

- ADDENDUM -
- GUELPH CITY COUNCIL MEETING -

September 24, 2012

PRESENTATION:

- a) The Presentation by Chief Bryan Larkin, Guelph Police Services, will be rescheduled.

CONSENT REPORTS

- a) **Planning, Building, Engineering and Environment Committee 8th Consent Report**

**PBEE-32) FINAL REPORT OF GCA MANAGEMENT CONSULTANTS:
INTEGRATED OPERATIONAL REVIEW OF PLANNING,
BUILDING, ENGINEERING AND ENTERPRISE SERVICES AND
THE DEVELOPMENT REVIEW PROCESS**

- Gerry Grant, GCA Management Consultants, will be present to answer any questions

THAT the staff report regarding the final report of GGA Management Consultants: Integrated Operational Review of Planning, Building, Engineering and Enterprise Services and the Development Review Process, dated September 17, 2012 be received;

AND THAT staff report back with key performance and implementation indicators, comparator benchmarks and scorecard targets to monitor the success of implementation of the recommendations of the final report of GGA Management Consultants.

**PBEE-33) MIXED-USE NODES URBAN DESIGN CONCEPT PLANS:
WATSON PARKWAY / STARWOOD AND PAISLEY / IMPERIAL
COMMUNITY MIXED USE NODE**

Correspondence:

- Jonathan Roger, Senior Planner, Zelinka Priamo Ltd.

"THAT By-law Numbers (2012)-19462 to (2012)-19472, inclusive, are hereby passed."

BY-LAWS

<p>By-law Number (2012)-19471 A by-law to amend By-law Number (2008)-18656 with respect to the appointment of persons serving as By-law Enforcement Officers for the City of Guelph. (to add Stanley)</p>	<p>To amend the by-law with respect to the appointment of By-law Enforcement Officers.</p>
<p>By-law Number (2012)-19472 A by-law to confirm the proceedings of a meeting of Guelph City Council held September 24, 2012.</p>	<p>To confirm the proceedings of a meeting of Guelph City Council held September 24, 2012.</p>

COMMITTEE REPORT



TO **Planning, Building, Engineering & Environment Committee**

SERVICE AREA Planning, Building, Engineering & Environment and Finance & Enterprise Services

DATE September 17, 2012

SUBJECT **Final Report of GGA Management Consultants: Integrated Operational Review of Planning, Building, Engineering and Enterprise Services and the Development Review Process**

REPORT NUMBER FIN-ED-12-07P

SUMMARY

Purpose of the Report:

To provide the Committee with information on the final report of GGA Management Consultants regarding the Integrated Operational Review of Planning, Building, Engineering and Enterprise Services and the Development Review Process.

Committee Action:

That the Committee receive the staff report.

RECOMMENDATION

“THAT the staff report regarding the final report of GGA Management Consultants: Integrated Operational Review of Planning, Building, Engineering and Enterprise Services and the Development Review Process, dated September 17, 2012 be received;

AND THAT staff report back to Committee with an analysis of the report’s recommendations and a strategic implementation framework, including schedule, and financial implications.”

BACKGROUND

In 2010, Guelph City Council adopted Prosperity 2020, the City of Guelph’s Economic Development and Tourism Strategy. The strategy notes that communities that are successful in retaining and attracting private business investment are those that respond to such investments in a clear, concise and timely fashion. The strategy recommended that Guelph needs to improve its ability to respond to such investments.

In order to address this issue, Economic Development, Planning, Building, and Engineering Services conducted a two-phased joint operational review of our respective programs to improve internal processes and the alignment of resources. This work has been done with the assistance of an oversight committee, which includes representatives from the:

- Guelph Chamber of Commerce;
- Guelph-Wellington Developers' Association;
- local development consulting sector; and
- industrial, commercial and institutional real estate broker sector.

Phase 1, which was conducted in 2011, identified issues through interviews with staff and external stakeholders. The consulting firm, GLPi, was retained to conduct this work. A copy of GLPi's report can be found at: <http://www.guelph.ca/uploads/business/OP%20Review%20Issues%20Scoping%20ReportG2.pdf>.

The issues list resulting from Phase 1 formed the scoping of areas of concern for the Phase 2 work. In 2012, the consulting team GGA Management Consultants with the IBI Group was retained. The objectives of Phase 2 included the following:

- To review current development review processes and the roles of Planning, Building, Engineering and Enterprise (Economic Development, Downtown Renewal and Community Energy) services;
- To assess organizational, management and operating structures, processes, service delivery, resource and approach to conflict resolution;
- To identify opportunities for improving service delivery effectiveness, efficiency and customer service;
- To make recommendations for improvement in an implementation plan.

REPORT

The Phase 2 review was carried out in three stages:

- Stage 1 - Review of Services, Functions and Operational Issues;
- Stage 2 - Assessment and Development of Service Delivery Opportunities and Related Recommendations;
- Stage 3 - Preparation of Integrated Operational Review Report and Recommendations.

Benchmarking and best practice research and interviews were conducted with five comparable municipalities. The following cities were selected from our list of approved comparator municipalities:

- Hamilton
- Kitchener
- London
- Brantford
- Cambridge

Interviews were conducted to obtain additional input into issues and possible solutions with all Planning, Building, Engineering and Enterprise Services staff.

The consultant spent considerable time reviewing each Department's functions, resources, workload and budgets.

In addition, the final report and recommendations have been framed within the context of existing policy and legislated requirements, including respecting the need for continued public involvement in municipal planning and development processes.

The consultant's final report provides 23 recommendations that can be categorized under four main headings:

1. Build a More Adaptive Learning Organization
2. Improve Management Direction and Communications
3. Improve Development Review Processes with Better Co-ordination, Information Management and Communications
4. Improve Communications Interdepartmentally and with Stakeholders

The report's Executive Summary is found in Attachment 1. The complete report can be found at the following link:

http://guelph.ca/uploads/business/Guelph_ES&PBEE_FINALREPORT.pdf

The consultant's report provides a positive framework for staff and other stakeholders to implement changes to the City's planning, building, development and economic development activities. In fact, as summarized in Attachment 'B', a number of improvements and initiatives have already been implemented or are in progress in the Departments.

While staff has implemented a number of the consultant's recommendations, further assessment and analysis of the balance of the recommendations is required, as they appear to impact both current and future resources and budgets. In addition some recommendations appear to impact other service areas, or require further input from external stakeholders.

Staff, with the involvement of industry stakeholders, will conduct an analysis of the recommendations and develop a strategic implementation framework. The framework will include consideration of priorities, phasing, schedules, financial and resource implications, performance metrics, and the need for business case analyses, where appropriate. A follow-up report will be submitted to Council.

This analysis and related stakeholder consultation is important to build consensus around the preferred approach and timing to address the report's recommendations, and to develop a fuller understanding of the implications and costs of the recommended implementation actions/strategies. The analysis will also ensure alignment of the report's recommendations to the *Corporate Strategic Plan* and the *Doing Business Differently* initiative, as well as interconnections to ongoing strategic initiatives, such as the *Corporate Technology Strategic Plan*.

It is anticipated that the above-noted analysis, including staff/stakeholder consultations, can be completed within approximately 3-4 months. During this period, however, staff will continue to work towards implementing improvements to ensure continued progress while the overall implementation strategy is being developed. Examples of “quick win” improvements include:

- Establish enhanced inter-departmental coordination structures, such as the recommended *Interdepartmental Management Committee for Development* to facilitate the efficient review of development applications and a consensus-based approach to problem solving;
- Begin process mapping for various development application types, documenting standard operating procedures and researching development review performance measurement systems;
- Continue to implement staff team-building, mentoring and training opportunities;
- Proceed with implementation of a formal pre-consultation process to enhance clarity and certainty regarding development applications’ requirements;
- Develop internal staff protocols for site inspections, street addressing, etc;
- Establish a “*Downtown Team*” including various departments involved in aspects of Downtown renewal and development to collaborate and coordinate on Downtown initiatives;
- Begin to identify and implement technological enhancements to improve process consistency, service delivery and communications (i.e. Amanda training, website updates).

