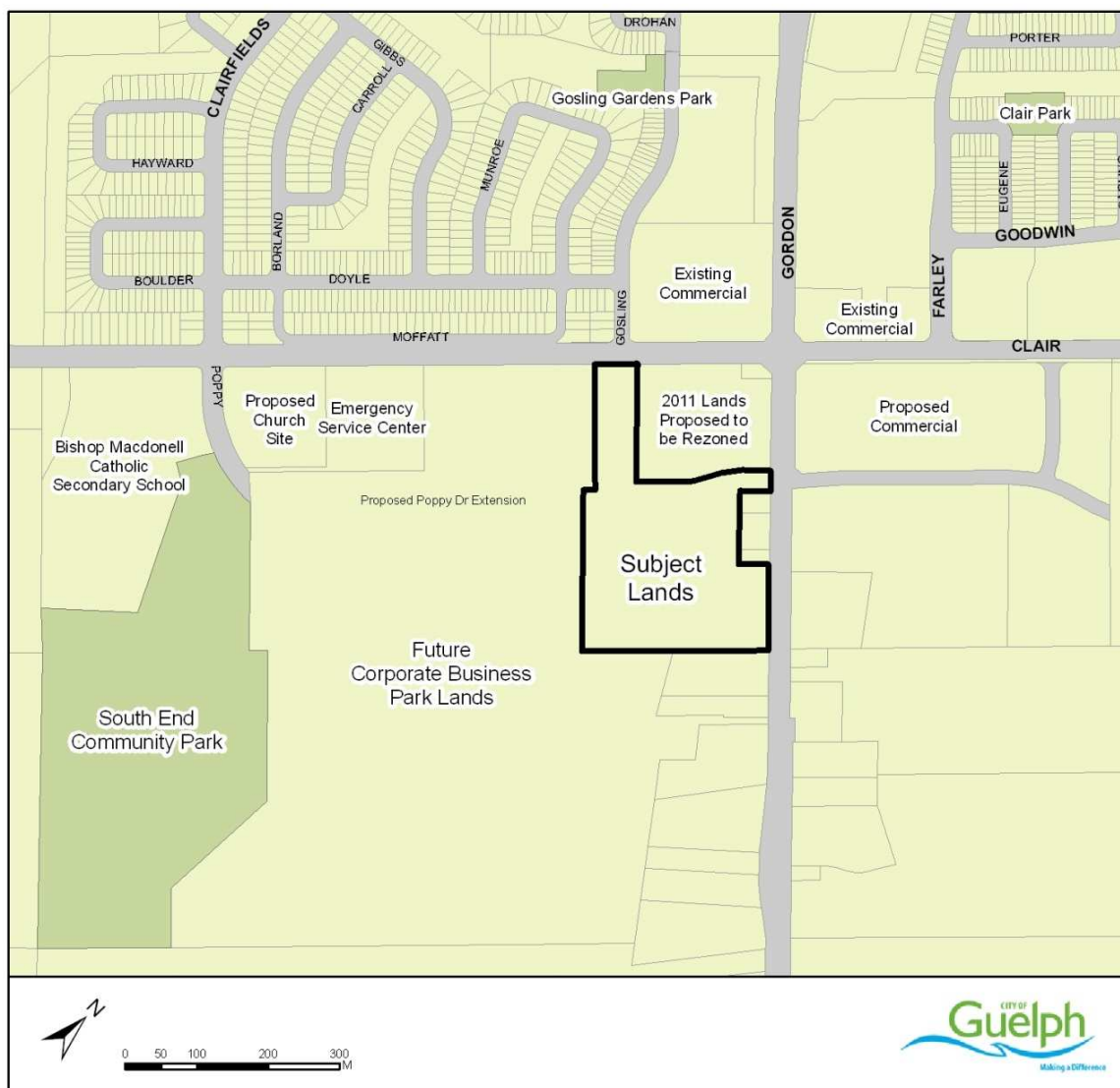
The EIS ensures that the proposed development can occur with no negative impacts to natural features. The EIR is a separate document that includes the detailed design and implementation of the approved recommendations of the EIS. The two documents work together to ensure that the natural features are protected.

As highlighted on page 45 of Staff Report 11-30, the EIS has been supported by the City and the Grand River Conservation Authority (GRCA). At the October 13, 2010 Environmental Advisory Committee meeting, the second submission of the EIS and Tree Conservation Plan was supported. Condition 13 in Schedule 2 of Staff Report 11-30 will require the owner to prepare an EIR at the detailed design stage to ensure that the recommended mitigation and monitoring measures identified in the approved EIS are implemented appropriately.

