

# COUNCIL PLANNING AGENDA



**DATE Monday, April 2, 2012 7:00 p.m.**

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

- O Canada**
- Silent Prayer**
- Disclosure of Pecuniary Interest**

## **PUBLIC MEETING TO HEAR APPLICATIONS UNDER SECTIONS 17, 34 AND 51 OF THE PLANNING ACT**

<b>Application</b>	<b>Staff Presentation</b>	<b>Applicant or Designate</b>	<b>Delegations (maximum of 10 minutes)</b>	<b>Staff Summary</b>
11 Starwood Drive: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (Files 23T-11502/OP1102/ZC1 113) – Ward 1	Chris deVriendt	Keith MacKinnon	<ul style="list-style-type: none"> <li>• John Cousins</li> <li>• Wilmer Torres</li> <li>• Rob Rebellato</li> <li>• Nathan Florence</li> </ul>	
Official Plan Update Phase 3 (OPA 48): Statutory Public Meeting	Melissa Aldunate		<u>Delegations:</u> <ul style="list-style-type: none"> <li>• Marc Kemerer</li> </ul> <u>Correspondence:</u> <ul style="list-style-type: none"> <li>• Elizabeth Snell, Transition Guelph</li> <li>• Mark Cowie, Industrial Equities</li> <li>• Chris Pidgeon, GSP Group</li> <li>• Marc Kemerer, Blaney McMurtry for Cooper Construction</li> <li>• John Ambrose</li> <li>• Blake Mills</li> <li>• Astrid Clos</li> <li>• Thomasfield Homes</li> <li>• Steven Zakem, Aird &amp; Berlis for Silvercreek Guelph Developments</li> </ul>	

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## CONSENT AGENDA

"The attached resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda can be approved in one resolution."

<b>COUNCIL CONSENT AGENDA</b>			
<b>ITEM</b>	<b>CITY PRESENTATION</b>	<b>DELEGATIONS (maximum of 5 minutes)</b>	<b>TO BE EXTRACTED</b>
A-1) 1475-1483 And 1499 Gordon Street: Proposed Official Plan Amendment And Zoning By-Law Amendment (Files: Op1102/Zc1111) – Ward 6			

## ANNOUNCEMENTS

## ADJOURNMENT

TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment  
DATE April 2, 2012

**SUBJECT 11 Starwood Drive: Proposed Draft Plan of  
Subdivision, Official Plan Amendment and Zoning By-  
law Amendment  
(Files: 23T-11502/OP1102/ZC1113) – Ward 1**

REPORT NUMBER 12-31

## SUMMARY

**Purpose of Report:** To provide planning information on applications by KLM Planning Partners Inc. on behalf of Guelph Watson 5-3 Inc. requesting approval of a Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for the lands at 11 Starwood Drive to permit the development of a mixed use residential, commercial and institutional subdivision. This report has been prepared in conjunction with the statutory public meeting on the application.

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

## RECOMMENDATION

“THAT Report 12-31 regarding applications for a Draft Plan of Subdivision, Official Plan Amendment and a Zoning By-law Amendment to permit the development of a mixed use residential, commercial and institutional subdivision, applying to property municipally known as 11 Starwood Drive, and legally described as Part of Lot 5, Concession 3, City of Guelph, from Planning & Building, Engineering and Environment, dated April 2, 2012, be received.”

## BACKGROUND

Applications for a Draft Plan of Subdivision approval, Official Plan Amendment and a Zoning By-law Amendment have been received for the property municipally known as 11 Starwood Drive from KLM Planning Partners Inc. on behalf of Guelph Watson 5-3 Inc. The applications would allow the development of 63 on-street townhouse units, 138 stacked townhouse units, one commercial block, one institutional block to accommodate the existing library, and one park block. The application was deemed to be a complete application on December 15, 2011.

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## **Location**

The subject property has a site area of 5.84 hectares and is located on the north side of Starwood Drive, immediately west of Watson Parkway North and east of Frasson Drive (see Location Map on Attachment 1). The site is currently occupied by the Guelph Public Library East Side Branch at the corner of Starwood Drive and Watson Parkway North. Adjacent land uses include:

- residential lands to the north;
- residential, vacant and natural areas to the west;
- residential and natural areas to the east; and
- vacant commercially zoned lands to the south as part of the Watson Community "Mixed Use Node".

## **Existing Official Plan Land Use Designations and Policies**

The existing Official Plan land use designations that apply to the subject lands are "General Residential", "Mixed Use Node" and "Industrial" (see Attachment 2 for mapping and related policies).

Official Plan Amendment #39 (in effect) identifies the site within the "Greenfield Area" of the City and a "Community Mixed Use Node". The "Greenfield Area" is intended to provide for a range of residential, commercial and employment uses at a minimum density of 50 people and jobs per hectare, measured over the entire greenfield area to be developed. The "Community Mixed Use Nodes" are to be planned for higher density mixed uses including residential and employment uses, as well as a wide range of retail, service, entertainment, recreational commercial uses that serve the local and wider community.

## **Existing Zoning**

The subject lands are zoned B.1 (Industrial) Zone. The details of the existing B.1 Zone are provided in Attachment 4.

## **REPORT**

### **Description of Proposed Draft Plan of Subdivision**

The applicant is requesting to subdivide the subject property in accordance with the draft plan of subdivision attached in Attachment 3. The proposed draft plan of subdivision includes:

- 63 on-street townhouse units;
- 138 stacked townhouse units;
- 1 commercial block (0.479 ha in size);
- 1 library block (0.426 ha in size); and
- 1 park block (0.042 ha in size).

Details of the proposed subdivision are also included in Attachment 3.

A total of 201 residential units are proposed within the draft plan of subdivision with an overall net density of 62 units per hectare. The proposed draft plan has also been designed in coordination with a separate draft plan of subdivision application (23T-11501) affecting the adjacent lands to the north at 115 Fleming Road to provide the

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necessary public street extensions. This separate draft plan of subdivision, which proposes a total of 62 on-street townhouse units through the southerly extension of Law Drive and easterly extension of Pettitt Drive was presented to Council for information at a November 7, 2011 Public Meeting.

The density of the proposed subdivision, as calculated under "Places to Grow" is approximately 169 persons and jobs per hectare.

### **Description of Proposed Official Plan Amendment**

The purpose of the proposed Official Plan amendment is to redesignate the portion of the subject lands currently designated "Industrial" to the "Mixed Use Node" designation (see Attachment 2).

### **Description of Proposed Zoning Bylaw Amendment**

The applicant is requesting to rezone the subject lands from the B.1 (Industrial) Zone to the R.3B (On-Street Townhouse) Zone, R.3B-? (Specialized On-Street Townhouse) Zone, R.3A-? (Specialized Cluster Townhouse) Zone, NC (Neighbourhood Shopping Centre) Zone, I.1-? (Specialized Institutional) Zone and P.2-? (Specialized Neighbourhood Park) Zone. The details of the requested zoning and specialized regulations are included in Attachment 5.

### **Supporting Documents**

The applications are supported by the following studies:

- Preliminary Servicing and Stormwater Management Design Brief, Proposed Guelph Watson 3-5 Development, exp Services Inc. November 2011.
- Traffic Impact Study for the Proposed Guelph Watson 5-3 Development, exp Services Inc. November 2011.
- Geotechnical Investigation, Guelph Watson 5-3 Development, exp Services Inc. November 2011.

### **Staff Review**

The review of this application will address the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan;
- Review criteria outlined in Section 51(24) of the *Planning Act* (subdivision control);
- Consideration of the merits of the Official Plan Amendment;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed zoning and requirement for specialized regulations;
- Compatibility with existing adjoining land uses;
- Review of urban design and the integration of the proposed development with surrounding lands as part of the Watson/Starwood Mixed-use Node;
- Servicing and traffic issues;
- Community Energy Initiative considerations.

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Once the applications are reviewed and all issues are addressed, a report from Planning & Building, Engineering and Environment with a recommendation will be considered at a future meeting of Council.

### **CORPORATE STRATEGIC PLAN**

Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

### **FINANCIAL IMPLICATIONS**

Financial implications will be reported in the future Planning & Building, Engineering and Environment recommendation report to Council.

### **COMMUNICATIONS**

A combined Notice of Complete Applications and Public Meeting was circulated to surrounding property owners on October 6, 2011 and the Notice of Public Meeting was published in the Guelph Tribune on March 8, 2012.

### **ATTACHMENTS**

Attachment 1 – Location Map

Attachment 2 – Existing and Proposed Official Plan Land Use Designations and Policies

Attachment 3 – Proposed Draft Plan of Subdivision and Details

Attachment 4 – Existing and Proposed Zoning and Details

#### **Prepared By:**

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#### **Recommended By:**

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Original Signed by:

Original Signed by:

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#### **Recommended By:**

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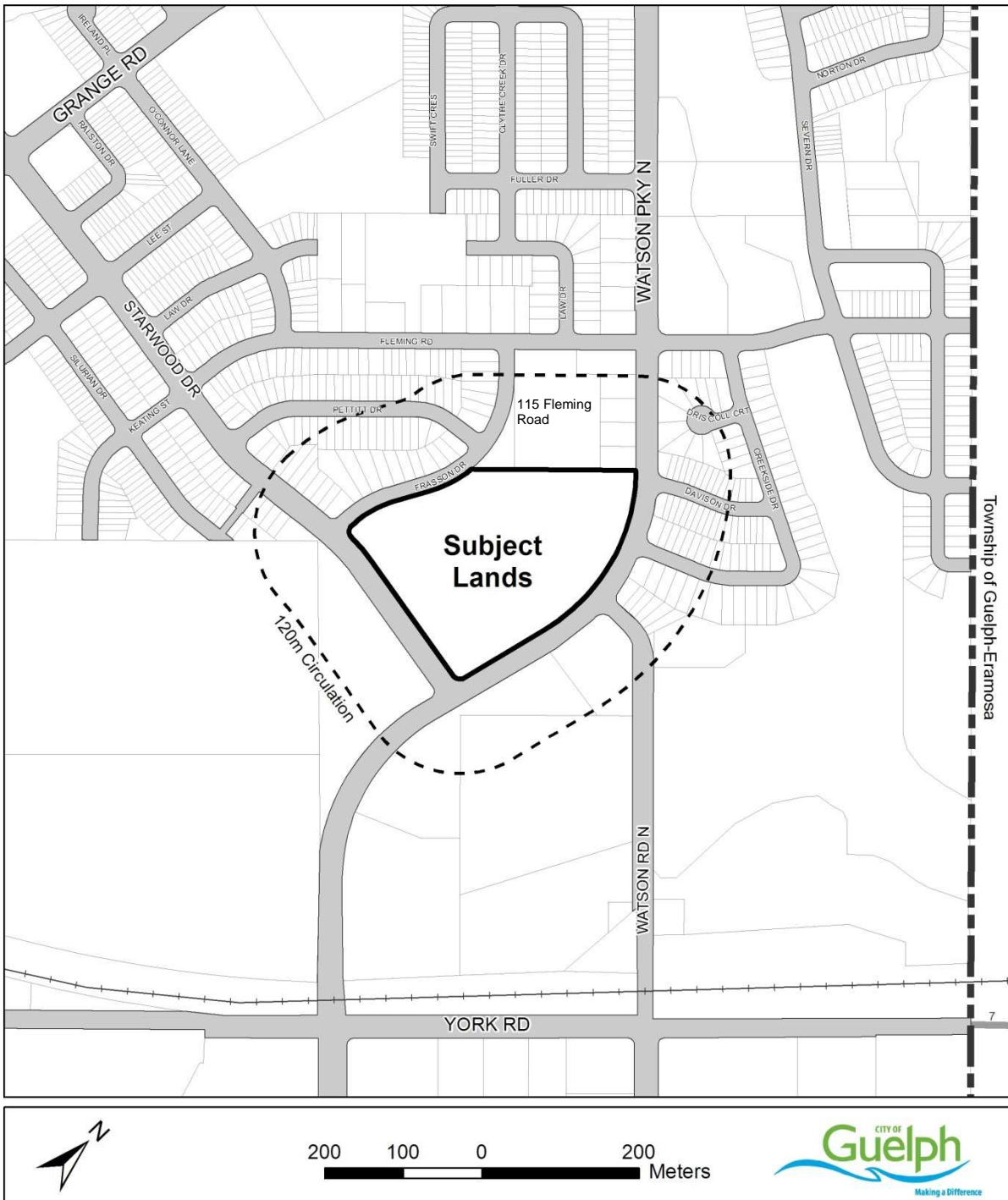
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#### **Recommended By:**

Janet L. Laird, Ph.D.  
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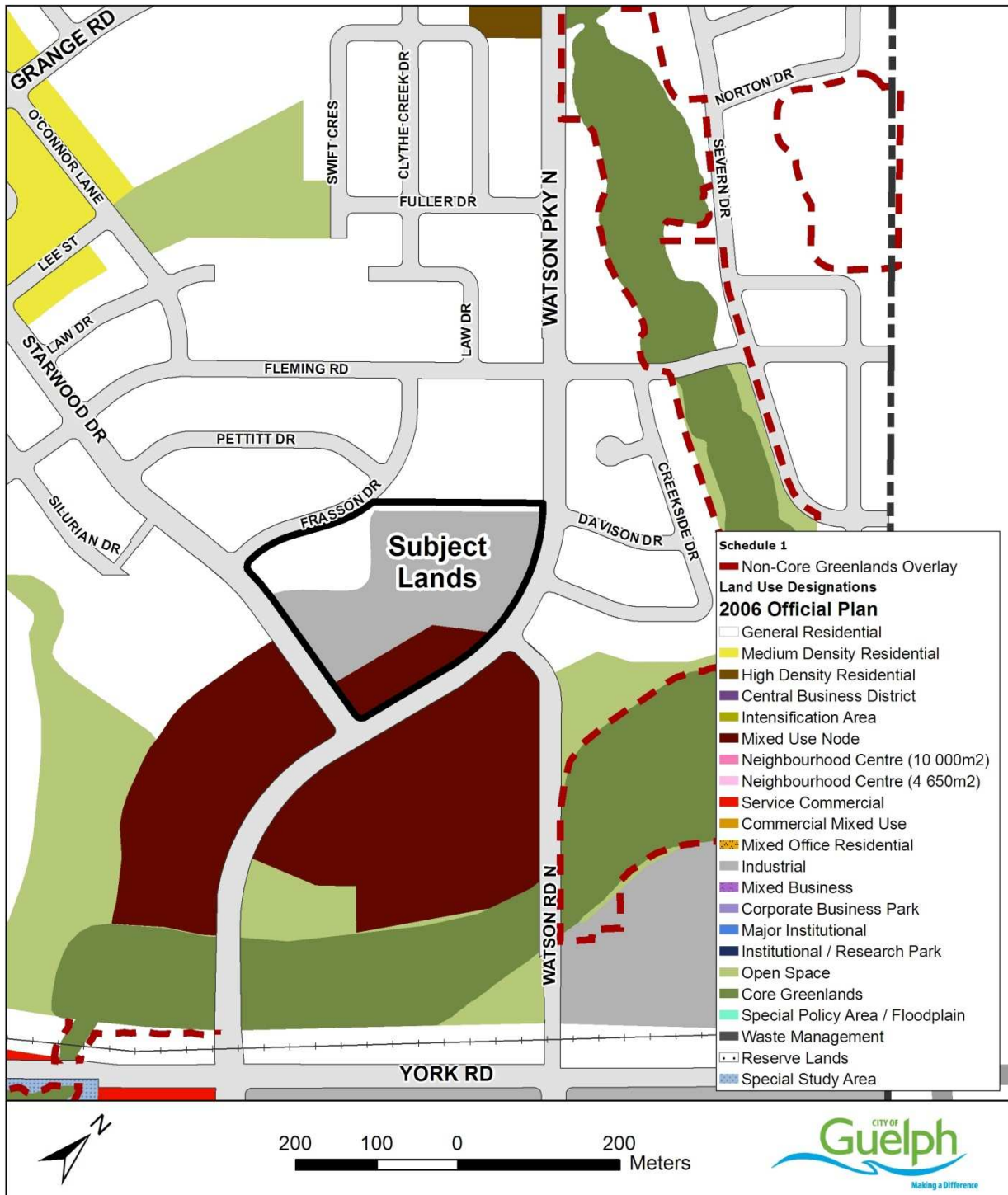
# ATTACHMENT 1

## Location Map



# ATTACHMENT 2

## Existing Official Plan Land Use Designations





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## ATTACHMENT 2 (continued)

### Existing Official Plan Policies

#### 'General Residential' Land Use Designation

- 7.2.7 *Multiple unit residential buildings*, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit* housing:
- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
  - b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
  - c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
  - d) That adequate municipal *infrastructure*, services and amenity areas for the residents can be provided.
- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density* of *development* shall not exceed 100 units per hectare (40 units/acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

#### Mixed Use Node

- 7.4.5 The 'Mixed Use Nodes' identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within a "node". These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
- 7.4.6 The intent of the 'Mixed Use Node' designation is to create a well defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.
- 7.4.7 It is intended that where there are adjacent properties within the node that the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Mixed Use Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems

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and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.

- 7.4.8 The boundaries of the 'Mixed Use Node' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of Section 9.2, proposals to expand a 'Mixed Use Node' beyond these boundaries or to establish a new node shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.9 The 'Mixed Use Node' is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and livework studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2. Only small scale professional and medically related offices shall be permitted in this designation in order to direct major offices to the CBD, Intensification Area, Corporate Business Park and Institutional designations.
- 7.4.10 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development.
- 7.4.11 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Mixed Use Node' designation to ensure such consistency.
- 7.4.12 The 'Mixed Use Nodes' incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. In order to promote a mixture of land uses within each 'Mixed Use Node' designation it is the intent of this Plan that new retail development will be limited to the following floor area cumulatively of all buildings within the node:
- Woodlawn / Woolwich Street Node: 42,000 sq. m.
  - Paisley / Imperial Node: 42,000 sq. m.
  - Watson Parkway / Starwood Node 28,000 sq. m.
  - Gordon / Clair Node 48,500 sq. m.
- 7.4.13 No individual 'Mixed Use Node' shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of gross leasable floor area.
- 7.4.14 In accordance with Section 9.2, any proposal to exceed the retail floor area limitations within a 'Mixed Use Node' established in policy 7.4.12 or the number of large retail uses in policy 7.4.13 shall require impact studies as outlined in policies 7.4.48 to 7.4.52."

## **URBAN DESIGN POLICIES FOR MIXED USE NODES**

- "7.4.39 In addition to the policies of section 3.6, and any Council approved urban design guidelines, the following urban design policies will be applied to the design and review of commercial and mixed use development proposals to create distinctive, functional and high quality commercial and mixed use areas:
- 7.4.40 **Intersections:**
- 7.4.40.1 Where a commercial or mixed use area is located at the intersection of major streets the development or redevelopment of each corner property will incorporate gateway features,

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- prominent landscaping and pedestrian amenities with linkages into the site at the intersection.
- 7.4.40.2 Emphasize intersections of major streets by placing buildings in close proximity to the intersection and ensuring that building entrances are visually accessible from that intersection.
- 7.4.40.3 Use corner building placement, massing and roof treatment in combination with landscaping to screen large buildings and parking areas located within the interior of the site from view at the intersection.
- 7.4.40.4 Corner buildings will be designed as 'signature buildings' to take into account exposure to multiple street frontages and high public visibility by incorporating elements such as increased height, roof features, building articulation, windows and high quality finishes.
- 7.4.40.5 Where a use incorporates functions such as open storage, vehicle repair operations, gas bars, garden centres and drive-throughs, these functions shall not be permitted between the building and the street line or the building and an intersection of streets.
- 7.4.40.6 Surface parking and loading areas shall not be permitted immediately adjacent the four corners of an intersection.
- 7.4.41 **Street Edges:**
- 7.4.41.1 Generously sized landscape strips incorporating combinations of landscaping, berming, and decorative fencing or walls shall be provided adjacent the street edge to provide aesthetically pleasing views into the site and to screen surface parking areas.
- 7.4.41.2 Locate free-standing buildings close to the street edge and avoid, where possible, surface parking between a building and the street. 7.4.41.3 Avoid locating outdoor storage areas along or adjacent to street edges.
- 7.4.41.4 Buildings adjacent the street edge will be designed to take into account high public visibility by incorporating elements such as increased height, roof features, building articulation, windows and high quality finishes.
- 7.4.41.5 Buildings will be designed to screen roof-top mechanical equipment from visibility from the public realm.
- 7.4.41.6 Avoid locating outdoor storage areas, outdoor display areas or garden centres adjacent to street edges.
- 7.4.42 **Driveways, Internal Roads and Parking Areas:**
- 7.4.42.1 Main driveway entrances will be defined by landscaping on either side of the driveway and / or by landscaped medians.
- 7.4.42.2 Internal roads will be physically defined by raised landscaped planters where they intersect with parking area driveways. Internal roads will be used to divide large sites into a grid of blocks and roadways to facilitate safe vehicular movement. Internal roads will be designed to interconnect with adjacent commercial lands to create an overall cohesive and integrated node.
- 7.4.42.3 Divide large parking areas into smaller and defined sections through the use of landscaping and pedestrian walkways.
- 7.4.42.4 Provide bicycle parking in close proximity and convenient to building entrances.
- 7.4.43 **Pedestrian Movement and Comfort:**
- 7.4.43.1 Incorporate decoratively-paved, conveniently located and distinct pedestrian walkways which link to public boulevards, transit stops, trail systems, pedestrian systems in adjacent developments and which provide a continuous walkway along the frontage and between internal commercial uses.
- 7.4.43.2 Pedestrian systems shall incorporate landscaping and pedestrian scale lighting and shall be defined by distinct materials and / or grade separation from vehicular movement systems.
- 7.4.43.3 Pedestrian systems and buildings shall be designed to provide barrier-free accessibility and pedestrian movement systems shall be sufficiently wide enough to be functional and provide comfortable pedestrian movement.
- 7.4.43.4 Well defined pedestrian systems clearly distinctive from vehicular driveways shall be provided immediately adjacent to the main entrances of commercial buildings.

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- 7.4.43.5 Where possible, main building entrances should incorporate weather protection measures such as canopies, awnings, building projections or colonnades.
- 7.4.43.6 Large developments will incorporate elements designed for people to rest such as parkettes, gazebos, pergolas, decorative walls that are separate and distinct from vehicular systems and parking areas.
- 7.4.43.7 Large developments within the nodes identified in the City's 2005 Transportation Study will incorporate a transit transfer terminal facility to the satisfaction of the City. Well defined pedestrian systems shall be provided linking these facilities to pedestrian movement systems internal and external to the site.
- 7.4.44 **Large Buildings:**
- 7.4.44.1 Where building facades are visible from a public street and are greater than 30 metres in length the building facades will incorporate recesses, projections, windows or awnings, colonnades and landscaping along at least 20% of the length of the façade to reduce the mass of such facades.
- 7.4.44.2 Large buildings will incorporate architectural elements which will reduce the visual effects of flat roof lines and which will conceal roof-top equipment.
- 7.4.44.3 Large buildings will be designed to enhance the visual built form and character of Guelph by incorporating architectural styles and elements and exterior building materials into building facades that reinforce the heritage character of the City of Guelph.
- 7.4.44.4 Where outdoor display areas are associated with a large building the use of landscape elements such as plantings, decorative fencing, pergolas and / or architectural elements such as façade extensions, and canopies shall be incorporated for effective integration with the overall development.
- 7.4.45 **Adjacent Development:**
- 7.4.45.1 Where commercial or mixed use development is located in proximity to residential and institutional uses the following urban design strategies will be employed to ensure compatibility:
- 7.4.45.1.1 Building massing strategies to reduce the visual effects of flat roof lines and blank facades or building height.
- 7.4.45.1.2 Where possible, the location of noise-generating activities away from sensitive areas.
- 7.4.45.1.3 Incorporating screening and noise attenuation for rooftop mechanical equipment and other noise generating activities situated in proximity to sensitive uses.
- 7.4.45.1.4 Providing perimeter landscape buffering incorporating a generously planted landscape strip, berming and / or fencing to delineate property boundaries and to screen the commercial use from the adjacent use.
- 7.4.45.1.5 Design exterior lighting and signage to prevent light spillage into the adjacent property.
- 7.4.45.1.6 Avoid the location of drive-through lanes adjacent a use that would be negatively affected by noise, light and activity levels associated with these facilities.
- 7.4.46 **Environmental Design:**
- 7.4.46.1 The design and orientation of the site and building development will support energy efficiency and water conservation through the use of alternative or renewable energy, storm water infiltration systems, 'green' building designs, landscaping and vegetative materials and similar measures. Stormwater management measures shall address both quantity and quality issues in accordance with recognized Best Management Practices.
- 7.4.46.2 Where possible buildings will be oriented to maintain vistas of natural features on lands adjacent to the site.
- 7.4.47 **Implementation:**
- 7.4.47.1 To ensure that the aesthetic character of site and building design in commercial and mixed use areas is consistent with the City's urban design objectives and policies, measures shall be incorporated into the Zoning By-law and the approval of site plans used to regulate development."