CORPORATE STRATEGIC PLAN

1.0 Organizational Excellence

- 1.1 Engage employees through excellence in leadership
- 1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions
- 1.3 Build robust systems, structure and frameworks aligned to strategy

2.0 Innovation in Local Government

- 2.2 Deliver Public Service better

3.0 City Building

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City
- 3.2 Be economically viable, resilient, diverse and attractive for business
- 3.3 Strengthen citizen and stakeholder engagement and communications

FINANCIAL IMPLICATIONS

1. Integrated Operational Review Budget

- Total Contract Amount = \$64,750
- Project funds have been approved by Council

2. Implementation Budget

- Preliminary cost estimates (To be reviewed and confirmed) = \$475,000 to \$1,150,000 (Council budget approval required).

As noted in the consultant's report, these cost estimates are very broad and preliminary and have been provided as a guide only. Staff will need to thoroughly assess each recommendation and the potential resource implications. It is expected that a majority of the recommendations can be implemented without an increase in existing resources and a number of them, although noted as requiring resources, may already be funded within the City's 10-Year Sustainable Capital Forecast (i.e. Recommendation 3.6 Updated Urban Design Guidelines; Recommendation 3.9 Review City's Comprehensive Zoning By-law).

Some of the recommendations may have interconnections to ongoing operational initiatives in other City service areas, such as the *Corporate Technology Strategic Plan*, and the *Staff Engagement Initiative*. In preparing the *Operational Review Implementation Strategy* and refined budget, staff will have to determine if other ongoing corporate initiatives can be utilized to address some of the report's recommendations, and therefore offset the need for additional resources.

Finally, some of the more substantive recommendations (such as Recommendation 3.1 Developing a Business Service Centre) will require further scoping in order to develop detailed implementation plans and budgets, and may warrant the preparation of business cases in accordance with the recently adopted *Corporate Business Development Framework*. Such initiatives and related budgets would be brought forward to Council at a future date as stand-alone projects for consideration and approval with business cases as appropriate.

CONSULTATION

- Economic Development Services
- Planning Services
- Building Services
- Engineering Services
- Downtown Renewal
- Community Energy

COMMUNICATIONS

A communications framework for releasing the Phase 2 report to internal and external audiences, as well as a communications plan for the implementation plan, has been developed. Given several communications-related recommendations, Corporate Communications will also contribute to preparation of the implementation plan.

ATTACHMENTS

Attachment 'A' – Executive Summary - GGA Management Consulting Inc. Report, including its recommendations

Attachment 'B' – Summary of Current Implementation Activities

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Attachment 'A'

Executive Summary

GGA Management Consulting Inc. Report, Including Recommendations

City of Guelph Integrated Operational Review

Corporation of the City of Guelph
Integrated Operational Review of Planning, Building, Engineering & Enterprise Services
& the Development Review Process

Executive Summary

The City of Guelph is a growing, diverse and vibrant community with a well-educated population of just over 120,000 in 2011. The City of Guelph recognized the inherent challenges of providing for sustainable growth and development and retained GGA • Management Consultants and IBI Group to conduct an integrated operational review of the current development review processes and the related roles of Planning, Building, Engineering and Enterprise (Economic Development, Downtown Renewal and Community Energy Initiative) services.

The objectives of this Integrated Operational Review included the following objectives:

- ♦ to review the current development review processes and the roles of Planning, Building, Engineering and Enterprise (Economic Development, Downtown Renewal and Community Energy Initiative) services
- ♦ to assess organization, management and operating structures, processes, service delivery, resources and approaches to conflict resolution
- ♦ to identify opportunities for improved service delivery effectiveness, efficiency and customer service
- ♦ to make recommendations for improvement with an implementation plan

Assessment

The City of Guelph has a growing economy focused on agriculture and life sciences, with the advanced manufacturing, technology economy and environmental technology sectors contributing to the City's economic development. Sustainable growth is dependent upon effective planning to provide housing, commercial development and transportation infrastructure to support this growth while maintaining Guelph's high quality of life.

PBEE and Enterprise have professional staff who are committed to ensuring that the City of Guelph and its residents continue to benefit from a high quality of life in a healthy and sustainable community. In our interviews and in the responses to our questionnaires we were impressed by the conscientious and thoughtful approach that staff gave to their growth management and development review responsibilities. Staff recognized that the decisions that are made with respect to development have a long-term impact not only for the foreseeable future, but for many generations to come. Staff are working diligently to support Council and its directions, e.g. intensification, downtown development and are seeking to reflect these directions in their review of development applications. They are also mindful that they must abide by the provisions of the Ontario Planning Act and other provincial acts and regulations. They are also aware that development decisions can be challenged at the Ontario Municipal Board. They are, therefore, conscientious in ensuring that there is appropriate justification for the positions they take with respect to specific changes or amendments which they request of developers relative to their applications. Unfortunately, staff morale has been affected by a lack of effective management direction, management resignations and related publicity, workload issues and past City human resources related decisions and reorganizations. The Planning department now has new management in place and has hired new staff to fill vacancies – the time is right to move forward and build a more adaptive learning organization which has engaged management and supports staff in their development review activities. Both PBEE and Enterprise departments would

GGA & IBI Group

3

benefit from improved management direction and greater interdepartmental coordination and communications through the implementation of an improved service delivery model.

PBEE and Enterprise have completed major new policies to guide development, including the Official Plan Update and the Economic Development & Tourism Services Strategy, and are seeking to support Council in its desire to create a healthy, economically strong and sustainable community, and to protect the City's natural and heritage assets. PBEE and Enterprise have also sought to support Council's desire that Guelph be a municipal leader in energy conservation and sustainable development by achieving the goals of its Community Energy Plan and Engineering and Planning have had major roles to play in the successful Civic Square core redevelopment and infrastructure program which has impacted departmental workloads. The Enterprise departments have been instrumental in establishing the new Hanlon Creek Business Park and attracting new industry.

Our review of the development review processes found that there are opportunities for improvement and that there is a need for an improved service delivery model. Management needs to be more engaged and supportive of staff in development review. Communications and coordination amongst departments and with stakeholders could be improved. Our review found that site plan review is generally well coordinated, however, there are communications issues which need to be addressed. A mandatory pre-consultation meeting to start the development review process as practiced by many other municipalities would assist developers in application preparation and would help to streamline the development review and approval process. Information systems to monitor application processing could be improved and better use could be made of existing application and processing information to improve customer service, interdepartmental coordination and process management.

Improved Service Delivery Model for Development Review Needed

An improved service delivery model is needed whereby management and staff can work more productively together to provide better customer service to the development industry, as well as the community and its stakeholders. What is needed is a service delivery model that is "evolutionary" not "revolutionary" and we are confident that the City can move forward to implement this improved service delivery model successfully. This improved service delivery model has four major interdependent components, which are:

- ✦ **Build a More Adaptive Learning Organization**
- ✦ **Improve Management Direction, Engagement & Coordination**
- ✦ **Improve Development Review Processes with Better Coordination, Information Management & Communications with Stakeholders**
- ✦ **Improve Communications Interdepartmentally and with Stakeholders**

Our recommendations to establish this improved service delivery model include the following:

Recommendation #1: Build a More Adaptive Learning Organization

- Recommendation 1.1 Re-establish Planner II Positions Over Time & Implement a Team Organization Within Planning & Initiate Organization Development Process
- Recommendation 1.2 Establish a Human Resources Staffing & Succession Plan to Address Management & Skills Requirements Now and in the Future
- Recommendation 1.3 Integrate & Orient New Employees & Provide Mentorship & Training Opportunities for Existing & New Staff in all Departments

Recommendation #2: Improve Management Direction & Communications

- Recommendation 2.1 Clarify Roles & Responsibilities of all Manager Positions in Planning, Engineering, Building & Enterprise Departments Relative to Their Direction & Involvement in the Development Review Process
- Recommendation 2.2 Establish a Manager-level Interdepartmental Management Committee for Development to Better Manage Development Review Processes
- Recommendation 2.3 Planning & Engineering General Managers Should Review, Track and Monitor Application Processing, Project Issues & Timelines on a Weekly Basis

Recommendation #3: Improve Development Review Processes with Better Coordination, Information Management & Communications with Stakeholders