SCHEDULE 1: OFFICIAL PLAN LAND USE DESIGNATIONS (SOUTH GUELPH)



SCHEDULE 2: SUBJECT LANDS AND SURROUNDING USES



SCHEDULE 3: SOUTH GUELPH DISTRICT CENTRE STUDY (Street Network)





Transportation
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Traffic
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Parking
Planning

Philip E. Grubb

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June 24, 2011
Project: 100880

Astrid J. Clos
Planning Consultants
423 Woolwich Street
Suite 201
Guelph, Ontario
N1H 3X3

Dear Ms. Clos:

**Re: Bird Residential Subdivision -Gosling
Gardens Traffic Impact**

We understand that a concern has been expressed regarding the potential traffic impact due to shortcutting traffic on Gosling Gardens as a result of the above noted development. Our traffic impact study of October 2010 did not anticipate site traffic using Gosling Gardens as a route to/from Gordon Street but rather that all of the traffic generated to/from Gordon Street in the northerly or southerly direction would use Clair Road to/from Gordon Street. It is expected that motorists would not chose the Gosling Gardens route as it would result in increased travel time for the following reasons:

1. Gosling Gardens has numerous residential driveways and the associated activity would slow traffic.
2. There is a lower posted speed limit between Gordon Street and Clair Road (50km/hr) on Gosling Gardens than on Gordon Street between Clair Road and Clairfield Drive (60 km/hr).
3. There are several transit stops (3) on the Gosling Gardens route where none exist on Gordon Street between Clair Road and Clairfield Drive. The stopping of transit vehicles will slow traffic on this route.
4. The travel distance is longer using the Gosling/Clairfield route to/from Gordon relative to the Clair Road route to/from Gordon Street.
5. The curvature of Gosling Gardens also results in slower traffic speeds relative to the Clair/Gordon route.
6. There is an eastbound advance left turn phase to facilitate traffic on Clair Road to proceed northward on Gordon Street.



7. The signal timing facilitates traffic on Gordon Street while signal wait durations are higher on Gosling at Clair and Clairfield at Gordon.

While all these factors will discourage drivers to shortcut on Gosling Gardens between Clair Road and Gordon Street, it is acknowledged that it is possible that some traffic may use this route given its location with the street network. We note the following:

1. Based on the traffic impact study, if all of the traffic attracted to Clair Road to/from the north on Gordon Street where to use the Gosling route, an increase of 15-17 additional vehicles would be experienced during the AM or PM peak hours. Although this is unlikely to occur based on the above rationale, the impact of this additional traffic or a portion of this traffic will not be significant.
2. During off peak hours, it will be more attractive to use the Gordon/Clair route as the intersection of Gordon and Clair will not be as busy compared to the AM and PM peak hour.
3. Gosling Gardens functions as a collector road and is expected to accommodate 3100 vehicles per day based on the 2025 traffic volume forecast in the report. Collector roads typically accommodate 5,000 vpd or more so the additional traffic that might occur as a result of this development would result in volumes significantly lower than what is expected on collector roads.

Should traffic issues occur on Gosling Gardens it will be as a result of existing and other traffic and not the amount of traffic generated by the subject lands. If this occurs it is largely due to the position of the road in the City road network that may require traffic calming in the future.

We trust this letter will address the potential concerns raised.

Yours very truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED

Philip E. Grubb

P.Eng.
President

Ministry of Tourism and Culture
Culture Programs Unit
Programs & Services Br.
900 Highbury Avenue
London, ON N5Y 1A4
Tel: 519-675-6898
Fax: 519-675-7777
e-mail: shari.prowse@ontario.ca

June 23, 2011

Ministre du Tourisme et de la Culture
Unité des programmes culturels
Direction des programmes et des services
900, av. Highbury
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Ms. Sherri Pearce
D.R. Poulton & Associates Inc.
69 Langarth Street West
London ON N6J 1P5

RE: Review and Acceptance into the Provincial Register of Reports: Archaeological Assessment Report Entitled, "Stage 1 and 2 Archaeological Assessment, Bird Property, Draft Plan of Subdivision 23T-08505, Official Plan Amendment OPA 0801, Zone Change Application 0306, City of Guelph, Ontario", October 1, 2010, Received October 5, 2010, Revised Figure 4 Received June 22, 2011, Licence/PIF # P316-080-2010, MTC File 23SB082

Dear Ms. Pearce:

This office has reviewed the above-mentioned report which has been submitted to this Ministry as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18. This review is to ensure that the licensed professional consultant archaeologist has met the terms and conditions of their archaeological licence, that archaeological sites have been identified and documented according to the 1993 technical guidelines set by the Ministry and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario.

As the result of our review, this Ministry accepts the above titled report into the Provincial register of archaeological reports. No archaeological sites were documented. It is recommended that there are no further concerns for alterations to archaeological sites for the area that has undergone archaeological assessment. This Ministry concurs with this recommendation.

Given the above, this Ministry is satisfied that concerns for archaeological sites have been met for the area of the proposed application as depicted by the revised Figure 4 of the above titled report and the draft plan of subdivision prepared by Astrid J. Clos Planning Consultant, signed April 20, 2011, dated April 28, 2011 for a 5.97 ha property.