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## **'Industrial' Land Use Designation**

### **Objectives**

- a) To ensure sufficient serviced industrial land to attract a diversified range of industrial activities.
- b) To ensure efficient utilization of existing industrial land and promote redevelopment of under-utilized, or obsolete sites.
- c) To recognize and provide for the needs of, and facilitate the establishment of small-scale industries, incubator-type establishments, and the expansion of existing industries.
- d) To maintain adequate standards to ensure attractive industrial developments.
- e) To minimize the journey-to-work trips within the community.
- f) To prevent the establishment of offensive trades and nuisances that will hinder the orderly development of the community and be detrimental to the environment in accordance with policy 7.1.5.

### **General Policies**

7.7.1 Within areas designated as 'Industrial' on Schedule 1 of this Plan, the following land uses shall be permitted:

- a) Industrial uses including the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials;
- b) Warehousing and bulk storage of goods;
- c) Laboratories;
- d) Computer and data processing;
- e) Research and development facilities;
- f) Printing, publishing and broadcasting facilities;
- g) Repair and servicing operations;
- h) Transportation terminals;
- i) Contractors' yards;
- j) Complementary uses (such as corporate offices, open space and recreation facilities, public and institutional uses and utilities) which do not detract from, and which are compatible with, the development and operation of industrial uses.

7.7.2 Complementary uses, as outlined in policy 7.7.1(j), may be permitted within the 'Industrial' designation by Zoning By-law amendment. The adequacy of municipal services to support the proposed complementary uses will be considered as a component of the zone change request.

7.7.3 Generally, commercial uses will not be permitted within areas designated as 'Industrial'. Factory sales outlets will be permitted as an accessory use, provided that only those items that are substantially manufactured or assembled on site are sold. The sales outlet must be entirely located on the site in which the items for sale are manufactured or assembled.

7.7.4 Legally-existing industrial establishments not located within areas designated 'Industrial' on Schedule 1 of this Plan shall be recognized as legal conforming uses, subject to the zoning provisions in effect at the time of passing of this Plan. When these industries require expansion or the site is to be redeveloped for another land use activity, these industrial establishments will be encouraged to relocate into one of the designated industrial areas of the city.

7.7.5 It is the policy of the City to maintain a high standard of industrial development.

1. In order to encourage the development of attractive industrial areas, and to preserve sites along arterial roads for those industries that desire or require visibility, the City will pursue the following:

- a) Direct such uses as contractors' yards, repair and servicing operations, transportation terminals and utility yards to locate along local or collector roads that are not located within an industrial park;
- b) Maintain higher development standards along arterial roads or within an industrial park for such matters as: parking, loading areas, outside storage, landscaping, buffer strips and setback requirements; and
- c) Recognize a variety of categories of industrial zones in the Zoning Bylaw.

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7.7.6 The City shall ensure an adequate supply and variety of serviced industrial land to meet the requirements of industrial development.

1. The City will continue to purchase, develop, and market lands for industrial use.
2. The City will continue to provide a variety of industrial activity locations in the various geographic sectors of Guelph in order to minimize journey to-work trips.

7.7.7 Where industrial and residential (or other sensitive) uses are proposed in proximity to one another, the City, will use Ministry of the Environment guidelines, to require appropriate planning/land use regulatory measures that will promote compatibility between these two land use types. Measures that can assist in creating compatible environmental conditions for these basic land uses may include but not be limited to the requirement for minimum separation distances, sound proofing measures, odour and particulate capture devices.

1. Industrial land within the Hanlon Creek Business Park (lands located to the west of the Hanlon Expressway and in proximity to Laird Road) will be subject to the following land use compatibility considerations. Where a development application is proposed which would permit industrial and residential (or other sensitive uses) to be located in proximity to one another and may have an adverse effect, the City may require that one or more of the following measures be used to promote land use compatibility;

- a) Require that the Ministry of the Environment Guidelines be applied to encourage adequate separation distances.
- b) Require that a noise evaluation study be prepared, in compliance with the Ministry of the Environment Guidelines, by a recognized acoustical consultant. This study will be prepared to the satisfaction of the City. Where appropriate, noise mitigation measures and warning clauses will be included in the recommendations.
- c) Require that appropriate conditions of development approval be imposed to mitigate identified compatibility issues.
- d) Include appropriate regulations in the implementing Zoning By-law. These regulations may include but are not limited to, minimum building setbacks, maximum building heights, loading space locations, garbage, refuse and composting facility locations, outdoor storage locations, requirements for buffer strips, fencing and berms.
- e) Impose a Holding Zone to ensure that conditions encouraging land use compatibility are implemented.

7.7.8 Within areas designated as 'Industrial' on Schedule 1 of this Plan, there are a number of properties that have existing zoning, which permits a variety of commercially oriented uses. Although the presence of these commercial uses is not in keeping with the policies of this Plan, the City will recognize these existing zoning anomalies at the time of the passing of this Official Plan, and will zone these properties accordingly in the implementing Zoning By-law.

7.7.9 In spite of the limited range of uses provided by policy 7.7.1, the industrial use of lands municipally known as 355 Elmira Road North shall be extended to include the following commercial activities: bank, restaurant or cafeteria, barber shop or beauty salon, recreation or entertainment establishment, and catering service.

7.7.10 In spite of the limited range of uses provided by policy 7.7.1, the industrial use of lands municipally known as 3 Watson Road shall be extended to include the following commercial activities: an office, showroom and shop for a tradesman or home improvement contractor including wholesale and retail sales of related goods and services.

7.7.10.1 In spite of the limited range of uses provided by policy 7.7.1, the permitted use of lands municipally known as 95 Crimea Street shall be extended to include the following institutional and commercial activities: a religious establishment, a school and a day care centre

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## **Excerpts from Official Plan Amendment #39 – Conformity with the Planning Framework of the Growth Plan for the Greater Golden Horseshoe**

**The following new Section 2.4 entitled ‘Growth Management Strategy’ is added to the Official Plan:**

### **2.4 GROWTH MANAGEMENT STRATEGY**

#### **2.4.9 Community Mixed Use Nodes**

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

2.4.9.1 The community mixed use nodes will be planned and designed to:

- a) be well served by transit and facilitate pedestrian and cycling traffic;
- b) provide a mix of commercial, offices and residential development in a higher density compact urban form that supports walkable communities and live/work opportunities; and
- c) allow complementary uses such as open space, institutional, cultural and educational uses, hotels and live/work studios.

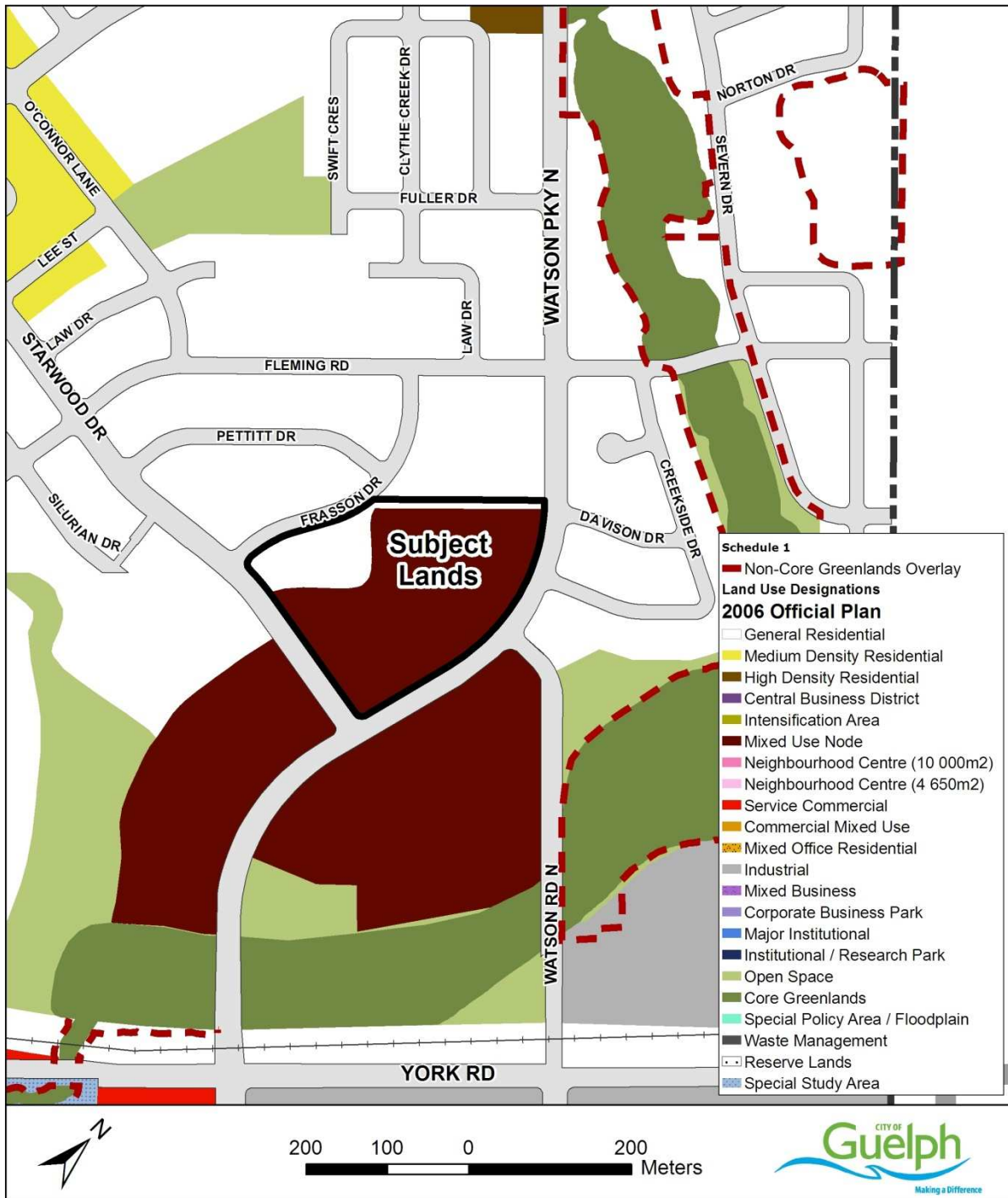
#### **2.4.10 Greenfield Areas**

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

2.4.10.1 The greenfield area will be planned and designed to:

- a) achieve an overall minimum density target that is not less than 50 residents and jobs combined per hectare in accordance with the Growth Plan policies. The density target will be measured in accordance with the provisions of subsection 2.2.7.3 of the Growth Plan over the entire designated Greenfield area to be developed;
- b) ensure that new development is designed to promote energy conservation, alternative and/or renewable energy systems, and water conservation;
- c) create street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services;
- d) provide a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;
- e) create high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling;
- f) promote, where appropriate through secondary planning the development of identifiable, pedestrian oriented neighbourhood scale ‘urban villages’ through the use of medium and high density, street-related built form that contains a mix of commercial, residential and employment uses, as well as supporting live/work opportunities. These centres will be designed around active public spaces and street and pedestrian access that is well-linked to the surrounding neighbourhood through walking, cycling and public transit; and
- g) develop and implement policies, including phasing policies and other strategies to achieve the intensification and density targets of this Plan.

## ATTACHMENT 2 (continued) Proposed Official Plan Land Use Designations





# ATTACHMENT 3

## Proposed Draft Plan of Subdivision



**ATTACHMENT 3 (continued)**  
**Proposed Draft Plan of Subdivision Details**

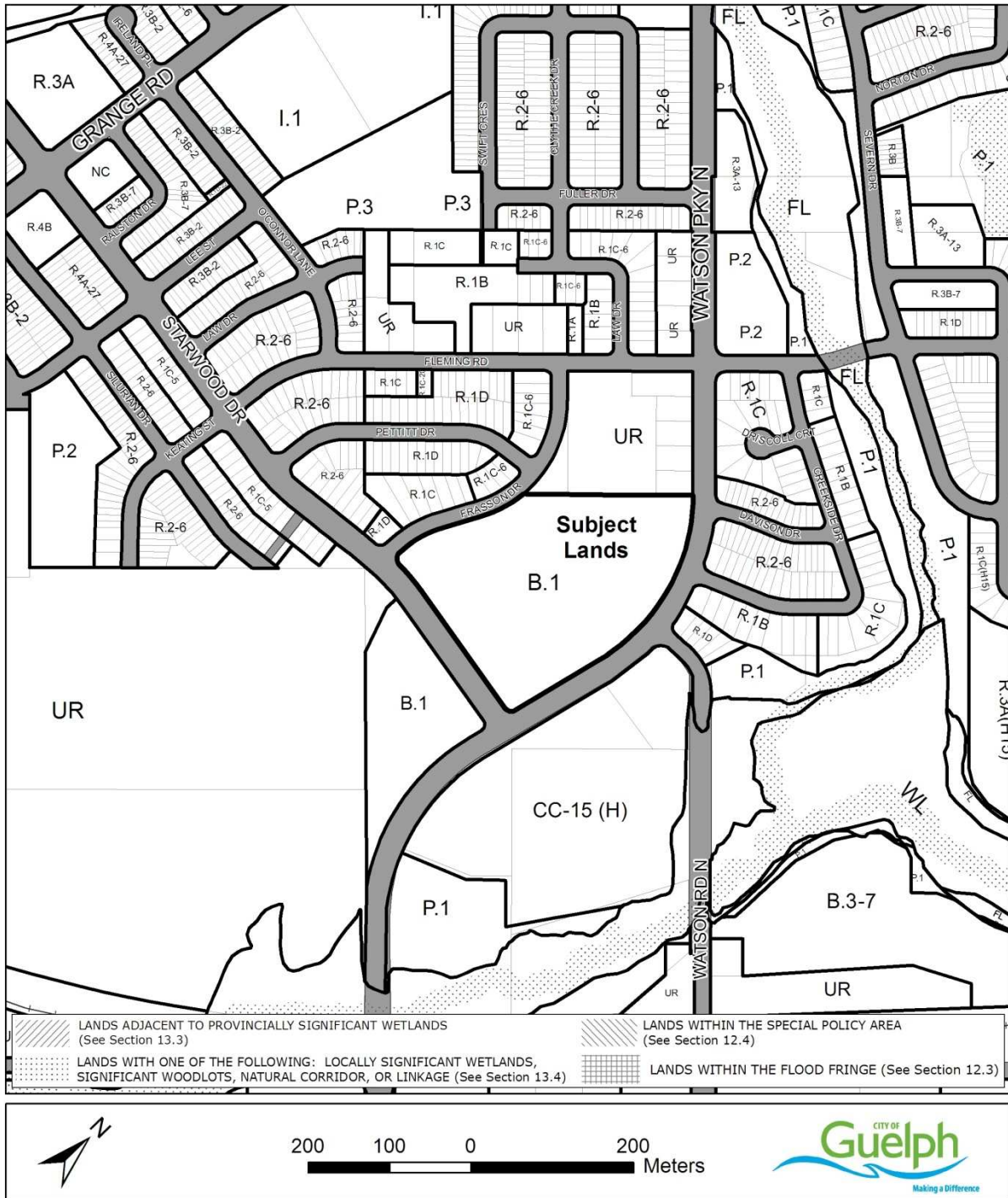
## SCHEDULE OF LAND USE

TOTAL AREA OF LAND TO BE SUBDIVIDED = 5.843±Ha. (14.438±Acs)

	BLOCKS	LOTS	UNITS	±Ha.	±Acs.
<b>TOWNHOUSE DWELLINGS</b>					
<b>STREET TOWNHOUSES</b>					
BLOCKS 12-24 <small>MIN. UNIT FRONTAGE = 6.0m;</small>	13		60	1.448	3.578
plus BLOCK 28	1		3*	0.093	0.230
BLOCKS 1-11 and 25-27 <small>STACKED TOWNHOUSE</small>	14		138	1.807	4.465
<hr/>					
<b>SUBTOTAL</b>	<b>28</b>		<b>201*</b>	<b>3.348</b>	<b>8.273</b>
BLOCK 29                    - COMMERCIAL	1			0.490	1.211
BLOCK 30                    - LIBRARY	1			0.427	1.055
BLOCK 31                    - PARK	1			0.043	0.106
<b>STREETS and LANEWAYS</b>				<b>1.535</b>	<b>3.793</b>
<small>17.0m WIDE    TOTAL LENGTH= 701±m, AREA=1.193±Ha.</small>					
<small>9.0m LANEWAY    TOTAL LENGTH= 380±m, AREA=0.342±Ha.</small>					
<hr/>					
<b>TOTAL</b>	<b>31</b>		<b>201*</b>	<b>5.843</b>	<b>14.438</b>

# ATTACHMENT 4

## Existing Zoning



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## **ATTACHMENT 4 (continued)** **Existing Zoning Details**

### **PERMITTED USES WITHIN THE B.1 and B.2 ZONES**

- 7.1.1 Catering Service  
Cleaning Establishment  
Commercial School  
Computer Establishment  
Manufacturing  
Print Shop  
Repair Service  
Research Establishment  
Towing Establishment  
Tradesperson's Shop  
Trucking Operation  
Warehouse

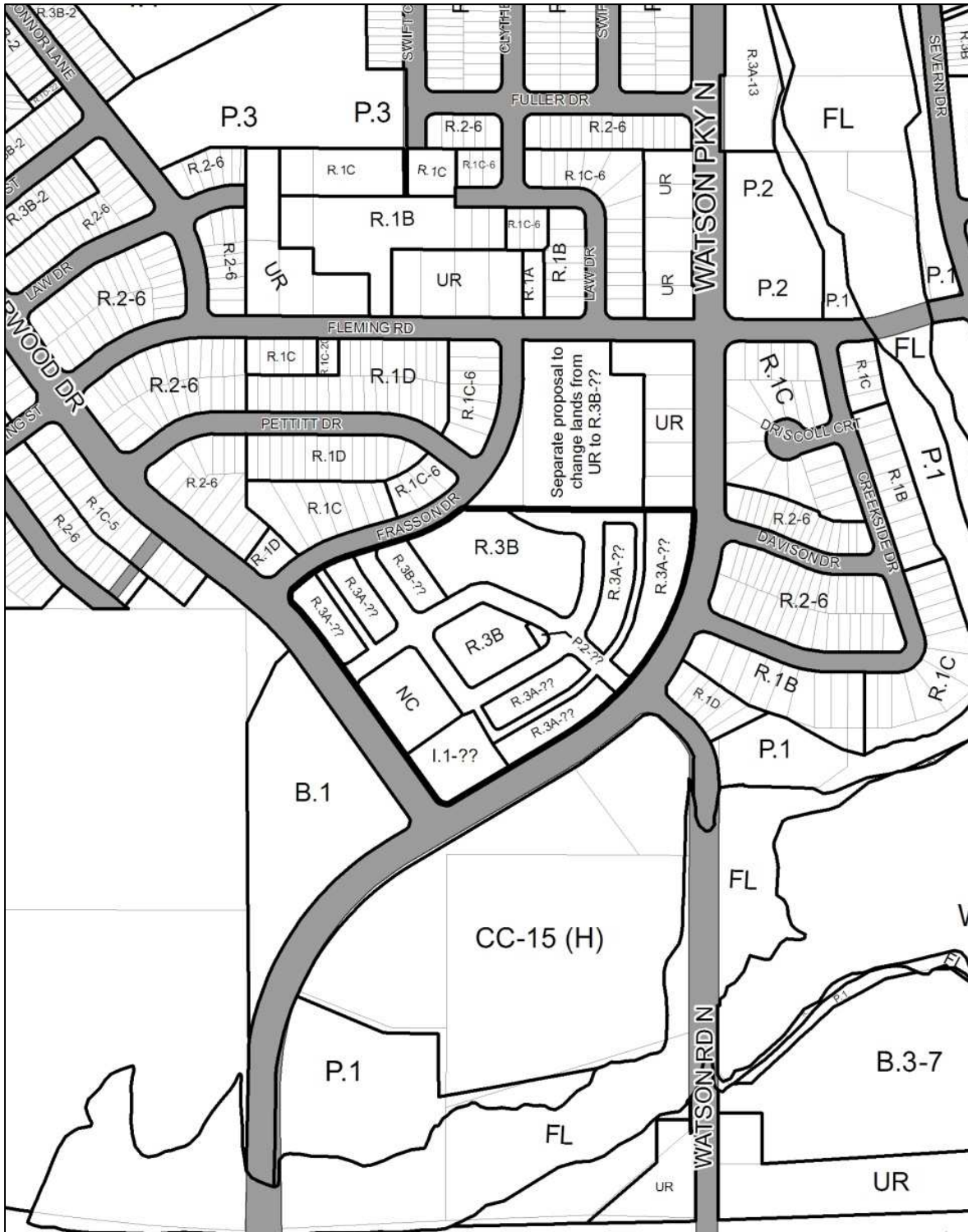
Office, Factory Sales Outlet, fleet servicing area and other Accessory Uses are permitted provided that such Use is subordinate, incidental and exclusively devoted to a permitted Use listed in Section 7.1.1 and provided that such Use complies with Section 4.23.

Temporary Uses including Agriculture (Vegetation Based), Outdoor Sportsfield Facilities, and driving range.

### **Malls**

Malls shall only be permitted in the B.2 Zone

# ATTACHMENT 4 (continued) Proposed Zoning



## ATTACHMENT 4 (continued) Proposed Zoning Details

LOTS OR BLOCKS	PROPOSED ZONING
Blocks 1-11 and 25-27	R.3A-* Specialized Cluster Townhouse Zone
Blocks 12-15, 17-24 and 28	R.3B On-Street Townhouses Minimum Frontage of 6 metres per unit
Block 16	R.3B-** Specialized On-Street Townhouse Zone
Block 29	NC Neighbourhood Shopping Centre
Block 30	I.1-**** Specialized Library
Block 31	P.2-***** Specialized Neighbourhood Park

### **R.3A-? (Specialized Cluster Townhouse) Zone**

#### **Permitted Uses**

In accordance with the provisions of Section 5.3.1.1 of By-law Number (1995)-14864, as amended.

#### **Regulations**

In accordance with Section 5.3.2 and Table 5.3.2 (Residential Cluster Townhouse) Zone regulations of By-law Number (1995)-14864, as amended, with the following exceptions:

Despite the definition of Stacked Townhouse in Section 3 (58) (i) (i), Stacked Townhouse shall also mean a building consisting of 3 or more dwelling units which are horizontally and vertically attached.

Despite the definition of Street in Section 3 (151), a Street shall not include a laneway.

#### **Location of Off Street Parking**

Section 4.13.2.2 shall not apply to the R.3A-\* zone.

#### **Visitor Parking**

Section 4.13.6 shall not apply to the R.3A-\* zone.

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Minimum Distance between Buildings

The distance between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms, shall in no case be less than 9 metres.

Minimum Distance between Buildings

The distance between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms, shall in no case be less than 9 metres.

Maximum Building Coverage

50%.

Minimum Side Yard

The Minimum Side yard shall be 1.5 metres.

Minimum Distance Between Buildings

The distance between the face of one building and the face of another building, each of which contains windows of habitable rooms, shall in no case be less than 3 metres.

No requirement for Amenity Area

Notwithstanding any other provision to the contrary, no Amenity Area shall be required.

Maximum Density of Site

The maximum density for stacked townhouse developments shall be 95 dwellings per hectare.

Minimum Lot Area

700 square metres.

Minimum Lot Area per Dwelling Unit

100 square metres.

Minimum Front Yard

3 metres.

Minimum Landscaped Open Space (% of Lot Area)

10%.

Maximum Number of Dwelling Units in a Row

18.

