COUNCIL PLANNING AGENDA



Council Chambers, City Hall, 1 Carden Street

DATE April 8, 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 and General Nature Thereof

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

Application	Staff Presentation	Applicant or Designate	Delegations (maximum of 10 minutes)	Staff Summary
158 Fife Road – Proposed Zoning by-law Amendment (File ZC1215) – Ward 4	Al Hearne, Senior Development Planner	 Astrid Clos Available to answer questions: Martin Knowles Chris Sims 	 Leeanne McClymont Correspondence: Joyce & Phyllis Bruder 	
58 Fleming Road – Proposed Zoning By-law Amendment (File: ZC1301) – Ward 1	Chris DeVriendt, Senior Development Planner	• John Cox		

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."

COUNCIL CONSENT AGENDA			
ITEM	CITY	DELEGATIONS	TO BE EXTRACTED
	PRESENTATION	(maximum of 5 minutes)	
CON-2013.8			
25 Lee Street - Proposed			
Zoning By-Law Amendment			
(File ZC1213) – Ward 1			

CON-2013.9	
Barn at 132 Hart's Farm Lane	
West – Proposed Removal	
from Municipal Register of	
Cultural Heritage Properties	

SPECIAL RESOLUTIONS

BY-LAWS

Resolution - Adoption of By-laws (Councillor Laidlaw)

MAYOR'S ANNOUNCEMENTS

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

NOTICE OF MOTION

ADJOURNMENT



TO Guelph City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE April 8, 2013

SUBJECT 158 Fife Road - Proposed Zoning By-law Amendment

(File ZC1215) - Ward 4

REPORT NUMBER 13-10

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Zoning Bylaw Amendment to permit 13 additional townhouse units and adjust the associated zoning regulation applying to minimum lot frontage.

KEY FINDINGS

Key findings will be reported in future, following staff review of the application and receipt of comments from the neighbourhood property owners and agencies.

FINANCIAL IMPLICATIONS

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

ACTION REQUIRED

Council will hear public delegations regarding 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

1. That Report 13-10 regarding a Zoning By-law Amendment application by Astrid J. Clos Planning Consultants on behalf of Marann Homes Ltd., to rezone lands legally described as Part of Lot B, Concession 2, Division E, municipally known as 158 Fife Road, City of Guelph, from the existing UR (Urban Reserve) Zone to a Specialized R.3A (Cluster Townhouse) Zone, to permit an additional 13 cluster townhouse dwellings on the rear portion of the subject property and modify R.3A-40 zone to permit a reduction in frontage from 18m to 12m, from Planning, Building, Engineering and Environment dated April 8, 2013, be received.



BACKGROUND

Further to pre-consultation meetings held by staff and the applicant during the fall of 2012, the proposed Zoning Bylaw Amendment application was received by the City on December 18, 2012 and was deemed to be complete on January 16, 2013.

The lands, formerly known as 168 Fife Road, were the subject of a previous Zoning By-law Amendment application which received approval from the Ontario Municipal Board (OMB) on January 5, 2009. The 2009 OMB approval created the Specialized R.3A-40 (Cluster Townhouse) Zone to permit the development of 12 townhouse dwellings on the front portion of the subject property. The property has not yet been developed in accordance with the OMB approval.

Location

The property is irregularly L-shaped with 12.6 metres of frontage on Fife Road and has a total site area of 1.13 hectares (See Location Map in Attachment 1). The property is located on the south side of Fife Road between Pamela Place and Gombas Place and abuts the City Corporation boundary and a spur line of the Canadian National Railway to the south and existing single-detached dwellings on Pamela Place and Gombas Place.

The front portion of the subject site currently in the Specialized R.3A-40 Zone, comprises an area of 0.6 hectares. The rear portion of the subject property, presently in the UR (Urban Reserve) Zone, south of Pamela Place comprises an area of 0.52 hectares.

Existing Official Plan Land Use Designations and Policy

The subject lands are designated "General Residential" in the Official Plan which permits all forms of residential uses, including townhouses and apartments, to a maximum density of 100 units per hectare (see Attachment 2 – Official Plan Land Use Designation and Related Policies). In particular, Section 7.2.7 of the Plan must be considered during the evaluation of the application. This section lists criteria to be evaluated when considering a development proposal for multiple-unit housing in the General Residential designation. Schedule 2 of the Official Plan does not identify any environmental constraints applying to the subject site or surrounding area.

Official Plan Amendment (OPA) #39, the City's Growth Plan Conformity Amendment which is in full force and effect, identifies the site within the "Built-Up Area" of the City. The "Built-Up Area" is intended to accommodate a significant portion of new residential and employment growth through intensification.

Official Plan Amendment 42 (subject of appeals), the City's new Natural Heritage System, does not designate any part of the site as "Significant Natural Areas" or "Natural Areas".

Official Plan Amendment 48, adopted by Council and currently being considered by the Province for approval, designates the subject site 'Low Density Residential'. This designation permits residential development at a density between 15 to 35 units per hectare.



Existing Zoning

The front portion of the site is in the Specialized R.3A-40 Zone as approved by the OMB in 2009. The rear portion of the site behind Pamela Place is in the UR (Urban Reserve) Zone. See Attachment 3 for mapping and details of the existing zoning on the site.

REPORT

Description of Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is:

- 1. To recognize within the existing R.3A-40 Zone that the minimum lot frontage is now reduced to 12 metres rather than 18 metres as required in Table 5.3.2 of the Zoning Bylaw (See Attachment 4). The adjustment of this one regulation is requested to recognize the reduced frontage of the site as a result of the severance of two semi-detached lots at the frontage of Fife Road. With the exception of the 12 metre frontage clarification being added to the existing R.3A-40 Zone, the zoning approved by the OMB in 2009 will not change.
- 2. To rezone the rear portion of the property from the UR (Urban Reserve) Zone to a Specialized R.3A-? (Cluster Townhouse)Zone which would meet all R.3A Zone regulations to permit cluster townhouses, with the exception of the minimum lot frontage regulation recognizing that 12 metres is provided instead of the 18 metres required by the Zoning Bylaw (See Attachment 4).

The effect of the proposed zoning bylaw amendment is to permit the development of 12 townhouse units within the existing Specialized R.3A-40 Zone approved by the OMB and to also permit 13 additional townhouse units (Units 13 to 25 illustrated on the preliminary site plan in Attachment 5) on the vacant land to the south of Pamela Place in a proposed new Specialized R.3A-? Zone. This rezoning would allow a total of 25 townhouse units on the subject site. The proposed density would be 22 units per hectare.

Proposed Preliminary Site Plan

The applicant's preliminary site plan for the proposed development is included in Attachment 5.

The proposed development on the front portion of the site includes 12 townhouses with both private and common amenity areas with garage and driveway parking and 8 visitor parking spaces, accessed by a private road entering the site from Fife Road. The proposed development on the rear portion of the site includes 13 townhouses with both private and common amenity areas with garage and driveway parking and 7 visitor parking spaces, accessed by the extension of the private road.

The following information was submitted in support of the application and can be found on the City's website – guelph.ca, quick link 'Active Development Files':



- 1. Planning Report prepared by Astrid J. Clos Planning Consultants dated December 17, 2013.
- 2. Functional Servicing Report by Gamsby Mannerow dated December 17, 2012, including a Site Servicing and Grading Plan dated December 2012.
- 3. Tree Inventory and Preservation Report prepared by Natural Resource Solutions Inc. dated December 6, 2012.
- 4. Site Concept Plan prepared by Astrid J. Clos Planning Consultants dated December 4, 2012.
- 5. Rail Traffic Noise Feasibility Study by Howe Gastmeier Chapnik Limited dated December 6, 2012.

Staff Review

The review of this application will include the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan;
- Evaluation of the proposal against the land use designation and related policies of the Official Plan;
- Review of the proposed zoning and need for the specialized regulation;
- Evaluation of the support documents submitted (listed above) in support of the application;
- Site design and compatibility with adjoining land uses;
- Community Energy Initiative considerations.

Once the review of the application is completed 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

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

COMMUNICATIONS

The public signage Notice was erected on-site on January 18, 2013. The Notice of Complete Application was mailed January 29, 2013 to local boards and agencies, City service areas and property owners within 120 metres of the subject site for comments. The Notice of Public Meeting was advertised in the Guelph Tribune on March 14, 2013 and mailed to surrounding property owners on March 14, 2013.