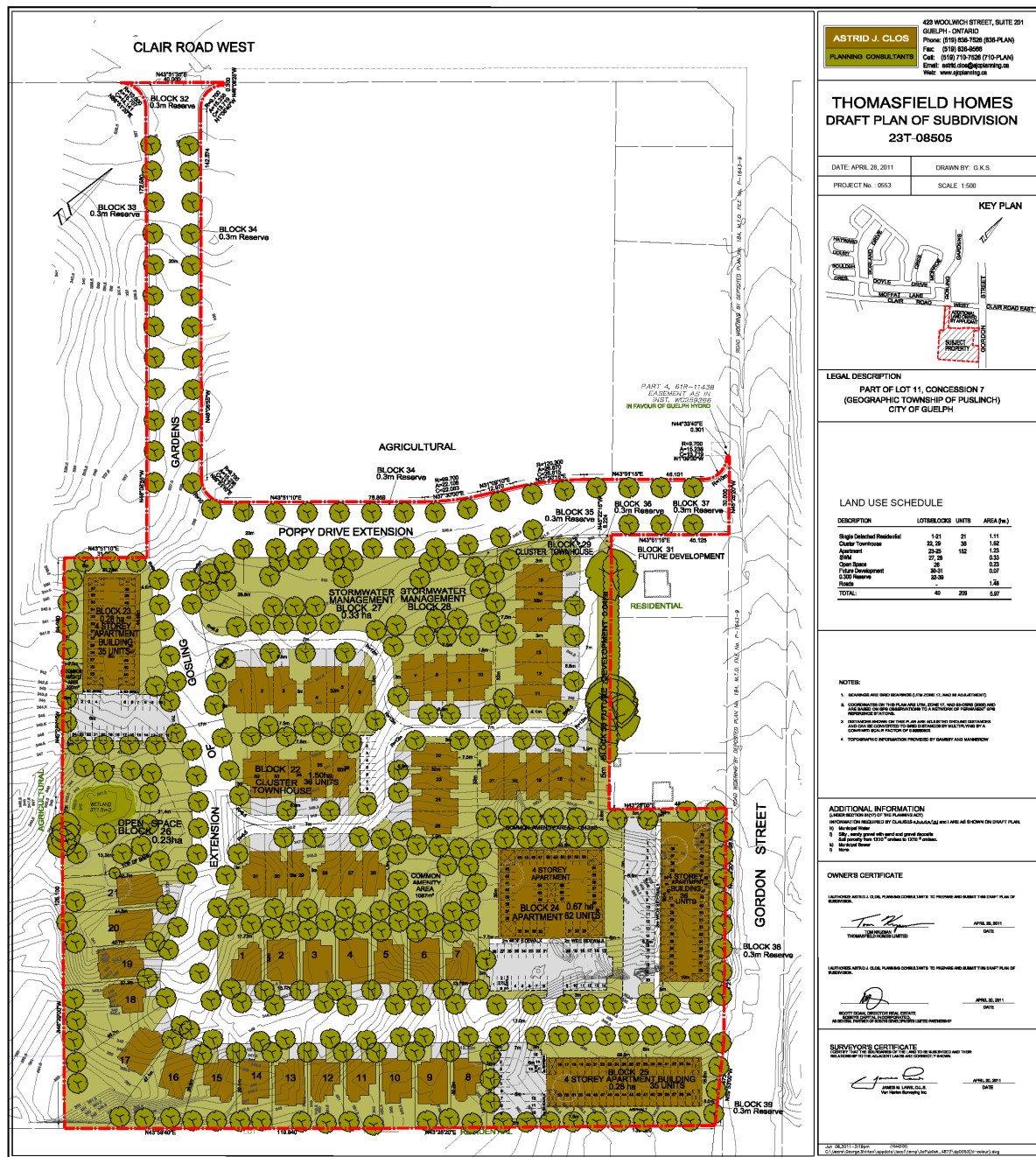
Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Shari Prowse
Archaeology Review Officer

cc. Archaeology Licence Office
Mr. Tom Krizsan and Mr. Paul Heitshu, Thomasfield Homes
Ms. Astrid Clos, Astrid J. Clos Planning Consultants

* In no way will the Ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent. 2



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THOMASFIELD HOMES
DRAFT PLAN OF SUBDIVISION
23T-08505

DATE: APRIL 28, 2011

DRAWN BY: G.K.S.