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## **R.3B-? (Specialized On-Street Townhouse) Zone**

### **Permitted Uses**

In accordance with the provisions of Section 5.3.1.2 of By-law Number (1995)-14864, as amended.

### **Regulations**

In accordance with Section 5.3.2 and Table 5.3.2 of By-law Number (1995)-14864, as amended, with the following exceptions:

Minimum Front Yard

5.9 metres

Maximum Number of Dwelling Units in a Row

9

## **I.1-? (Specialized Institutional) Zone**

### **Permitted Uses**

In accordance with the provisions of Section 8.1.1 of By-law Number (1995)-14864, as amended.

### **Regulations**

In accordance with Section 8.2 and Table 8.2 of By-law Number (1995)-14864, as amended, with the following exceptions:

Front Lot Line

The lot line abutting Starwood Drive shall be deemed to be the front lot line.

## **P.2-? (Neighbourhood Park) Zone**

### **Permitted Uses**

In accordance with the provisions of Section 9.1.2 of By-law Number (1995)-14864, as amended.

### **Regulations**

In accordance with Section 9.2 and Table 9.2 of By-law Number (1995)-14864, as amended, with the following exceptions:

Minimum Lot Frontage

No Minimum Lot Frontage shall apply





# envision GUELPH

## **OFFICIAL PLAN UPDATE**

Phase 3 – Public Meeting  
April 2, 2012





# Envision Guelph

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## Five Year Official Plan Update

- Comprehensive review of the Official Plan policies to ensure conformity and consistency with:
  - Provincial plans, policies and legislation; and
  - the City's strategic directions and approved plans/studies.



# Envision Guelph

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## Three Phases

- Phase 1 – OPA 39 Conformity with the Growth Plan
- Phase 2 – OPA 42 Natural Heritage Strategy
- Phase 3 – Remainder of the Plan



# Envision Guelph

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## Phase 2:

Initially intended to complete OP Update.

Open Houses held in April 2010.

Public Meeting held in May 2010.

Council resolution to proceed with adoption of Natural Heritage System and leave remainder of the Official Plan Update for new Phase 3.



# Envision Guelph

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## Since May 2010:

Adoption of OPA 42 Natural Heritage System  
(currently under appeal)

Staff review of comments related to Phase 3.

Consultation with stakeholders and  
landowners.

Report to Council January 30, 2012.

## Phase 3: Policy Areas

- Strategic Directions and Vision
- Watershed Planning and Water Resources
- Public Health and Safety
- Community Energy
- Cultural Heritage Resources



# Phase 3: Policy Areas

- Transportation and Municipal Services
- Community Infrastructure
- Urban Design
- Land Use
- Implementation





# Public Comments on Phase 3

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## General themes:

- Affordable Housing
- Urban Design Policies
- Community Mixed-use Area policies
- Prohibition of Drive-throughs

## Other:

- Site Specific requests





# Overview of Phase 3 Policy Areas

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Highlights of:

- Policies that are new to the Official Plan
- Updates since 2010 release



# Official Plan - Vision

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



# Creating Complete and Healthy Communities

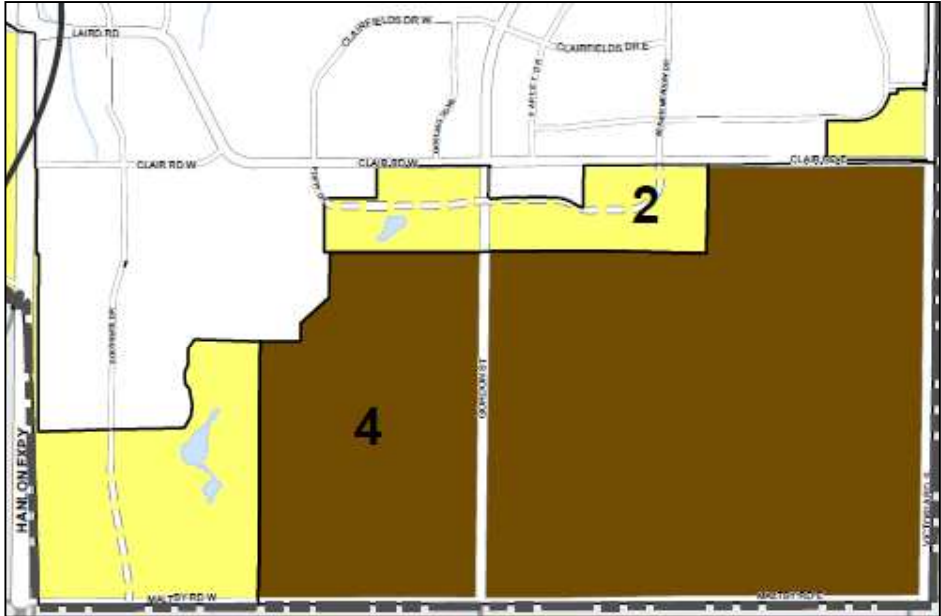
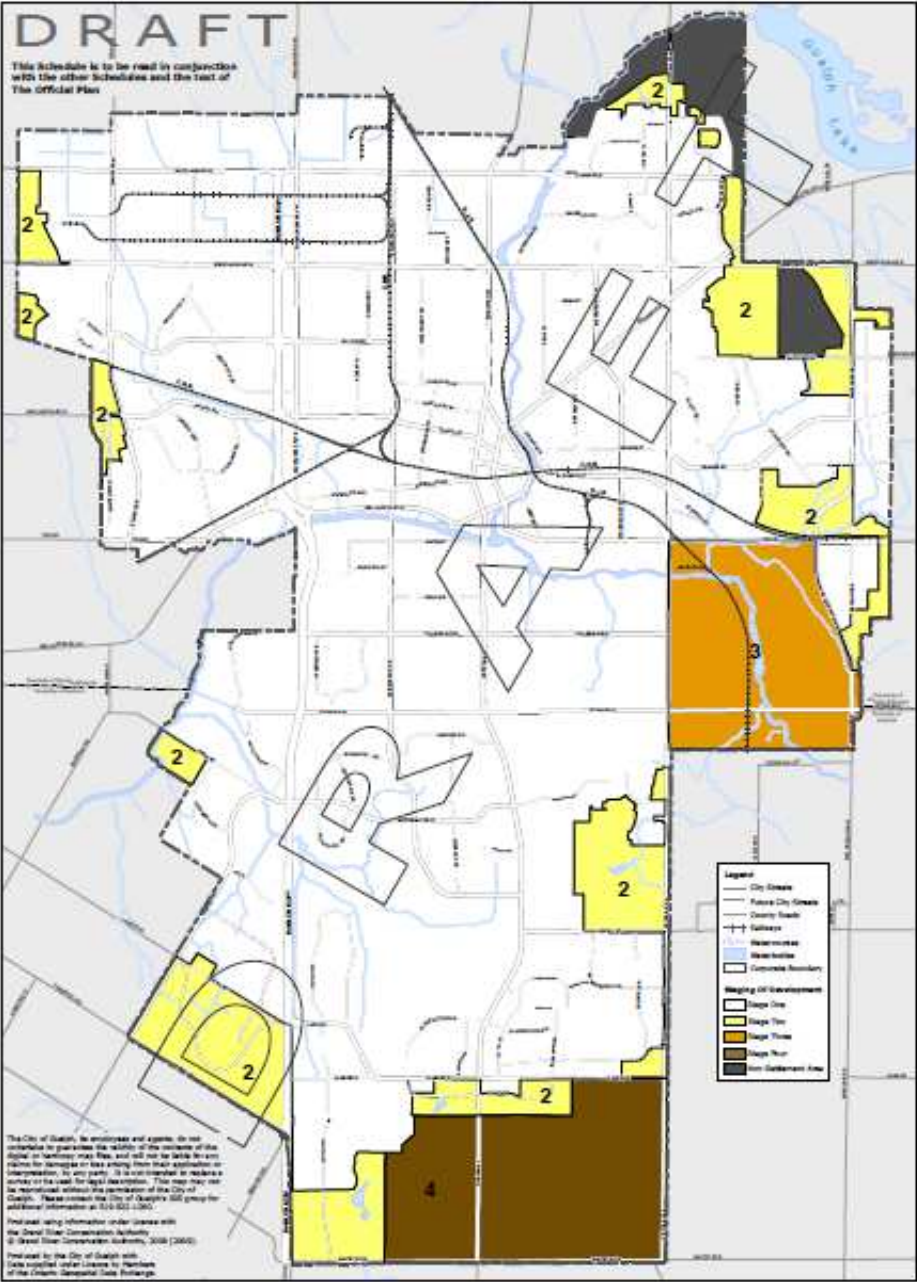
## Employment Land Conversion

Policies modified to recognize that lands that are considered to be Regeneration Areas are subject to the conversion policies of the Provincial Policy Statement.

## Staging of Development:

Policies revised to include a requirement for completion of a Secondary Plan prior to the development of lands within the Stage 4 area.

# Staging of Development





# Watershed Planning and Water Resources

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Water resources policies revised to reflect the PPS and Clean Water Act.

Policies support development and implementation of watershed and subwatershed plans.

## **Promote and encourage:**

water conservation; low impact development; and alternative water supply and demand management systems.

## **Source Protection:**

restrictions on land use activities that have the potential to impact the City's water supply.



# Public Health and Safety

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## **Floodplain:**

Policies restrict development within the Floodplain.

## **Hazardous Sites:**

Development generally directed outside erosion hazards, steep slopes or hazardous sites.

Development restricted or controlled on lands that are used or were formerly used for solid waste disposal.

Policies facilitate safe redevelopment of contaminated sites.



# Mineral Aggregate Resources

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2010 Draft Official Plan did not include any policies related to Mineral Aggregate Resources.

Policies have been added back in to the Official Plan to specifically address resource recovery.

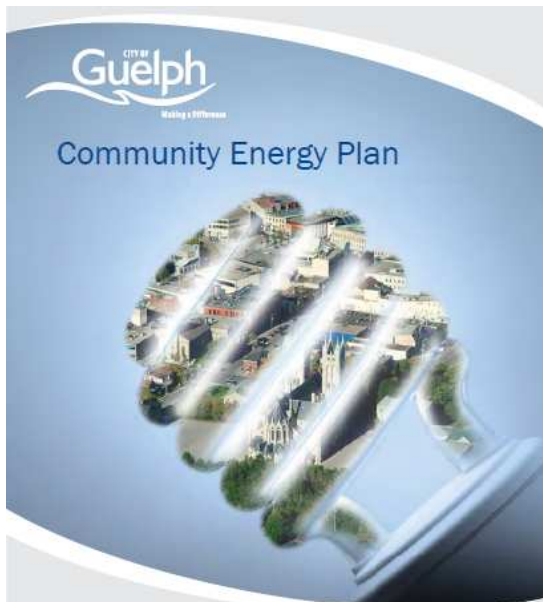
# Climate Change & Community Energy

Policies support the implementation of the Community Energy Plan and provide direction regarding meeting its targets.

Policies address climate change mitigation and adaptation.

Policies support the application of District Energy.

Demonstration of corporate leadership regarding energy conservation and sustainable design.





# Cultural Heritage Resources



Updates to policies in accordance with Ontario Heritage Act 2005.

Cultural heritage resources to be conserved.

Municipal Register of Cultural Properties: identifies properties of cultural heritage value or interest. Designated and non-designated properties may be listed in the Register.



# Transportation

Updates to policies from the Guelph-Wellington Transportation Study 2005.

Policies support the design of a transportation system involving all transportation modes.

Policies support increasing non-auto mode shares for average daily trips.



Mode	Share of Trips	
	2001 OP Target	2012 OP Target
Walking	None	15%
Public Transit	10%	15%
Cycling	None	3%

# Municipal Services

Provision and extension of full municipal services and utilities is required for all new development.

Policies protect, maintain, enhance and restore the quality and quantity of surface water and groundwater resources.

Policies discourage non-residential development that requires high volumes of water and wastewater discharge.

Policies support implementation of master plans and strategies.



# Community Infrastructure

## Affordable Housing:

Policies direct the development of an affordable housing strategy.

Target for affordable housing revised= 30% of new residential development.



Policies related to holding lands out of development removed.

Implementation tools to be reviewed to assist in meeting the affordable housing target.

# Community Infrastructure

## Parks and trails:

Incorporation of Trail Master Plan (2005).

Ratio of parkland per 1000 population updated.

Introduction of urban squares as park space.

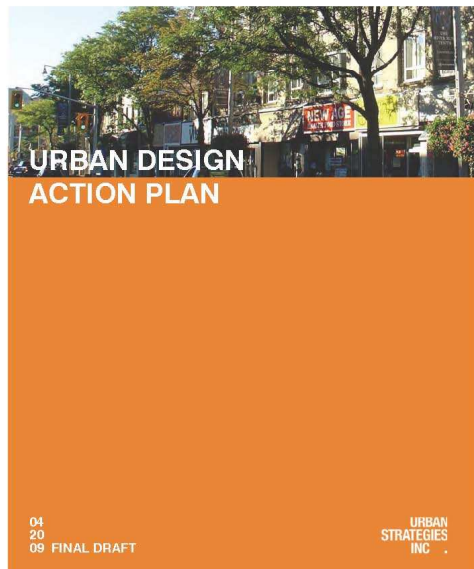


# Urban Design

Direction for policies from the Urban Design Action Plan.

Policies address:

- Sustainable Urban Design
- Public Realm
- Landmarks, Public Views and Public Vistas
- Gateways
- Built Form
- Parking
- Access, Circulation, Loading and Storage Areas
- Signage, Display Areas, Lighting
- Landscaping
- Safety and Accessibility





# Mixed Use Nodes

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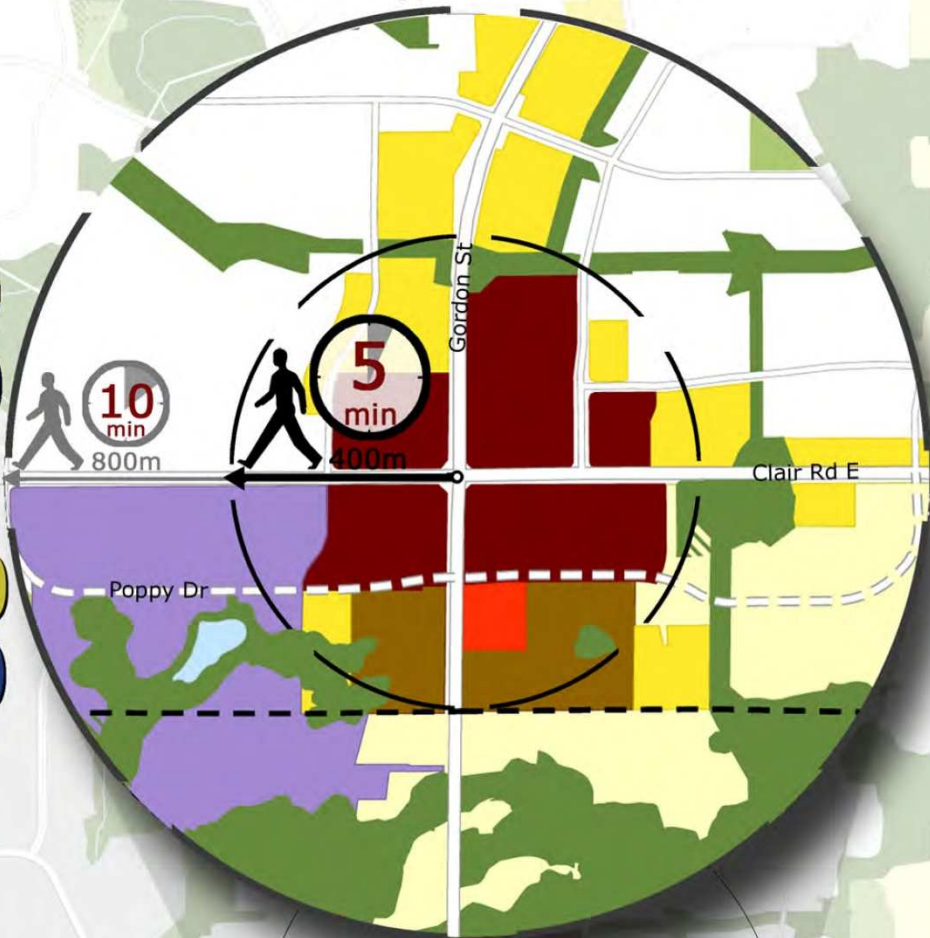
Introduction of policies to require concept plans for major development proposals within the Nodes. Concept Plans to address:

- linkages between new and existing development;
- locations for public and private streets and laneways;
- general massing and location of buildings to establish transition to surrounding community;
- locations of open space.

# Clair / Gordon

5-minute walking distance  
**PEOPLE 2000**  
**JOBS 2500**

10-minute walking distance  
**PEOPLE 8500**  
**JOBS 4600**



- Land Use Designations**
- Low Density Residential
  - Low Density Greenfield Residential
  - Medium Density Residential
  - High Density Residential
  - Downtown
  - Mixed-Use Corridors
  - Community Mixed-Use Centre
  - Service Commercial
  - Neighbourhood Commercial Centre
  - Mixed Office Commercial
  - Industrial
  - Corporate Business Park
  - Mixed Business
  - Institutional / Research Park
  - Major Institutional
  - Special Study Area
  - Major Utility
  - Open Space and Park
  - Significant Natural Area (currently under appeal)
  - Natural Area (currently under appeal)
  - Reserve Lands
  - Secondary Planning Area
  - Potential School Site

**Projected Density 2031**  
 5 minute walk = 89.5 p&j/ha  
 10 minute walk = 74 p&j/ha



## Residential:

Split 'General Residential' into two designations:  
Low Density Residential and  
Low Density Greenfield Residential.

Introduced policies for minimum and maximum heights.

Density ranges changed.

Development criteria to guide intensification and infill.

## Density Policies

Residential Designation	Minimum Density Units/ha		Maximum Density Units/ha	
	Proposed	Current	Proposed	Current
Low Density	15	--	35 *	100
Low Density Greenfield	20	--	60 *	100
Medium Density	35	20	100*	100
High Density	100	100	150*	150

\* Bonusing applies

## Height Policies

Residential Designation	Minimum Height	Maximum Height
Low Density	--	3 storeys*
Low Density Greenfield	--	6 storeys
Medium Density	2 storeys	6 storeys*
High Density	3 storeys	10 storeys*

\*Bonusing applies

# Land Use

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## Commercial and Mixed Use:

Enhanced design policies to direct locations of vehicle related uses.

Prohibition of drive-throughs removed and replaced by enhanced design policies. Zoning By-law update to address appropriate locations and regulations for drive-throughs.

# Land Use

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## Commercial and Mixed Use:

Minimum height of 2 storeys set along arterial and collector roads.

Policies encourage residential uses in mixed-use buildings or in free-standing high density forms.



# Land Use

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## **Industrial and Corporate Business Park:**

Density policies introduced to support achievement of Places to Grow targets.

Industries with more than 36 jobs per hectare are encouraged to locate in the greenfield area.

Corporate Business Park lands within the greenfield area are planned to achieve an average density of 70 jobs per hectare.

## Changes to Designations:

**Regeneration Area:** deleted, reverted back to existing designations

**Mixed Business:** existing designation deleted in 2010 draft, re-instated

**Mixed Office/Commercial:** combination of existing Commercial Mixed-Use and Mixed Office Residential, policies refined

**Reserve Lands:** existing designation deleted in 2010 draft, re-instated



## Site Specific Requests:

Comments received related to site specific requests for designation changes.

These requests are outside the scope of the Five Year Official Plan Review.

Site specific designation changes to be dealt with through development applications.



# Implementation

Provides policies for the planning tools available to assist the City in implementing the provisions of the Official Plan.

Introduces policies for:

- Height and Density Bonus Provisions

Updates Policies for:

- Secondary Plans
- Site Plan Control





# Consultation and Next Steps

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## Open House and Statutory Open House

Held on February 29 and March 6, 2012

## Public Comments

Following Public Meeting staff will review comments and prepare final revisions to the draft Official Plan.

## Council decision

Staff to present final Official Plan Amendment 48 to Council for decision Spring 2012.

TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment  
DATE April 2, 2012

**SUBJECT Official Plan Update Phase 3 (OPA 48):  
Statutory Public Meeting**

REPORT NUMBER 12-39

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## **SUMMARY**

### **Purpose of Report:**

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

### **Council Action:**

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

## **RECOMMENDATION**

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

## **BACKGROUND**

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

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

## **REPORT**

### **Purpose and Effect of OPA 48**

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

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

### **Subject Lands**

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

### **Overview of Amendment**

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

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

### **CORPORATE STRATEGIC PLAN**

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

**Goal 2:** A healthy and safe community where life can be lived to the fullest

**Goal 3:** A diverse and prosperous local economy

**Goal 4:** A vibrant and valued arts, culture and heritage identity

**Goal 5:** A community-focused, responsive and accountable government

**Goal 6:** A leader in conservation and resource protection/enhancement

### **Connection to the 2010-2014 Strategic Plan Process**

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

### **FINANCIAL IMPLICATIONS**

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

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## **COMMUNICATIONS**

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

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

## **NEXT STEPS**

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

## **DEPARTMENTAL CONSULTATION**

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

## **ATTACHMENTS**

The attachment is available on the City's website at [guelph.ca/envisionguelph](http://guelph.ca/envisionguelph).

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

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

### **Prepared By:**

Melissa Aldunate  
Senior Policy Planner  
519.822.1260 ext 2099  
[melissa.aldunate@guelph.ca](mailto:melissa.aldunate@guelph.ca)

Original Signed by:

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### **Recommended By:**

Todd Salter  
Acting General Manager  
Planning Services  
519.822.1260 ext 2395  
[todd.salter@guelph.ca](mailto:todd.salter@guelph.ca)

Original Signed by:

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### **Recommended By:**

Janet Laird, Ph. D.  
Executive Director  
Planning & Building,  
Engineering and Environment  
519.822.1260 ext 2237  
[janet.laird@guelph.ca](mailto:janet.laird@guelph.ca)

From: Elizabeth Snell  
Sent: March 8, 2012 1:50 PM  
To: Michelle Mercier  
Subject: Envision Guelph

I am a board member of Transition Guelph <http://transitionguelph.org/>. A couple of years ago a large group of interested Transition Guelph members compiled their vision for Guelph in 2030. Given the 2031 timeline of Envision Guelph, I thought you might be interested in the summary page - please see attached - as a form of public input representing the approximately 50 people who participated in the exercise (Transition Guelph members/contacts number in the many hundreds). I appreciated the chance to review the Envision Guelph material at City Hall this week. It seems to me that the general direction is toward the Transition Guelph vision.  
Best wishes with the next steps.

Elizabeth Snell

## **Transition Guelph – Assembled Hopes for Guelph in 2030: DRAFT**

In 2030, Guelph will be a community of dense, diverse, largely self-contained neighbourhoods connected by healthy natural corridors with clear, free-flowing streams. Everyone will live near community gardens and communal play areas. Rain runoff will approach natural rates, largely soaked up by green roofs, street trees, gardens and permeable street surfaces.

Vegetable gardens will be numerous, replacing lawns and sprouting in schoolyards. University lands will be operating farms. Fruit and nut trees will be widespread. Cold frames will be common. Some livestock and bee-keeping will be permitted. Bustling neighbourhood and central markets will be open daily. Permaculture methods will be popular; local food processing will proliferate.

Buildings – many attached - will be energy-self-sufficient and often energy-producing. Solar energy - passive, solar thermal, solar PV – will be extensively used along with highly effective insulation. Where appropriate, wind, water-power, ethanol and geothermal energy will be tapped and community energy sharing organized. Grey water systems will be routine. Affordable housing will be plentiful and big box stores will be transformed into community spaces.

Local business will flourish throughout the city, providing meaningful work for all. Many transactions will use local currency. The proximity of work and play will leave little need for distant travel. Regional and local public transit – rail and bus - will be integrated, affordable, convenient and renewably powered. Most people will walk and bike, enjoying a safe, extensive network of trails and streets. Cars will be few, very small, shared and powered renewably. Electric bikes and scooters will be numerous. Schools will teach children and youth how to live sustainably, including urban farming and food preparation, ecology, community interdependence, creative thinking and self-fulfillment. Youth will be active in sports and interactive games as well as engaged in the community. Education will continue throughout life with mentoring, re-training to local sustainable occupations, and accessible libraries. Music, art, theatre and festivals will thrive.