ATTACHMENTS

Attachment 1 - Location Map

Attachment 2 - Official Plan Land Use Designation and Policies

Attachment 3 – Existing Zoning Attachment 4 – Proposed Zoning Attachment 5 – Preliminary Site Plan

Report Author

Al Hearne Senior Development Planner 519.822.1260 ext. 2362 al.hearne@guelph.ca

Original Signed by:

Approved By

Todd Salter General Manager Planning Services 519.822.1260, ext. 2395 todd.salter@quelph.ca

Approved By

Sylvia Kirkwood Manager of Development Planning 519.822.1260 ext. 2359 sylvia.kirkwood@guelph.ca

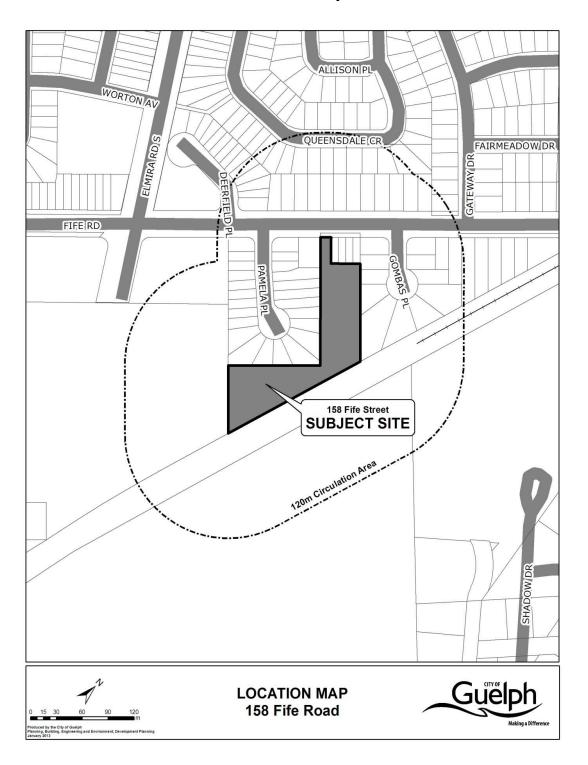
Original Signed by:

Recommended By

Janet Laird, Ph.D. Executive Director Planning, Building, Engineering and Environment 519.822.1260, ext. 2237 janet.laird@guelph.ca

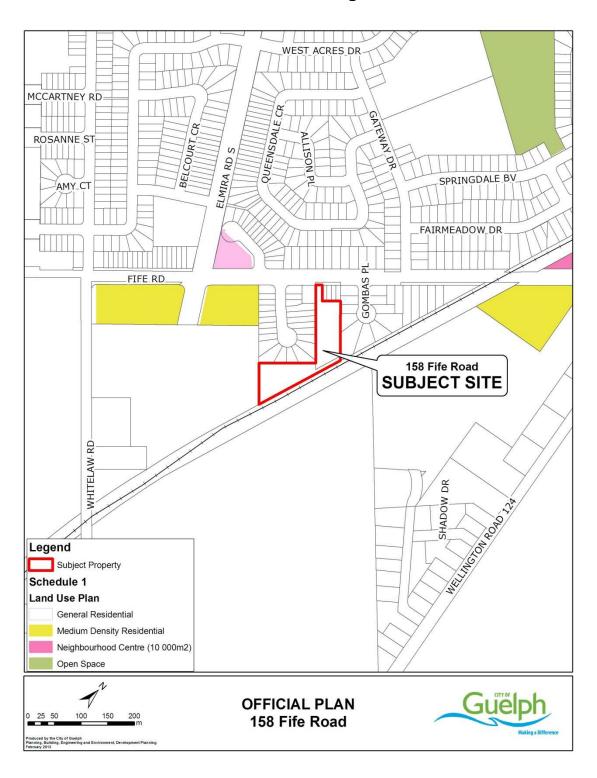


Attachment 1 Location Map





Attachment 2 Official Plan Land Use Designation and Policies





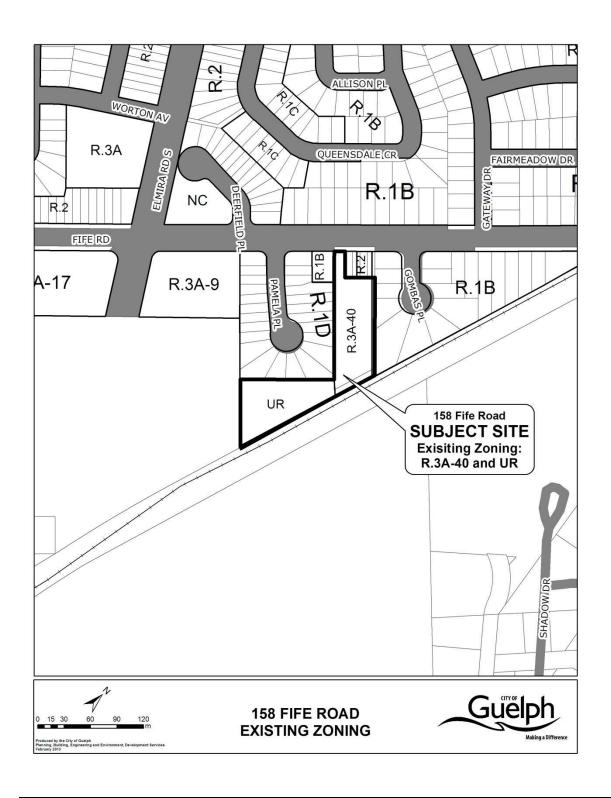
Attachment 2 (continued) Official Plan Land Use Designation and Policies

"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.
- 7.2.8 The development criteria of policy 7.2.7 will be used to assess the merits of a rezoning application to permit new multiple unit residential buildings on sites that are presently not zoned to permit these particular housing forms.
- 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 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 With 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 neighbhourhoods will be respected wherever possible.
- 7.2.34 Residential lot infill, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed development is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot infill shall be compatible with adjacent residential environments with respect to the following:
 - a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse infill proposals shall be subject to the development criteria contained in policy 7.2.7.



Attachment 3 Existing Zoning





Attachment 3 (continued) Existing Zoning

SECTION 11 – URBAN RESERVE (UR) ZONE 11.1 PERMITTED USES

The following are permitted *Uses* within the Urban Reserve (UR) *Zone*: 11.1.1

Agriculture, Livestock Based

Agriculture, Vegetation Based (mushroom farms shall not be permitted)

Conservation Area

Flood Control Facility

Outdoor Sportsfield Facilities

Recreation Trail

Wildlife Management Area

Accessory Uses in accordance with Section 4.23

11.2 REGULATIONS

Within the Urban Reserve (UR) *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 following regulations:

11.01	M		
11.2.1	Minimum Separation Distances Regulating Livestock Based		
	Agriculture		
	1	aration distances for Livestock Based Agriculture	
	operations sha	ıll be based on the Minimum Separation Distance	
	requirements f	for livestock farms required by the Ontario Ministry of	
	Agriculture an	d Food.	
11.2.2	Permitted Buil	lding or Structure	
	In addition to	all other provisions of this Section, a permitted Building or	
		only be permitted in accordance with all of the following	
	regulations:	, 1	
	11.2.2.1	Minimum Side Yard	
		Equal to one-half the <i>Building Height</i> but in no case less than 3 metres.	
	11.2.2.2	Minimum Rear Yard	
		Equal to one-half the <i>Building Height</i> but in no case less than	
		7.5metres.	
	11.2.2.3	Minimum Front Yard	
	11.2.2.5	7.5 metres or as set out in Section 4.24, whichever is greater.	
	11.2.2.4	Off-Street Parking	
	11.2.2.7	No off- <i>Street</i> parking shall be located within 3 metres of any	
		boundary of an UR Zone.	
	11 2 2 5		
	11.2.2.5	Off-Street LoadingNo off-Street loading shall be located within 3	
	. –	metres of any boundary of an UR Zone.	
11.2.3	Accessory Bui	ccessory Building or Structure	



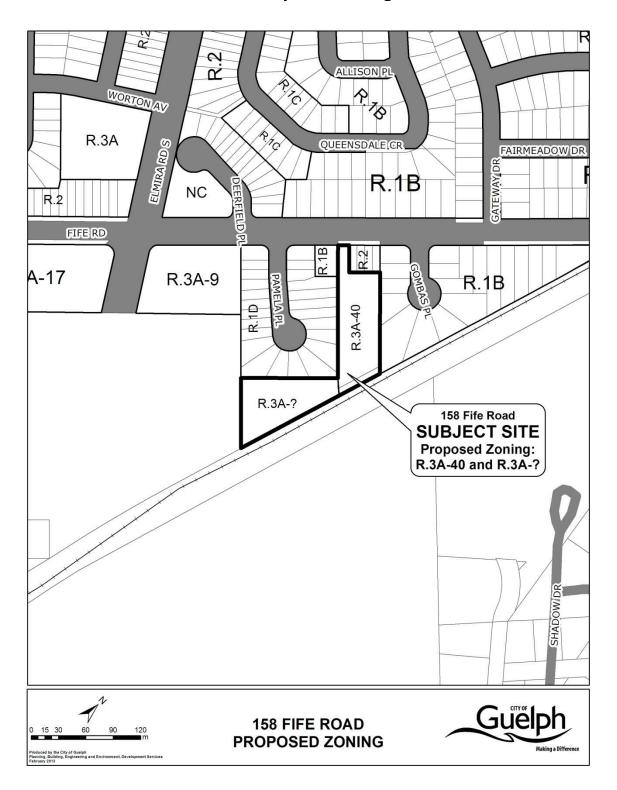
Attachment 3 (continued) Existing Zoning