- Recommendation 3.1 Develop a Business Services Centre in Conjunction with the Information Services Area on the Main Floor of City Hall
- Recommendation 3.2 Establish a New Position of "Business Facilitator" to Assist City Businesses, Including the Development Industry to Access City Services & the Assistance They Need
- Recommendation 3.3 Establish Gold Star Protocol for new Development Proposals which would have Major Benefits to the City – Gold Star Program
- Recommendation 3.4 Implement a Mandatory Pre-consultation Process for all Development Applications
- Recommendation 3.5 Establish a Development Review Committee with Regularly Scheduled Meetings
- Recommendation 3.6 Implement a Revised Site Plan Review Process with Updated Urban Design Guidelines
- Recommendation 3.7 Reinstiate One Step Engineering Review & Comments Process
- Recommendation 3.8 **Expand the Use of & Improve Management Information Systems & Performance Measurement to Support Development Application Processing & to Improve Customer Service with the Assistance of City's Information Technology Department**
- Recommendation 3.9 Review the City's Comprehensive Zoning By-law Relative to Allowable Uses
- Recommendation 3.10 Consolidate Enforcement of all Property-Related By-laws within One Department
- Recommendation 3.11 Improve the Management, Coordination & Review of the City's Capital Projects
- Recommendation 3.12 Enterprise Departments Should Review New Major Economic Development Opportunities with Employment & Tax Benefits and Coordinate Action to be Taken Relative to the Development Review Process

Recommendation 3.13: Enterprise Departments Should Become More Proactive in Investment Attraction & Business Retention

Recommendation #4: Improve Communications Interdepartmentally & with Stakeholders

Recommendation 4.1: Develop an Overall Communications Strategy to Support the Development Review Process

Recommendation 4.2: Establish a Customer Service Mission Statement in Consultation with Staff & Provide Customer Service Training

Recommendation 4.3: Revise City Website to Better Support Development

Recommendation 4.4: Encourage Better Interdepartmental Communication & Coordination Amongst PBEE & Enterprise Staff

Implementation & Change Management Plan

It is also recommended that an Implementation and Change Management Plan be put in place with implementation of the recommendations being carried out over the coming 4-year period. We are pleased to note that City management and staff have already started to implement some of our recommendations. PBEE and Enterprise Services managers should use the Implementation and Change Management Plan to monitor progress on implementation of the recommendations and make periodic reports to Council.

Further detail on the Recommendations can be found in Section 7.0 and on Implementation in Section 8.0 of this report.

Attachment 'B'

Summary of Improvements and Initiatives

Planning Services

Development and implementation of Planning Services "Transition Plan"

- Developed robust transition plan to manage a challenging period of staffing/leadership changes while continuing to provide quality customer service, processing development applications in a timely manner and advancing critical policy planning and urban design priorities.
- Communicated the plan to development stakeholders and broader community to ensure transparency.
- Successfully filled 6 staff vacancies, including two key leadership positions, two Environmental Planner positions and two members of the technical services team, plus managed 4 temporary staff leaves, and working towards filling new leadership vacancy resulting from the appointment of the former Manager of Planning Policy and Urban Design to the position of General Manager.
- During the Transition period, brought forward approximately 44 staff reports dealing with development planning matters, including approval of a number of major development applications Downtown and elsewhere in the City.
- Finalized a number of major policy planning and urban design projects, including the new Downtown Secondary Plan, the Official Plan Update, Source Water Protection Policies, and made significant progress on numerous other projects including the Guelph Innovation District Secondary Plan, Brooklyn and College Hill Heritage Conservation District Study, Brownfield Redevelopment Community Improvement Plan Update, Urban Forest Management Plan, and Shared Rental Housing.
- Began implementing leadership changes to foster a culture of staff engagement, leadership and empowerment.

Other Improvements and Initiatives

- Initiated monthly Planning Services team meetings to enhance two way communications, provide updates and seek input on broader corporate initiatives (e.g. Corporate Strategic Plan), update and discuss matters arising from Council meetings and staff reports, and conduct round-table discussions and shared learning
- Established interdepartmental teams to coordinate and collaborate on the review of specific major development applications, regularly meet and communicate with applicants, adopt a team-based approach to resolving issues and generally enhance the efficiency and effectiveness of the development review process for these complex, major proposals.

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- Began reviewing overall Planning Services departmental work plan, priorities and allocation of resources to establish balanced and manageable staff workloads, review alignment of resources to departmental and corporate priorities, and assess capacity to manage core functions and current priorities and potential new work plan items flowing from other corporate initiatives, in particular the Corporate Strategic Plan.

Economic Development Services

Improvements to Economic Development's "Investment Attraction" and "Business Expansion and Retention" Programs.

- Established and implemented common branding and marketing messages in its marketing collateral. In mid 2012 Economic Development conducted a soft launch of 'Invest in Guelph' a new marketing program and brand. 'Invest in Guelph' will serve as the principle marketing brand for Enterprise Services marketing initiatives. Sub-brands that target specific sub-sectors such as the downtown, investment attraction and business retention can be developed from this brand. The brand provides a consistent look, feel and positive message.
- Established a Customer Relations Management system. Economic Development has secured and is currently using a new customer relations management system for the purpose of tracking and managing new investment opportunities. This system can be expanded for use by Planning, Building and Engineering Services.
- Established a database of information, facts & figures for use in marketing messages and collaterals. In partnership with the Chamber of Commerce and the University of Guelph, Economic Development has created and launched a comprehensive real estate data base and web site which identifies available property and related community investment information. Also in partnership with the Chamber of Commerce and University of Guelph, Economic Development is currently preparing investment data and profiles targeted for use in growing Guelph's advanced manufacturing, clean-tech, environmental, and Information technology sectors.
- Establish improvements to Guelph's Economic Development website with new branding and communications messages, complemented by other marketing collateral and campaigns. In mid 2012 Economic Development completed a 2012 - 2016 Marketing Strategy which, in part identifies improvements to its websites, directs its new marketing collateral and assists its marketing campaigns. Implementation of the 2012 - 2016 Marketing Strategy is currently underway.
- Developing a business retention plan to ensure existing Guelph businesses are given the same attention as new prospects. Economic Development, in partnership with the Chamber and University of Guelph, is developing a new Business Retention Program for launch in 2013. Business surveys are to be conducted throughout the fall of 2012 to identify needs, as well as to define the scope of the program.

Engineering Services

Initiatives and improvements implemented by the Engineering Group:

- Streamlined the internal (Engineering) development application tracking process in coordination with Planning staff.
- Coordinated with Senior Planners and new Manager of Development Planning to share information on Planning Department's Report Priority Listing that sets target Planning Council dates for Planning Reports on development applications.
- Focused coordination with Planning Staff in regard to Site Plan and Committee of Adjustment applications, as well as Zoning Amendment and Official Plan Amendment applications.
- Project Management, coordination and cost sharing with external agencies and developers for major infrastructure upgrades supporting approved developments: e.g. Hanlon / Laird Interchange (HCBP and Southgate developments); Silvercreek Parkway Grade Separation and road improvements, flood protection stormwater management, and feedermain construction (Silvercreek Lands development).
- Proactively coordinated with Design & Construction and developers to identify and initiate capital projects for major infrastructure upgrades including cost-sharing to support intensification (a) in the Downtown and (b) on Gordon Street.
- Provided Engineering review and recommendations for grant applications for Brownfield redevelopments; followed with monitoring and approval of site remediation work and payments.
- Enhanced staff resources by hiring a new Development/Environmental Engineer to provide professional assistance in Development Engineering, Contamination Issues and Linear Infrastructure Environmental Assessments.
- Coordinated Senior Planning and Engineering staff meetings with the Guelph Wellington Developers Association and Home Builders groups. This task will now revert back to Planning with the filling of the Development Planning Manager position.

Capital Projects – Co-ordination and Review:

- There is a defined process for linear Design and Construction projects that incorporates input from a variety of stakeholders.

Improve the Management Co-ordination and Review of the City's Capital Projects:

- Engineering has a very robust infrastructure review process that includes Master Plans, modeling software and consultation prior to undertaking capital projects. A project charter may be an effective tool for more complex capital projects for example, the intermodal facility.