Social interactions will flourish - driven by local provision of food, shelter and jobs, and by many cooperative ventures. Urban density, the slow pace and emphasis on walking will contribute. Everyone will know their neighbours. Generations will mix. TV viewing will shift to broad participation in cultural activities. Support will be available to any who need it. All will have input to community decisions.

Most people will be in excellent health because of good diet and exercise, clean air and water, low stress, a rich network of community connections, the healing effects of working with the land, and high levels of happiness. Health care will be easily available and include a wide range of providers.

Understanding our interconnectedness with others and with nature will be universal. Material use will be low and largely homespun or fairly traded; relationships and creativity will be prolific, nurtured by ideas from around the world. All activities will honour ecosystem integrity – in Guelph, in our watershed, in our bioregion and on our planet. Guelph will be resilient to the soaring cost of oil and will contribute no more than its fair share of the greenhouse gases that the planet can sustainably absorb.

INDUSTRIAL EQUITIES GUELPH CORPORATION  
55 Kelfield St.,  
Toronto, ON M9W 5A3

February 29, 2012

Mr. Todd Salter  
General Manager, Planning and Community Services  
Guelph City Hall  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Re: **Envision Guelph – Released January 30, 2012**

Dear Mr. Salter:

I am the President of Industrial Equities Guelph Corporation, the owner of the Southgate Business Park which received Draft Plan approval from the City of Guelph in January 2009. There are approximately 120 acres of zoned and designated industrial land within the Southgate Business Park that I have been actively marketing since our acquisition in 2005. The City of Guelph must ensure that it is positioning itself through the proposed Official Plan policies to both retain and bring jobs and assessment to the City. The Official Plan should not introduce road blocks to attracting employers to expand or locate in the City of Guelph. The Southgate Business Park abuts, and has excellent access to the Hanlon Expressway, and is located within the greenfield area.

The Southgate Business Park is a well located business park which to date has attracted users primarily with the intention of constructing distribution warehouse facilities and as a result would never achieve the employment density criteria of 36 jobs per hectare as contemplated in the latest Envision Guelph document. In fact, the lands located along the Hanlon Expressway in the southerly portion of Guelph including the Southgate and Hanlon Creek Business Parks are ideal to accommodate large warehouse users as they are located with easy access to the Hanlon and 400 series highways. In the 7 years we have been marketing our property we have never had an inquiry or serious level of interest from any employer who would meet the 36 jobs per hectare target of the proposed Envision Guelph. Indeed the proposed facilities of Rona, and Target (who chose to go to Halton Hills) and others would not meet the density criteria of the Envision document. In addition, the existing TDL facility and the existing data centre do not meet this density target. Embedding unrealistic density targets within the Official Plan create a negative view of the distribution warehouse users who are interested in locating in Guelph. This leads to them not being viewed or treated as positive or desirable users by the City. There appears to be a disconnect between the market reality and the proposed policies of the Official Plan. The Official Plan should



encourage the distribution warehouse users which have formed the backbone of enquires to date.

The Official Plans that I have canvassed include the combined people and jobs density target as required by Places to Grow. These Official Plans do not create separate job only targets for employment areas. I suggest that Guelph remove any job specific targets from the Envision Guelph Plan and rely on the combined people and job density targets as stipulated by Places to Grow.

With respect to water supply, the City's water supply is groundwater based, therefore high water users are not encouraged to locate in the City. This is a constraint to food industries and many manufacturers looking to locate in Guelph which require water for their operations, notwithstanding their ability or inability to comply with the jobs criteria set out in the Envision document.

In summary, I have reviewed the proposed Official Plan and am providing the following comments.

**1. Excerpt from Envision Guelph - "9.5 Employment Designations**

*f) To ensure higher employment densities are achieved in the greenfield area in order to contribute to the achievement of the minimum overall density target of 50 persons and jobs per hectare.*

*9.5.2.17. The City shall plan to achieve an average density of 36 jobs per hectare on lands designated Industrial in the greenfield area. "*

*9.5.2.18. Development with densities of 36 jobs per hectare or more are highly encouraged to locate within the greenfield area."*

**Comment – 36 jobs per hectare is an impossible target to meet for greenfield area employment lands. The job only target for employment designations should be removed from the Official Plan. (ie. delete the 36 jobs per hectare density target)**

**2. Excerpt from Envision Guelph – "9.5.1 General Policies**

*The following general policies apply to all Employment designations.*

*1. Industries which require high volumes of water use should demonstrate through a Water Conservation Efficiency Study that water consumption will be reduced through on-site processing or recycling.*

*2. The Zoning By-law may restrict industries which require high volumes of water use to protect service capacity needs of planned growth".*

**Comment – Industries requiring water for their operations are discouraged from locating in Guelph. Private wells are not permitted to supplement the day to day operations of industries wanting to locate in Guelph. This will reduce the interest of prospective employers in Guelph.**

**3. Excerpt from Envision Guelph – “9.5.1.3. The pattern and design of streets and sidewalks should facilitate accessibility, walking, cycling and transit use and should be connected within and outside the employment areas.”**

**Comment – The business parks in Guelph have been planned with bicycle lanes, and off-road multi-use trails. The transit service is provided by on-demand stops. Sidewalks are not a cost effective option for business parks and reference to sidewalks should be removed from this section of the Official Plan.**

**4. Excerpt from Envision Guelph – “9.5.1.3.5. Where residual heat, energy or water is produced in an employment process, it is encouraged to be reused on site or off site in conjunction with other land uses or through existing or planned *district energy* systems.”**

**Comment – wording should be added to this section “where is it shown to be cost effective.”**

**5. Excerpt from Envision Guelph –“ 9.5.2 Industrial**

**3. Warehousing and indoor bulk storage of goods will primarily be directed to locate on industrially designated lands within the built-up area where there is convenient access to the Hanlon Expressway or rail lines.”**

**Comment –The wording of this section of the Official Plan should be reworded to add reference to ‘greenfield areas.’ It is the designated greenfield areas with convenient access to the Hanlon Expressway which are best positioned to accommodate warehouse uses.**

**6. Excerpt from Envision Guelph - Height and Density**

**9.5.2.16. A minimum height of 2 storeys is encouraged.**

**Comment - Please clarify the wording of this section. Warehouses are typically 28 to 40 feet clear height but are only single storey except potentially the office portion which may be 2 storeys.**

In closing, I would like to remind all stakeholders that the recent closing of the Electro-Motive plant in London Ontario, as well as other recent manufacturing plant closings in Southern Ontario serve as an indicator of the ongoing transition out of labor centric manufacturing facilities in Southern Ontario. Warehouse users should be embraced not discouraged. While they generally have large physical footprints, their carbon footprints are low relative to the labor intensive manufacturing industries and they pay their taxes in a timely fashion, a trait all municipalities should be embracing.

Please provide me with notice of any upcoming meetings and further drafts of the Official Plan being released. We would like to meet with you to review our position with respect to these proposed policies and our suggested wording changes.

Yours truly,



Mark Cowie, President  
INDUSTRIAL EQUITIES GUELPH CORPORATION

(0544.Envision Guelph Comments February 2012.doc)

cc: Karen Farbridge – Mayor of Guelph  
Members of Council – City of Guelph  
Peter Cartwright – City of Guelph  
Jim Mairs – City of Guelph  
Astrid Clos – Astrid J. Clos, Planning Consultants  
Leslie Marlowe – LM Real Estate Consulting



SHAPING GREAT COMMUNITIES

PLANNERS  
URBAN DESIGNERS  
LANDSCAPE ARCHITECTS

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March 5<sup>th</sup>, 2012

File No.: 10080.95

City of Guelph  
City Hall, 1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attn: Melissa Aldunate, Senior Policy Planner

**Re: Envision Guelph – Official Plan Update Phase 3  
Official Plan Amendment No. 48  
Abode Varsity Living, 716 Gordon Street**

We act for Abode Varsity Living on land use planning matters with respect to the above-noted property. Official Plan and Zoning By-law Amendment applications were submitted to the City of Guelph in August of 2010 (and considered complete on November 30, 2010) to permit the development of two purpose-built student apartment buildings ("the Proposed Development"). The amendments were submitted under the existing City of Guelph Official Plan (2006), as amended by OPA 39), and Zoning By-law. These applications were appealed to the Ontario Municipal Board on December 13<sup>th</sup>, 2011 and the first pre-hearing conference is scheduled for April 19<sup>th</sup>, 2012 (PL111340). These applications are to be evaluated against in-force official plan policies. Notwithstanding this, Abode has requested GSP Group Inc. to monitor and provide input on the comprehensive review of your draft Official Plan.

The subject property is identified as an "Intensification Corridor" on Schedule 1 (Growth Plan Elements) and is designated "General Residential" on Schedule 2 (Land Use Schedule) to the existing Official Plan (2006). The General Residential designation permits a maximum density of 100 units per hectare and there are no building height limitations.

In the first draft of the Comprehensive Official Plan Update, released in May of 2010, the subject property continued to be in an "Intensification Corridor" and designated as "General Residential". The draft policies continued to permit a maximum density of 100 units per hectare.

The second draft of the Comprehensive Official Plan Update, released on January 30, 2012, however, is proposing to change the designation of the subject property. While the subject property continues to form part of an "Intensification Corridor", the Land Use Schedule on the second draft Official Plan illustrates the property as being designated "Low Density Residential". This "down-designation" of the subject property is directly conflicting with the existing policies that specifically encourage intensification on this property. This new policy direction is also inconsistent with the Provincial Policy Statement and the Growth Plan. The impact of the proposed down-designation is that the permitted maximum density is reduced from 100 units per hectare to 35 units per hectare. Given the property's superior location attributes it is difficult to rationalize this proposed down-designation.

While the draft OPA provides the potential for density bonusing up to 100 units per hectare within the Low Density Residential designation, the property owner must demonstrate and receive approval to use the bonusing. This does not represent good planning. The property is deserving of much more height and density than the January 2012 draft OP suggests and the owner should not be required to provide "bonusing" in order to permit a density on the property that is permitted as-of-right in the current OP.

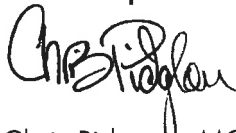
In effect, the proposed designation and associated policies have decreased the as-of-right permitted density. Our client is opposed to the proposed designation of the subject property as it directly conflicts with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and Official Plan Amendment 39 (Growth Plan Conformity).

The proposed purpose-built student apartment buildings provides for intensification and redevelopment on a strategically located parcel in close proximity to the University of Guelph. Further, the development will provide for a more efficient use of land, along two arterial roads with transit service.

We would also request that GSP Group Inc. (c/o Chris Pidgeon) and Kagan Shastri LLP (c/o Ira Kagan) be added to the circulation list for all future information related to OPA 48. Should you have any questions in the meantime, do not hesitate to contact me.

Yours very truly,

**GSP Group Inc.**



Chris Pidgeon, MCIP, RPP  
Principal

cc Abode Varsity Living  
Ira Kagan, Kagan Shastri LLP (ikagan@ksllp.ca, 188 Avenue Road, Toronto, Ontario,  
M5R 2J1)



March 8, 2012

**Sent by Email**

Todd Salter  
Acting General Manager, Planning Services  
Guelph City Hall  
1 Carden Street  
Guelph N1H 3A1

2 Queen Street East  
Suite 1500  
Toronto, Canada M5C 3G5  
416.593.1221 TEL  
416.593.5437 FAX  
www.blaney.com

Dear Mr. Salter

**Re: Comments on Envision Guelph (the “Proposed Plan”)**

We represent Cooper Construction Limited (“Cooper”).

The purpose of this letter is twofold. First, we wish to set out the concerns of Cooper with the Proposed Plan. These same concerns have been expressed to Cooper by a number of other registered landowners on both the east and west sides of the Hanlon Expressway. We also wish to request a meeting with you to discuss these concerns. I have already left you voicemail and email messages requesting such a meeting.

Background

Cooper owns property in both the Hanlon Business Park South (the “Southgate Lands”) and the Hanlon Creek Business Park Phase 2 (the “Hanlon Lands”) (together the “Lands”). The Lands are zoned Industrial, which permits large scale warehousing and manufacturing uses. Moreover they have been, are in the process of, or are intended for development as such. In fact, Cooper has purchased land from, and entered into a number of development agreements, including a cost-sharing agreement, with, the City to facilitate this specific type of development.

The Lands are designated as “Greenfield Area” on Schedule 1, and as Corporate Business Park/Significant Natural Area/Industrial (Hanlon Lands) and Industrial (Southgate Lands) on Schedule 2, of the Proposed Plan.

Comments on the Proposed Plan

**A. Issue: Location of Warehousing**

Cooper is particularly concerned that Policy 9.5.2.3 of the Proposed Plan directs warehousing to industrial lands located in the built up area.

Marc Kemerer  
416.593.2975  
MKemerer@blaney.com

As a practical matter, it would make sense for the City to direct warehousing to the Lands given their close proximity to the Hanlon Expressway and Highway 401. Indeed, the City has entered into an agreement with the Province to construct the new Laird Road interchange for the purpose of allowing convenient access for trucks to the adjacent industrial areas. Such traffic primarily services large scale warehouse users.

As a contractual/planning matter, warehousing should be directed to the Lands as they were purchased/intended for just this purpose. The Hanlon Lands were purchased from the City and developed at significant cost with the City acting as both the approval authority and a development partner. The City has marketed their own lands in the Hanlon Creek Business Park for warehousing purposes and recently sold a parcel of this land to Wurth for a new warehouse facility. With respect to the Southgate Lands, the City recently approved site plans submitted by Cooper to construct large warehouses thereon.

As a matter of consistency/interpretation, Policy 9.5.2.3 contradicts Policy 9.5.2.4, which states that Southgate Lands will be characterized by “larger free standing industrial buildings” (i.e. warehouses), and Policies 9.5.2.12 and 9.5.3.9, which permit warehousing uses on the Lands. It is not clear how the City would interpret these conflicting policies in response to an application for a warehouse development on the Lands.

**Solution:** To ensure that there is no confusion over the location of such development, Policy 9.5.2.3 should be revised to direct warehousing to the Greenfield Area.

## **B. Issue: Employment Densities**

The Proposed Plan would target/encourage/require the following minimum or average densities/ha within the greenfield area:

1. 50 persons and jobs (9.5(f));
2. 36 jobs on lands designated as Industrial (9.5.2.17) [the Southgate Lands];
3. 36 jobs or more (9.5.2.18); and
4. 70 jobs on lands designated as Corporate Business Park (9.5.3.17) [the Hanlon Lands]

Only Policy 9.5(f), an objective of 50 persons and jobs/ha, is authorised by the *Growth Plan* and the City’s own Growth Plan conformity exercise, OPA 39. The proposed additional employment density targets/requirements (the “Additional Densities”) are arbitrary and completely unrealistic. By way of example, the proposed development of Block 6 of the Hanlon Lands as a distribution facility for a national food services company, a development enthusiastically supported by the City, would not meet the Additional Densities.

Moreover, the range set out in the Additional Densities clouds the Proposed Plan with an internal inconsistency that will create significant confusion in terms of how the City would evaluate development proposals on the Lands. It is not clear what criteria would/should be used by staff.

This confusion is amplified by Implementation Policy 10.18(ii), which would allow the City to require, as part of any development application, a demonstration of how the proposed development “contributes to the achievement” of the intensification targets. We do not know how any developer could demonstrate this with certainty and what penalty, if any, there is, if such targets are not met by the development subsequent to its completion. In our view, the City has no jurisdiction to impose such a requirement.

Such uncertainty can only discourage the type of “robust” development and employment the City is seeking.

Further, the employment targets above run completely counter to the nature of development proposed for the Lands. As noted above, warehousing is permitted on the Lands under the existing zoning and the other Policies of the Proposed Plan. This use has been actively encouraged and approved by the City for location on the Lands. The Additional Densities approach visits a specific unfairness on Cooper.

Finally, it is our considered view that the Additional Densities offend the provisions of the *Growth Plan* and OPA 39. Where these latter planning instruments direct higher levels of density to the Built Up Area, the Proposed Plan directs facilities that have low job densities to that same designation (see for example Comment MM712 at Policy 9.5.2.3).

**Solution:** Delete Policies 9.5.2.17, 9.5.2.18, 9.5.3.17 and 10.18(ii).

### **C. Issue: Energy and Water Efficiency**

Cooper supports the conservation and efficient use of water and energy. The approach of the Proposed Plan to these objectives however is counter-productive.

In terms of energy efficiency, Policy 4.7.3 singles out the Hanlon Lands as essentially one of only 4 areas that would be subject to a district energy system. This will have significant construction cost implications; at the outset Cooper and other builders will have to provide for future connections to a system that has not yet been designed, and in the future equipment may have to be replaced to make it compatible with the district energy system. At the very least, this will put Cooper at a competitive disadvantage and thus may hinder the development of the Hanlon Lands.

Regarding the conservation of water, Policies 9.5.1.1 and .2 are vague and create uncertainty. By way of example:

1. there is no set standard for a sufficient reduction in water consumption through on-site processing or recycling;



2. restrictions established under the Zoning By-law on industries that require high volumes of water would contradict the provisions of the Proposed Plan that permit those very uses. Such restrictions would also undermine the established principle of fairness in service allocation whereby permitted uses are allocated services on a first come first received basis. Moreover, the Hanlon Lands already are subject to a strict water recharge target, which will be easier to achieve through the use of a large roof area consistent with a large-scale distribution centre.

These Policies, no matter how well intentioned, will discourage industries requiring water from locating in Guelph and will be particularly punitive for developers in the Greenfield Areas.

**Solution:** Amend the Proposed Plan policies above to encourage efficiencies in energy and water consumption where cost-effective rather than prohibiting development on the basis of a vague requirement. Provide clear benchmarks for such efficiencies.

#### **D. Issue: Urban Design**

The Proposed Plan will require a high standard of urban design for the Lands, and particularly the Hanlon Lands given its “gateway” location. Cooper understands the importance of good design, but it is concerned that no specific urban design guidelines have been prepared as part of the Proposed Plan (see Policy 9.5.3.7). Cooper cannot understand what “design principles” are to guide development on the Lands. It may be that the design principles developed to support a “park or campus like setting” may not be compatible with a warehousing use.

**Solution:** Amend the Plan to include specific and transparent Urban Design Guidelines that reflect the nature of development permitted and can be easily understood.

#### **E. Issue: Parking**

A number of Policies in the Proposed Plan (8.12, 9.5.2.19, 9.5.3.18 and 9.5.3.19) require that surface parking be hidden, screened and/or minimized. These Policies may make sense when applied to a more developed urban setting, but they can make development in other areas, including the Lands, untenable given the cost of building parking structures.

**Solution:** Encourage parking structures where appropriate and not cost-prohibitive. Clarify that surface parking in Greenfield Areas will not be an impediment to development approvals.

#### **F. Issue: Sidewalks and Height**

Cooper adopts the position on these matters taken by Industrial Equities Guelph Corporation in its 29 February 2012 letter submitted to you (Comments 3 and 6).

**Solution:** Delete any reference to sidewalks in Policy 9.55.1.3 and set out the height in (12) metres in Policy 9.5.2.16.

Conclusion

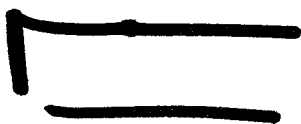
We understand that the Policies of concern above are well-intentioned. Unfortunately, they render the Proposed Plan confusing and difficult to interpret. They also are often at odds with the very development supported by the City for the Lands. As a result, the Proposed Plan requires important revisions as set out above.

Request for Meeting

Further to my voicemail to you of 28 February 2012 and my email of 5 March 2012, we are requesting that you meet with us and representatives from Cooper to discuss Cooper's concerns with the Proposed Plan. As you know, time is of the essence. We would be grateful if you could provide us with times for such a meeting.

Yours very truly,

**Blaney McMurtry LLP**

A handwritten signature in black ink, appearing to be 'MK', enclosed within a hand-drawn rectangular box.

Marc Kemerer

MPK/mk

c. Client/M. Sear

# Comments

envision  
GUELPH

Name:

John Ambrose

Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Great concepts - I'll look forward to seeing them implemented.

Community energy - great concept - integrate with Urban Forestry Plan + green roofs, new natural lighting systems, PV solar collectors on tall buildings, etc

Trail systems - consider as transportation corridors as well as recreational.

Special features - e.g., permeable paving, grey water, etc. - need to find ways to go from concepts to implementation.

Urban Forestry Plan and Natural Heritage Plan - need to bring into force before more green space, special trees and green corridors are lost.

Submit your comments to:

OP Update  
Planning Services  
1 Carden Street, 3<sup>rd</sup> Floor  
Guelph, ON N1H 3A1

Fax: 519.822.4632  
email: [OPUpdate@guelph.ca](mailto:OPUpdate@guelph.ca)

March 23, 2012

City of Guelph

1 Carden Street, 3<sup>rd</sup> Floor

Guelph, On N1H 3A1

Email: [OPUpdate@guelph.ca](mailto:OPUpdate@guelph.ca)

Attention: Ms. Melissa Aldunate, Senior Policy Planner

Cc: Mr. Todd Salter, General Manager, Planning and Community Services

Dear Ms. Alduante;

A Few weeks ago I attended a public open house at City Hall to review and comment on the City's Official Plan review (OPA 48) presentation, with City staff on hand for questions.

Pursuant to your guidelines provided at the public open house I would like to request this letter be recorded and dully submitted to council in advance of their OPA 48 Public Meeting of Council scheduled for April 2. 2012 as my opinions and input from both myself a resident of Guelph and, as a commercial Real Estate Broker For Colliers International.

I am a long time proud resident of Guelph. As an established commercial real estate broker in this area I have been aggressive in promoting Guelph as a business and residential destination directly for over 22 years. I have been proud to have been successful in bringing to Guelph; people, major businesses, development, and very qualified long term quality stakeholders who through my encouragement have invested heavily in Guelph's future. Among my clients are and have been some of this City's largest employers as well as presently active major developer clients.

The foregoing preamble is significant to the following comments as with Guelph, compared to other municipalities, being a resident I am well experienced in also responding to the "Guelph Stigma". Most developers and commercial interests I have approached over the years have heard stories about how hard it is to do business in Guelph and many soon discover that there is a sense of "once they got you here "they nail you at every turn"! They is "the City" and how I suggest staff ultimately interpret and apply policies they believe to be clearly the will of Council. It just seems to result in a perpetual off balance but inbred mentality that one can observe surfacing in one form or another sooner or later.

What it does for sure, is leave those (businesses) that experience it with their own sense of need and responsibility to flag a distinct caution to others they know who may be considering to risk Guelph as a place to bring their businesses.

First Gulf (as in downtown Waterloo core redevelopment) is an example of a developer who I observed felt they would not risk the time to try development in Guelph. The document in the OPA 48, in my

opinion has several proposals that such esteemed potential Guelph business players and industry would have cause to be concerned with.

I have tried to review the OPA 48 documents with an eye both as a Guelphite interested in Guelph's plans and as a Guelphite who also keeps trying to entice business and investment to come to my City. I have also requested and received feedback from my clients which I share with you in the context of this letter .

I hope there are others who will ferret out constructive criticism of the OPA and I hope you will accept it as that and have the wisdom to change where experience and genuine valid input recommends .

In discussing one aspect I had a concern with, with one of our young Planners at the earlier City Hall Public Open House, I challenged him to explain for example; Why the OPA would propose such an unreasonable and specific employment density of 36 jobs per hectare for industrial lands! He didn't seem to understand why this would be a problem and referenced it as a requirement to the Places to Grow Legislation with staff having to allocate density as they see fair from that provided under the act. I don't see that as being the intended application in the legislation nor does the application make good sense.

I also understood from him that this density is intended to automatically attract industry who would then have to meet that requirement thus creating more employment for Guelph. For South Guelph instance it doesn't work that way. South Guelph's advantage is location to the 401 and the ease with which to access that. This clearly translates, and has over the years, to warehouse, distribution and logistics/related based companies.

For me it seemed obvious here was one small but ultimately critical example of the imbedded thinking the City, at its core may even be unwittingly nurturing. One that feeds the very stigma of the "not interested in doing business in Guelph reputation we have all been fighting for so many years. It is a good example of an issue that will clearly translate into lost business.

This is a valid opportunity to initiate a few small tweaks to change to this effect. Shouldn't we be looking for what other "standards" (instead of target) gets cemented into policy and not only puts staff in a position of no room to provide reasonable flexibility but continues to feed our reputation because "we just don't get it"!