PROJECT No. : 0653

SCALE 1:500

KEY PLAN



LEGAL DESCRIPTION

**PART OF LOT 11, CONCESSION 7
(GEOGRAPHIC TOWNSHIP OF PUSLINCH)
CITY OF GUELPH**

LAND USE SCHEDULE

DESCRIPTION	LOTS/BLKCS	UNITS	AREA (sq.)
Single Detached Residential	1-21	21	1.11
Cluster Townhouse	22-29	38	1.62
Apartment	23-25	152	1.25
BWM	27, 28		0.33
Open Space	28		0.23
Future Development	30-31		0.07
G-300 Reserve	32-39		1.48
Roads	-		
TOTAL:	40	209	5.87

NOTES:

1. BEARING AND GRID BEARING (UTM ZONE 17, AND 80 ADJUSTMENT)
2. COORDINATES ON THIS PLAN ARE UTM, ZONE 17, AND 80-CEPS GRID AND ARE BASED ON GPS OBSERVATIONS TO A NETWORK OF PERMANENT REFERENCE STATIONS.
3. DISTANCES SHOWN ON THIS PLAN ARE GEODESIC DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A CORRECTION FACTOR OF 0.99999925.
4. TOPOGRAPHIC INFORMATION PROVIDED BY GAUSSY AND MANNESMAN

ADDITIONAL INFORMATION

INFORMATION REQUIRED BY CLAUSES ٤٠١٢٣٤٥٦٧٨٩١٠١١ AND I ARE AS SHOWN ON DRAFT PLAN

- h) Mariposa Water
i) Silty, sandy gravel with sand and gravel deposits
Soil possibly from CXT2[®] and/or CXT3[®] and/or
k) Mariposa Tower
l) None

OWNER'S CERTIFICATE

I AUTHORIZE AETEC & GLOBE PLANNING CONSULTANTS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF REDEVELOPMENT.

 TOM HEDGES
 THOMAS FELD HOUSE LIMITED

APRIL 26, 2011

 DATE

I AUTHORIZE ASTRO J. CLOE, PLANNING CONSULTANTS TO PREPARE AND SUBMIT THE DRAFT PLAN OF REVENUE.

APR 20, 2011
DATE

BOOTH DOAK, DIRECTOR REAL ESTATE
BOOTH DOAK, INCORPORATED
AN OFFICE OF THE STATE OF TEXAS
AS NOTARY PUBLIC, COUNTY OF DALLAS, TEXAS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE SIGNATURE OF THE LAND FORFEITORS AND THEIR
 RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.


 JAMES H. LAINE, C.L.S.
 Van Warden Surveying, Inc.

APRIL 30, 2011
 DATE

Jun 06, 2011 - 2:11pm (16442-06)
C:\Users\George.Shifan\AppData\Local\Temp\JrPublish_4832\dp0053\11-velour.dwg





June 23, 2011

Re: 1897 Gordon

Madame Mayor and Councillors, we have the following 4 concerns with this proposal:

1. Lack of a Secondary Plan. A detailed secondary plan has not been prepared for this area, and the development of this parcel is premature. As you know, Secondary Plans establish the planning direction for the guidance of Council and staff and for the information of the public, landowners, developers and relevant groups and organizations. The city's Official Plan states that Secondary Plans are prepared to provide detailed studies, at a minimum, on the following 8 major categories: servicing, staging of development, the location of major uses, transportation facilities, the impact of new development/redevelopment on an area's existing natural heritage features, cultural heritage features or development constraints, the overall community pattern or for such other reasons deemed to be significant. Previous secondary plans adopted by the City state that the purpose of such plans is to "introduce a specific Vision Statement" for the land and to introduce goals, objectives and policies for the lands.

In her January 2009 memo to the Environmental Advisory Committee, the City's environmental planner stated that "A comprehensive secondary plan which includes an overall stormwater management, servicing plan and road network should be prepared for this area prior to development moving forward." This has not been done for the area south of Clair Road. For example, the map from the 1996 South Guelph Secondary Plan shows the complete lack of detail for the long range road plan for the area south of Clair Road.

There have not been public meetings or consultations about development of this area, and Council has not approved a secondary plan for this area. We have been told by City planning staff that a Secondary Plan will be prepared for the area south of Clair Road, but it is not yet in the works. Allowing this type of piecemeal development is not a prudent course of action. It is lacking in transparency and it bodes ill for an area that is arguably the most ecologically sensitive and diverse in the City, with a network of wetlands, forests and moraine.

2. The proponent and staff have indicated that this plan is not subject to the recently-passed NHS. Even if that is the case, the plan is still subject to the Hanlon Creek Watershed Plan and the City's Official plan; and the proposal violates both of these documents. As stated in the proponent's EIS, the Hanlon Creek Watershed Plan, a scientific study done for this watershed in 1993 at a cost of about \$1 million, designated the southern portion of this property as a linkage.

This is illustrated in the City's Official Plan through designation as Non-Core Greenland. The relevant section of the Official Plan states that development may occur on lands associated with Non-Core greenlands "if it can be demonstrated that NO NEGATIVE IMPACTS will occur on the natural features or the ecological functions."