Despite Section 4.5, an accessory Building or Structure shall be permitted only in accordance with the following regulations: 11.2.3.1 No accessory *Building* or *Structure* shall be used for human habitation. 11.2.3.2 No accessory Building or Structure shall be located between the Street Line and any Setback line. No accessory Building or Structure shall be located in any Side Yard. 11.2.3.3 No accessory Building or Structure shall be located closer to any Lot 11.2.3.4 Line than one-half Building Height or 7.5 metres, whichever is greater. 11.2.4 Lighting of Outdoor Sportsfield Facilities Outdoor Sportsfield Facilities shall be permitted to have lighting facilities developed in accordance with Section 4.18.1. 5.3.3.1.40 Specialized R.3A-40 Zone As shown on Defined Area Map Number 5 of Schedule "A" of this By-law. 5.3.3.1.40.1 Permitted Uses In accordance with the provisions of Section 5.3.1.1 of Zoning By-law (1995) – 14864, as amended. 5.3.3.1.40.2 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: 5.3.3.1.40.2.1 Maximum Number of Dwellings A maximum of 12 Dwelling Units shall be permitted consisting of three blocks of four Townhouse Dwelling units each. 5.3.3.1.40.2.2 Minimum Side Yard Despite Section 5.3.2.2, the minimum Side Yard Setback shall be 13 metres 5.3.3.1.40.2.3 Minimum Setback from Railway Right-of-Way 15 metres 5.3.3.1.40.2.4 Buffer Strips Notwithstanding Row 14, Table 5.3.2, the *Buffer Strips* shall be: a minimum of 10 metres along the easterly property limit; and a minimum of 3.0 metres along the westerly property limit. 5.3.3.1.40.2.5 Minimum Number of Visitor Parking Spaces Despite Section 4.13.6, a minimum of 7 visitor *Parking Spaces* shall be provided at a minimum distance of 9 metres from the westerly property line. 5.3.3.1.40.2.6 Private Amenity Areas In addition to Section 5.3.2.5.1, the private *Amenity Areas* shall be at grade or equal to the main floor level. 5.3.3.1.40.2.7 Maximum **Building Height**

Two *Storeys* and a maximum of 7.8 metres.



Attachment 4 Proposed Zoning





Attachment 4 (continued) Proposed Zoning

R.3A- 40 Zone Cluster Townhouse (Units 1 to 12)			
Zoning Regulation	Required	Provided	Compliance Yes/No
Minimum Lot Area	800 m ²	6,079 m ²	Yes
Minimum Lot Area Per Dwelling Unit	270m ² per unit (12 units)	506 m ²	Yes
Minimum Lot Frontage	18 m	12 m	No
Minimum Front Yard	6 m	44 m	Yes
Minimum Side Yard	*13 m	14.5 m	Yes
Minimum Rear Yard (5.3.2.2)	Half the building height 3.9 m	15.5 m	Yes
Maximum Building Coverage	30%	16%	Yes
Minimum Setback from Railway Right-of - Way	*15 m	15 m	Yes
Maximum Building Height	*2 storeys Maximum of 7.8 m	2 storeys 7.8 m	Yes
Minimum Distance Between Buildings	3 m	3m	Yes
Minimum Common Amenity Area (5.3.2.4)	5 m ² per unit (12 units) 60 m ²	60 m ²	Yes
Minimum Private Amenity Area	a) minimum area 20 m²	20 m ²	Yes
at grade	b) minimum 4.5 m depth	4.5 m ²	
Private Amenity Areas	*Private amenity areas shall be at grade or equal to the main floor area	At grade	Yes
Minimum Landscaped Open Space	40%	55%	Yes
Buffer Strip	abutting a residential zone	3 m	Yes
Buffer Strips	*Minimum 10 m along east property line	10 m	Yes
	*Minimum 3m along west property line	3 m	Yes
Off-Street Parking	* Minimum of 7 visitor parking spaces	8 visitor	Yes
on street arking	located 9 m from the west property line	spaces	103
	located 5 m nom the west property line	11 m from	
		west	
		property	
		line	
Maximum Number of Dwellings	*12 units consisting of three blocks of four	3 blocks	Yes
	townhouses each.	of 4	
4.13.2.2 No parking space shall be located within 3 m of a lot line.	3 m	3 m	Yes

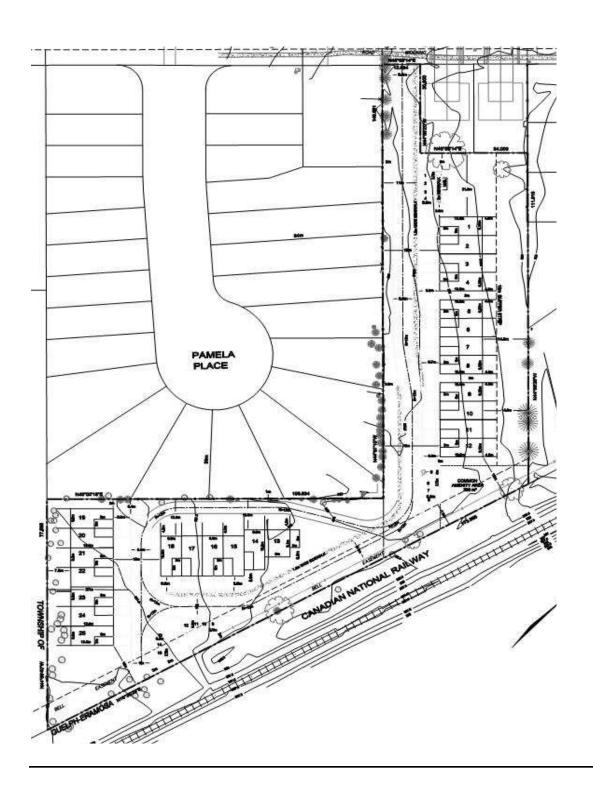


Attachment 4 (continued) Proposed Zoning

R.3AZone Cluster Townhouse (Units 13 to 25)			
Zoning Regulation	Required	Provided	Compliance Yes/No
Minimum Lot Area	800 m ²	5,228 m ²	Yes
Minimum Lot Area Per Dwelling Unit	270m ² per unit (13 units)	405 m ²	Yes
Minimum Lot Frontage	18 m	12 m	No
Minimum Side Yard	3 m	3 m	Yes
Minimum Rear Yard	3.9 m	7.5 m	Yes
Maximum Building Coverage	30%	22 %	Yes
Maximum Building Height	3 storeys	2 storeys	Yes
Minimum Distance Between Buildings	3 m	3 m	Yes
Minimum Distance Between Private Amenity Area and another building with windows to habitable rooms.	15 m	15 m	Yes
Minimum Common Amenity Area (5.3.2.4)	5 m ² per unit (13 units) 65 m ²	65 m ²	Yes
Minimum Private Amenity Area	a) minimum area 20 m ²	20 m ²	Yes
at grade	b) minimum 4.5 m depth	4.5 m	
Minimum Landscaped Open Space	40%	44%	Yes
Buffer Strip	abutting a residential zone 3 m landscaped buffer or solid wood fence	1 m and solid fence	Yes
Off-Street Parking (4.13)	1.2 parking spaces per unit. (13 units) 3 visitor parking spaces required	7 visitor parking spaces	Yes
Maximum number of Dwelling Units in a Row	12	7	Yes
Maximum Density of Site (5.3.2.6)	37.5 dwellings per hectare	24.8 dwellings per hectare	Yes
4.13.2.2 No parking space shall be located within 3 m of a lot line.	3 m	3 m	Yes



Attachment 5 Preliminary Site Plan



From: Joyce Bruder

Sent: February 13, 2013 7:15 PM

To: Al Hearne; Clerks

Cc: Gloria Kovach; Cam Guthrie **Subject:** File No. ZC1215

February 13, 2013

Dear Mr. Hearne,

Thank you for returning my call on Thursday February 7, 2013. As per our conversation, I will outline in writing our concerns in regards to the concentration of development along our rear property line.

First, we want too stress that we support and want to work with Mr. Knowles and the City of Guelph on this project. We purchased Pamela Place, 2 years ago and understand the pass development issues that resulted in the sale of 158 Fife Road. This has resulted in the Zoning By-Law Amendment for an additional 13 units at the back of the property. Due to the unusual shape of this property it needs to be developed efficiently within all by-laws with the minimal effect to the existing neighbors. Our property is located at the narrowest transition point between the approved units and the proposed 13 units.