There has to be other portions of the proposed changes that likely should be carefully reviewed as to the real impact of how they are worded and I have discussed that logic but in experience I would suggest some of the following must be modified;

- the issue of water usage (in its worded form) is an obstacle to attracting industry;

- the board based reference to pattern and design of streets etc. facilitating bicycle lanes trails etc. press for costly sidewalks when trails and the like are already incorporated into development requirements;

-height of buildings is vaguely referenced as suggesting they should be a minimum of two storeys but in reality most new industrial buildings run from 24 feet to 40+ feet inside (height)

-directing warehousing and indoor bulk storage of goods to locate on industrially located designated lands within built up areas and rail lines”, unless you allow Greenfield areas as part of this segment you eliminate the very areas that are already proven to attract that type of interest and; they generate effective revenue for the City.

-It is important to provide an element of reasonability to a business. Where it is shown to a business not to be cost effective to be in Guelph they will back away. Having wording that imposes a business to reuse its residual heat energy or water from its employment process has to be qualified as provided it is cost effective for the business.

The City of Guelph is known for inviting dialogue from it's citizens and as one I appreciate that I can do that. I am however also suggesting that in as much as every citizen has a right to be heard this document requires an element of strong leadership that demonstrates the wisdom to do what is best for the City. In fact the changes suggest in this letter will have no long term negative impact to the citizens rather it would enhance the ability for the City to ensure our citizens don't lose valuable business tax revenue and jobs.

The opportunity to purge and refine a document in relatively small ways as suggested will translate into important incentives to business we need.

I think what may also be available at this time is the opportunity to assess wording that doesn't fence an honest and diligent staffer into a corner whereby he/she has no choice but to apply rigid and seemingly unrealistic and uncooperative policies without the reasonable discretion to work with business or investors who would otherwise be prepared to be part of the revenue stream to our City.

Thank you kindly for the opportunity to make my thoughts known and I truly hope that council accepts these comments with respect and in the hopes that they will make a difference.

Respectfully yours,

Blake Mills, Vice President/Sales

Representative/ Industrial/ Commercial/ Land Group



March 27, 2012

Project No. 1206

Guelph City Hall  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Todd Salter, General Manager, Planning and Community Services

Re: **Envision Guelph – Released January 30, 2012**  
**Springfield Golf Course, 2054 Gordon Street**

I am the planning consultant for the owner of the Springfield Golf and County Club. This property is approximately 40 hectares in area. The current use is an 18 hole golf course including a club house, banquet facilities, restaurant, pro shop and associated parking area. The property is serviced by individual private services. The pro shop is housed in the existing stone farm house. These uses were established in 1989 when the property was located in the Township of Puslinch. The property was annexed into the City of Guelph in 1993. The subject property is included within the Hanlon Creek Watershed Plan which was completed in 1993 then incorporated into the current Official Plan.

The Springfield Golf and Country Club is operated as a fully certified Audubon Society golf course practicing sound environmental management and stewardship.

### **Current Official Plan**

The current City of Guelph Official Plan (November 2006 Consolidation) Schedule 1 – LAND USE PLAN designates this property as Open Space, Core Greenland and Non-Core Greenland Overlay. The existing Open Space designation (section 7.12) permits private recreational uses, golf courses, restaurants, club houses, pro shops, public halls, other accessory buildings and uses that are normally associated with the main recreational use.

Schedule 3 - AREAS OF POTENTIAL ARCHAEOLOGICAL RESOURCES identifies the property as an area of archaeological potential. However, the site has been entirely disturbed during the grading required to create the golf course and associated buildings. The golf course property should be removed from the area identified as having archaeological potential on this basis.

Phone (519) 836-7526

423 Woolwich Street, Suite 201, Guelph, Ontario, N1H 3X3

Fax (519) 836-9568

Email [astrid.clos@ajcplanning.ca](mailto:astrid.clos@ajcplanning.ca)

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Schedule 4 – STAGING OF DEVELOPMENT includes the subject property in the Stage 2 area. Also included in the Stage 2 lands is the Hanlon Creek Business Park which is now being developed. The portions of the Stage 2 lands along the Hanlon Expressway are also being developed as the Southgate Business Park.

“4.2.2 b) STAGE 2

**Priority for the extension of municipal trunk services to support new urban development shall be given to those lands designated as Stage 2 servicing areas.**  
*Development proposals in Stage 2 areas will be considered as services become available to the various parcels, and Council indicates that the City is prepared to provide the required trunk services. The implementing Zoning By-law, and its associated amendment process, may be used as a regulatory mechanism to prevent pre-mature zoning of land for activities that do not have adequate municipal services associated with them.”*

Schedule 4B - SOUTH GUELPH SECONDARY PLAN AREA PHASING OF DEVELOPMENT includes the subject property in the Phase 3 area.

“4.2.5.6 Phase 3

*Prior to development occurring in areas shown as Phase 3 on Schedule 4B, the following must occur:*

- a) *Extension of the trunk sanitary sewer from the intersection of Clair Road and Gordon Street, southerly along Gordon Street. The primary constraint in servicing this area is topography, and the associated depth of cover on the sewer.*
- b) *Extension of the new water pressure zone (as referenced in Phase 2) is required before development can proceed in this area.”*

The City has completed the Environmental Assessment required for the extension of services along Gordon Street abutting the frontage of the subject property. The reconstruction of Gordon Street is scheduled for 2020 based on the current 10 year Capital Budget

**South Guelph Secondary Plan (OPA No. 2)**

Official Plan Amendment No. 2 is the South Guelph Secondary Plan approved by the Minister August 17, 1998. The purpose of this document as stated in OPA No. 2 is,

*“The purpose of this Secondary Plan is to introduce new planning policies for southern areas that were annexed by the City from the Township of Puslinch in 1993.”*



The final report with respect to the annexation dated 1990-91, “*recommended the annexation of approximately 4,300 acres of land from the Township of Puslinch and the Township of Guelph to the City of Guelph to accommodate the long-term growth of the City for a 20 year period.*” Based on the calculations used by the City to justify the annexation of the Clair-Maltby lands in 1993, the Clair-Maltby lands were needed to accommodate development that would occur by 2011.

### **OPA No. 39 Local Growth Plan**

Schedule 1B – GROWTH PLAN ELEMENTS of OPA No. 39 designates the subject property as “Greenfield Area” with a minimum target density of 50 residents and jobs per hectare.

*“2.4.4.1 The City will meet the forecasted growth within the settlement area through:*

- c) planning for a **minimum density of 50 residents and jobs per hectare in the greenfield area.**”*

### **Existing Township of Puslinch Zoning**

The subject property was included in land annexed into the City in 1993. The Township of Puslinch Zoning is retained on the subject property. The property is in the C4-2 Zone which permits a golf course, restaurant, club house and a single dwelling unit.

### **Envision Guelph (Released January 30, 2012)**

I have reviewed the proposed Draft Official Plan and am providing the following comments with respect to the subject property.

Draft Schedule 2: Land Use Plan, proposes to designate the subject property as “Open Space and Park” and Significant Natural Area (currently under appeal). A new boundary has been included on this schedule delineating a “Secondary Planning Area” which now includes the subject property.

Section 9.7.2 states the following regarding the “Open Space and Parks” designation:

*“9.7.2 Where lands designated Open Space and Parks are in **private ownership** and a **development application is made requesting a change to a land use** other than Open Space and Parks, due consideration shall be given by Council to the following:*

- i) **Council will consider the acquisition of the subject lands, having regard for the following:***

- a. *the provision of adequate open space, parks and recreational areas, particularly in the vicinity of the subject lands;*
- b. *the existence of cultural heritage resources or natural heritage features on the site;*
- c. *the recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;*
- d. *the possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and*
- e. *the ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space and parks acquisition plan.”*

Section 9.7.2 should not apply to the subject property which is private property and not open to the general public as a park. There should be a special policy for the subject property added to section 9.7 which states that,

**“The Springfield Golf and Country Club is privately owned land. The current golf course use is intended as an interim land use. The conversion of the property to a residential use is anticipated to efficiently use what will be serviced land within the urban area and assist the City in meeting the Places to Grow Greenfield Area density targets. Section 9.7.2 does not apply to this property.”**

Alternatively, the Schedule 2 – LAND USE PLAN should designate the subject property as “Low Density Greenfield Residential” which is the same land use designation that the City has applied to the Victoria West Golf Course in the Draft Official Plan.

Draft Schedule 6 – STAGING OF DEVELOPMENT, proposes a dramatic change in comparison with the current Official Plan. The subject property is within Stage 2 under the current Official Plan, which is the same staging as the Guelph Innovation District (York District Lands) and the Hanlon Creek Business Park. Whereas the draft Official Plan is proposing a significant change in the timing from Stage 2 to Stage 4 for the subject property. The Clair-Maltby lands should be included in Stage 3 on Schedule 6 and it should be a priority for the City to initiate and complete a Secondary Plan for this area.

Section 9.10 of the Draft Official Plan states that the “*Clair–Maltby lands may be required for future urban development **beyond the year 2031.***” These lands were annexed in 1993 by the City from the Township of Puslinch on the basis that there was a need for these lands **by 2011**. The Clair–Maltby lands should be a priority for the City to expedite for development. These lands should be included in the Places to Grow targets to 2031.

Draft Schedule 8 – TRAIL NETWORK shows a City trail bisecting the subject property which is private property. The proposed City trail should be moved to the east to follow

the natural heritage features identified on the property. This is a more appropriate location for the proposed City trail and is similar to other City trail locations both existing and proposed.

Please provide me with notice of any upcoming meetings and further drafts of the Official Plan being released. We would like to meet with you to review our position with respect to these proposed policies and our suggested wording changes.

Yours truly,

A handwritten signature in blue ink, appearing to be 'AClos', is located below the 'Yours truly,' text.

Astrid Clos, RPP, MCIP

cc: Mayor Farbridge and Members of Council  
Tom Krizsan, Springfield Golf and Country Club

(1206.Springfield Golf Club.doc)



March 28, 2012

Guelph City Hall  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Todd Salter, General Manager, Planning and Community Services

Dear: Mr. Salter

RE: **Envision Guelph – Released January 30, 2012**  
**Thomasfield Homes Limited, 99 Maltby Road**

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Thomasfield Homes Limited is the owner of 99 Maltby Road. This property is approximately 32 hectares in area. The current use is agricultural.

**Current Official Plan**

The current City of Guelph Official Plan (November 2006 Consolidation) Schedule 1 – LAND USE PLAN designates this property as Reserve Lands, Core Greenland and Non-Core Greenland Overlay. The purpose of the Reserve Lands designation (section 7.16) is;

“b) To outline areas that may be required for future urban **expansion beyond the year 2021.**”

Schedule 4 – STAGING OF DEVELOPMENT includes the subject property in the Stage 2 area. Also included in the Stage 2 lands is the Hanlon Creek Business Park which is now being developed. The portions of the Stage 2 lands along the Hanlon Expressway are also being developed as the Southgate Business Park.

“4.2.2 b) STAGE 2

**Priority for the extension of municipal trunk services to support new urban development shall be given to those lands designated as Stage 2 servicing areas.** Development proposals in Stage 2 areas will be considered as services become available to the various parcels, and Council indicates that the City is prepared to provide the required trunk services. The implementing Zoning By-law, and its associated amendment process, may be used as a regulatory mechanism to prevent pre-mature zoning of land for activities that do not have adequate municipal services associated with them.”

**South Guelph Secondary Plan (OPA No. 2)**

Official Plan Amendment No. 2 is the South Guelph Secondary Plan approved by the Minister August 17, 1998. The purpose of this document as stated in OPA No. 2 is,

*“The purpose of this Secondary Plan is to introduce new planning policies for southern areas that were annexed by the City from the Township of Puslinch in 1993.”*

The final report with respect to the annexation dated 1990-91, *“recommended the annexation of approximately 4,300 acres of land from the Township of Puslinch and the Township of Guelph to the City of Guelph to accommodate the long-term growth of the City for a 20 year period.”*

Based on the calculations used by the City to justify the annexation of the Clair-Maltby lands in 1993, the Clair-Maltby lands were needed to accommodate development that would occur by 2011.

### **OPA No. 39 Local Growth Plan**

Schedule 1B – GROWTH PLAN ELEMENTS of OPA No. 39 designates the subject property as “Greenfield Area” with a minimum target density of 50 residents and jobs per hectare.

*“2.4.4.1 The City will meet the forecasted growth within the settlement area through:*

- c) planning for a **minimum density of 50 residents and jobs per hectare in the greenfield area.**”*

### **Existing Township of Puslinch Zoning**

The subject property was included in land annexed into the City in 1993. The Township of Puslinch Zoning is retained on the subject property. The property is in the Agricultural A Zone and the Hazard H Zone.

### **Envision Guelph (Released January 30, 2012)**

We have reviewed the proposed Draft Official Plan and are providing the following comments with respect to the subject property.

Draft Schedule 2: Land Use Plan, proposes to designate the subject property as “Reserve Lands” and Significant Natural Area (currently under appeal). A new boundary has been included on this schedule delineating a “Secondary Planning Area” which now includes the subject property.

Section 9.10 of the Official Plan states that the *“Clair–Maltby lands may be required for future urban development **beyond the year 2031.**”* These lands were annexed in 1993 by the City from the Township of Puslinch on the basis that there was a need for these lands **by 2011**. The Clair –Maltby lands should be a priority for the City to expedite for development. These lands should be included in the Places to Grow targets to 2031. The Clair-Maltby lands should be included in Stage 3 on Schedule 6 and it should be a priority for the City to initiate and complete a Secondary Plan for this area.

Draft Schedule 6 – STAGING OF DEVELOPMENT, proposes a dramatic change in comparison with the current Official Plan. The subject property is within Stage 2 under the current Official Plan, which is the same staging as the Guelph Innovation District York District Lands) and the Hanlon Creek Business Park. Whereas the draft Official Plan is proposing a significant change in the timing from Stage 2 to Stage 4 for the subject property. (by contrast the York District Lands are proposed as Stage 3)

The importance of including the “Reserve Lands” in the Clair-Maltby area within the Places to Grow population target is demonstrated by Tables 1 to 3.

<b>Table 1: Guelph Total Land Area</b>	
	<b>hectares</b>
Natural Heritage System <sup>1</sup>	1,947
Urban Growth Centre and Built-Up Area	5,586
<b>Greenfield Areas</b>	<b>1,317</b>
<b>Guelph Total Land Area</b>	<b>8,850</b>
<sup>1</sup> <i>Natural Heritage System lands under appeal (Source: Thomasfield Homes Limited, March 20, 2012)</i>	

<b>Table 2: Estimated Area for Future Residential Development in Greenfield Areas<sup>1</sup></b>	
	<b>hectares</b>
Northeast (Woodlawn-Victoria)	24
East (Grange-Watson)	3
East (York District Lands) <sup>2</sup>	61.8
Southeast (Arkell-Victoria)	33.8
Northwest (Elmira Rd-Speedvale)	0
South (Clair-Gordon-Maltby) <sup>3</sup>	173
<b>TOTAL</b>	<b>+/- 295.6</b>
<sup>1</sup> <i>Estimated vacant residentially designated land</i>	
<sup>2</sup> <i>Assumes that of 206 ha gross developable 30% is for residential land uses</i>	
<sup>3</sup> <i>Includes “reserve lands” and residentially designated lands in south-end, assumes these lands form part of urban land supply pre-2031</i>	
<i>(Source: Thomasfield Homes Limited, March 20, 2012)</i>	

As shown in Table 1, the City has identified 1,317 hectares of Greenfield Areas, however, portions of the Greenfield Areas are slated for non-residential development such as the Hanlon Creek Business Park. Table 2 summarizes the amount of residential land available within the Greenfield Areas. Based on this estimation, there is roughly 300 hectares of land available for residential development in the Greenfield Areas.

Places to Grow requires that Greenfield Areas meet a minimum density target of 50 persons per hectare. Based on 300 hectares being available in Guelph for residential development in the Greenfield Areas from Table 2, under 5,000 units can be developed in the Greenfield Areas available for residential development. This is a shortfall of approximately 11,000 units to meet the Places to Grow target.

<b>Table 3: Available Units Based on Table 2</b>	
Greenfield Areas identified for future residential development (from Table 2)	295.6 hectares
Places to Grow target for Greenfield Areas Persons per hectare	50 persons per hectare
Places to Grow target for Greenfield Areas Units per hectare (3 persons per unit)	16.67 units per hectare
UNITS in Greenfield Areas identified for future residential development (50 persons per hectare)	4,928 units
Places to Grow Target for units in Greenfield Area to 2031	15,960 units
<b>The residential Greenfield Area land supply in Guelph is deficient by approximately</b>	<b>11,032 units</b>
<i>(Source: Thomasfield Homes Limited, March 20, 2012)</i>	

It is important that initiation of the Secondary Plan be made a priority for the Clair-Maltby area. The subject lands should not be placed in a "Stage 4" designation given the importance of the "Reserve Lands" to meet the Places to Grow targets by 2031.

Please provide us with notice of any upcoming meetings and further drafts of the Official Plan being released. We would like to meet with you to review our position with respect to these proposed policies.

Yours truly,



Tom Krizsan  
President

cc: Mayor Farbridge and Members of Council  
Astrid J. Clos Planning Consultants (via email)

# AIRD & BERLIS LLP

Barristers and Solicitors

Steven A. Zakem  
Direct: 416.865.3440  
E-mail:szakem@airdberlis.com

March 28, 2012

File No. 94693

VIA EMAIL ([clerks@guelph.ca](mailto:clerks@guelph.ca))

Mayor and Members of Council  
City of Guelph  
City Hall, 1 Garden Street  
Guelph, ON N1H 3A1

Attention: Blair Labelle, City Clerk

Dear Mr. Labelle:

**Re: Proposed Official Plan Amendment No. 48**  
**Public Meeting Date: April 2, 2012**

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We are counsel to Silvercreek Guelph Developments Limited.

As the City is aware, our client owns approximately 22 hectares of land known as the Silvercreek Junction at 35 and 40 Silvercreek Parkway South (the "Lands"). The Lands comprise a decommissioned gravel pit and have been vacant since 1994. In January 2010, the Ontario Municipal Board approved our client's applications, supported by the City and the Howitt Park Neighbourhood Residents Association, for an Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use development comprised of a Mixed Use Node, Business Park and High Density Residential components. The approval followed a five-year process of application review and negotiations between the parties. Since that time, our client has been progressing toward the next stage of approvals.

Our client has been an active participant in the Official Plan review process. It has previously provided written comments with respect to the draft Plan on May 20, 2010 and July 26, 2010. In addition, we have met with City Staff to discuss potential revisions to the proposed Official Plan update.

We have now had an opportunity to review the updated draft of Official Plan Amendment No. 48 and hereby provide the following comments on behalf of our client:

1. Section 1.3.5: Silvercreek understands that the site-specific policies of section 9.13.2.5, as they may be amended, prevail over all inconsistent policies of OPA 48.



2. 3.16 and 4: Silvercreek has identified its issues with respect to OPA 42 as part of the Ontario Municipal Board pre-hearing process and earlier submissions to Council. It has also indicated that OPA 42 ought to be evaluated in light of the full slate of policies now put forward as OPA 48, rather than in isolation. Alternatively, OPA 48 ought to reflect the ultimate disposition of the appeals with respect to OPA 42.
3. 8.23.3: We understand that the words “assist in the interpretation and definition” underscore the intended status of the urban design guidelines as illustrative but not mandatory.
4. 9.3.4, 9.3.5, 9.4.21, 9.5.3.18 and 9.5.3.19: The encouragement of structured or underground parking should be balanced with economic considerations, so that the policies do not act as a deterrent to development.
5. 9.4.2.4: Provisions should be made to permit, but not require residential uses as part of Community Mixed-use Centres, as well as to recognize existing and/or proposed high density residential uses in close proximity to the Centres.
6. 9.4.2.4: Townhouses should be set out as a permitted use. This is consistent with the current site-specific provisions for Silvercreek Junction.
7. 9.4.2.6: The market may not support the provision of residential uses above commercial uses and multi-storey buildings fronting onto main streets. As such, the features encouraged by this section may not be attainable or feasible. We note that section 4.5 of the Provincial Policy Statement requires Official Plan policies to be reasonable and attainable. Features such as usable second storeys above commercial uses, multi-storey buildings fronting onto main streets, structured or underground parking may well appear in the long term, potentially beyond the horizon of the Plan and certainly not before the next five-year review of the Plan. At present and for the foreseeable future, requiring such features reduces the value of the land and adds to the amount of required parking, thereby limiting the potential for intensification.
8. 9.4.2.17: The proposed cumulative gross floor area maximum for two of the existing Mixed Use Nodes/Community Mixed-use Centres, Woodlawn/Woolwich and Paisley/Imperial, have increased substantially since the in-force Official Plan and the previous draft of the Official Plan update. Our client questions the basis for the increase and requests clarification of the same, particularly in light of the amount of consideration and review that these maximums have received in recent years.

March 28, 2012

Page 3

9. 9.4.2.19: This policy regarding maximum net density appears to be inconsistent with including permissions for townhouse units in Community Mixed-use Centres.
10. 9.4.2.22: Minimizing the amount of surface parking in Community Mixed-use Centres may not be realistic and achievable.
11. 9.13.2.5: Silvercreek has submitted an application for an amendment to the Official Plan to modify the site-specific policies applicable to the Lands. The application (file no. OP1201) seeks to modify the range of permitted uses to include a food store and allow building permits to be issued no sooner than September 1, 2012. Silvercreek submits that policy 9.13.2.5 should be revised to reflect the modifications sought by Silvercreek's Official Plan Amendment application.
12. The Minutes of Settlement between the City and Silvercreek indicate that the City would bring forward an amendment to its Brownfield Community Improvement Plan to permit retroactive applications under the TIBGP, for eligible costs, notwithstanding the fact that the costs were not pre-approved by the City. We would request that such an amendment be brought forward.

Our client will continue to follow the Official Plan review and reserves the right to provide additional comments as the process unfolds.

We would be pleased to discuss our comments further with Staff.

Yours truly,

**AIRD & BERLIS LLP**



Steven A. Zakem  
SAZ/TH/ly

c: Matthew West, Silvercreek Guelph Developments Limited  
Astrid J. Clos, Planning Consultant  
Al Hearne, Manager of Development, City of Guelph

12125714.2

**CONSENT AGENDA**

**April 2, 2012**

Her Worship the Mayor  
and  
Members of Guelph City Council.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate Council’s consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p><b>A-1) 1475-1483 AND 1499 GORDON STREET: PROPOSED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT (FILES: OP1102 &amp; ZC1111) – WARD 6</b></p> <p>THAT Report 12-30 dated April 2, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 1475-1483 and 1499 Gordon Street from Planning &amp; Building, Engineering and Environment be received;</p> <p>AND THAT the application by Astrid J. Clos Planning Consultants for approval of an Official Plan Amendment to redesignate lands from the “Medium Density Residential” to the “Commercial Mixed Use” land use designation affecting a portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved in the form set out in Attachment 2 of Planning &amp; Building, Engineering and Environment Report 12-30 dated April 2, 2012;</p> <p>AND THAT the application by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment to change the zoning from the current R.1B (Single Detached Residential) Zone and C.1-18 (Specialized Convenience Commercial) Zone to a CR-? (Specialized Commercial-Residential) Zone to permit the development of a commercial building with the permitted uses within the standard CR (Commercial-Residential) Zone with the addition of a “pharmacy” use and “live-work units” for the property municipally known as 1499 Gordon Street (as reconfigured by approved consent to sever applications) and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved, in accordance with the provisions set out in</p>	Approve

Attachment 3 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012;

AND THAT the request by Astrid J. Clos Planning Consultants to demolish the detached dwelling located on the property municipally known as 1499 Gordon Street be approved;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 1475-1483 and 1499 Gordon Street as set out in Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012.

Attach.

# COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment  
DATE April 2, 2012

**SUBJECT 1475-1483 and 1499 Gordon Street: Proposed Official Plan and Zoning By-law Amendments (Files: OP1102/ZC1111) – Ward 6**

REPORT NUMBER 12-30

## SUMMARY

**Purpose of Report:** This report provides a staff recommendation for the properties at 1475-1483 and 1499 Gordon Street to approve an Official Plan Amendment and Zoning By-law Amendment to permit a range of commercial uses and mixed residential/commercial uses at 1499 Gordon Street and to rezone a portion of the property at 1475-1483 Gordon Street to permit the existing vehicle service station.