Building Services

Steps taken by the Building Department:

- Protocol for updating Inspection Records was created and Mobile Technology was engaged
 - Positive outcomes - the use of mobile technology for inspection entry in the field allows for immediate access to updated information for our customers and for staff.
- A Downtown Development brochure has been created – “A Guide to Renovating Building in Downtown Guelph”
 - Positive outcomes - this brochure has further enhanced our downtown support program that already includes a plans examiner and building inspector dedicated to meeting the needs of the downtown business community. In addition to the existing pre-consultation process, we are now holding pre-construction meetings to aid downtown property owners and constructors with building projects.
- New Technical Services Specialist
 - This position was hired in November 2011. Positive outcome - to date this position has helped us to:
 - a) Inform our stakeholders of impending code changes. For example, with significant building code changes related to energy conservation that came into effect in January 2012 the Technical Services Specialist sent out notification in December 2011 to over 400 of our industry partners to advise them of impending Ontario Building Code changes resulting in positive feedback including the following comment; *"I was given a copy of your letter dated Dec. 19th, 2011 discussing the OBC SB-10 changes. Congratulations to the City of Guelph – as far as I am aware, you are the first municipality that has reached out to the design community regarding this change. It is very helpful that we are aware of the requirements in advance of building permit submissions."*
 - b) Developed performance measurements which were displayed for the first time in our 2011 Annual Report.
- Initiatives in Progress
 - Implementation of a Customer Satisfaction Survey Strategy with the anticipated outcome being to regularly gauge the satisfaction level of our customers with the services we provide and to identify opportunities for improvements.
- Existing Services Reviewed
 - Improvements to existing Phone System and Associated Protocols are having the positive outcome of having our customers directed to the correct person in a more efficient and accurate manner.

Planning, Building, Engineering, and
Enterprise Services

Joint Operational Review

Presentation to:
PBEE Committee
September 17, 2012

Overview

- In Response to Prosperity 2020:
- Update 2005 Development Application Review Process.
- Balance Community and Developer Interests
- To Be Conducted in Two Phases
- Phase 1 – Identified Current Issues
- Phase 2 – Recommendations to address issues and to improve development application review processes

Process

Oversight Committee

- Staff
- Chamber of Commerce
- Guelph-Wellington Developer's Association
- Local Development Sector
- ICI Real Estate Brokers.

Stakeholder Groups Surveyed (Phase 1)

- Each of the four Departments
- Real Estate Development Sector (local and GTA based)
- Ontario Government
- Local Business Community

Phase 1 Findings

Phase 1 Results: Reported February 2012

Six issue categories identified:

1. Process and Client Service
2. Proponent Practices
3. Municipal Resources
4. Understanding, Clarity and Expectations
5. Staff
6. Broader Public Domain

Phase 2

Objectives:

- To examine current processes and roles;
- To assess structures, processes, service delivery, resources and conflict resolution;
- To identify opportunities for service delivery improvement;
- Recommendations.

Phase 2

Need to engage a consultant that has expertise in:

- Municipal Operational Structures;
- Service Delivery Models;
- Municipal Performance Benchmarking;
- Municipal Economic Development, Planning, Engineering; and
- Building Permit practices and processes.

Internal Leadership:

- Transition Plan & Team Development;
- Direct Report Leadership Team Initiatives;
- Corporate Strategic Planning Initiative;
- Doing Public Business Better Initiative.

Consultant's Report: Findings and Recommendations

Presentation by Gerry Grant of GGA Management
Consultants



Integrated Operational Review of Planning, Building, Engineering & Enterprise Services & the Development Review Process

Report Presentation
September, 2012

GGA • Management Consultants
with
IBI Group

Objectives of the Operational Review

to examine the current development review processes
& the roles of :

Planning, Building & Engineering Services

Enterprise Services – Economic Development,
Downtown Renewal & Community Energy Initiative

to assess organization, management & operating
structures, processes, service delivery, resources and
approaches to conflict resolution

to identify opportunities for improved service delivery
effectiveness, efficiency & customer service while
maintaining appropriate planning standards.

to make recommendations for improvement with an
implementation plan

Research & Analysis

- Review of Pothier Phase I Scoping Report & stakeholder concerns:
 - Lack of clear, consistent, timely application processing
 - Improved communications / problem-solving, consensus-building approach with interdepartmental coordination
 - Staff role / empowerment / workload resource match
 - Quality of proponents' submissions
- Interviews / questionnaires with managers & staff
- Review of development review processes, procedures, documents, management information systems, e.g. Amanda
- File review / case studies of representative applications & observation of Site Plan Review Committee

Research & Analysis

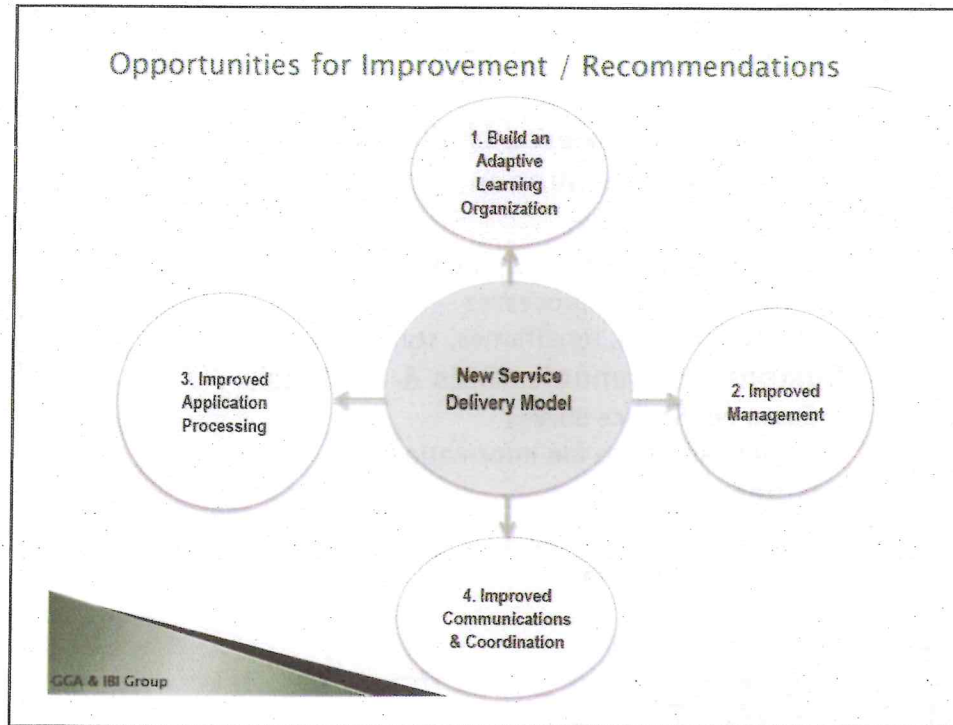
- Benchmarking research & interviews – Hamilton, Kitchener, London, Brantford, Cambridge for best practices
- Assessment / Opportunities for Improvement / Directions for Recommendations
- Review with:
 - Project Oversight Committee (community & industry representatives)
 - Senior Management
 - Staff
- Final Report submission – Guelph Planning Committee & Council

Municipal Benchmarking & Best Practices Findings

- Development review a challenging process
- Formal pre-consultation
- File management:
 - Dedicated staff / team approach
 - Clearly described processes – website info
 - Project tracking, timeframes, standards
- Customer communications & feedback:
 - Customer Service Survey
 - On-line access to file information
- Business support:
 - “One Stop for business”
 - Process facilitators

Assessment

- Committed professional staff working to support Council directions
- New plans & policies to guide development
- Site planning well coordinated; communications issues
- Building permit administration efficient & well managed
- Management – weak engagement with development review; staff morale issues
- No mandatory pre-consultation
- Communications & coordination issues
- Tracking & systems need improvement



Recommendations

1. Build a More Adaptive Learning Organization

- 1.1 Re-establish Planner II Positions Over Time;
Implement a Team Organization;
Initiate Organization Development
- 1.2 Establish a Human Resources Staffing &
Succession Plan
- 1.3 Integrate & Orient New Employees
Provide Mentorship & Training Opportunities

Recommendations

2. Improve Management Direction & Communications

- 2.1 Clarify Roles & Responsibilities of all Manager Positions; Improve Direction & Involvement in the Development Review Process
- 2.2 Establish a Manager-level Interdepartmental Management Committee for Development to Better Manage Development Review Processes
- 2.3 Planning & Engineering General Managers – Review, Track & Monitor Application Processing on a Weekly Basis

Recommendations

3. Improve Development Review Processes with Better Coordination, Information Management & Communications with Stakeholders

- 3.1 Develop a Business Services Centre
- 3.2 Establish “Business Facilitator” to Assist City Businesses/ Development Industry
- 3.3 Establish Gold Star Protocol to prioritize new Development Proposals (jobs, tax assessment)
- 3.4 Implement a Mandatory Pre-consultation Process for all Development Applications
- 3.5 Establish a Development Review Committee with Regularly Scheduled Meetings