This development will remove, according to the proponent's EIS, a significant portion of the Paris moraine landform on the site. It will remove over 2.5 ha (6.27 acres) of tree canopy and about 800 trees in fair or better condition (according to a statement by the consultant at EAC). It will remove habitat for the Savannah Sparrow, a species of conservation concern. This, obviously, does not comply with the duty in the Official Plan to demonstrate NO NEGATIVE IMPACT.

In fact, the proponent's own EIS confirms that there will, indeed, be impacts. Here is what it says, in a table in the document dated September 3, 2010:

Impact to the wetland water supply: none to minor
Impact to wetland water quality: none to minor
Impacts to vegetation and trees: minor to moderate

Fragmentation impacts: minor to moderate
Reduction in wildlife habitat: minor to moderate
Reduction of Savannah Sparrow habitat: moderate
Human impact on the wetland: none to minor

While we believe that these impacts are, in fact, understated, it is clear that even the proponent recognizes that there will be impacts, even after mitigation measures are employed. This obviously violates the linkage recommendation in the HCWP and the policy in the Official Plan of NO NEGATIVE IMPACT.

3. The Environmental Planner, in her report of January 14, 2009, made a number of recommendations that have not been implemented. These are in addition to her recommendation mentioned above of completing a secondary plan for the area before proceeding with this development. Those additional recommendations were:

- a. "Additional consideration should be made to retaining the natural landscape/contours as well as portions of the existing plantation which does provide habitat to a number of wildlife species."
- b. She said given the City's commitment to a biodiverse city with the highest tree canopy percentage among comparable municipalities (Strategic Plan 2007) it is staff's opinion that greater efforts should be made to incorporate portions of the plantation into the overall design of the development.
- c. She said given its size [the small wetland] is vulnerable to any changes in water quality and/or quantity. . . Please consider including the entire catchment area for this wetland into the open space block. [It should be noted that the entire catchment is not being protected, even though, in our opinion, the impact to the development of protecting the entire catchment would be minimal.]
- d. She said the Hanlon Creek Watershed Plan does recommend a portion of this site be identified as an improved linkage . . . Please consider revising the proposal to accommodate the retention of a portion of the plantation/tree canopy which would help to address the linkage issue.

Again, none of these additional recommendations were implemented.

4. A recurring concern arises with development proposals around wetlands: adequate buffers are not provided to protect amphibian species in the wetland on this parcel. This proposal claims the small wetland would be protected by a buffer that ranges from 13 to 30 metres. The scientific literature is clear that such minimal buffers do not protect wetland amphibians, in this case grey tree frogs, spring peepers and green frogs.

A detailed Environment Canada publication, How Much Habitat is Enough, indicates that green frogs, for example, need 36-60 metre buffers for foraging. The booklet also points out that small wetlands are as important, if not more important, than larger wetlands and are critical for biodiversity. The GRCA's position, as documented in their 2005 policy on standards for wetland protections, is that 30 metre buffers generally protect water quality but are insufficient for protecting wildlife habitat.

The failure to protect adequate amphibian buffers is yet another negative impact on the natural features of this site. As you know, under the planning act, it is the responsibility of the City to protect wildlife habitat.

So, we urge Council to decline approval of this application based upon these concerns: the lack of a proper secondary plan for the area; the violation of Hanlon Creek Watershed Plan linkage recommendation; the violation of Official Plan policies of no negative impact; the failure to address concerns raised by the environmental planner with respect to the linkage, tree canopy, habitat and wetland; the failure to protect adequate wetland buffer.

Thank you for the opportunity to provide comment.

Judy Martin, Regional Representative

Memo To
From
Date

Guelph City Council
Hugh Whiteley
June 17 2011

RE: PLANNING DECISION FOR 1897 GORDON STREET

Summary of Presentation

I request that City Council either defer a decision on the proposal for 1897 Gordon Street pending a further review of this application by staff or refuse the application.

In reaching a decision on the appropriate zoning for 1897 Gordon Street the fundamental question is whether to protect the Natural Heritage System Features on the site. There is no dispute that the Guelph OP in force at the time of the application identified the southern half of the property as part of the Hanlon Creek Watershed Natural Heritage System. This portion of the site was protected by a Non-Core Greenland overlay and thus cannot be developed as specified by section 7.13.7.

In passing OPA 42 City Council confirmed that the southern portion of 1897 Gordon Street was included within the revised Natural Heritage System and was not developable. Given these facts I think City Council should be persuaded that whether the application is judged against the 2001 version of the OP or OP42 the southern portion of 1897 Gordon is protected against development as part of the NHS.