**Council Action:** Council is being asked to approve the proposed Official Plan Amendment and Zoning By-law Amendment for the subject lands.

## RECOMMENDATION

“THAT Report 12-30 dated April 2, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 1475-1483 and 1499 Gordon Street from Planning & Building, Engineering and Environment be received;

AND THAT the application by Astrid J. Clos Planning Consultants for approval of an Official Plan Amendment to redesignate lands from the “Medium Density Residential” to the “Commercial Mixed Use” land use designation affecting a portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved in the form set out in Attachment 2 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012;

AND THAT the application by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment to change the zoning from the current R.1B (Single Detached Residential) Zone and C.1-18 (Specialized Convenience Commercial) Zone to a CR-? (Specialized Commercial-Residential) Zone to permit the development of a commercial building with the permitted uses within the standard CR (Commercial-Residential) Zone with the addition of a “pharmacy” use and “live-work units” for the property municipally known as 1499 Gordon Street (as

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reconfigured by approved consent to sever applications) and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved, in accordance with the provisions set out in Attachment 3 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012;

AND THAT the request by Astrid J. Clos Planning Consultants to demolish the detached dwelling located on the property municipally known as 1499 Gordon Street be approved;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 1475-1483 and 1499 Gordon Street as set out in Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012."

## **BACKGROUND**

Applications to amend the Official Plan (OP1102) and Zoning By-law (ZC1111) have been received for the property municipally known as 1475-1483 and 1499 Gordon Street from Astrid J. Clos Planning Consultants. These applications are being sought to facilitate severances and allow commercial development on a reconfigured parcel at 1499 Gordon Street, while recognizing the existing use of a vehicle service station on a reconfigured parcel at 1475-1483 Gordon Street. The statutory public meeting was held on December 5, 2011. Report 11-82 from Planning & Building, Engineering and Environment provided background information related to the proposed Official Plan and Zoning By-law amendment applications.

Consent for severance applications for lot additions (B-05/11 and B-06/11) for 1499 Gordon Street and the adjacent property to the north at 1475-1483 Gordon Street (known as the Brock Road Garage) were approved by the Committee of Adjustment on February 8, 2011 to create two reconfigured parcels of land that would be more regular in shape to facilitate future development opportunities for both properties. These Committee of Adjustment decisions and related conditions for the consent for severance applications are included in Attachment 7. One condition to be satisfied requires that the zoning of the severed and retained parcels be amended prior to the endorsement of the deeds so that the resultant parcel at 1475-1483 Gordon Street would be zoned to permit the existing uses and the resultant parcel at 1499 Gordon Street would be zoned appropriately to permit the development proposed through these current Official Plan Amendment and Zoning By-law Amendment applications. Further to this condition, the Zoning By-law Amendment application requests that 1475-1483 Gordon Street (as reconfigured by the severances) be rezoned to the Specialized Commercial (C.1-18) Zone in its entirety to permit only the existing vehicle service station. The application for 1499 Gordon Street (as reconfigured by the severances) is to rezone to a Specialized (CR-?) Commercial-Residential Zone to permit a range of primarily commercial uses and residential/commercial uses in the same building (see Attachment 5). The Official Plan Amendment application is required to redesignate the reconfigured parcel at 1499 Gordon Street to a "Commercial Mixed Use" designation.

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No development is currently proposed for the property at 1475-1483 Gordon Street and the applicant's proposed development concept for 1499 Gordon Street, shown on Attachment 6, is based on the resultant parcels created through the approved severance applications.

### **Location**

The subject lands are approximately 0.38 hectares in size and are located on the west side of Gordon Street and north of Lowes Road (see Location Map on Attachment 1). Land uses adjacent to the proposed development site include the Brock Road Garage at 1475-1483 Gordon Street to the north, detached dwellings to the west and south and zoned sites for townhouse and apartment units across Gordon Street to the east. The subject lands contain a single detached dwelling that is proposed to be demolished to accommodate the applicant's proposed commercial building.

### **Existing Official Plan Land Use Designation and Policies**

The Official Plan land use designation that applies to the subject lands is "Medium Density Residential". The relevant Official Plan policies are included in Attachment 4.

Official Plan Amendment 39 that is in effect identifies the site within an "Intensification Corridor", which is intended to provide for higher density mixed-use development along major roads or higher order transit corridors.

### **Existing Zoning**

The majority of the subject site located at 1499 Gordon Street (as reconfigured by the severances) is zoned R.1B (Residential Single Detached) Zone (see Attachment 5). A small portion of the Brock Road Garage property (1475-1483 Gordon Street before severance approval) that will be part of the northeast corner of 1499 Gordon Street along the frontage of Gordon Street (after severance approval), is zoned Specialized Convenience Commercial (C.1-18) Zone. A southwest portion of 1475-1483 Gordon Street (as reconfigured by severance) is zoned R.1B (Residential Single Detached) Zone.

## **REPORT**

### **Description of Proposed Official Plan Amendment**

The applicant is requesting an Official Plan Amendment to redesignate the property at 1499 Gordon Street (as reconfigured by the approved severances) from the "Medium Density Residential" to the "Commercial Mixed Use" land use designation. The "Commercial Mixed Use" designation is intended to recognize areas of the City where a variety of freestanding commercial uses or mixed commercial-residential uses are located. The proposed Official Plan land use designations and relevant Official Plan policies are included in Attachment 4.

### **Description of Proposed Zoning Bylaw Amendment**

The applicant is requesting to rezone the lands at 1499 Gordon Street (as reconfigured) from the current R.1B (Single Detached Residential) Zone and Specialized C.1-18 (Convenience Commercial) Zone to a Specialized CR-? (Commercial-Residential) Zone to permit the standard Commercial-Residential (CR) Zone permitted uses, with the addition of a "pharmacy" and "live-work units" as permitted uses. This zoning would allow the development of the proposed

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commercial building at 1499 Gordon Street. The proposed zoning is illustrated in Attachment 5. The specialized zoning regulations requested in association with the proposed CR-? Zone include:

- A minimum side yard of 3 metres in lieu of the required 4.5 metres
- Maximum gross floor area of 1,620 square metres in lieu of the maximum 400 square metres
- Minimum required parking spaces:
  - Office and dry cleaning outlet uses shall be provided at a ratio of 1 parking space per 35 square metres of gross floor area;
  - Artisan studio, convenience commercial, financial establishment, florist, personal service establishment, and pharmacy uses shall be provided at a ratio of 1 parking space per 20 square metres of gross floor area
- A take-out restaurant use shall be limited to a maximum size of 140 square metres
- A maximum front yard setback of 7 metres
- A street entrance shall be located facing Gordon Street
- Drive-through facilities shall not be permitted

The Zoning By-law Amendment application also includes a request to rezone a portion of the reconfigured 1475-1483 Gordon Street property from the R1.B Zone to the C.1-18 Zone. This would result in the Brock Road Garage property being zoned C.1-18 Zone in its entirety to permit the existing vehicle service station.

### **Proposed Development Concept**

The applicant's proposed development concept is shown on Attachment 6. The proposed development is for a 2 storey commercial building located at 1499 Gordon Street, as established through the approved severance applications. The building is proposed with a total of approximately 1620 square metres of gross floor area and is oriented along the Gordon Street frontage with a surface parking area located to the rear of the building. A total of 63 parking spaces are proposed, consisting of 21 underground and 42 surface parking spaces. Site access is shown at the northerly boundary of the property as a shared 10 metre wide mutual driveway access with the adjacent property at 1475-1483 Gordon Street. This access was designed to meet the following conditions of approval for severance applications B-05/11 and B-06/11, requiring that:

- an access easement having a minimum width of 7 metres be granted over the southerly portion of the lands at 1475-1483 Gordon Street in favour of 1499 Gordon Street, and
- an access easement having a minimum width of 3 metres be granted over the northerly portion of the lands at 1499 Gordon Street in favour of 1475-1483 Gordon Street.

While no development is proposed through this application for the adjacent Brock Road Garage property at 1475-1483 Gordon Street, this mutual driveway access would also serve future redevelopment of this property in association with any



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future rezoning. The existing driveways not located within the mutual access easement would be closed at the time of future redevelopment.

### **Staff Planning Analysis**

The staff review and planning analysis of this application is provided in Attachment 9. This staff analysis addresses the issues and questions that were raised during the review of the application, including any issues raised by Council at the statutory Public Meeting held on December 5, 2011. The issues generally relate to:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan;
- Evaluation of the proposal's conformity with the Official Plan;
- Consideration of the merits of the Official Plan Amendment;
- Review of the proposed zoning, including all of the uses permitted and the proposed specialized regulations;
- Review of proposed site design;
- Urban design review of the built form and streetscape;
- Review of any needed site clean-up for contamination;
- Traffic related issues;
- Community Energy Initiative considerations.

### **Planning Staff Recommendation**

Staff support the proposed Official Plan Amendment and Zoning By-law Amendment applications subject to the recommended permitted uses, regulations and conditions outlined in Attachment 3. The applications are consistent with the Provincial Policy Statement and conform to the Places to Grow Plan. The redesignation of the subject site to the "Commercial Mixed Use" Official Plan Designation is appropriate, as the application meets the criteria established in Section 9.3 of the Official Plan for the consideration of Official Plan amendments.

The request to demolish the single detached dwelling at 1499 Gordon Street is supported and included within the staff recommendation to accommodate the proposed development. It is noted that the dwelling is not listed on the City's Inventory of Heritage Properties.

### **Minor Application Revisions**

The revisions that have been made to the application since the December 5, 2011 Public Meeting are considered minor, and therefore staff are recommending to Council that no further public notice is required in accordance with Section 34(17) of the Planning Act. These changes relate to the incorporation of specialized zoning regulations in Attachment 3 to add "live-work units" to the list of permitted uses, recommending a maximum setback from Gordon Street, requiring that the principal entrance of the building face Gordon Street, recommending specialized off-street parking requirements and prohibiting drive-through facilities.

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## **CORPORATE STRATEGIC PLAN**

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

Goal 3: A diverse and prosperous local economy

## **COMMUNITY ENERGY INITIATIVE**

The proposed development will contribute towards implementing the Community Energy Initiative in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The application supports Official Plan policy that encourages the distribution of commercial, office and personal services within walking/cycling distance of residential areas. In addition, the proposed development supports Official Plan policy that encourages combined forms of commercial development and policy that promotes mixed use commercial-residential development in appropriate locations.

The applicant has also submitted a letter outlining some additional energy efficiency initiatives that are proposed in association with the construction of the building (see Attachment 8). Condition 18 has been included in Attachment 3 to ensure that the owner does submit written confirmation that the building is constructed to a standard that implements energy efficiency in support of the Community Energy Initiative.

## **FINANCIAL IMPLICATIONS**

Based on a total of 1620 square metres of gross floor area for commercial and office use:

### **Projected Taxation**

\$14,600

### **Development Charges**

\$204,379

## **COMMUNICATIONS**

Notice of the Public Meeting for the Official Plan Amendment and Zoning By-law Amendment was circulated to current owners and other interested members of the public on November 10, 2011 and advertised in the Guelph Tribune on Nov 10, 2011.

## **DEPARTMENTAL CONSULTATION**

The public and agency comments received through the review of the application are summarized on Attachment 10.

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## **ATTACHMENTS**

Attachment 1 - Location Map  
Attachment 2 - Proposed Official Plan Amendment  
Attachment 3 - Regulations and Conditions  
Attachment 4 - Official Plan Land Use Designations and Related Policies  
Attachment 5 - Existing and Proposed Zoning and Regulations  
Attachment 6 - Development Concept Plan & Elevations  
Attachment 7 - Committee of Adjustment Decisions (B-05/11 and B-06/11)  
Attachment 8 - Community Energy Initiative Commitment  
Attachment 9 - Staff Planning Analysis  
Attachment 10 - Circulation Comments  
Attachment 11 - Public Notification Summary

### **Prepared By:**

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### **Recommended By:**

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Original Signed by:

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### **Recommended By:**

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Planning Services  
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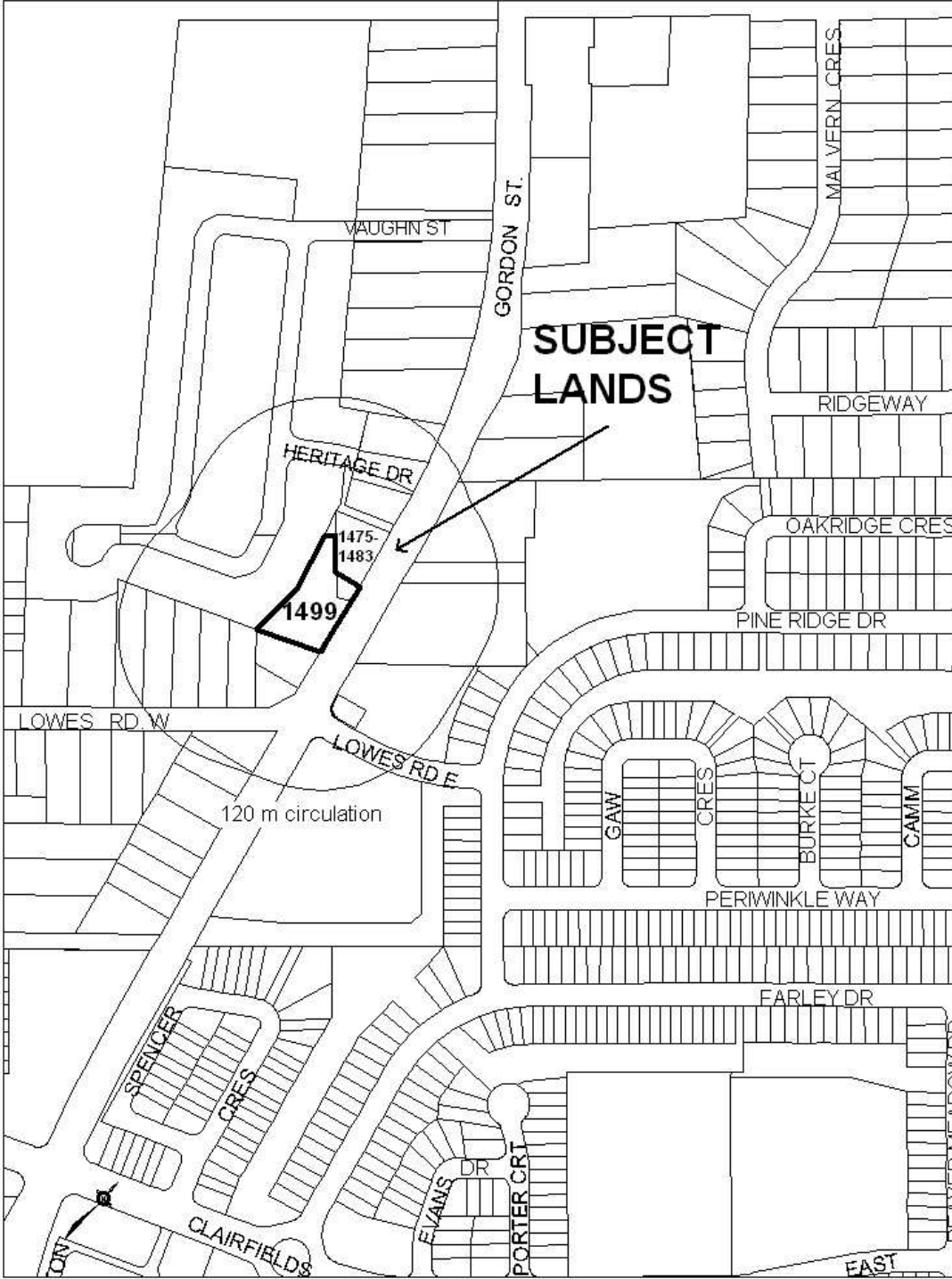
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### **Recommended By:**

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

**Attachment 1  
Location Map**



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## **Attachment 2 Proposed Official Plan Amendment**

Amend Schedule 1, Land Use Plan of the Official Plan by changing the land use designation affecting a 3181 square metre portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, from the current "Medium Density Residential" to "Commercial-Residential".

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## **Attachment 3 Regulations and Conditions**

The properties affected by the Zoning By-law Amendment application are municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph.

The following zoning is proposed for 1499 Gordon Street (as reconfigured by the approved severances):

### **Specialized CR-? (Commercial-Residential) Zone**

#### **Permitted Uses**

In addition to the permitted uses listed in Section 6.6.1 (Commercial Residential Zone) of Zoning By-law (1995)-14864, as amended, the following additional uses shall be permitted:

- Pharmacy
- Live-Work Units
- Restaurant (take-out) to a maximum gross floor area of 140 square metres

The following definitions shall apply in the Specialized CR-? Zone:

A "Live-Work Unit" shall mean a dwelling unit, part of which may be used as a business establishment and the dwelling unit is the principal residence of the business operator.

A "Street Entrance" shall mean the principal entrance to a business which shall be located in a part of the building facing a public street or public square which is at or within 0.2 metres above or below grade.

#### **Regulations**

In accordance with Schedule 4 (General Provisions) and Section 6.6.2 and Table 6.6.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

##### Minimum Side Yard

3 metres

##### Maximum Gross Floor Area

1620 square metres

##### Minimum Number of Off-Street Parking Spaces

- Office and dry cleaning outlet uses shall be provided at a ratio of 1 parking space per 35 square metres of gross floor area;

- 
- Artisan studio, convenience commercial, financial establishment, florist, personal service establishment, and pharmacy uses shall be provided at a ratio of 1 parking space per 20 square metres of gross floor area

Maximum Building Setback to Gordon Street

7 metres

Building Entrances

The street entrance shall be located facing Gordon Street

Prohibited Uses

Drive-through facilities shall not be permitted

A "Drive-Through Use" shall be defined as a use which involves or is designed to encourage a customer to remain in a vehicle while receiving a service, obtaining a product or completing a business transaction. The use shall include vehicular stacking spaces and a serving window, and may include an intercom order box.

## **Specialized C.1-18 (Convenience Commercial) Zone**

### **Permitted Uses**

- Vehicle Service Station

Buildings or Structures in the C.1-18 Zone which existed legally prior to the passage of this By-law shall be deemed to conform with this By-law. Any extension or enlargement of existing Buildings or Structures shall require an amendment to the Zoning By-law and be in accordance with Sections 4 and 6.1.2.

### **Regulations**

Within the Commercial C.1 Zone, no land shall be used and no Building or Structure shall be erected or used except in conformity with the applicable regulations contained in Section 4 – General Provisions and the regulations contained in Section 4 – General Provisions and the regulations listed in Table 6.1.2.

### **Conditions**

The following conditions are provided as information to Council and will be imposed through site plan approval:

1. The Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the

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Owner agrees to develop the said lands in accordance with the approved plan.

- a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the Owner's concept plans attached as Attachment 6 to the April 2, 2012 Planning & Building, Engineering and Environment Report Number 12-30 (Site Plan, prepared by Astrid J. Clos Planning Consultants, Project No. 1029, dated July 27, 2011).
2. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 8 to Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012.
3. If any dwelling units are developed on the subject lands, the Owner shall be responsible for the payment of cash-in-lieu of parkland dedication in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545 and By-Law (2007)-18225, or any successor thereof prior to the issuance of building permits.
4. Prior to the issuance of site plan approval, the Owner shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
5. That the Owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
6. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall submit a detailed Storm water Management Report and plans to the satisfaction of the City Engineer which demonstrates how storm water will be controlled and conveyed.
7. Prior to any development of the lands and prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
8. The Owner shall pay to the City the actual cost of constructing and installing any new service laterals required and the cost of removing existing service laterals that will not be used by the development.



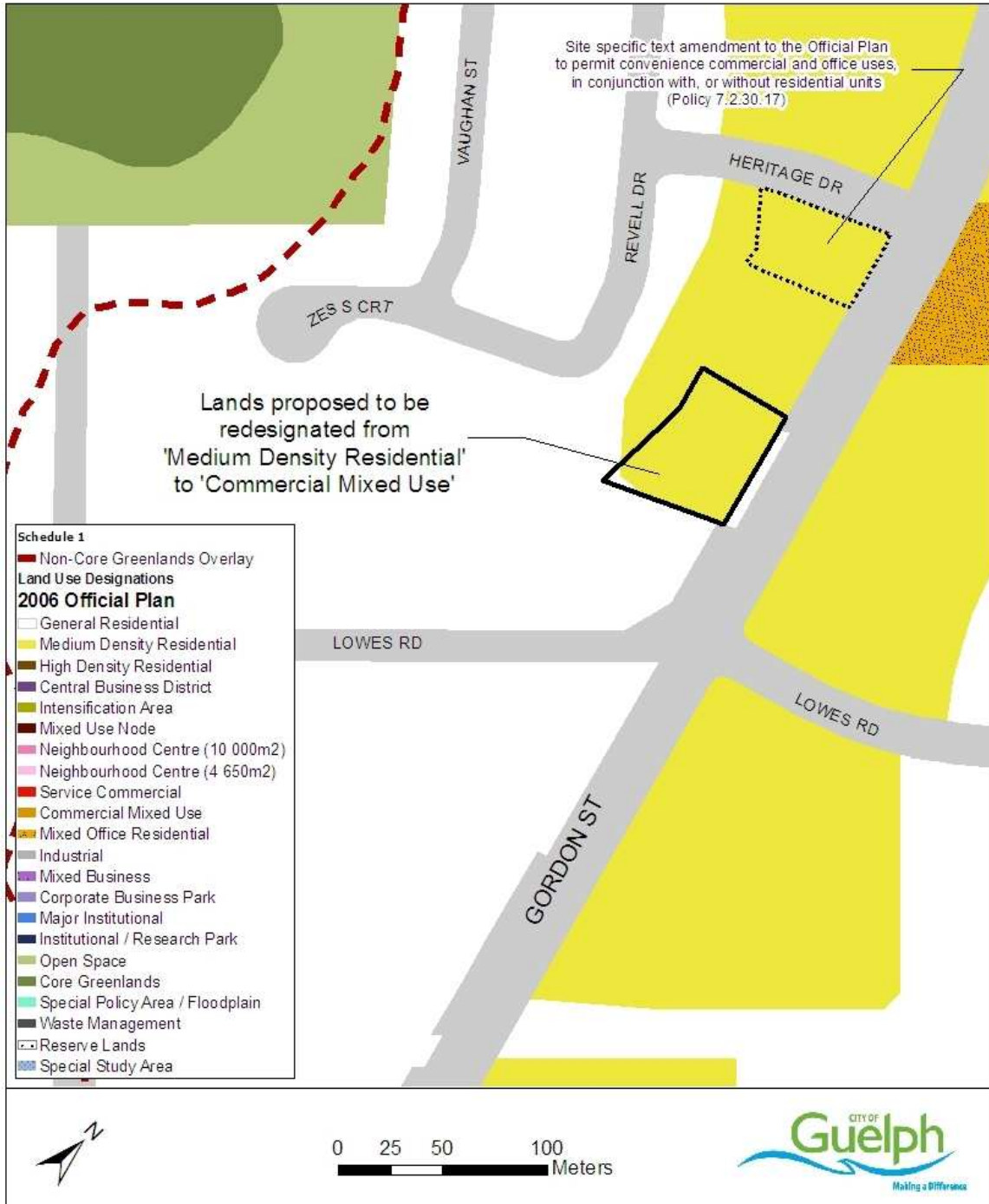
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9. The Owner shall pay to the City the actual cost of the construction of the new mutual access and the required curb cut if required, prior to site plan approval and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the General Manager/City Engineer of constructing the new access/private road and the required curb cut.
  10. The Owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
  11. Prior to site plan approval the Owner shall pay proportionate costs associated with the actual construction of continuous centre turning lane on Gordon Street (Arkell Road to Lowes Road).
  12. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
  13. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
  14. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
  15. The Owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
  16. That an easement of a satisfactory width will be required over the lot addition to 1475-1483 Gordon Street property, registered on title in favour of 1499 Gordon Street property if an outlet to the proposed storm sewer between Lots 17 and 18, Registered Plan 61M-133 is required. In the event the easement is required, the Owner must submit a remedial action plan to the satisfaction of the City to address the contamination of 1475-1483 Gordon Street.
  17. The Owner shall have a Professional Engineer identify and minimize any potential impacts of the development on the existing private water wells on the adjacent residential properties.
  18. The Owner shall provide one driveway access to serve the development lands at 1499 Gordon Street (as reconfigured by approved consent for

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severance applications B-05/11 and B-06/11) utilizing the proposed access easement.

19. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Owner shall submit a Well Record to the satisfaction of the City Engineer.
20. That prior to site plan approval, the Owner shall enter into a development agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

## Attachment 4 Existing and Proposed Official Plan Land Use Designations and Related Policies



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## **Attachment 4 (continued)**

### **Related Official Plan Policies**

#### **'Medium Density Residential' Land Use Designation**

- 7.2.6 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a development proposal for multiple unit housing:
- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
  - b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
  - c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
  - d) That adequate municipal infrastructure, services and amenity areas for the residents can be provided.
- 7.2.36 The predominant use of land within areas designated as 'Medium Density Residential' on Schedule 1 shall be for *multiple unit residential buildings*, such as townhouses, row dwellings and walk-up apartments. It is not intended that housing forms such as *single detached* or *semi-detached* units shall be permitted. Residential care facilities and *lodging houses* may be permitted by the provisions of this Plan.
- 7.2.37 The 'Medium Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:
- a) Medium density housing forms in new growth areas to assist in providing opportunities for *affordable housing*;
  - b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
  - c) A variety of housing types and forms to be situated throughout all areas of the community; and
  - d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.
- 7.2.38 The *net density of development* shall be a minimum of 20 units per hectare (8 units/acre) and a maximum of 100 units per hectare (40 units/acre), except as provided for in policy 7.2.10.
- 7.2.39 Medium density residential *development* proposals shall generally comply with criteria established for *multiple unit residential buildings* in policy 7.2.7 of this Plan, and shall be regulated by the *Zoning By-law*.

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## 7.5 Commercial Mixed Use

### Objectives

- a) To recognize areas of the City where a variety of freestanding commercial uses or mixed commercial-residential uses have been concentrated.
- b) To promote the continued use and intensification of these well-defined areas.
- c) To allow for a range of compatible business land uses adjacent to residential areas within the St. Patrick's Ward neighbourhood (Area 2 on Schedule 5).

7.5.3 New development proposals within the 'Commercial Mixed Use' designation of this Plan may be permitted in consideration of the following general criteria:

- a) The building design should have a street orientation, promote continuity in the streetscape and adhere to the urban design policies of subsection 3.6 of this Plan;
- b) In instances where residential units are proposed, the maximum net density shall not exceed 100 units per hectare and the development criteria of policy 7.2.7 will be used to assess compatibility;
- c) Adequate parking, loading and access are required;
- d) Adequate municipal services are required; and
- e) Lot development and building design should be consistent with the existing built-form conditions.

7.5.4 Complementary uses, as specified in policy 7.2.26 of this Plan, may be permitted within the 'Commercial Mixed Use' designation. These complementary uses may be permitted in instances where;

- a) Their presence will not interfere with the overall form, function and development of the specific 'Mixed Use' area where they are to be located; and
- b) New development proposals may be permitted where the development criteria of policy 7.2.27 are satisfied

## Excerpts from Official Plan Amendment #39 – Conformity with the Planning Framework of the Growth Plan for the Greater Golden Horseshoe

The following new Section 2.4 entitled 'Growth Management Strategy' is added to the Official Plan:

### 2.4 GROWTH MANAGEMENT STRATEGY

#### 2.4.8 Intensification Corridors

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

2.4.8.1 *Intensification corridors* will be planned to achieve:

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

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**Attachment 4 (continued)**  
**Official Plan Amendment Review Criteria**

**9.3 Official Plan Amendments**

9.3.1 It is the policy of Council that any provision of this Plan may be amended pursuant to the requirements of the Planning Act.

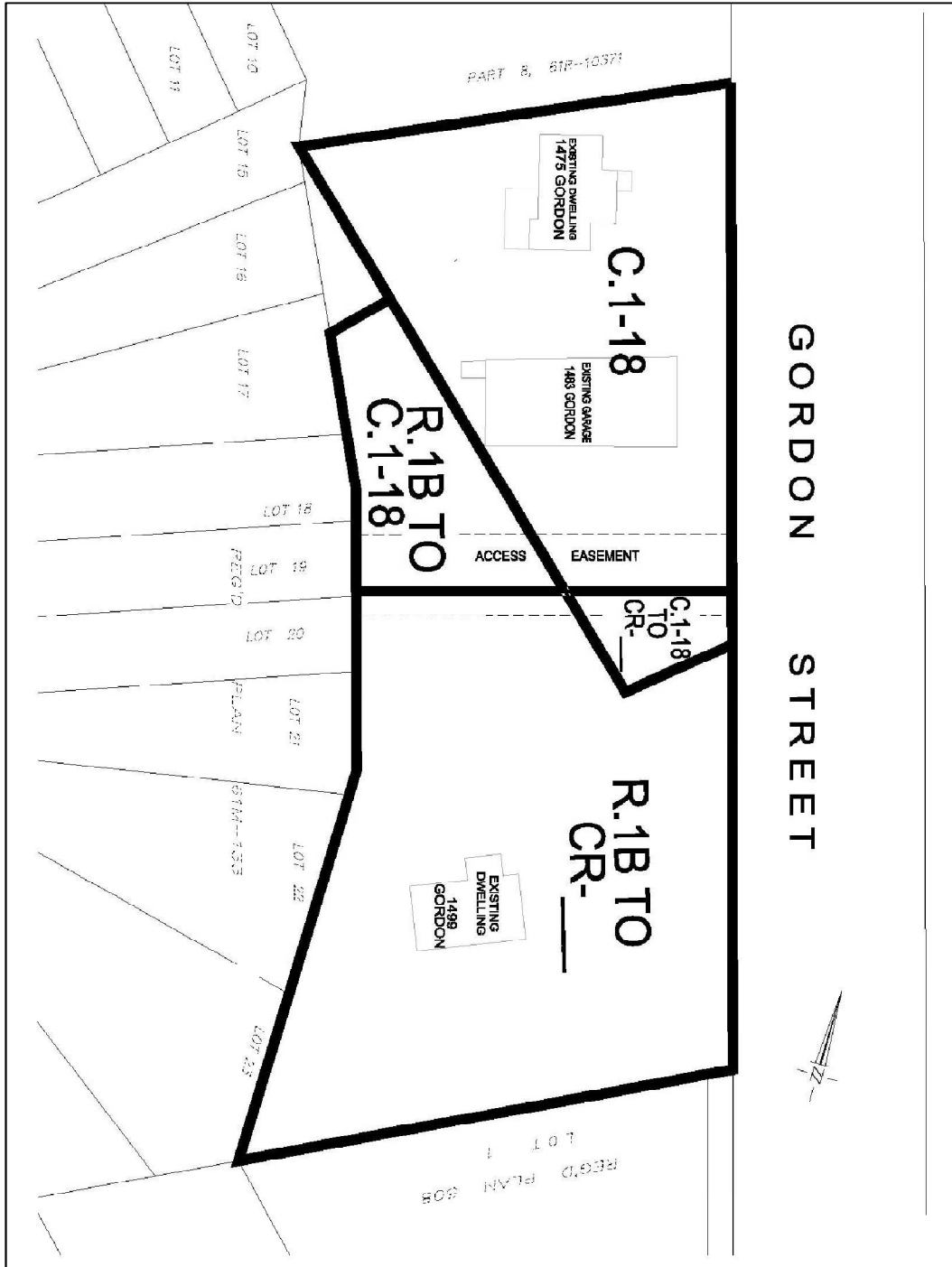
9.3.2 When considering an application to amend the Official Plan, Council shall consider the following matters:

- a) The conformity of the proposal to the goals and objectives of this Plan;
- b) Suitability of the site or area for the proposed use, especially in relation to other sites or areas of the City;
- c) Compatibility of the proposed use with adjacent land use designations;
- d) The need for the proposed use, in light of projected population and employment targets;
- e) The market feasibility of the proposed use;
- f) The extent to which the existing areas of the City designated for the proposed use are developed or are available for development;
- g) The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the natural environment; and
- h) The financial implications of the proposed development.

9.3.3 Council shall provide information regarding a proposed amendment to the Official Plan to such boards, commissions, agencies and the public that may have an interest in it. Prior to approving a proposed amendment, Council shall afford such organizations and the public an opportunity to submit comments.

9.3.4 Council shall, prior to approving an amendment to this Plan, provide information and hold a public meeting for the purposes of obtaining public input concerning the proposal, subject to the provisions of the Planning Act.

# Attachment 5 Existing and Proposed Zoning and Details



## Attachment 5 (continued) Existing Zoning Details

### Specialized C.1-18 (Convenience Commercial) Zone

#### Permitted Uses

- Vehicle Service Station

Buildings or Structures in the C.1-18 Zone which existed legally prior to the passage of this By-law shall be deemed to conform with this By-law. Any extension or enlargement of existing Buildings or Structures shall require an amendment to the Zoning By-law and be in accordance with Sections 4 and 6.1.2.

#### Regulations

Within the Commercial C.1 Zone, no land shall be used and no Building or Structure shall be erected or used except in conformity with the applicable regulations contained in Section 4 – General Provisions and the regulations contained in Section 4 – General Provisions and the regulations listed in Table 6.1.2.

**TABLE 6.1.2 - REGULATIONS GOVERNING THE C.1 ZONE**

Row 1	Commercial Type	Convenience Commercial
2	Minimum Lot Area	550 m <sup>2</sup>
3	Minimum Lot Frontage	18 metres
4	Minimum Front or Exterior Side Yard	6 metres, or at least as great as the Front Yard of a Building located on abutting Lot, but not less than 3 metres.
5	Minimum Side Yard	One half the Building Height, but not less than 3 metres
6	Minimum Rear Yard	20% of the Lot Depth to a maximum of 7.5 metres
7	Maximum Building Height	Vehicular access to the Rear Yard from a public Street shall have a width of not less than 3 metres and an overhead clearance of not less than 4.5 metres.
8	Maximum Gross Floor Area (G.F.A)	400 m <sup>2</sup>
9	Accessory Buildings or Structures	In accordance with Section 4.5.
10	Fences	In accordance with Section 4.20.
11	Planting Area	A landscaped strip of land 3 metres in width shall be maintained adjacent to the Street Line, except for those areas required for entry ramps.
12	Off-Street Parking	In accordance with Section 4.13.
13	Enclosed Operations	In accordance with Section 4.22.
14	Off-Street Loading	In accordance with Section 4.14.
15	Outdoor Storage	No outdoor storage or display of goods and materials shall be permitted in the C.1 Zone.
16	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
17	Buffer Strips	Where a C.1 Zone abuts any Residential, Institutional, Park, Wetland, or Urban Reserve Zone, a buffer strip shall be developed.



## Attachment 5 (continued) Existing Zoning Details

### 5.1.1 PERMITTED USES

The following are permitted Uses within the R.1A, R.1B, R.1C, and R.1D Zones:

- Single Detached Dwelling
- Accessory Apartment in accordance with Section 4.15.1
- Bed and Breakfast establishment in accordance with Section 4.27
- Day Care Centre in accordance with Section 4.26
- Group Home in accordance with Section 4.25
- Home Occupation in accordance with Section 4.19
- Lodging House **Type 1** in accordance with Section 4.25

**TABLE 5.3.2 - REGULATIONS GOVERNING R.1 ZONES**

1	Residential Type	SINGLE-DETACHED DWELLINGS
2	Zones	R.1B
3	Minimum Lot Area	460 m <sup>2</sup>
4	Minimum Lot Frontage	15 metres and in accordance with Section 5.1.2.6.
5	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
6	Minimum Front <b>Yard</b>	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.
6a	Minimum <b>Exterior Side Yard</b>	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.
7	Minimum Side Yard 1 to 2 Storeys Over 2 Storeys	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.
8	Minimum Rear Yard	7.5 metres or 20% of the <b>Lot Depth</b> , whichever is less and in accordance with Section 5.1.2.4.
9	Accessory Buildings or Structures	In accordance with Section 4.5.
10	Fences	In accordance with Section 4.20.
11	Off-Street Parking	In accordance with Section 4.13.
12	Minimum Landscaped Open Space	The <b>Front Yard</b> on any lot, excepting the <b>Driveway</b> shall be landscaped and no parking shall be permitted within this <b>Landscaped Open Space</b> . The driveway shall not constitute more than 40% of the <b>Front Yard</b> in the R.1A and R.1B <b>Zones</b> and not more than 50% of the <b>Front Yard</b> in the R.1C <b>Zone</b> and not more than 56% of the <b>Front Yard</b> in an R.1D <b>Zone</b> to a maximum <b>Driveway</b> width as specified in Section 4.13.7.2ii, whichever is the lesser and in accordance with Section 5.1.2.11. Despite the definition of <b>Landscaped Open Space</b> , a minimum area of 0.5 metres between the driveway and the nearest lot line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.
13	Garbage, Refuse and Storage	In accordance with Section 4.9.
14	Garages	For those <b>Lots</b> located within the boundaries indicated on Defined Area Map Number 66, where a roofed porch is provided, the <b>Garage</b> may be located ahead of the front wall of the dwelling (enclosing <b>Habitable Floor Space</b> on the first floor) equal to the projection of the porch to a maximum of 2 metres.

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## **Attachment 5 (continued) Proposed Zoning Details**

### **Specialized CR-? (Commercial-Residential) Zone**

#### **Permitted Uses**

(list represents standard CR Zone with the addition of “pharmacy” and “live-work units” and limiting take out restaurant to a maximum gross floor area of 140 square metres)

- Artisan Studio
- Club
- Convenience Store
- Day Care Centre in accordance with Section 4.26
- Dry Cleaning Outlet
- Financial Establishment
- Florist
- Group Home in accordance with Section 4.25
- Laundry
- Library
- Medical Clinic
- Medical Office
- Office
- Personal Service Establishment
- Religious Establishment
- Restaurant (take-out) to a maximum of 140 m<sup>2</sup> of gross floor area
- Veterinary Service
- Video Rental Outlet
- Pharmacy
- Dwelling Units with permitted commercial uses in the same building in accordance with Section 4.15.2
- Live-Work Units
- Accessory Uses in accordance with Section 4.23
- Occasional Uses in accordance with Section 4.21

The following definitions shall apply in the Specialized CR-? Zone:

A “Live-Work Unit” shall mean a dwelling unit, part of which may be used as a business establishment and the dwelling unit is the principal residence of the business operator.

A “Street Entrance” shall mean the principal entrance to a business which shall be located in a part of the building facing a public street or public square which is at or within 0.2 metres above or below grade.

#### **Regulations**

In accordance with Schedule 4 (General Provisions) and Section 6.6.2 and Table 6.6.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

Minimum Side Yard  
3 metres

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Maximum Gross Floor Area

1620 square metres

Minimum Number of Off-Street Parking Spaces

- Office and dry cleaning outlet uses shall be provided at a ratio of 1 parking space per 35 square metres of gross floor area;
- Artisan studio, convenience commercial, financial establishment, florist, personal service establishment, and pharmacy uses shall be provided at a ratio of 1 parking space per 20 square metres of gross floor area

Maximum Building Setback from a Public Street

7 metres

Building Entrances

The street entrance shall be located facing Gordon Street

Prohibited Uses

Drive-through facilities shall not be permitted

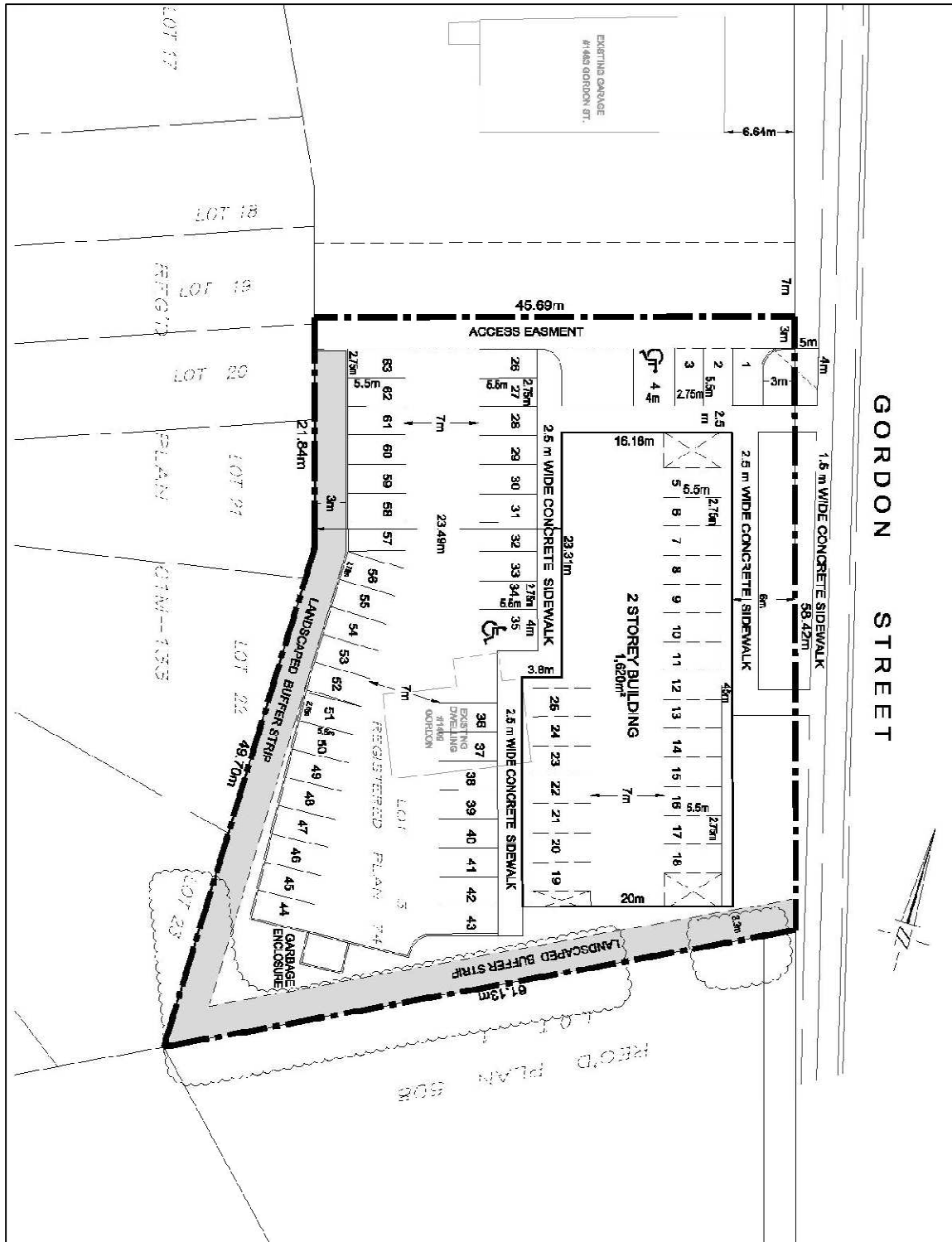
A "Drive-Through Use" shall be defined as a use which involves or is designed to encourage a customer to remain in a vehicle while receiving a service, obtaining a product or completing a business transaction. The use shall include vehicular stacking spaces and a serving window, and may include an intercom order box.

## Attachment 5 (continued) Standard CR Zoning Regulations

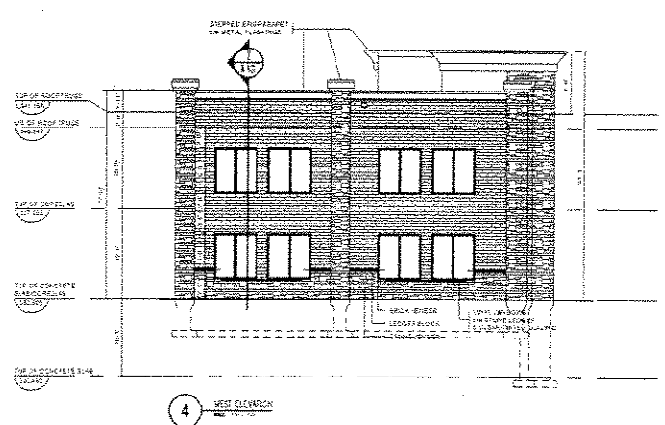
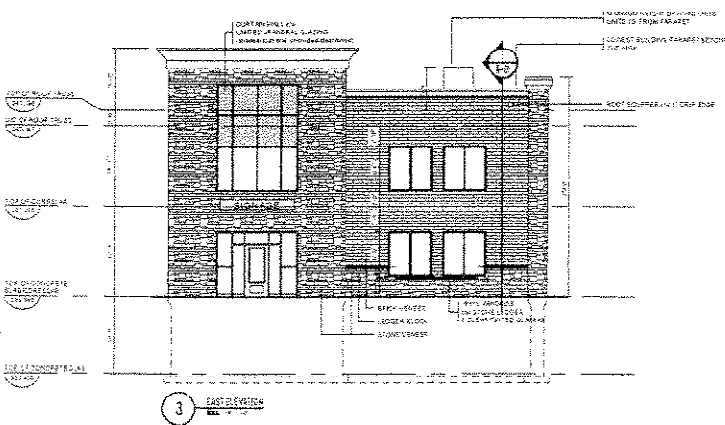
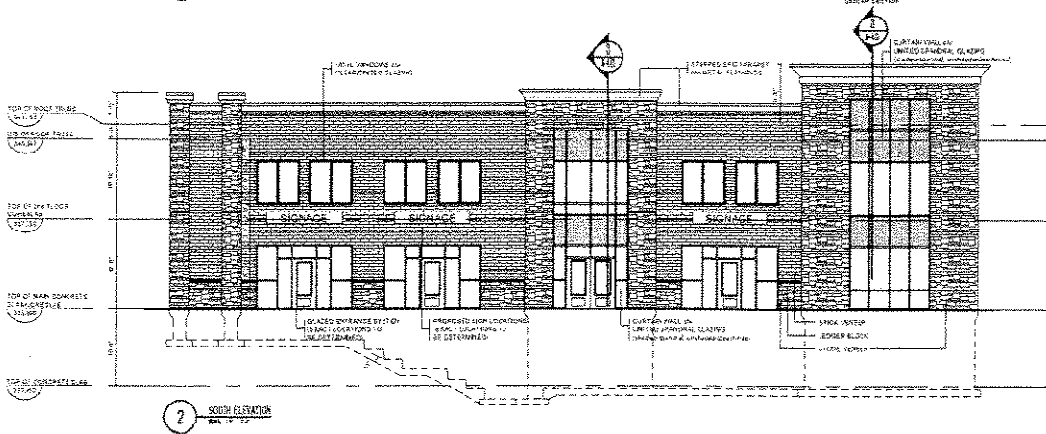
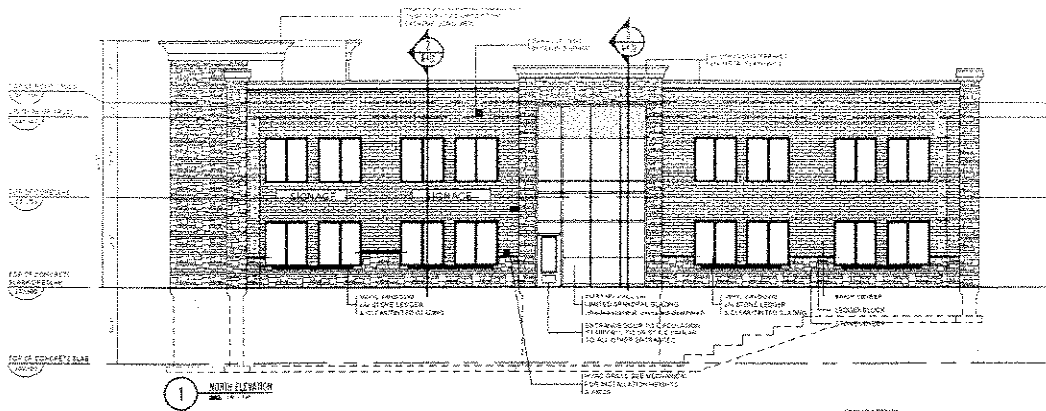
### 1499 Gordon Street Zoning Compliance Chart

Commercial Residential CR Zone				
1	Zoning Regulation	Required	Provided	Complies
2	Minimum <i>Lot Area</i>	550 m <sup>2</sup>	3,181 m <sup>2</sup>	Yes
3	Minimum <i>Lot Frontage</i>	18 m	58.42 m	Yes
4	Minimum <i>Front Yard</i>	average of the <i>Front Yards</i> of the adjoining properties	6m	Yes
5	Minimum <i>Side Yard</i> half the <i>Building Height</i> , but not less than 3 metres.	4.6m	3m	No
6	Minimum <i>Rear Yard</i> 20% of the <i>Lot Depth</i> to a maximum of 7.5 metres.	7.5m	23.4m	Yes
7	Maximum <i>Building Height</i> 3 <i>Storeys</i> and in accordance with Section 4.18.	3 storeys	3 storeys	Yes
8	Maximum <i>Gross Floor Area</i>	400 m <sup>2</sup>	1,620 m <sup>2</sup>	No
9	Accessory <i>Buildings</i> or <i>Structures</i>	N/A	N/A	Yes
10	Fences Section 4.20.	No fence proposed.	N/A	Yes
11	Planting Area	None required.	N/A	Yes
12	Off- <i>Street</i> Parking Section 4.13.	<i>Retail Establishment</i> 1 per 16.5 m <sup>2</sup> GFA  <i>Office</i> 1 per 33 m <sup>2</sup> GFA  Retail 49.09 Office 24.54 Total 74 parking spaces	63 parking spaces provided.  2 accessible spaces are required and provided.	No
13	Enclosed Operations Section 4.22			Yes
14	Off- <i>Street</i> Loading Section 4.14	N/A	N/A	Yes
15	Outdoor Storage No outdoor storage or display of goods and materials shall be permitted in the CR <i>Zone</i> .		No outdoor storage or display proposed.	Yes
16	Garbage, Refuse Storage and Composters. Section 4.9.			Yes
17	Buffer Strips Where a CR <i>Zone</i> abuts any Residential, Institutional, Park, Wetland, or Urban Reserve <i>Zone</i> , a buffer strip shall be developed.		Buffer strip provided.	Yes

# Attachment 6 Proposed Development Concept



## Attachment 6 (continued) Proposed Development Concept (Building Elevations)



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## Attachment 7 Committee of Adjustment Consent for Severance Decisions

# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-5/11



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The Committee, having had regard to the matters that are to be had regard to under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lots 2 and 3, Registered Plan 74, municipally known as 1475-1483 Gordon Street, a parcel (Parts 3 and 7) with a frontage along Gordon Street of 6.6 metres and an area of 167 square metres, as a lot addition to 1499 Gordon Street, subject to a right-of-way over Part 7 with a frontage along Gordon Street of 3 metres in favour of 1475-1483 Gordon Street and together with a right-of-way over Part 2 with a frontage along Gordon Street of 7 metres in favour of 1499 Gordon Street, to be utilized as a mutual access to Gordon Street, be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).