Recommendations

- 3. Improve Development Review Processes with Better Coordination, Information Management & Communications with Stakeholders (cont'd)
- 3.6 Implement a Revised Site Plan Review Process with Updated Urban Design Guidelines
- 3.7 Reinstate One-Step Engineering Review
- 3.8 Expand the Use of & Improve Management Information Systems & Performance Measurement to Support Improved Customer Service
- 3.9 Review the City's Comprehensive Zoning By-law Relative to Allowable Uses

Recommendations

- 3. Improve Development Review Processes with Better Coordination, Information Management & Communications with Stakeholders (cont'd)
- 3.10 Consolidate Enforcement of all Property-Related By-laws within One -Department
- 3.11 Improve the Management, Coordination & Review of the City's Capital Projects
- 3.12 Enterprise Departments Should Review New Major Economic Development Opportunities & Coordinate Action with Development Review Process
- 3.13 Enterprise Departments Should Become More Proactive in Investment Attraction & Business Retention

Recommendations

4. **Improve Communications Interdepartmentally & with Stakeholders**
 - 4.1 Develop an Overall Communications Strategy to Support the Development Review Process
 - 4.2 Establish a Customer Service Mission Statement in Consultation with Staff & Provide Customer Service Training
 - 4.3 Revise City Website to Better Support Development
 - 4.4 Encourage Better Interdepartmental Communication & Coordination Amongst PBEE & Enterprise Staff

Improvements and Initiatives to Date

Planning Services

Established new procedures for Council Planning meetings;

Developed and implemented robust Planning Services “Transition Plan”:

- Communicated plan to key stakeholders and community to ensure transparency
- Filled 6 vacancies, including 2 management positions, and managed 4 temporary leaves;
- Continued to provide quality customer service and processing of development applications in timely manner;
- Advanced major policy planning and urban design initiatives;
- Began implementing changes in leadership style to foster a culture of staff engagement and empowerment.

Enhanced internal/external communication and collaboration regarding complex development applications; to promote team-based approach to problem solving;

Reviewing alignment of resources with departmental and corporate priorities, including Corporate Strategic Plan.

Engineering Services

- Streamlined internal development application tracking process;
- Coordination with senior Planning staff to meet target dates for Council/Committee reports, Site Plan and Committee of Adjustment reviews;
- Coordination and cost sharing with external agencies and developers regarding major infrastructure upgrades which support development;
- Coordination between Design and Construction team and Developers to identify and initiate capital projects for major infrastructure upgrades including cost-sharing to support intensification in the Downtown and on Gordon Street;
- Provide timely Engineering review and recommendations for grant applications for Brownfield redevelopments, monitoring and site remediation work;
- Enhanced resources - new Development/Environmental Engineer;
- Coordination Planning and Engineering staff meetings with the GWDA and Home Builders groups.

Building Services

Accomplishments:

- Protocol for updating Inspection Records was Created and Mobile Technology Engaged
- A Downtown Development brochure has been created – “*A Guide to Renovating Buildings in Downtown Guelph*”
- New Technical Services Specialist

Initiatives in Progress:

- Implementation of a Customer Satisfaction Survey Strategy

Existing Services Reviewed:

- Improvements to existing Phone System and Associated Protocols

Economic Development

'Enterprise Department Should Become More Proactive in Investment Attraction/Business Retention' (Recommendation 3.13)

2012 – 2016 Marketing, Communications & Branding Strategy

- Targets Sectors - Clean Tech, Environmental, Advanced Manufacturing, Agri-food.
- New Brand – “*Invest in Guelph*” (can be used by Downtown Renewal program, Community Energy program, and Tourism)

Business Retention & Expansion Program – In Progress

- Joint venture with University & Chamber of Commerce
- Business Plan being prepared
- 2013 Implementation

Economic Development (cont'd)

Investment Attraction –Implemented

- Partner in the Ontario Food Cluster and Ontario Clean Tech Alliance
- Joint venture with other Ontario municipalities
- In-coming and out-going trade missions

Customer Relations Management Program – Implemented

- Sales Force implemented in 2012 - Tracks Investment Inquiries

Data Base Improvements – In Progress

- Real Estate data base/web site improvements
- Economic Development Web site updates
- Assessment and Updating Investment sector profiles .

Next Steps

With involvement of stakeholders, analyze recommendations & develop a strategic implementation framework, including consideration of:

- Staff resource and budget implications;
- Priorities and phasing;
- Timing and schedule;
- Performance metrics;
- Business case analyses;
- Build consensus;
- Alignment with Corporate Strategic Plan, Doing Business Differently Initiative, and Corporate Technology Strategic Plan.

Staff will continue to implement improvements; report in 3-4 months.

Questions



ZELINKA PRIAMO LTD

A Professional Planning Practice

VIA EMAIL AND REGULAR MAIL

September 24, 2012

Clerk's Department
City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attention: Mr. Blair Labelle, City Clerk

Dear Mr. Labelle:

**Re: City of Guelph September 24, 2012 Council Meeting: ITEM: PBEE-33
City of Guelph Committee Report 12-93 dated September 17, 2012
Preliminary Comments on Behalf of Loblaw Properties Limited
Guelph, Ontario
Our File: LPL/GPH/04-01**

We are the planning consultants for Loblaw Properties Limited (Loblaw) for City of Guelph Committee Report 12-93 dated September 17, 2012 with regard to Mixed-Use Nodes Urban Design Concept Plans: Watson Parkway/Starwood and Paisley/Imperial Community Mixed Use Node. As you are aware, Loblaw is the owner or lease holder of the following lands within the City of Guelph, including lands that are currently subject to planning approvals:

- The vacant lands at 115 Watson Parkway North (formerly 72 Watson Road North), which are subject to a Zoning By-law Amendment Application (File No. ZC0512) and an application for Site Plan Approval (File No. SP05C051); and
- The existing Zehrs store at 1045 Paisley Road.

On Friday September 14, 2012 Loblaw was made aware of Guelph Committee Report 12-93 dated September 17, 2012 and the September 17, 2012 Planning & Building, Engineering and Environment Committee meeting.

Based upon our review of Committee Report 12-93, we understand that Staff have prepared Mixed-Use Nodes Urban Design Concept Plans dated September 17, 2012, which would include the Loblaw lands at 115 Watson Parkway within the Watson Parkway/Starwood node and the Loblaw lands 1045 Paisley Road within the Paisley/Imperial node.

At a meeting with Planning Staff on February 2, 2012 to discuss the Staff Urban Design Concept Plan for the Watson Parkway/Starwood node, we expressed concerns over the use of concept plans in the context of draft OPA 48, in terms of flexibility, ambiguity as to their status, how the concept plans would be approved, and whether the concept plans could be appealed.

Following the meeting, we advised Staff that it was our understanding that a series of options were to be presented as to how the Watson Parkway/Starwood node could potentially be developed with less emphasis on actual buildings. Nevertheless, only one Staff Concept Plan was prepared in February 2012. In addition, we reiterated that Loblaw had appealed the NHS policies of OPA 42, which were illustrated on the February 2012 Watson Parkway/Starwood node illustration.

Based upon our review of Committee Report 12-59 dated June 5, 2012, the recommendations include that Staff be directed to use the Urban Design Concept Plans, Principles and Illustrative Diagrams to guide the review of future development applications within these nodes.

We have preliminary comments for Committee Report 12-59 as outlined below, and will continue to review Committee Report 12-59 in more detail, and may provide further comments as required.

On behalf of Loblaw, we have the following preliminary comments:

- The ongoing Zoning By-law Amendment and Site Plan Approval applications as described above should continue to be considered under the current, in force, Official Plan and policies. We understand that this will be the case and note that the Recommendation from Committee Report 12-59 is for “future development applications”;
- Unlike the Watson Parkway/Starwood node Concept Plan, Loblaw has never been consulted on the Paisley/Imperial node Urban Design Concept Plan and Illustrative Diagrams;
- We note the Loblaw appeal of OPA 42 in the context of the NHS references on the Watson Parkway/Starwood Community Mixed-use Node Urban Design Concept Plan and Illustrative Diagrams. While there is a reference to the appeal on the Concept Plan, there is no corresponding reference to the appeal on the Illustrative Diagrams;
- We reiterate our concerns related to City of Guelph OPA 48, whereby on behalf of Loblaw, we submitted the attached preliminary comments dated March 29, 2012 and May 31, 2012, including comments related to the “main street” terminology and the requirements for concept plans, including Sections 3.11.4 to 3.11.7; and
- In light of our preliminary comments above, further discussion with Staff is required as to how the Urban Design Concept Plans will be used to provide “guidance for staff to evaluate development applications” within the Watson Parkway/Starwood and Paisley/Imperial nodes, since we understand from Committee Report 12-59 that “The Concept Plans, Principles and Illustrations are by their nature conceptual and issues such as building size/placement may be refined and changes proposed through the development process so long as the development is generally consistent with Urban Design Concept and principles.” Accordingly, Loblaw understands that the Concept Plans do not have formal status in the planning approval process.