To understand the deficiencies in process that have led to the recommendation that all of the NHS on the southern portion of the site be removed one must have a good grasp of the ways in which the NHS, as detailed in the Hanlon Creek Watershed Plan adopted by City Council on April 25 1994, was incorporated into the Official Plan

Differences and Similarities of Treatment for Core Greenland Areas and Non-Core Greenlands Overlay Areas in Guelph's OP

The Natural Heritage System contained in the Hanlon Creek Watershed Plan and adopted as a Natural Heritage System by Guelph City Council in 1994 was a single system comprising two types of areas. The two types were (1) Core Greenland Areas and (2) Buffers and Linkage Areas. It is self evident that Core Greenland Areas must be present for a NHS. The HCWP was emphatic in stating that it is equally true that there can be no sustainable NHS without buffers and linkages. Core Areas and Non-Core Areas are equally important.

The HCWP recommended that the whole of the NHS be incorporated into the Official Plan as a single designation. City Council chose not to follow this recommendation and directed staff to make separate provision in the 1995 OP for core areas and for buffers/linkages. The consequences of this way of proceeding are discussed below.

I note that In 2010, in adopting OPA42, City Council followed the original recommendations of the HCWP and the revised NHS is designated as an entity that includes both the significant natural areas (new terminology for core greenland areas) and the associated buffers and linkages.

Although the 1995 OP contained the Core Greenlands as a Designation and the Buffers/Linkages as a Non-Core Greenland Overlay the extent of protection to the two parts of the NHS are not very different. As stated in 7.13.9 and 7.13.10 of the OP (quoted below) the boundaries of both core areas and of buffers and linkage are to be treated as approximate as mapped in the OP and can be refined by more detailed mapping on individual properties or by scoped or comprehensive impact studies for individual properties.

“7.13.9 The physical limits of the ‘Core Greenlands’ designation and Non-Core Greenlands overlay on the various Schedules to this Plan may be subsequently refined by more detailed mapping on individual properties or through the completion of scoped and comprehensive environmental impact studies. It is intended that, in circumstances where more detailed mapping is available, this Plan will be interpreted as applying to the most recent information available.

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

The procedure for adjusting the boundaries shown in the Non-Core Greenland Overlay of the OP , mentioned in 7.13.10, are specified in section 7.13.6.

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

The outcome of the application of 7.13.6 is the mapping of the revised boundary for the Non-Core Greenland Overlay for the property (as specified in 7.13.9 and 7.13.10). Any part of the property that is now excluded from the overlay can be developed according to the “underlying land use designation”.

Section 7.13.6 clearly states that the EIS (either Scoped or Comprehensive as the case may require) must justify any boundary revision that excludes a portion of the property

from the Non-Core Greenland Overlay through a demonstration that “no negative impacts will occur on the natural features or the ecological functions which may be associated with the area” (to be excluded).

Once the boundary has been adjusted in keeping with the demonstration that no negative impacts on any features or functions result from the development of a portion of the originally-mapped buffer/linkage area the portion of the property remaining within the Non-Core Greenland Overlay is securely protected by Section 7.13.7.

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

Questions Requiring Answers

Before making a decision on the planning application for 1897 Gordon Street City Council needs to be clear about two issues:

(1) Is it good planning policy to judge the application using the 1995 Guelph OP or is there a compelling public interest that requires the use of the best available information and planning policies (i.e. OPA 42) ?

In my opinion there is a compelling interest. The City of Guelph has identified its NHS as “one of the City’s most valuable assets” 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 and ground water features within the City over the long term in accordance with the Provincial Policy Statement..”

(2) If the decision is made to stay with the 1995 OP policies has the applicant demonstrated that no loss of features and functions will be created by the removal of all of the NHS area on the southern portion of the property (as required by 7.13.6)?

In my opinion, since the EIS for the property does not conclude that there is **NO LOSS** of features and functions if the NHS portion of the property is developed, but instead contains a list of ecological functions harmed by the bulldozing and development of the NHS portion of the property, section 7.13.6 has not been satisfied and the protection of the NHS portion in 7.13.7 applies.. I am particularly distressed that the complete loss of the most distinctive feature, the unique moraine topography, is not mentioned in the EIS.

Summary

The southern portion of 1897 Gordon street, as noted by the City of Guelph environmental planner, has a unique topography, substantial canopy cover and provides habitat to wildlife. The Hanlon Creek Watershed Plan identified the moraine features of

the site as distinctive and found that it had a vital role in the Hanlon Watershed Natural Heritage System as a linkage. This portion of the property has been reviewed in the studies leading up to OPA42 and confirmed as a portion of Guelph's NHS.

It would be a travesty of good planning to approve removal of this long-identified and fully documented Natural Heritage System element.

APPENDIX A Extracts from Council Minutes

April 25 1994 p 135 – 137

A Special Meeting of Guelph City Council with respect to the Hanlon Creek Watershed Plan Evergreen Seniors Centre

Mr. Tom Krizan representing the Guelph Development Association suggested that eighteen of the recommendations have nothing to do with the mission statement for the protection of the Hanlon Creek Watershed. He stated that there is little evidence of a need for wildlife corridors where none existed before. He further stated that the economic costs of implementing the Plan have not been addressed. He suggested that the Hanlon Creek can be protected without the natural heritage system.