2. That the following covenant is incorporated in the deed:-

"The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."

3. That prior to endorsation of the deeds, the servient tenement (1475-1483 Gordon Street), grants an easement with a width of approximately 7.00-metres (22.97 feet) by a depth of approximately 45.69-metres (149.90 feet) (Parts 2 and 5), for a mutual right-of-way for access to Gordon Street, registered on title, in favour of the dominant tenement (1499 Gordon Street).

4. That prior to endorsation of the deeds, the owner shall have an Ontario Land Surveyor prepare a reference plan identifying the severed parcel and the easement.

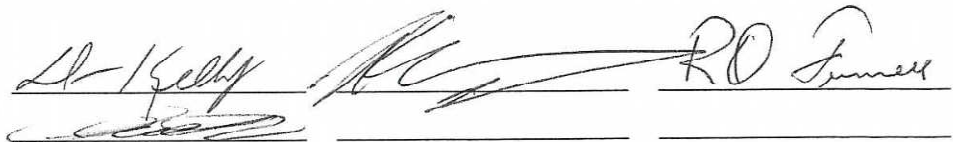
5. That prior to endorsation of the deeds, the owner's solicitor certifies that the easement, in favour of 1499 Gordon Street, has been granted and registered on title, in perpetuity.

6. That the owner of 1475-1483 Gordon Street shall pay the actual costs associated with the closure of the existing driveway entrances within the Gordon Street right-of-way, with the estimated cost of the works as determined necessary by the City Engineer being paid, at the time of any future redevelopment of the property.

7. That prior to the endorsation of deeds the zoning of the severed and retained parcels be amended so that the resultant parcel to be known as 1475-1483 Gordon Street (parts 1, 2, 4 & 5 on the severance sketch) is zoned to permit the existing uses and the resultant parcel to be known as 1499 Gordon Street (parts 3, 6, 7 & 8 on the severance sketch) is zoned to permit future development.

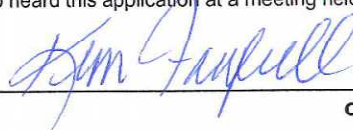
8. That an access easement having a minimum width of 7.0m be granted over the southerly portion of the lands in favour of 1499 Gordon Street.
9. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to close any existing driveways not located within the mutual access easement at the time of the future redevelopment of the parcel.
10. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to February 11, 2012.
11. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
12. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
13. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2000 – 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

**Members of Committee  
Concurring in this Decision**



I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 8, 2011.

Dated: February 11, 2011



**The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is March 3, 2011.**

**Committee of Adjustment**

T 519-837-5615  
F 519-822-4632  
E cofa@guelph.ca



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# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-6/11



The Committee, having had regard to the matters that are to be had regard to under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lot 2, Registered Plan 74, municipally known as 1499 Gordon Street, a parcel (Parts 4 and 5) with an area of 554 square metres, as a lot addition to 1475-1483 Gordon Street, subject to a right-of-way over Part 5 with a width of 7 metres in favour of 1499 Gordon Street and together with a right-of-way over Part 7 with a frontage along Gordon Street of 3 metres in favour of 1475-1483 Gordon Street, to be utilized as a mutual access to Gordon Street, be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
2. That the following covenant is incorporated in the deed:-

"The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."

3. That prior to endorsonation of the deeds, the servient tenement (1475-1483 Gordon Street), grants an easement with a width of approximately 7.00-metres (22.97 feet) by a depth of approximately 45.69-metres (149.90 feet) (Parts 2 and 5), for a mutual right-of-way for access to Gordon Street, registered on title, in favour of the dominant tenement (1499 Gordon Street).
4. That prior to endorsonation of the deeds, the owner shall have an Ontario Land Surveyor prepare a reference plan identifying the severed parcel and the easement.
5. That prior to endorsonation of the deeds, the owner's solicitor certifies that the easement, in favour of 1499 Gordon Street, has been granted and registered on title, in perpetuity.
6. That the owner of 1475-1483 Gordon Street shall pay the actual costs associated with the closure of the existing driveway entrances within the Gordon Street right-of-way, with the estimated cost of the works as determined necessary by the City Engineer being paid, at the time of any future redevelopment of the property.
7. That prior to the endorsonation of deeds the zoning of the severed and retained parcels be amended so that the resultant parcel to be known as 1475-1483 Gordon Street (parts 1, 2, 4 & 5 on the severance sketch) is zoned to permit the existing uses and the resultant parcel to be known as 1499 Gordon Street (parts 3, 6, 7 & 8 on the severance sketch) is zoned to permit future development.

# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-6/11



8. That an access easement having a minimum width of 3.0m be granted over the northerly portion of the lands in favour of 1475-1483 Gordon Street.
9. That prior to the endorstation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to close any existing driveways not located within the mutual access easement at the time of the future redevelopment of the parcel.
10. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to February 11, 2012.
11. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
12. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
13. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2000 – 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee  
Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 8, 2011.

Dated: February 11, 2011

**The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is March 3, 2011.**

Committee of Adjustment

T 519-837-5615  
F 519-822-4632  
E cofa@guelph.ca

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**Attachment 8**  
**Owner's Letter of Commitment to Support the**  
**Guelph Community Energy Plan**

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Sam Johnson  
5 Blue Forest Drive  
Guelph, Ontario  
N1H 6J2

January 16, 2012

Guelph City Hall  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Mr. Chris DeVriendt, Senior Planner

**Re: 1499 Gordon Street – Sam Johnson Property**

In regard to the above referenced project, the following items are proposed to bring the proposal in compliance with Guelph's Community Energy Initiative.

- 1) General Building
  - The building shell will be constructed of masonry bearing walls and concrete floor slabs for fire safety and to reduce noise transmission.
  - The roof will be sloped asphalt shingles and minimum R-30 insulation.
  
- 2) Sustainable Sites
  - A compact and well utilized site.
  - A comprehensive erosion and sedimentations control plan throughout redevelopment of the site.
  - New native tree planting for the overall rejuvenation of the site.
  - Exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operations controlled by light sensors.
  - Bicycle racks will be provided.
  - Pedestrian walkways incorporated throughout the site and connection to municipal sidewalk, bus routes and open space trails.
  
- 3) Water Efficiency
  - Drought resistant soft landscape material will be specified as much as possible.
  - Controlled roof drains provided to control flow rate of storm water where feasible.
  - Low flow faucets and low volume flush toilets (HET high efficiency toilets) where possible.

4) Energy & Atmosphere

- Project will comply with ban on ozone-depleting refrigerant gases.
- Tenant HVAC systems will be complete with heat recovery ventilators (HRV's or ERV's) incorporated in the majority of the central air return systems.
- Low E windows reduce heat gains and heat loss.
- High efficiency hot water tanks will be used.
- Cooling equipment will be min 11 seer capacity efficiency. This meets the MNEC and OBC requirement.
- Lighting for tenants will be T8 with electronic ballast or better (or comparable energy efficient lighting alternative where possible).
- Insulated and sealed supply and return plenums will be specified in tenant units to ensure efficient distribution of heating/cooling ventilation.
- Occupancy sensors provided in service rooms with intermittent occupancy to reduce hydro consumption.
- Perimeter day lighting to have separate controls where possible to conserve hydro (lights turn off automatically when natural lighting is sufficient).
- Added levels of insulation to achieve greater R value in roof will be provided to reduce energy use.

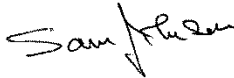
5) Materials & Resources

- The vast majority of materials utilized are available locally (800km radius) limiting environmental impact on source supply transportation.
- Low VOC emitting materials where feasible. Examples include, low VOC paints, recycled content carpet, etc.
- Collection of recyclables in compliance with City By-laws.
- High recycled content material to be specified wherever possible.
- A construction waste management plan will be implemented for the demolition of the existing house and new construction.

6) Indoor Environmental Quality

- Each tenant will have access to individual controls for Heating, Cooling, Lighting and Ventilation
- Mechanical Ventilation to OBC requirements
- The building provides natural light to 100% of regularly occupied spaces where possible.

Yours truly,



Sam Johnson

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## **Attachment 9 Staff Planning Analysis**

### **Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan**

The proposed Official Plan Amendment and Zoning By-law amendment is consistent with the relevant objectives of the Provincial Policy Statement (PPS) and the Places to Grow Plan. These policies encourage employment opportunities supporting a wide range of economic activities in close proximity to residential neighbourhoods, using existing infrastructure and providing mixed-use development to support the concept of complete communities. The PPS refers to “promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term” (PPS 1.1.1.a) and “accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open spaces to meet long-term needs” (PPS 1.1.1.b) with an overall goal of managing and directing land use to achieve efficient development and land use patterns. This development proposal adds to the diversity and mix of land uses permitted on the subject property at a scale that is compatible with the surrounding properties.

Places to Grow legislation also promotes the provision of a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods. This proposal for a two storey commercial building satisfies Places to Grow policies based on the mix of land uses proposed in close proximity to a residential neighbourhood, which will provide a new opportunity to meet resident needs by providing convenient access to services.

### **Evaluation of the proposal’s conformity with the Official Plan**

#### Official Plan Amendment Criteria

Section 9.3 of the Official Plan provides criteria for Council to consider in evaluating proposed amendments to the Official Plan (see Attachment 4, page 17). This proposed Official Plan amendment satisfies the criteria of Section 9.3, as outlined below:

a) *The conformity of the proposal to the goals and objectives of the Official Plan*

**Staff Comment:** The proposed Official Plan Amendment satisfies the goals and objectives of the Official Plan. The proposed commercial building at 1499 Gordon Street is in an appropriate location to accommodate a limited range of retail uses, office uses, personal service uses and residential uses. The proposed Official Plan Amendment contributes to the creation of a well-defined and concentrated commercial mixed use area in association with the existing commercial development on surrounding properties along the Gordon Street corridor. This includes new commercial and office development at the intersection of Heritage Drive and Gordon Street (1453 and 1467 Gordon Street) and the commercial plaza at 1460-1482 Gordon Street, directly opposite the subject site on the east side of Gordon Street. This is further recognized within the January, 2012 Draft Official Plan, where a new “Mixed Office Commercial”

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land use designation has been proposed for the subject lands and these other surrounding properties.

The proposal contributes to providing a full range of commercial uses consistent with the needs of the City's population and employment base and supportive of the City's transportation objectives. This includes maintaining a compact urban form by promoting mixed land uses, urban intensification to facilitate the provision of efficient transit service and locating higher density housing, commercial and employment centres along major transit routes. The development proposal conforms to other goals of the Official Plan, which include:

- ensuring that development in established area of the City is done in a manner that is sympathetic and compatible with the built form of existing land uses;
- creating an efficient and attractive urban landscape by implementing specific elements of urban design, including strong building presence along Gordon Street, provision of underground parking and minimizing the visual impact of surface parking areas; and
- implementing a compact development form that can provide for a variety of land uses, which will reduce the need for and length of vehicular trips.

While no development is proposed at 1475-1483 Gordon Street at this time, this property will be reconfigured in accordance with the approved severances to accommodate future redevelopment more efficiently. It is noted that this adjacent property will also become more rectangular in shape and will ultimately share a driveway access with the current development being proposed at 1499 Gordon Street.

*b) Suitability of the site for the proposed use*

**Staff Comment:** The subject site is suitable to accommodate the proposed two storey commercial building, providing appropriate access and sufficient off-street parking. The approved consent to sever applications have facilitated this development proposal by creating two reconfigured parcels of land more rectangular in shape and sized appropriately to accommodate both the commercial building currently being proposed and potential redevelopment opportunities at 1475-1483 Gordon Street through future planning approvals. The reconfiguration of these two parcels is also advantageous in that this allows one mutual driveway access to be implemented to ultimately serve the future redevelopment of both properties. The existing driveways not located within this mutual access easement would ultimately be closed, thereby minimizing the number of driveway access points onto Gordon Street in the future.

*c) Compatibility of the proposed use with adjacent land use designations*

**Staff Comment:** The proposed commercial building is compatible with the mix of designated lands uses along this area of the Gordon Street corridor, which

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includes the surrounding residential neighbourhood to the west, the commercial and office uses to the north at the intersection of Heritage Drive and Gordon Street and the commercial and office plaza to the east across Gordon Street that is designated "Mixed Office-Residential" in the Official Plan. In addition, the proposed redesignation of lands at 1499 Gordon Street corresponds to the improved property boundary relationship with the Brock Road Garage property to the north at 1475-1483 Gordon Street, providing a shared driveway access to facilitate future development opportunities on these adjacent lands in a comprehensive and compatible fashion.

A minimum 3 metre wide buffer strip with appropriate landscaping and fencing will be provided along the westerly property line to mitigate any impacts from the proposed development on abutting residential properties. The Tree Management Plan submitted in support of the applications has also identified that the existing trees along the southern property line will be retained, which will further enhance compatibility. The proposed zoning also includes a specialized regulation that would prohibit drive-through facilities in order to address potential compatibility issues with this type of use adjacent to the existing residential development. The site plan approval process will also ensure that the site is developed appropriately and meets the urban design and compatibility criteria outlined in the Official Plan.

*d) The need for and market feasibility of the proposed use*

**Staff Comment:** The proposed CR-? (Specialized Commercial-Residential) Zone includes limited retail (including a pharmacy use), office, personal service, residential and live-work unit uses, which represents a flexible zoning category to respond effectively to market demand. The scale and nature of the proposed development is considered appropriate and viable to introduce a greater mix of land uses to serve the surrounding residential neighbourhood by providing convenient access to goods and services.

*e) The extent to which the existing areas of the City designated for the proposed use are developed or are available for development.*

**Staff Comment:** The extent of commercial space proposed through this application is not expected to have a negative impact on the existing sites designated for commercial and office uses, which include the Community Mixed Use Node to the south at Clair Road and Gordon Street. The development proposal represents a compatible extension of surrounding development that will further enhance the diversity of land uses in this area and provide additional opportunities to meet resident's needs by providing convenient access to jobs and services.

*f) The impact of the proposed use on services and financial implications to the City.*

**Staff Comment:** The proposal represents a cost-effective, compact form of development that will make effective use of existing services and infrastructure.

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### **Conformity of Proposal with Official Plan Amendment #39**

The City's Local Growth Management Strategy (Official Plan Amendment #39) aims to build a compact, vibrant and complete community by directing growth to locations within the built-up area. Generally within the built-up area, vacant or underutilized lots will be revitalized through the promotion of infill development, redevelopment and expansions or conversions of existing buildings. Intensification corridors are those areas along major roads that are well served by transit and have the potential to provide a focus for higher density mixed use development.

These applications conform to Official Plan Amendment #39, as a commercial mixed use building is proposed on an underutilized site within the City's built-up area and along the Gordon Street intensification corridor. The development proposal will contribute to the mix of land uses in this area and supports transit, walking and cycling for everyday activities.

### **Review of the Proposed Zoning**

The recommended rezoning of the subject site to the CR-? (Specialized Commercial Residential) Zone is appropriate to accommodate the development of the proposed two storey commercial building. The specialized zoning regulations requiring that the building be no more than 7 metres from the Gordon Street property line and the requirement that the principal entrance of the building face Gordon Street are recommended to ensure that the proposed building addresses the street and achieves good pedestrian access in keeping with the City's Urban Design Guidelines.

The proposed zoning also includes a specialized regulation prohibiting drive-through facilities on the property, as potential compatibility issues with adjacent residential properties are identified with the operation of this type of use.

The requested specialized zoning regulation to allow a maximum gross floor area of 1,620 square metres is appropriate to accommodate the proposed two storey commercial building within the context of the subject property and surrounding lands. The requested zoning includes a range of uses to serve the surrounding residential neighbourhood by providing convenient access to goods and services and the size, scale and form of the proposed commercial building meets the intent of the "Commercial Mixed Use" Official Plan designation being requested. The nature and scale of this proposed development would also be in conformity with the proposed "Mixed Office Commercial" land use designation in the January, 2012 Draft Official Plan.

### **Parking**

The requested zoning provides for a parking rate that is appropriate to accommodate the proposed mixed use development. The site design shown on Attachment 6 includes a total of 63 parking spaces. The application includes the following specialized parking requirements:



- 
- Minimum required parking spaces for an office or dry cleaning outlet use shall be provided at a ratio of 1 parking space per 35 square metres of gross floor area; and
  - Minimum required parking spaces for an artisan studio, convenience store, financial establishment, florist, personal service establishment and pharmacy shall be provided at a ratio of 1 parking space per 20 square metres of gross floor area.

These requested specialized parking ratios represent a relatively small reduction in the amount of overall parking that would be required on site. It is noted that a total of 74 parking spaces would be required based on the assumption that the standard minimum parking requirements of 1 space per 16.5 m<sup>2</sup> of gross floor area is applied for ground floor retail and personal service uses and the standard 1 space per 33 m<sup>2</sup> of gross floor area is applied to serve the upper storey office space.

A modest reduction in the required number of parking spaces proposed in association with this application is supported based on the following considerations:

- The subject site is located within the Gordon Street intensification corridor that is well served by transit;
- A reasonable reduction in off-street parking provides an incentive for transit use or more efficient auto use, such as carpooling;
- The proposed commercial uses will serve the needs of the surrounding area and are not necessarily destination-oriented uses; and
- The different on-site uses will allow for shared parking between the various parking demands across the various users of the site.

The recommended specialized zoning regulation to limit the size of a take-out restaurant to 140 square metres is responsive to an identified issue that restaurants with a higher parking ratio of 1 parking space per 9 square metres of gross floor area can take up too many parking spaces at the expense of other tenants in smaller commercial developments. This restriction will help ensure that sufficient parking is provided to serve a greater mix of land uses within the proposed mixed use building.

It should also be recognized that parking supply and demand are closely related, meaning that any parking reduction will tend to attract tenants that require fewer spaces. The amount of off-street parking provided is considered appropriate given the scale and nature of the proposed development, with underground parking provided to serve second storey office uses and surface parking spaces provided to serve ground floor retail and service uses.

### **Review of the Proposed Site Design (Urban Design, Built Form and Streetscape)**

The concept plan presented in Attachment 6 and the associated specialized zoning regulations outlined in Attachment 3 have been developed to ensure that an appropriate site design is implemented. This includes providing building orientation towards Gordon Street and providing direct entrance from adjacent public sidewalks. Building presence along Gordon Street is also maximized through the

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provision of underground parking and locating the surface parking area behind the building, further contributing to an attractive streetscape. A 3 metre landscaped buffer strip would also be provided along the southerly and westerly property line to screen the surface parking area. In addition, site plan approval will be required to provide a detailed review of the various development components, including landscaping and fencing, parking design and pedestrian connections, location of garbage enclosures and other urban design objectives.

### **Review of any needed Site Clean-up for Contamination**

As discussed previously, consent for severance applications for lot additions (B-05/11 and B-06/11) were approved by the Committee of Adjustment to create two reconfigured parcels of land better suited to accommodate the current development proposal at 1499 Gordon Street, as well as future redevelopment opportunities at 1475-1483 Gordon Street.

A Phase 1 Environmental Site Assessment (ESA) was submitted in association with the approved severances to support the proposed development on the reconfigured parcel at 1499 Gordon Street. This Phase 1 ESA did cite environmental investigative and remedial activities that have occurred on the adjacent Brock Road Garage site, noting contamination issues associated with its historical fuel and waste oil handling operations. However, there were no impacts identified to the proposed development site and the potential for any environmental risk or impact was considered low. As a result, the conclusions of the Phase 1 ESA were that no further investigation for the proposed development site is recommended at this time.

Through the approval of this application the reconfigured Brock Road Garage property would be zoned C-1-18 in its entirety, which would only permit the existing vehicle service station use at its current scale. It is important to note that a record of site condition would be required to support any application for future redevelopment of this site to address any remaining contamination issues that may exist and ensure that the applicable Ministry of Environment standards are met.

### **Traffic Related Issues**

Engineering Services has reviewed the proposed development and concluded that the vehicle traffic generated by the proposed commercial building can be accommodated appropriately. The shared driveway access incorporated within the proposed site design, which will also serve future redevelopment opportunities of the adjacent Brock Road Garage, will minimize the number of access points along this section of Gordon Street and provide improved driveway spacing to minimize traffic interference and conflicting turning movements.

In response to a question raised at the November 7, 2011 Public Meeting regarding the planned traffic signal lights at the intersection of Gordon Street and Heritage Drive, Engineering staff have indicated that these traffic lights could be installed within the next 2 years.

**Attachment 10  
Circulation Comments**

<b><u>RESPONDENT</u></b>	<b><u>NO OBJECTION OR COMMENT</u></b>	<b><u>CONDITIONAL SUPPORT</u></b>	<b><u>ISSUES/CONCERNS</u></b>
Planning		✓	Subject to conditions in Attachment 3
Engineering		✓	Subject to conditions in Attachment 3
Park Planning & Development		✓	Subject to cash-in-lieu of parkland being required in accordance with By-law (1989)-13410 or any successor thereof
Zoning	✓		
Heritage Guelph	✓		
Guelph Fire	✓		
Guelph Police	✓		
Guelph Hydro		✓	Subject to standard hydro servicing conditions
Economic Development	✓		
Guelph and Wellington Development Association	✓		Support application

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## **Attachment 11 Public Notification Summary**

July 29, 2011	Applications submitted to the City of Guelph.
October 17, 2011	Notice Sign posted on property
November 4, 2011	Notice of Public Meeting advertised in the City News pages of the Guelph Tribune.
November 10, 2011	Notice of Application and Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
December 5, 2011	Public Meeting of City Council.
March 16, 2012	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision.
April 2, 2012	City Council Meeting to consider staff recommendation