September 24, 2012

Should you have any questions, or require further information, please do not hesitate to call. In addition, we request notification of any further meetings with respect to this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



FOR:

Jonathan Rodger, MScPI, MCIP, RPP
Senior Planner

cc. Loblaw Properties Limited (Via Email)
Mr. Steven Zakem, Aird & Berlis LLP (Via Email)
Mr. Tom Halinski, Aird & Berlis LLP (Via Email)
Mr. David de Groot, City of Guelph (Via Email)



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VIA EMAIL AND REGULAR MAIL

March 29, 2012

Clerk's Department
City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attention: Mr. Blair Labelle, City Clerk

Dear Mr. Labelle:

**Re: City of Guelph Draft Official Plan Amendment Number No. 48
Preliminary Comments on Behalf of Loblaw Properties Limited
Guelph, Ontario
Our File: LPL/GPH/04-01**

We are the planning consultants for Loblaw Properties Limited (Loblaw) for City of Guelph draft Official Plan Amendment No. 48 (OPA 48). Loblaw is the owner or lease holder of the following lands within the City of Guelph, including lands that are currently subject to planning approvals:

- The vacant lands at 115 Watson Parkway North (formerly 72 Watson Road North), which are subject to a Zoning By-law Amendment Application (File No. ZC0512) and an application for Site Plan Approval (File No. SP05C051);
- The vacant lands at 1750 Gordon Street, which are subject to an application for Site Plan Approval (File No. SP07C013). Please note that GSP Group are the agents for the application and have been copied on this letter;
- The existing Zehrs store at 1045 Paisley Road;
- The existing Zehrs store at 297 Eramosa Road, which is subject to an application for Site Plan Approval (File No. SP11C027);
- The existing No Frills store at 191 Silvercreek Parkway North;
- The existing No Frills store at 35 Harvard Road; and
- The existing Zehrs store at 160 Kortright Road West.

On Thursday April 29, 2010 Loblaw was made aware of the draft Official Plan Amendment No. 42 (OPA 42). Originally, OPA 42 was a comprehensive new Official Plan document that would replace the current Official Plan. On behalf of Loblaw, we submitted preliminary comments dated May 20, 2010. The Statutory Public Meeting was held on May 20, 2010, at which time Staff were directed by Council to proceed with the natural heritage system components of the draft Official Plan for Council's consideration and adoption. On July 27, 2010 Council passed OPA 42 and OPA 42 was approved with

modifications on February 23, 2011. On March 14, 2011, Loblaw Properties Limited appealed OPA 42.

On October 5, 2011, we met with Staff to discuss our concerns with policies from the original OPA 42, which the exception of the natural heritage policies as approved under OPA 48.

In January 30, 2012, a Staff Report was released with draft OPA 48, representing Phase 3 of the Official Plan update. The Staff Report included Staff responses to our comments on behalf of Loblaw dated May 20, 2010. On February 29, 2012 Loblaw was made aware of the April 2, 2012 Public Meeting for Guelph OPA 48.

On behalf of Loblaw, we have the preliminary comments as outlined below, and will continue to review the draft OPA 48 policies in more detail, and may provide further comments as required. Please note that the references below to "former Section" refers to the policies under the April 2010 draft OPA 42.

At this time, our preliminary comments for OPA 48 are as follows:

- We reiterate our general comments from May 20, 2010:
 - The ongoing Zoning By-law Amendment and Site Plan Approval applications as described above should continue to be considered under the current, in force, Official Plan and policies;
 - We respectfully suggest that there should be wording to provide for flexibility or a recognition that policies will be implemented and transitioned over the long term as development and intensification comes to fruition;
 - It would be appropriate to include wording for implementation of the Official Plan Amendment whereby existing development approved under previous amendments is deemed to conform to the Official Plan, and that minor extensions or expansions of non-conforming development are permitted without amendment. From the January 30, 2012 Staff response, it is noted "Transitional wording is not required in the OP to recognize existing approvals as these would be subject to relevant provisions of the Planning Act and related regulations. Any new applications for site plan or other type of development would be required to meet the policies in place at the time of application"; and
 - The overall Built Form, Public Realm and other urban design policies may not be appropriate to individual sites, and may result in unforeseen, adverse conditions if not implemented and interpreted in a flexible manner.
- Section 3.11.3: The policy that "Commercial uses within the Nodes will be integrated more fully with surrounding land uses and will accommodate mixed-use buildings" raises concerns as to flexibility, if commercial retail uses are required to be accommodated only within mixed-use buildings featuring residential uses.
- Sections 3.11.4 to 3.11.6: We have a concern over the requirement for concept plans and how concept plans are intended to be implemented. We are concerned that the use of concept plans may reduce flexibility, as they may be prescriptive. At the same time, there is a lack of clarity as to their status, whether land owners can comment on the concept plans, how the concept plans will be approved and if the concept plans can be appealed. Lastly, the use of the "Main Street area" terminology is unclear, as there is no definition and main streets are not

designated under draft OPA 48. It is not clear how concept plans and the “Main Street area” terminology relate to the policies under Section 5.8.11 for Road design, which states “Main Streets may be identified on arterial or collector roads in Downtown or in areas of existing or planned high density including Intensification Corridors and Community Mixed-Use Nodes.”

- Section 3.21.1.3 (formerly Section 5.4.2.3): A definition of “municipal services” is still not provided, and it remains unclear whether roads would be included. Clarification is requested.
- Section 8.2.10 (formerly Section 7.4.9): We continue to be concerned that there is a lack of flexibility in the Public Realm policies related to locating built form and placing principal building entrances towards the street and maintaining or extending a continuous building façade or streetwall along the street. From the January 30, 2012 Staff response, it is noted “Concerns about how a policy would be applied would be addressed by staff at the time of a development application. Many policies will have site specific and development specific solutions to achieving the policy direction.” We continue to suggest that “New development shall be designed...” be changed to “New development is encouraged to be designed...” in order to reflect Staff’s confirmation that site specific and development specific solutions will be required.
- Section 8.3.6 (formerly Section 7.5.6): The wording “where possible” has been removed from the existing policy 7.4.46.2, while the “visual access” wording is new. From the January 30, 2012 Staff response, it is noted “Staff continue to support the appropriate siting of parking including avoiding areas adjacent to natural heritage features *where feasible* [emphasis added].” We continue to be concerned that the policy no longer provides for flexibility and respectfully suggest that the wording “where possible” be reinserted as per the Staff response, while the term “visual access” lacks clarity. In addition, we are concerned that the lack of flexibility will create a conflict with Section 8.2.10 where built form is required to be placed adjacent to the street edge.
- Section 8.6.2 (formerly part of Section 7.8.1): The policy related to blank facades will impact upon commercial buildings where exterior walls may not have consistent windows at ground level due to the requirements of internal operations.
- Sections 8.10.1, 8.10.2 and 8.10.3 related to vehicle-oriented uses: In general our concern is that the policies are not flexible in terms of locating drive-through lanes and the requirement for the employment of a liberal use of clear glazing and openings for service stations facing the street, while there is a lack of clarity as to which zoning categories may restrict permissions for drive-through facilities.
- Section 8.12.5 (formerly Section 7.14.7): For 115 Watson Parkway North, the avoidance of parking adjacent to the proposed buffer for the natural heritage feature is difficult at best for commercial uses. It is not clear whether there must be an intervening building, or whether a landscape strip qualifies as a separator. If not the latter, then it would be impossible, not difficult to accommodate, since long buildings cannot be placed at both the street edge as required under Section 8.2.10 and the back of the lands as required under Section 8.3.6.
- Section 8.20.1 through 8.20.4 (Formerly Sections 7.22.1 through 7.22.4): We continue to have a concern with the lack of flexibility whereby urban squares “shall generally be included”, while the lands for urban squares would only be

provided through easement or dedication and not through expropriation or purchase, while urban squares would not be considered as part of parkland dedication when held under private ownership (Section 7.3.5.4).