Our list of concerns are as follows:

- 1. Main road leading to 13 additional units
- 2. 4 units directly behind our house
- 3. Location of Infiltration Gallery for Storm Water Management
- 4. Pedestrian sidewalk next to our property line
- 5. 4 Visitor Parking spaces/ lighting from parking
- 6. Possible location for Waste Management System
- 7. Protection of Large Mature Trees on our property
- 8. Light and noise pollution from increased traffic to 13 units
- 9. Total loss of Privacy and Security on our property

On the present Conceptual Site Plan we must deal with many issues. Meanwhile there is a large green space at the front of 158 Fife bordered by homes on Fife and Gombos Place. It is public knowledge that one resident on Gombos does not want anything directly behind their property because of a pool, thus the present green space. We would like the same luxury but seeing as no one if offering to purchase the land from Mr. Knowles to keep our lovely park-like setting, we believe that it is important for everyone around the developing land to make concessions.

Our rear property line is approximately 115' in length and only secured by an old unstable 4' chain link fence. Low hanging branches from our trees that encroach onto 158 Fife must be removed to accommodate the Infiltration Gallery, road and sidewalk. Now add

to that 4 unit, 8 potential vehicles, 4 Visitor parking spaces with up 26 cars per day coming and going into the back, not to mention 7 more Visitor spaces. It will be very busy and that does not take into account Pedestrian traffic and the possible location of the Waste Management system. This will result in the total loss of privacy, security and enjoyment of our backyard.

We request the Planning Department seriously review the present Conceptual Site Plan to utilize the Green space at the front of 158 Fife to relieve some the congestion in this area of concern. Noticing the location of Unit 19 at 158 Fife to the property line of 23 Pamela Place, we are wondering why moving Units 1-12 down towards the Semi-detached homes is not possible? We understand Privacy Fencing is planned for this area as well as 22, 24, 25, 23 Pamela Place.

By moving the units down, this opens the possibility to adjust the location of the Infiltration Gallery away from the trees more. We want to protect as much of our trees feeder roots as possible. This could minimizing the impact of soil compaction and loss of half of their feeder root system, to insure a healthy future for these beautiful trees. Our Arborist has suggested mulch during construction to aid in the protection of the roots.

The sidewalk would remain in front of units 9-12 thus moving the Pedestrian crossing up to the bend of the road for better sight lines for pedestrians and vehicle traffic. Creating a large space at the end of Unit 12 will accommodate Visitor parking. This new location will also keep the Handicap space centrally located within the complex. Seeing as the rest of the Visitor parking and roadway fall within the Canadian National Railway easement this should not be an issue. Our understanding of the proposed Waste Management System to be installed requires the truck to be able to pull up directly beside the containment bins. This will require turning for the truck. Looking at the Visitor parking spaces 9-15 is there a location within or outside the C.N.R. 15m easement to locate the Waste System there?

Finally, our yard has no hedging or Privacy Fencing along the length of the rear property line. As the only access to the rear 13 units we will now be totally exposed to all the vehicle/pedestrian noise and lights. Traffic speed is a worry as well due to the length of the road feeding the rear units. Will Traffic Calming methods be used to control speed? There is also the concern of security, a 4' chain link with a gate will not be much of a deterrent to keep anyone out of our yard. We would appreciate Privacy Fencing similar to that being installed on other parts of the development.

We appreciate the Planning Department and City Council taking the time to review our case. We believe several other options exist withing this building envelope to reduce the concentration of development in this small area. It only makes sense to utilize the Green space at the front of 158 Fife to address some of these issues.

Yours truly, Joyce Bruder Phyllis Bruder From: Joyce Bruder

Sent: March 5, 2013 6:13 PM

To: Al Hearne; Cam Guthrie; Clerks; Gloria Kovach; Martin@marannhomes.com; Joyce Bruder

Subject: 158 Fife Road

Dear Mr. Hearne,

After spending more time learning about the Zoning Amendment to 168 Fife Road. I would like to revise my suggestion to relief some of the congestion along the rear of our property line. On the south property line, behind the semi-detach homes on Fife, there is a 13 metre set back and a 10 metre Buffer Zone along the West side of the property. I understand that these restriction apply only to the building enevlope and does not apply to other aspects of development. Based on that we would like to Planning Department to look at these suggestions.

The present Conceptual Site Plan shows 21 metres from the south property line and Unit 1. That leaves more than enough room to relocate the Visitors Parking, Mailboxes and possible Garbage. Also wondering if Units 9 to 12 could be set back slightly in order to accommodate the sidewalk along the front of the Units. Hopefully this would still allow for the Infiltation Gallary to be located away from ours trees. These units will still be behind the 10 metre Buffer Strip.

We hope that the Planning Department will seriously review and consider our request. Thank you for your time.

Your truly,

Joyce Bruder



TO Guelph City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE April 8, 2013

SUBJECT 58 Fleming Road – Proposed Zoning By-law Amendment

(File: ZC1301)

Ward 1

REPORT NUMBER 13-12

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Zoning By-law Amendment to permit the development of a single detached dwelling on a severed lot.

KEY FINDINGS

Key findings will be reported in future, following staff review of the application.

FINANCIAL IMPLICATIONS

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

ACTION REQUIRED

Council will hear public delegations regarding the applications, 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

1. That Report 13-12 regarding a Zoning By-law Amendment application by J.L. Cox Planning Consultants Ltd. to permit a single detached dwelling on a severed lot at the property municipally known as 58 Fleming Road, and legally described as Part of Lots 16 and 17, Registered Plan 468, City of Guelph, from Planning, Building, Engineering and Environment dated April 8, 2013, be received.

BACKGROUND

An application for a Zoning By-law Amendment has been received for the property municipally known as 58 Fleming Road from J.L. Cox Planning Consultants Inc. The application would permit the development of an additional single detached dwelling on a severed lot. The application was deemed complete on February 5, 2013.



Location

The subject property has a site area of 0.188 hectares and is located on the north side of Fleming Road, east of O'Connor Lane and west of Frasson Drive, as shown on Attachment 1. The subject property has a frontage of approximately 30 metres and a lot depth of approximately 60 metres and contains an existing single detached dwelling on the easterly portion of the property.

Existing Official Plan Land Use Designation and Policies

The Official Plan land use designation that applies to the subject property is "General Residential", which permits a range of housing types including single and semi-detached residential dwellings. Attachment 2 includes the Official Plan designation and relevant policies.

Existing Zoning

The subject property is zoned UR (Urban Reserve) Zone. This is a temporary zone with limited permitted uses to be in place until future uses can be determined. The new single detached dwelling proposed would not be permitted within the existing UR Zone. Details of the existing zoning are included in Attachment 3.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant is requesting to rezone the entire subject property from the UR (Urban Reserve) Zone to the R.1C (Residential Single Detached) Zone to permit the development of an additional single detached dwelling on the severed parcel. The existing single detached dwelling at 58 Fleming Road would remain on the retained lands (see Attachment 3 for the proposed zoning and the standard regulations for the R.1C Zone). The proposed R.1C zoning would apply both to the severed parcel and the existing single detached dwelling on the retained lands at 58 Fleming Road.

Proposed Development

The applicant's proposed development (severance sketch and proposed site plan) is included in Attachment 4. The proposed new lot to be severed is shown with a frontage of 12.8 metres and a depth of 51.9 metres. The existing house at 58 Fleming Road would remain on the retained lands with a frontage of approximately 18 metres.

On November 27, 2012, the City of Guelph Committee of Adjustment granted conditional approval for a consent to sever application (B-55/12) to create the new lot from the subject lands, as illustrated in Attachment 4. Approval of this current zone change application was a condition of this Committee of Adjustment decision and is required prior to the creation of this new lot to accommodate an additional single detached dwelling.

The applicant's proposed site plan in Attachment 4 illustrates the location of the existing single detached dwelling on the retained lands and the proposed single detached dwelling on the severed parcel. No specialized zoning regulations are



being requested through this application and both the retained and proposed dwellings are proposed in accordance with the standard R.C zoning regulations.

It is the owner's intention to eventually sever a 9 metre strip at the rear of the property and convey as lot additions to Lots 12 and 13 on Registered Plan 468 that abut the subject property to the north. This would ultimately create a lot configuration that would be regular in shape.

Supporting Documents

The application is supported by the following:

- Severance Sketch. Prepared by J.L. Cox Planning Consultants Inc. November 21, 2012.
- Site Plan Sketch. Prepared by Van Harten Surveying Inc. February 11, 2013.
- Planning Justification Report. Prepared by J.L. Cox Planning Consultants Inc. January 2, 2013.

Staff Review

The review of these applications will address the following issues:

- Evaluation of the proposal's conformity to the Provincial Policy Statement;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed zoning;
- Review of the proposed site design and building elevations.

Once the application is 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

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future staff recommendation report to Council.