Dr Hugh Whiteley was present and advised that the Plan gives the City the ability to review site by site with respect to development. He advised that the Plan provided the opportunity to have the linkages and buffers adjusted. He advised of the importance of areas 14 -21 as they allow compatibility with the surrounding areas.

NOTE: The Three versions of a NHS for the Hanlon Creek Watershed presented to City Council were

- (1) Good System – consisted of areas with priority 1-8
- (2) Better System consisted of areas with priority 1-13
- (3) Ideal System....consisted of all identified areas 1-21

The NHS system element on 1897 Gordon was priority 9 and thus part of the Better system. City Council adopted the Ideal system.

Appendix B Memo to James Riddell

Memo To James N. Riddell General Manager Planning & Building Services
From H.R. Whiteley
Date: June 24 2011

Regarding: 1897 Gordon Street (Bird Property): Proposed Draft Plan of Subdivision Official Plan Amendment and Zoning By-law Amendment (File: 23T-08505/OP0801/ZC0306)

Mr Riddell:

Request

I request that you consider revising the staff recommendation regarding approval by Guelph City Council of the Proposed Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment for 1897 Gordon Street (Bird Property).

Specifically I ask that you consider requesting deferral of this matter from the June 27 2011 council meeting to a later date to be set, at which time staff will submit a revised recommendation after carefully reconsidering whether the current application conforms to Guelph's Official Plan.

Justification

I make this request because I am convinced that the proposed Draft Plan of Subdivision, the proposed Official Plan Amendment and the proposed Zoning By-law do not conform to the City of Guelph Official Plan. I attended an Ontario Board hearing yesterday for the property at 146 Downey and there heard a presentation by the City of Guelph counsel as to the City of Guelph understanding of the Official Plan provision that have to do with the protection of the Natural Heritage System of the City of Guelph. This presentation was, in my opinion, not factual in important ways and misrepresented both the intent and the content of the Official Plan provisions in question in the protection of Natural Heritage System elements.

In particular it was presented that the City of Guelph regards Non-Core Greenland Overlays as "red flags" or notices that special studies are required before a property can be developed. The clear indication was given that development is expected for areas with Non-Core Greenland overlays but that some technical studies are needed to allow these expectations to be met.

I believe that this false representation of the provisions of the Official Plan guides City Planning staff and is the basis for the guidance offered to developers. The consequence of applying this false understanding of the Official Plan is the creation of proposals that do not conform to the Official Plan, as has happened for 1897 Gordon Street.

Background

The Provisions of the Official Plan that apply to the treatment of Non-Core Greenland Overlays are 7.13.6, 7.13.7, 7.13.9 and 7.13.10. The intent of these sections is clearly established by the decision of Guelph City Council of April 25th 1994 to “adopt the Hanlon Creek Watershed Plan, including the “ideal” natural heritage system and the recommended management options, for lands within the municipal boundary”.

The ideal natural heritage system adopted on April 25th 1994 has as a component the southern half of 1897 Gordon Street. This component is shown on Schedule 1 of the Official Plan and also appears as an overlay on the current zoning bylaw as it applies to the site. This component of the natural heritage system was priority 9 in the HCWP natural heritage system (Figure 3.4.2 of the Hanlon Creek Watershed Plan) and is described as alikage between Halls Pond and the wetland west of Girdon Street and south of Clair Road.. It would have been included in the adopted natural heritage system even if City Council had elected to adopted the “better” system offered instead of the “ideal” system actually adopted.

The justification for the buffer and linkage widths provided in the natural heritage system are listed by sector under three headings Vegetation Considerations, Wildlife considerations and Landscape Considerations. There is also an evaluation of Linkage Importance. The western portion of the natural heritage system on 1897 Downey is in sector 26 and the eastern portion in sector 27 (Map 3.3.1 HCWP). For both sectors the linkage importance is primary link.

The general principles of the HCWP describe the four functions of buffers and linkages. These are (1) to separate development sufficiently from core Greenland areas to prevent the massing and density of development from overwhelming the core areas of the natural heritage system (visual disturbance, noise, lighting would be possible impacts); (2) to provide sufficient distance of separation of human-occupied space from the core Greenland to sufficiently discourage intrusions by humans into the core greenland area; (3) to provide adequate width to fully facilitate the movement of plants (seeds) and animals among core greenland areas. and (4) to provide habitat. The HCWP notes that as a matter of definition all natural areas provide habitat of some sort.