- Community Mixed-Use Centre:
 - Section 9.4.2.b): It is unclear how the use of the term “main street” relates to Section 5.8.11 as noted above.
 - Section 9.4.2.1 (formerly Section 8.5.1.2.2): It would appear that “...with a node” should be “... within a node”.
 - Section 9.4.2.2 (formerly Section 8.5.1.2.3): We are concerned with the policy that “Implementing Zoning By-laws may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base” in the context of our comments below, including for Section 9.4.2.18.
 - Section 9.4.2.3: As outlined below, we are concerned with the policies related to concept plans as per the policies of Section 3.11.
 - Section 9.4.2.4: Within the context of Section 3.11.3, it is not clear whether residential uses are required to be incorporated into retail commercial buildings.
 - Section 9.4.2.6 (formerly Section 8.5.1.2.5): We are concerned with the general lack of flexibility. It is unclear how the use of the term “main street” relates to Section 5.8.11. We are unsure as to the reasoning for limiting store widths. As noted above, we are concerned with the requirement for multi-storey buildings as outlined below, and it is unclear whether medical office and dentist uses will be limited on the ground floor.
 - Section 9.4.2.9 (formerly Section 8.5.1.2.8): We are concerned with the limitations on length of frontage along arterial roads that may be used for surface parking as to how this may impact upon 1750 Gordon Street and the proposed parking field in front of the store.
 - Section 9.4.2.12 (formerly Section 8.5.1.3.1): We request clarification as to the removal of the reference to the permission that would include restaurants.
 - Section 9.4.2.16 (formerly Section 8.5.1.3.5): There is a lack of clarity as to the definition of “main street-type environment” and of “peripheral sites” and how the policy will be interpreted for lands such as 115 Watson Parkway North and 1750 Gordon Street. From the January 30, 2012 Staff response, it is noted “Peripheral site means that large buildings would be situated away from intersections and main streets to allow for improved building placements along street frontages.” With our concerns related to the main street terminology as outlined above, it is unclear how “peripheral site” will be interpreted for 115 Watson Road, where under the Staff illustration of the policies from the Open Houses a “main street” is shown running across the lands and for 1750 Gordon Street where the site is oriented parallel to Gordon Street.
 - Section 9.4.2.18 (formerly 8.5.1.4.5): It is not clear whether expansions to existing buildings would need to be a minimum of two (2) storeys of usable space. There is a lack of flexibility, for example, for the permitted freestanding individual retail uses exceeding 5,575 sq. m, while it is not clear whether a partial mezzanine would satisfy the 2 storey requirement for “usable space”. In addition, we note our concerns above over the “main street” terminology,

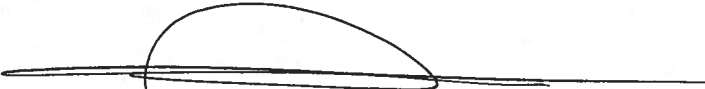
since for example for 115 Watson Road, under the Staff illustration of the policies from the Open Houses, a "main street" is shown running across the lands. From the January 30, 2012 Staff response, it is noted "Policy related to minimum building height of 2 storeys has been revised to indicate that the minimum height is required only along arterial and collector roads and identified 'main streets'." Clarification is requested.

- Mixed-Use Corridor:
 - Section 9.4.3.9 (formerly Section 8.5.2.4.4): For the minimum height of two (2) storeys buildings fronting onto arterial and collector roads, it is not clear whether the requirement would apply to expansions to existing buildings.
- Neighbourhood Commercial Centre:
 - Section 9.4.4.14 (formerly Section 8.5.3.3.4): Clarification is requested as to whether a second floor mezzanine within a commercial building would be considered an "upper floor".
 - Section 9.4.4.15 (formerly Section 8.5.3.4.2): For the minimum height of two (2) storeys for buildings fronting onto arterial and collector roads, it is not clear whether the requirement would apply to expansions to existing buildings.

Should you have any questions, or require further information, please do not hesitate to call. In addition, we have previously requested notification of any further meetings with respect to this matter as well as notice of the Official Plan Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.


FOR: Jonathan Rodger, MScPI, MCIP, RPP
Senior Planner

- cc. Loblaw Properties Limited (Via Email)
Mr. Steven Zakem, Aird & Berlis LLP (Via Email)
Mr. Tom Halinski, Aird & Berlis LLP (Via Email)
Mr. Hugh Handy, GSP Group (Via Email)
Mr. Al Hearne, Acting Manager of Development, City of Guelph (Via Email)
Ms. Melissa Aldunate, Senior Policy Planner, City of Guelph (Via Email)



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL AND REGULAR MAIL

May 31, 2012

Clerk's Department
City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attention: Mr. Blair Labelle, City Clerk

Dear Mr. Labelle:

**Re: City of Guelph Draft Official Plan Amendment Number No. 48
Preliminary Comments on Behalf of Loblaw Properties Limited
Guelph, Ontario
Our File: LPL/GPH/04-01**

We are the planning consultants for Loblaw Properties Limited (Loblaw) for City of Guelph draft Official Plan Amendment No. 48 (OPA 48). As you are aware, Loblaw is the owner or lease holder of the following lands within the City of Guelph, including lands that are currently subject to planning approvals:

- The vacant lands at 115 Watson Parkway North (formerly 72 Watson Road North), which are subject to a Zoning By-law Amendment Application (File No. ZC0512) and an application for Site Plan Approval (File No. SP05C051);
- The vacant lands at 1750 Gordon Street, which are subject to an application for Site Plan Approval (File No. SP07C013). Please note that GSP Group are the agents for the application and have been copied on this letter;
- The existing Zehrs store at 1045 Paisley Road;
- The existing Zehrs store at 297 Eramosa Road, which is subject to an application for Site Plan Approval (File No. SP11C027);
- The existing No Frills store at 191 Silvercreek Parkway North;
- The existing No Frills store at 35 Harvard Road; and
- The existing Zehrs store at 160 Kortright Road West.

On Thursday May 24, 2012 Loblaw was made aware of the June 2012 draft Official Plan Amendment No. 48 (OPA 48) and the June 5, 2012 Council meeting. On behalf of Loblaw, we submitted preliminary comments dated March 29, 2012. Based upon our review of Staff Report 12-59 dated June 5, 2012 and the associated attachments, we note that Staff provided responses to a number of our comments.

Within the context of the June 5, 2012 Staff response to our March 29, 2012 comments, on behalf of Loblaw, we have preliminary comments for the June 2012 draft Official Plan as outlined below, and will continue to review the draft OPA 48 policies in more detail, and may provide further comments as required. Please note that the references below to "former Section" refer to the policies under the January 2012 draft OPA 48.

At this time, our preliminary comments for the June 2012 draft OPA 48 are as follows:

- We reiterate our general comments:
 - The ongoing Zoning By-law Amendment and Site Plan Approval applications as described above should continue to be considered under the current, in force, Official Plan and policies;
 - It would be appropriate to include wording for implementation of the Official Plan Amendment whereby existing development approved under previous amendments is deemed to conform to the Official Plan, and that minor extensions or expansions of non-conforming development are permitted without amendment. From the January 30, 2012 Staff response, it is noted "Transitional wording is not required in the OP to recognize existing approvals as these would be subject to relevant provisions of the Planning Act and related regulations. Any new applications for site plan or other type of development would be required to meet the policies in place at the time of application"; and
 - The overall Built Form, Public Realm and other urban design policies may not be appropriate to individual sites, and may result in unforeseen, adverse conditions if not implemented and interpreted in a flexible manner. From the June 5, 2012 response "Many of the concerns are related to implementation of the policies through site plan applications. Staff cannot address potential development scenarios given that a number of the policies in question are encouragement rather than prescriptive and each application will have unique characteristics that affect how the policies would be applied." Consequently, we respectfully suggest that the prescriptive requirements as outlined below be revised to reflect "encouragement".
- Section 3.11.3 (formerly Section 9.4.2.b): We reiterate our comment that it is unclear how the use of the term "main street" relates to Section 5.8.11 for Road design, which states "Main Streets may be identified on arterial or collector roads in Downtown or in areas of existing or planned high density including Intensification Corridors and Community Mixed-use Nodes." While we note from the June 5, 2012 Staff response, "The Main Street concept is generally described in the policies; it will have differences in meaning depending on its location and context", the use of the "Main Street" terminology remains unclear, as there is no definition and main streets are not designated or "identified" under draft OPA 48. As outlined in our letter dated March 29, 2012 an example of our concerns relates to 115 Watson Road, where under the Staff illustration of the policies from the Open Houses, a "main street" is shown running across the lands.
- Section 3.11.4 (formerly Section 3.11.3): We reiterate our concern that the policy that "Commercial uses within the Nodes will be integrated more fully with surrounding land uses and will accommodate mixed-use buildings" raises concerns as to flexibility, if commercial retail uses are required to be accommodated only within mixed-use buildings featuring residential uses. From the June 5, 2012 Staff response, mixed use buildings are encouraged and not required, and consequently, we respectfully suggest that Section 3.11.4 be revised to reflect the Staff response.
- Sections 3.11.4 to 3.11.7 (formerly Sections 3.11.3 to 3.11.6): We reiterate our concern over the requirement for concept plans and how concept plans are