COMMUNICATIONS

The Notice of Complete Application was mailed on February 19, 2013 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. The same notice was provided by signage on the site. The Notice of Public Meeting was advertised in the Guelph Tribune on March 14, 2013, and circulated to current owners within 120 metres of the site on March 14, 2013.



ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 - Existing Official Plan Land Use Designations and Policies

Attachment 3 - Existing and Proposed Zoning and Details

Attachment 4 – Severance Sketch and Proposed Site Plan Sketch

Report Author

Chris DeVriendt Senior Development Planner 519.822.1260 ext. 2360 chris.devriendt@quelph.ca

Original Signed by:

Approved By

Todd Salter General Manager Planning Services 519.822.1260, ext. 2395 todd.salter@guelph.ca

Approved By

Sylvia Kirkwood Manager of Development Planning 519.822.1260 ext. 2359 sylvia.kirkwood@quelph.ca

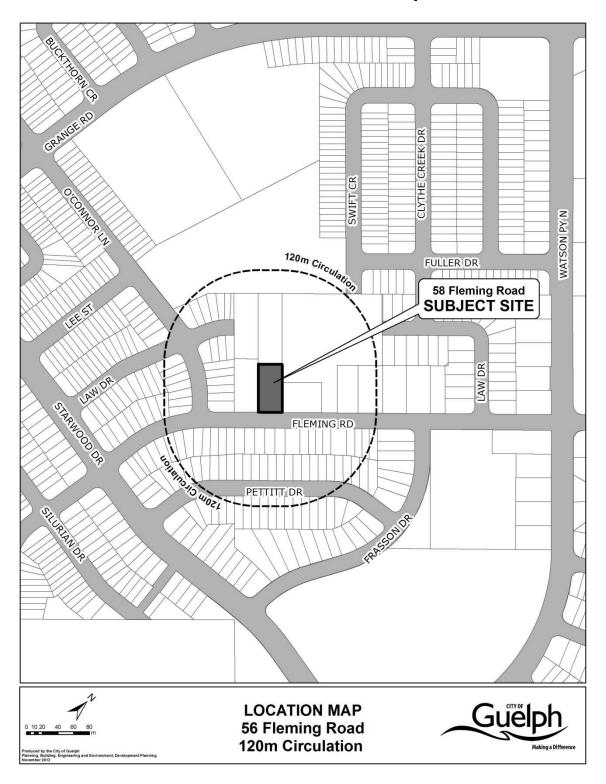
Original Signed by:

Recommended By

Janet Laird, Ph.D. Executive Director Planning, Building, Engineering and Environment 519.822.1260, ext. 2237 janet.laird@quelph.ca

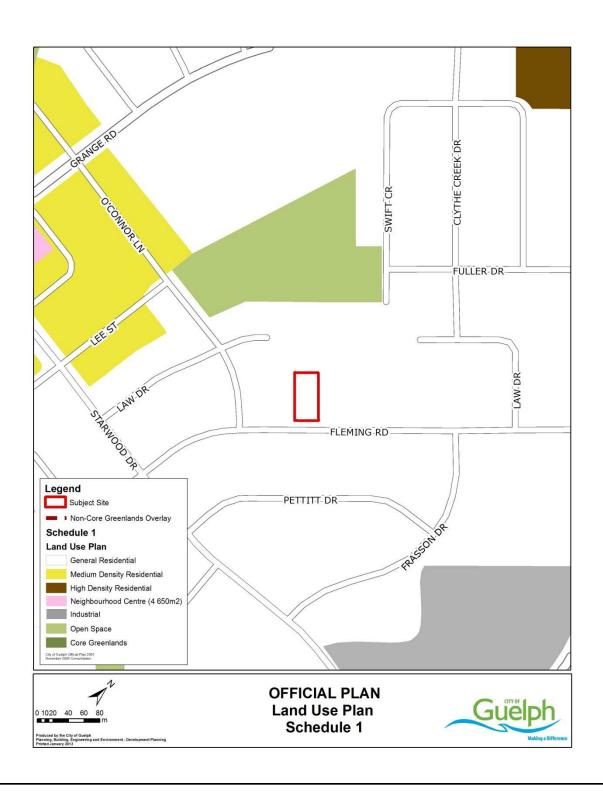


Attachment 1 - Location Map





Attachment 2: Existing Official Plan Designations and Policies





Attachment 2 (continued): Existing Official Plan Designations and Policies

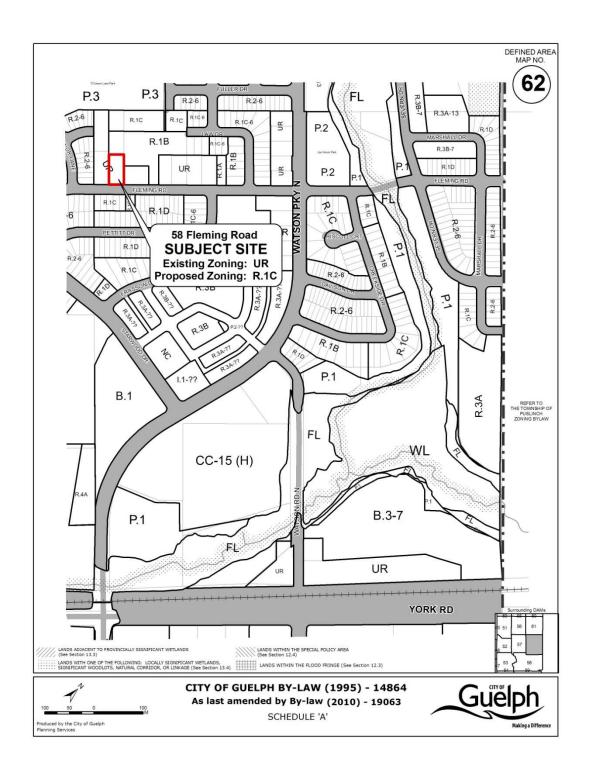
'General Residential' Land Use Designation

- 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).
 - 1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parametres outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
 - a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.

7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7



Attachment 3: Existing and Proposed Zoning





Attachment 3 (continued): Existing Zoning Details

SECTION 11 - URBAN RESERVE (UR) ZONE

11.1 PERMITTED USES

The following are permitted uses within the Urban Reserve (UR) Zone:

- Agriculture, Livestock Based
- Agriculture, Vegetation Based (mushroom farms shall not be permitted)
- Conservation Area
- Flood Control Facility
- Outdoor Sportsfield Facilities
- Recreation Trail
- Wildlife Management Area
- Accessory Uses in accordance with Section 4.23

11.2 REGULATIONS

Within the Urban Reserve (UR) 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 following regulations:

11.2.1 Minimum Separation Distances Regulating Livestock Based Agriculture

Minimum separation distances for Livestock Based Agriculture operations shall be based on the Minimum Separation Distance requirements for livestock farms required by the Ontario Ministry of Agriculture and Food.

11.2.2 Permitted Building or Structure

In addition to all other provisions of this Section, a permitted Building or Structure shall only be permitted in accordance with all of the following regulations:

11.2.2.1 Minimum Side Yard

Equal to one-half the Building Height but in no case less than 3 metres.

11.2.2.2 Minimum Rear Yard

Equal to one-half the Building Height but in no case less than 7.5 metres.

11.2.2.3 Minimum Front Yard

7.5 metres or as set out in Section 4.24, whichever is greater.

11.2.2.4 Off-Street Parking

No off-Street parking shall be located within 3 metres of any boundary of an UR Zone.

11.2.2.5 Off-Street Loading

No off-Street loading shall be located within 3 metres of any boundary of an UR Zone.

11.2.3 Accessory Building or Structure

Despite Section 4.5, an accessory Building or Structure shall be permitted only in accordance with the following regulations:



Attachment 3 (continued): Existing Zoning Details

- 11.2.3.1 No accessory Building or Structure shall be used for human habitation.
- 11.2.3.2 No accessory Building or Structure shall be located between the Street Line and any Setback line.
- 11.2.3.3 No accessory Building or Structure shall be located in any Side Yard.
- 11.2.3.4 No accessory Building or Structure shall be located closer to any Lot Line than one-half Building Height or 7.5 metres, whichever is greater.
- 11.2.4 Lighting of Outdoor Sportsfield Facilities
 Outdoor Sportsfield Facilities shall be permitted to have lighting facilities developed in accordance with Section 4.18.1.