For sector 26, and taking account of the above four functions sector 26 provides a wide enough buffer to protect scattered individual wetlands and prevent encroachment of development into upland vegetation. It provides an adequately wide corridor for wildlife migration In landscape consideration it visually connects wetland complexes. [It also include moraine features buyt this is not noted in this table]

For sector 27 the sector as a whole area protects sensitive marsh wet meadow and swamp vegetation and will provide protection against further encroachment (it is noted that clearing and landscaping has been done to the waters edge in some ponds and some

ponds partly filled). It provides upland habitat for waterfowl and other nesting birds. Landscape consideration are largely the need for revegetation of some disturbed areas.

Purpose and Content of Overlay Provisions of the Official Plan

Acting on the instructions given by City Council, City staff incorporated all of the ideal natural heritage system for the HCW into the 1995 Official Plan. The natural heritage system is a single integrated system that consists of core greenland areas and buffers and linkages. Neither component can persist without the other. Both components were given protection in the OP that prohibits development in the natural heritage system except for essential public services (roads, transmission lines, pipelines and sewers) and some public access (trails).

The protection given to core natural heritage components and the buffer/linkage components differ only in the way changes can be made in the boundaries that define the nhs. Core Greenland areas were given a designation. The result is that the internal boundaries of the core greenland areas can only be changed by an Official Plan Amendment, a cumbersome process. The buffer and linkage components of the nhs were included in the OP as overlays. The outer boundaries of the nhs are the outer boundaries of the buffers and linkages. These can be changed in location without requiring an OPA amendment using the provisions of section 7.13.6.

Section 7.13.6 states that portions of the protected linkage and buffer areas as mapped in the OP can be removed from protection and developed according to the underlying designation of the lands in the OP provided that an EIS has been completed that shows clearly the portion of the original protected area that is proposed to be removed and demonstrates that “*no negative impacts will occur on the natural features or the ecological functions which may be associated with the area*” by the removal of the portion under review.

This is a very severe test as it must be applied to (1) all the natural features and functions contained in and taking place in the portion under review (see list in the previous section) and (2) demonstrate that for no feature or function is there any negative impact of the removal on feature or function by the removal of the portion under review from the NHS. In essence this requires a demonstration that the portion to be removed has no natural features and no natural functions and is not required for any of the distance-of-separation and width functions listed for buffers and linkages.

If the required EIS does not contain this comprehensive demonstration of no negative impacts the natural heritage system boundary is not moved and the portion shown in the OP is protected from development by 3.13.7, the same protection given by the OP designation for core areas. Sections 7.13.9 and 7.13.10 confirm that the action to be justified in 7.13.6 is a change in the position of the boundary of the protected area (overlay).

Conclusion

The position of City Planning Staff that the Non-Core Greenland Overlay is simply a red flag that notes that some additional study is needed before an area is developed is false and misleading. In fact the Non-Core Greenland areas in the OP are protected portions of the Natural Heritage System that cannot be developed. There is provision for reducing the size of the protected natural heritage system by moving the boundary if no negative impacts on natural features or functions results from the movement of the boundary. The Hearing Officer at the recently concluded 146 Downey OMB hearing put it very well. He said the Non-Core Greenland Overlay “is not a Designation but is the next best thing”.

In the case of 1897 Gordon Street the submitted EIS does not meet the conditions of 7.13.6 and thus the area of the Non-Core Greenland Overlay remains protected and must be excluded from any development application OP Amendment or zoning change.

Given this conclusion I have made the request at the beginning of this memo for reconsideration by staff of the proposal for 1897 Gordon before City Council makes a decision on the application.

From: John Ambrose
Sent: June 26, 2011 4:30 PM
To: June Hofland; Maggie Laidlaw
Cc: Mayors Office
Subject: the Melancthon Mega Quarry and the Paris Moraine

Hello June and Maggie--

I will be away for the next council meeting but there are two issues that concern me; my views are expressed below, especially relevant in light of the water theme of the meeting!

The Melancthon Mega Quarry in Dufferin County (near Shelburne):
While staff may not consider this a Guelph issue, the enormous and long term impact it will have on the upstream water sheds including the Grand, as well as taking so much prime agricultural lands out of service and its impact on local agriculture, require Guelph to express concern about it's environmental impact. Reflect on Wellington-Halton Hills Conservative MP Michael Chow's statement that it is "an environmental disaster in the making" that "must be stopped".

1897 Gordon Street Subdivision Proposal:

The southern portion of this site is a primary wildlife corridor. This corridor was identified by site-specific field investigations for the Hanlon Creek Watershed Plan; as well, it was an important part of the Hanlon Creek Watershed Natural Heritage System adopted by City Council in 1994. The 2.5ha of linkage is shown clearly on both the OP and the zoning bylaw as a Non-Core Greenland Overlay. In addition, this is part of the Paris Moraine and city council is on record for saving the moraine as part of Guelph's Natural Heritage System. It would be unthinkable to reverse these precedents and approve the southern part of the proposal.

Sincerely,

John D. Ambrose