intended to be implemented. We are concerned that the use of concept plans may reduce flexibility, as they may be prescriptive. At the same time, there is a lack of clarity as to their status, whether land owners can comment on the concept plans, how the concept plans will be approved and if the concept plans can be appealed. It is not clear how concept plans and the "Main Street area" terminology relate to the policies under Section 5.8.11 as noted above. From the June 5, 2012 Staff response, we understand that "Concept plans are for new major development within the Nodes and are intended to guide development application approvals" however there is no response to our concerns regarding implementation and status.

- Section 3.21.1.3: From the June 5, 2012 Staff response, we respectfully suggest that the Section wording reference the municipal services as defined under Section 6.1.3, since a definition of "municipal services" is not provided.
- Section 8.2.11 (formerly Section 8.2.10): We continue to be concerned that there is a lack of flexibility in the Public Realm policies related to locating built form and placing principal building entrances towards the street and maintaining or extending a continuous building façade or streetwall along the street. From the January 30, 2012 Staff response, it is noted "Concerns about how a policy would be applied would be addressed by staff at the time of a development application. Many policies will have site specific and development specific solutions to achieving the policy direction." From the June 5, 2012 Staff response, it is noted "Staff do not propose any modifications to Policy 8.2.10 because the policy provides examples of strategies to achieve pedestrian-oriented streetscapes." We continue to suggest that "New development shall be designed..." be changed to "New development is encouraged to be designed..." in order to reflect Staff's confirmation that site specific and development specific solutions will be needed and that the policies are examples only and not requirements.
- Section 8.3.6: The wording "where possible" has been removed from the existing policy 7.4.46.2. From the January 30, 2012 Staff response, it is noted "Staff continue to support the appropriate siting of parking including avoiding areas adjacent to natural heritage features *where feasible* [emphasis added]." We continue to be concerned that the policy no longer provides for flexibility and respectfully suggest that the wording "where possible" be reinserted as per the Staff response. In addition, we continue to be concerned that the lack of flexibility will create a conflict with Section 8.2.11 where built form is to be placed adjacent to the street edge.
- Section 8.6.2: We continue to be concerned how the policy related to blank facades will impact upon commercial buildings where exterior walls may not have consistent windows at ground level due to the requirements of internal operations. We suggest that "shall" be replaced with "are encouraged to" in both instances.
- Section 8.6.13. We note that the minimum height policies have been revised to encourage a minimum building height of 2 storeys, however we are concerned that regulations for minimum building heights may be incorporated into the Zoning By-law for nonresidential uses at key locations such as sites fronting onto arterial or collector roads, identified Main Streets and at intersections, which may result in minimum building height of 2 storeys requirement. We note our previous comment that it is not clear whether expansions to existing buildings would need

to be a minimum of two (2) storeys or whether a partial mezzanine would satisfy a minimum 2 storey requirement and that "Main Streets" have not been identified under OPA 48.

- New Section 8.6.14. We request clarification as to what "strategies for building expansions such as ensuring that upper storey volumes can be infilled to create additional floor area" are being contemplated and how such "strategies" would be implemented for freestanding individual retail uses exceeding 5,575 sq. m within the Community Mixed-use Centres.
- Sections 8.10.1, 8.10.2 and 8.10.3 related to vehicle-oriented uses: In general our continued concern is that the policies are not flexible in terms of locating drive-through lanes and the requirement for the employment of a liberal use of clear glazing and openings for service stations facing the street, while there is a lack of clarity as to which zoning categories may restrict permissions for drive-through facilities. From the June 5, 2012 Staff response "The design policies for drive-throughs and service stations are intended to provide guidance for review of development applications and to zoning regulations", however flexibility has still not been provided within the policies. We suggest that "shall" be replaced with "are encouraged to".
- Section 8.12.6 (formerly Section 8.12.5): For 115 Watson Parkway North, we reiterate that the avoidance of parking adjacent to the proposed buffer for the natural heritage feature is difficult at best for commercial uses. It is not clear whether there must be an intervening building, or whether a landscape strip qualifies as a separator. If not the latter, then it would be impossible, not difficult to accommodate, since long buildings cannot be placed at both the street edge as required under Section 8.2.11 and the back of the lands as required under Section 8.3.6.
- Section 8.12.10 (formerly Section 9.4.2.9): We continue to be concerned with the limitations on length of frontage along arterial roads that may be used for surface parking as to how this may impact upon 1750 Gordon Street and the proposed parking field in front of the store.
- Section 8.20.1 through 8.20.4: We continue to have a concern with the lack of flexibility whereby urban squares "shall generally be included" and "will be framed by buildings with ground-floor uses that provide activity throughout the day", while the lands for urban squares would only be provided through easement or dedication and not through expropriation or purchase. We note that the wording under 8.20.4 was revised to "Urban squares may be dedicated to the City as parkland..." however we note that under Section 7.3.5.4, urban squares would not be considered as part of parkland dedication when held under private ownership.
- Community Mixed-Use Centre:
 - Section 9.4.2.2 (formerly Section 8.5.1.2.3): We continue to be concerned with the policy that "Implementing Zoning By-laws may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base" in the context of our other comments, including for Section 8.6.13.
 - Section 9.4.2.3: As outlined above, we continue to be concerned with the policies related to concept plans as per the policies of Section 3.11.

- Section 9.4.2.6: We continue to be concerned with the general lack of flexibility. It is unclear how the use of the term “main street” relates to Section 5.8.11 as noted above. We are unsure as to the meaning of “appropriately” in the context of the size of storefronts. We are concerned with the requirement for multi-storey buildings as outlined above, and it is unclear whether medical office and dentist uses will be limited on the ground floor. From the June 5, 2012 Staff Response “Generally, the Community Mixed-use Centre policies provide permissions, the policies related to height, building placements and parking have been modified to address the concern about flexibility”, however the Section 9.4.2.6 wording states “...will be planned and designed...”, and as such we respectfully suggest that the wording be revised to provide for flexible implementation.
- Section 9.4.2.7 (formerly Section 9.4.2.16): We continue to be concerned with the lack of clarity as to the definition of “main street-type environment” and of “peripheral sites” and how the policy will be interpreted for lands such as 115 Watson Parkway North and 1750 Gordon Street. From the January 30, 2012 Staff response, it is noted “Peripheral site means that large buildings would be situated away from intersections and main streets to allow for improved building placements along street frontages.” With our concerns related to the main street terminology as outlined above, it is unclear how “peripheral site” will be interpreted for 115 Watson Road, where under the Staff illustration of the policies from the Open Houses a “main street” is shown running across the lands and for 1750 Gordon Street where the site is oriented parallel to Gordon Street.
- Section 9.4.2.11 (formerly 9.4.2.12): We continue to request clarification as to the removal of the reference to the permission that would include restaurants.
- Neighbourhood Commercial Centre:
 - Section 9.4.4.13 (formerly Section 9.4.4.14): Clarification continues to be requested as to whether a second floor mezzanine within a commercial building would be considered an “upper floor”.

Should you have any questions, or require further information, please do not hesitate to call. In addition, we have previously requested notification of any further meetings with respect to this matter as well as notice of the Official Plan Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
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- cc.
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