Attachment 3 (continued): Proposed Zoning Details

SECTION 5 - R.1C (Residential Single Detached) Zone

5.1.1 PERMITTED USES

The following are permitted uses within the R.1C Zone:

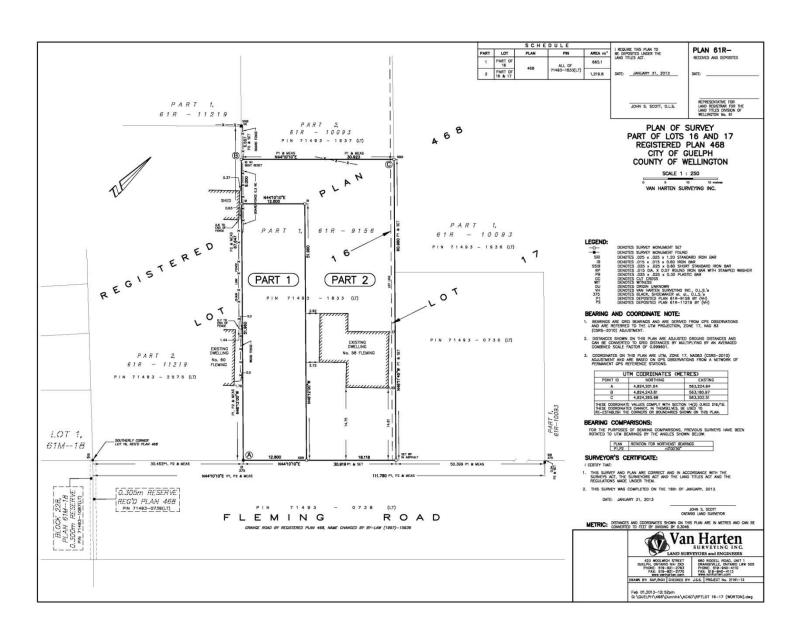
- Single Detached Dwelling
- Accessory Apartment
- Bed and Breakfast Establishment
- Day Care Centre
- Group Home
- Home Occupations
- Lodging House Type 1

TABLE 5.1.2 – REGULATIONS GOVERNING R.1C ZONE

Regulation	Required in the Standard R.1C Zone		
Minimum Lot Area	370m ²		
Minimum Lot Frontage	12m		
Maximum Building Height	3 storeys		
Minimum Front Yard	6m		
Minimum Exterior Side Yard	4.5m		
Minimum Side Yard			
1 to 2 storeys	1.2m		
Over 2 storeys	1.2m		
Minimum Rear Yard	7.5m or 20% of the lot depth		
Accessory Buildings or Structures	Section 4.5		
Fences	Section 4.20		
Off-Street Parking	Section 4.13		
Minimum Landscaped Open Space	The front yard of any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped open space. The driveway shall not constitute more than 40% of the front yard. A minimum area of 0.5m between the driveway and the nearest lot line must be maintained as a landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species		
Garbage, Refuse Storage & Composters	In accordance with Section 4.9		

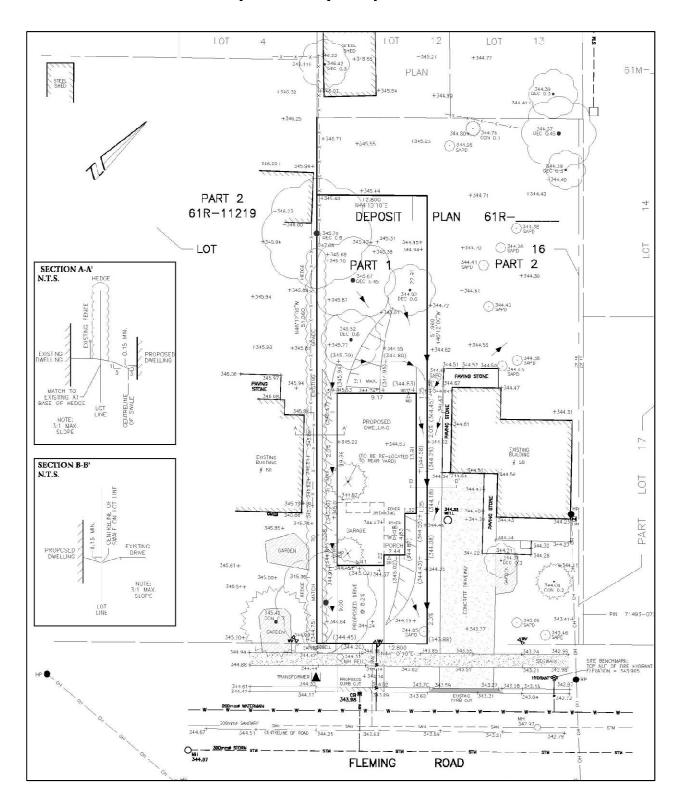


Attachment 4: Severance Sketch





Attachment 4 (continued): Proposed Site Plan Sketch



CONSENT AGENDA

April 8, 2013

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

REPORT DIRECTION

CON-2013.8 25 LEE STREET – PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1213) – WARD 1

Approve

1. That the application by the Upper Grand District School Board for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a Specialized I.1-? (Institutional) Zone for the property municipally known as 25 Lee Street and legally described as Lots 1-17 and Part of Lot 18, Registered Plan 462 and Part of Grange Road and Cityview Drive, Registered Plan 53 and Part of Block 218, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-15 dated April 8, 2013.

CON-2013.9 BARN AT 132 HART'S FARM LANE WEST – PROPOSED REMOVAL FROM MUNICIPAL REGISTER OF CULTURAL HERITAGE PROPERTIES

Approve

- That the Council Planning Report 13-11, regarding the proposed removal of the barn at 132 Hart's Lane West from the Municipal Register of Cultural Heritage Properties, dated April 8, 2013, be received.
- 2. That, given the severe structural condition of the Hart barn and the addition, Council authorize staff to amend the description of the heritage attributes pertaining to 132 Hart's Lane West, a listed non-designated property in the City's Municipal Register of Cultural Heritage Properties, to refer only to the Hart farmhouse and to remove all references to the large bank barn and the addition as identified in this report.

- 3. That the property owner and applicant be directed to develop and implement a strategy, at their cost, to the satisfaction of City staff, that satisfies the following cultural heritage conditions:
 - that the Hart barn and its interior framing be completely documented through measured drawings and photographs (before and during disassembly);
 - that all salvageable wood members (e.g. beams, posts or cladding) and the stone foundation wall be retained and appropriately stored for future study of potential reuse in situ or within a future proposed subdivision;
 - that heritage interpretive material presented in the form of an outdoor plaque be created by the proponent and installed for public view near the retained farmhouse to explain the former Hart farm complex and its cultural heritage value.

attach.



TO

Guelph City Council

SERVICE AREA

Planning, Building, Engineering and Environment

DATE

April 8, 2013

SUBJECT

25 Lee Street - Proposed Zoning By-law Amendment (File

ZC1213) Ward 1

REPORT NUMBER 13-15

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve a Zoning By-law Amendment to rezone the subject lands to a Specialized I.1-? (Institutional) Zone to permit an elementary school.

KEY FINDINGS

Planning staff support the proposed rezoning subject to the regulations and conditions in Attachment 2.

FINANCIAL IMPLICATIONS

Section 3.3 of the Development Charges By-law (2009) - 18729 states that the Bylaw does not apply to lands that are owned by and used for the purposes of ... (b) a board of education.

Section 3 of the Assessment Act exempts public educational institutions from taxation.

ACTION REQUIRED

Council is being asked to approve the Zoning By-law Amendment for the subject lands.

RECOMMENDATION

1. That the application by the Upper Grand District School Board for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a Specialized I.1-? (Institutional) Zone for the property municipally known as 25 Lee Street and legally described as Lots 1-17 and Part of Lot 18, Registered Plan 462 and Part of Grange Road and Cityview Drive, Registered Plan 53 and Part of Block 218, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-15 dated April 8, 2013.



BACKGROUND

An application for a Zoning By-law Amendment (ZC1213) has been received for the property municipally known as 25 Lee Street from the Upper Grand District School Board (UGDSB). The proposal is a request to rezone the property from the UR (Urban Reserve) Zone to a Specialized I.1-? (Institutional) Zone to permit the development of a new Kindergarten to Grade 8 elementary school.

The application was deemed to be complete on October 11, 2012. The statutory Public Meeting was held on December 3, 2012. Report 12-106 from Planning, Building, Engineering and Environment provided background information related to the proposed Zoning By-law amendment application.

Location

The subject property is located on the south side of Lee Street, east of Cityview Drive North and west of Lee Street Park (see Location Map in Attachment 1). The site is 2.97 hectares in size with approximately 200 metres of frontage along Lee Street. The subject site is vacant of any structures.

Adjacent land uses include:

- Single and semi-detached residential dwellings to the north across Lee Street;
- Large residential lots to the west with frontage along the east side of Cityview Drive North;
- Lee Street Park to the east; and
- Vacant undeveloped land to the south, which is currently subject to a separate planning application (proposed draft plan of subdivision 23T-12501).

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the site is "General Residential." The proposed use is permitted within the "General Residential" designation subject to criteria. A map showing Official Plan land use designations and policy excerpts are included in Attachment 3.

The Official Plan identifies the site as within the "Built-Up Area". The "Built-Up Area" is intended to accommodate a significant portion of the City's population and employment growth through intensification.

Phase 3 of the City's Official Plan Update (OPA 48) adopted by Council and currently under Provincial review designates the subject property as Low Density Greenfield Residential and includes a Potential School Site symbol (see Attachment 4).



Official Plan Amendment 42 – Natural Heritage Strategy

The City's Natural Heritage Strategy (NHS - Official Plan Amendment 42) that was approved by Council (subject to appeals) does not designate any of the subject site as "Significant Natural Areas". The entire subject property is designated "General Residential" in the Official Plan and contains no mapped Natural Heritage features within the schedules of the Official Plan. The woodland feature on the subject property does meet the definition of a Cultural Woodland, as identified in OPA 42 (see relevant policies in Attachment 3).

Existing Zoning

The subject lands are within the UR (Urban Reserve) Zone. This is a temporary zone with limited permitted uses to be in place until future uses can be determined. A map and details of the existing zoning are included in Attachment 5.

REPORT

Description of Proposed Zoning By-law Amendment

The applicant is requesting to rezone the subject lands from the UR (Urban Reserve) Zone to the I.1-? (Specialized Institutional) Zone to permit the development of an elementary school. The applicant has requested the following specialized zoning regulations:

- removing the provision of a maximum front and exterior side yard setback of 20 metres;
- permitting an accessory building to be located in the front yard; and
- permitting a minimum of 52 parking spaces for an elementary school use in lieu of the required 64 spaces.

The proposed zoning details are included in Attachment 5.

The applicant's conceptual development plan is shown in Attachment 6, illustrating the proposed two storey school building with associated parking areas at the northerly portion of the site and a sports field at the southerly portion of the site. Two access points are proposed from the site to Lee Street, one aligned with Breese Garden Lane and one at a mid block location east of Breese Garden Lane. The proposed building elevations are also included in Attachment 6.

Staff Review/Planning Analysis

The complete staff review and planning analysis for this application is provided in Attachment 7. The analysis addresses all relevant planning considerations, including the issues that were raised by Council at the statutory Public Meeting held December 3, 2012 and other issues raised through review of the application. The issues generally include:

• Evaluation of the proposal against the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;



- Evaluation of the proposal's conformity with the Official Plan and having regard for OPA 48 policies that have been adopted by City Council.
- Review of the proposed zoning and requirement for specialized regulations;
- Review of traffic impacts;
- Environmental review;
- Opportunities for tree preservation;
- Site design and compatibility with adjoining land uses;
- Community Energy Initiative considerations.

Planning Staff Recommendation

Planning staff are satisfied that the Zoning By-law Amendment application is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*. In addition, the application to amend the zoning from the UR Zone to a Specialized I.1-? Zone conforms to the objectives and policies of the Official Plan. Planning staff are recommending that Council approve the Zoning By-law Amendment subject to the conditions and regulations outlined in Attachment 2.

CORPORATE STRATEGIC PLAN

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

DEPARTMENTAL CONSULTATION

The public agency and comments received from City departments during the review of the application are summarized on Attachment 9.

COMMUNICATIONS

Key dates for the public process regarding this planning application are included in Attachment 10.



ATTACHMENTS

Attachment 1 - Location Map

Attachment 2 - Recommended Zoning Regulations and Conditions

Attachment 3 – Existing Official Plan Land Use Designations and Policies

Attachment 4 - Official Plan Update (OPA 48) Land Use Designations

Attachment 5 - Existing and Proposed Zoning and Details

Attachment 6 - Conceptual Development Plan and Proposed Building Elevations

Attachment 7 - Planning Analysis

Attachment 8 - Community Energy Initiative Commitment Letter

Attachment 9 - Agency and Public Comments Summary

Attachment 10 - Public Notification Summary

Report Author

Chris DeVriendt Senior Development Planner 519-822-1260, ext 2360 chris.devriendt@guelph.ca

Approved By

Todd Salter General Manager Planning Services

519-822-1260, ext 2395

todd.salter@quelph.ca

Approved By

Sylvia Kirkwood Manager of Development Planning 519-288-1260, ext 2359 sylvia.kirkwood@guelph.ca

Recommended By

Janet L. Laird, Ph.D. **Executive Director**

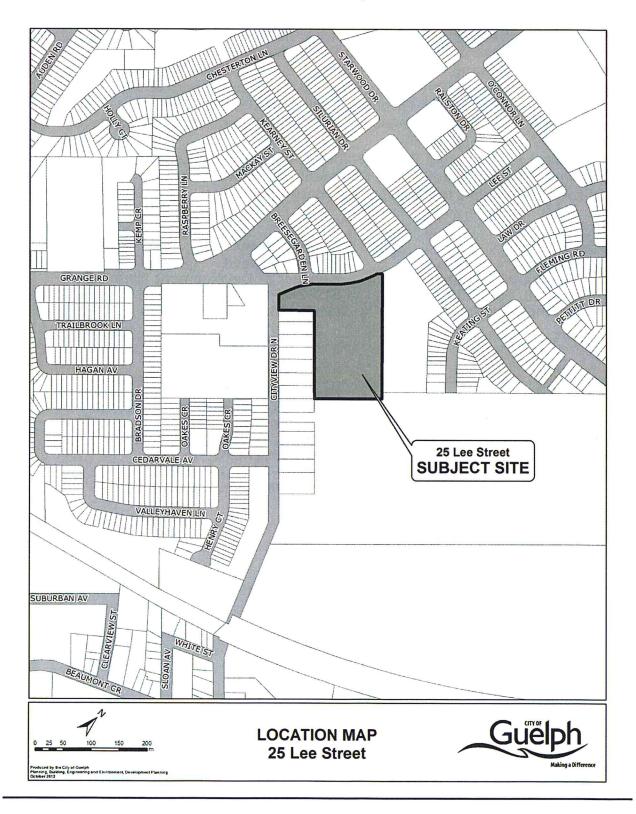
Planning, Building, Engineering

and Environment

519-822-1260, ext 2237 janet.laird@quelph.ca



ATTACHMENT 1 Location Map





ATTACHMENT 2 Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 25 Lee Street and is legally described as Lots 1-17 and Part of Lot 18, Registered Plan 462 and Part of Grange Road and Cityview Drive, Registered Plan 53 and Part of Block 218, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for 25 Lee Street:

Specialized I.1-? Institutional Zone

Permitted Uses

In accordance with Section 8.1.1

Proposed Zoning Regulations

In accordance with Section 4 (General Provisions) and Section 8.2 and Table 8.2 (Institutional) Zone regulations of Zoning By-law (1995)-14864, as amended, with the following exceptions:

- Despite Row 4 of Table 8.2, the maximum Front and Exterior Yard Setback does not apply
- Despite Row 10 of Table 8.2, an accessory building or structure may occupy a front yard or required exterior side yard
- Off-Street Parking
 - A minimum of 52 parking spaces shall be provided for an elementary school use

PROPOSED CONDITIONS

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

- 1. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to Site Plan approval, and furthermore the Developer 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



conceptual development plan attached as Attachment 6 to the April 8, 2013 Planning, Building, Engineering and Environment Report Number 13-15.

- b) Further, the Owner commits and agrees to provide appropriate fencing on the subject lands between the school site's playground and sportsfield areas and adjacent Lee Street Park to the east.
- 2. The Developer shall complete a tree inventory, preservation and compensation plan, satisfactory to the City, in accordance with the City of Guelph By-law (2010)-19058, prior to site plan approval.
- 3. The developer/owner acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer/owner shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a Phase 1 Environmental Site Assessment and any other subsequent phases required, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the developer/owner's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
- 4. If contamination is found, the developer/owner shall:
 - (a) submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - (b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use; and
 - (c) file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.
- 5. Prior to site plan approval, the Developer shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
- 6. Prior to site plan approval, the Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i) a revised traffic impact study certified by a Professional Engineer;



- ii) a geotechnical report certified by a Professional Engineer;
- iii) a detailed stormwater management report certified by a
 Professional Engineer in accordance with the City's Guidelines
 and the latest edition of the Ministry of the Environment's
 "Stormwater Management Practices Planning and Design
 Manual" which addresses the quantity and quality of
 stormwater discharge from the site together with a monitoring
 and maintenance program for the stormwater management
 facility;
- iv) a detailed erosion and sediment control plan in accordance with the Grand River Conservation Authority Guidelines, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction;

And furthermore, the Developer agrees to implement all the recommendations of the approved final studies, plans and reports to the satisfaction of the General Manager/City Engineer.

- 7. Prior to site plan approval and prior to any construction on the lands, the Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
- 8. The Developer 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 General Manager/City Engineer. Furthermore, the Developer 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.
- 9. The Developer shall pay to the City their share of the cost of the existing downstream stormwater management facility, prior to site plan approval as determined by the General Manager/City Engineer.
- 10. The Developer shall pay to the City their share of the actual cost for the future construction of a 100 year quantity control conveyance channel (upstream of Valleyhaven Pond) and furthermore, prior to site plan approval, the developer shall pay to the City their share of the estimated cost of the future 100 year quantity control conveyance channel as determined by the General Manager/City Engineer.
- 11. The Developer shall pay to the City their share of the cost for the Lee



Street improvements done under the Cityview Heights Phase 2 Subdivision (Contract No. 2-1217) prior to site plan approval, as determined by the General Manager/City Engineer.

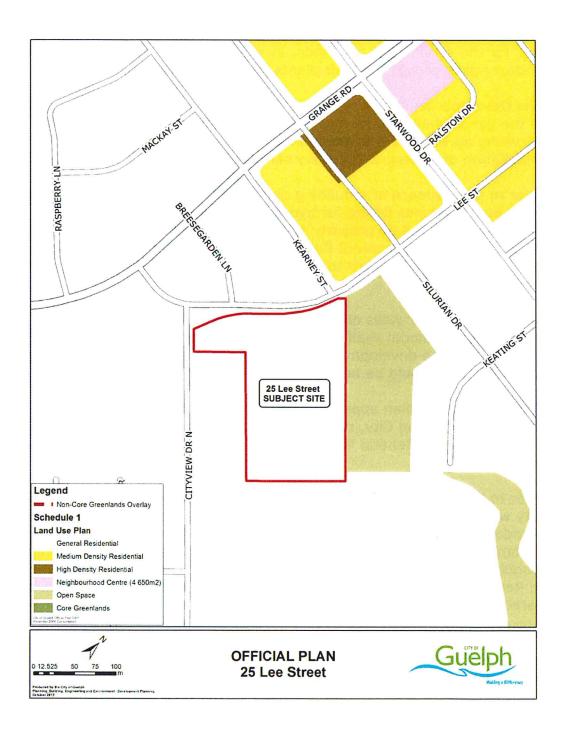
- 12. The Developer shall pay to the City their share of the actual cost of for a future external storm sewer connection (approximately 42.0m) between the subject properties (UGDSB) into the adjacent future subdivision (Debrob) storm sewer and furthermore, prior to site plan approval, the developer shall pay to the City their share of the estimated cost of the future external storm sewer connection as determined by the General Manager/City Engineer.
- 13. The Developer shall pay to the City the actual cost of constructing, installing and/or removal of any service laterals required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
- 14. The Developer shall pay to the City the actual cost of the construction of the new access, ramps, required curb cut and boulevard restoration prior to any construction on the lands and prior to site plan approval the Developer shall pay to the City the estimated cost of constructing the new access, ramps, required curb cut and boulevard restoration, as determined by the General Manager/City Engineer.
- 15. The Developer shall pay to the City the actual cost of constructing a sidewalk along the entire Lee Street frontage of the subject site and furthermore, prior to site plan approval, the Developer shall pay to the City the estimated cost of the sidewalk, as determined by the General Manager/City Engineer.
- 16. That prior to site plan approval if required, the servient tenement (Debrob, Draft Plan of Subdivision, Part of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division 'C' City of Guelph, Former Township of Guelph, grants an easement approximately 6.0-metres (19.68 feet) wide by approximately 42.0-metres (137.79 feet) long, registered on title, in favour of the dominant tenement (Upper Grand District School Board, Lots 1-17 and Part of Lot 18, Registered Plan 462 and Part of Grange Road and Cityview Drive, Registered Plan 53 and Part of Block 218, City of Guelph) for storm sewer and storm overflow purposes.
- 17. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to street tree planting within the proposed subdivision.



- 18. The Developer makes 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 site plan approval.
- 19. That all electrical services to the lands are underground and the developer 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 site plan approval.
- 20. The Developer 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.
- 21. Prior to the issuance of a building permit, any domestic wells, monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
- 22. All domestic water wells on adjacent lands are to be located and a qualified professional shall provide a certified report identifying any impacts that the development has on those wells as well as any mitigation measures that would be necessary.
- 23. That prior to site plan approval, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.
- 24. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the subject site will be developed 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 13-15 from Planning, Building, Engineering and Environment dated April 8, 2013.



ATTACHMENT 3 Official Plan Land Use Designations and Policies





ATTACHMENT 3(continued) Official Plan Policies

Non-Residential Uses in Residential Areas

7.2.26 Within designations of this Plan permitting residential uses, a variety of small scale institutional uses may be permitted that are complementary to, and serve the needs of residential neighbourhoods. Such non-residential uses include: schools, churches, *day care centres*, municipal parklands and recreational facilities. In addition, *convenience commercial* uses that provide goods and services primarily to the residents in the surrounding neighbourhood may also be permitted. These convenience uses will be limited by the Plan to a maximum *gross leasable floor area* of 300 square metres (3,200 square feet) on a property.

- 1. A number of potential school sites have been identified by the Upper Grand District School Board and the Wellington Catholic District School Board and are outlined by symbols on Schedule 1. These symbols shall be considered in accordance with the following:
 - a) The symbols used to identify potential school sites do not represent a specific land use designation or location;
 - b) Minor shifts in location may occur without amendment to this Plan in accordance with policy 9.2.3;
 - c) The symbols do not represent a commitment by a local School Board to construct a school facility. The actual construction of a school is subject to capital funding approvals by the School Boards.
 - d) The determination of whether a school site is required, its exact location and land area shall be determined as part of the City's draft plan of subdivision approval process; and
 - e) Where it is determined that a school is not required, the underlying land use designation will apply, without amendment to this Plan.
- 7.2.27 Non-residential uses shall be developed in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood.
 - 1. In addition to implementing the objectives and policies of subsection 3.6, Urban Design, non-residential uses shall:
 - a) Be located on an arterial or collector road;
 - b) Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;
 - c) Have adequate landscaping and screening to promote compatibility with adjacent activities;
 - d) Have sufficient off-street parking, circulation and access points; and
 - e) Have adequate municipal services.
 - 2. Non-residential uses will be encouraged to concentrate at neighbourhood "nodes".



ATTACHMENT 3 (continued) Existing Official Plan Land Use Designations and Policies

- 3. Despite the criteria identified in subsection 7.2.27.1 (a), several properties located on local roads within the St. Patrick's Ward neighbourhood (area 2 on Schedule 5) will continue to support a variety of business land uses in addition to any permitted residential land uses. The intent of this policy is to provide for a range of compatible business land uses where adjacent to residential areas. The specific range of permitted land uses will be defined in the implementing Zoning By-Law. This policy applies to the following properties known municipally as 199 Alice Street, 59 Duke Street, 66 Duke Street, 91 Duke Street, 37 Empire Street, 92 Ferguson Street, 23 Garibaldi Street and 60 Ontario Street.
- 7.2.28 The development criteria of policy 7.2.27 will be used to assess the merits of a rezoning application for new non-residential uses on properties presently not zoned to permit these activities.
- 7.2.29 The provision of *home day care* shall be permitted in areas designated for residential land use. *Day care centres* may be permitted by site-specific amendment to the *Zoning By-law*.
- 7.2.30 A number of site specific amendments to this Plan have been made permitting certain types of non-residential uses in residential areas. These amendments have been made in conjunction with specific *development* applications or City initiated amendments.
 - 1. In addition to the provisions of policy 7.2.26, five free-standing offices or professional buildings shall be permitted on properties known municipally as 824, 834, 848, and 854 Gordon Street. The maximum floor area for each of the buildings shall not exceed 910 square metres.
 - 2. In addition to the provisions of policy 7.2.26, a free-standing office or professional building or photo studio or artist studio shall also be permitted on property known municipally as 240 Victoria Road North, within the existing building that was formerly used as a postal substation.
 - a) For the parking needs of customers and patrons of the property at 240 Victoria Road North, a parking lot shall be permitted on the property municipally known as 268 Victoria Road North. In addition, 268 Victoria Road North shall not be developed for commercial use.
 - 3. In addition to the provisions of policy 7.2.26, office or professional buildings to a maximum size of 2,880 square metres *gross leasable floor area* shall be permitted on property known municipally as 512 Woolwich Street.
 - 4. In addition to the provisions of policy 7.2.26, an office or professional building to a maximum size of 2,200 square metres shall be permitted on property known municipally as 16-32 Fountain Street, 21 and 27 Surrey Street.



ATTACHMENT 3 (continued)Existing Official Plan Land Use Designations and Policies

- 5. In addition to the provisions of policy 7.2.26, a range of non-convenience, commercially oriented uses shall also be permitted to occupy the existing buildings on property known municipally as 60 Westwood Road. These uses shall be limited to those, which maintain the integrity of the site's *natural and cultural heritage features*.
- 6. In addition to the provisions of policy 7.2.26, a free-standing office shall be permitted on property known municipally as 5 Ontario Street.
- 7. In addition to the provisions of policy 7.2.26, a free-standing office and life-skills training centre for persons with disabilities shall be permitted on property known municipally as 87 Silvercreek Parkway North.
- 8. In addition to the provisions of policy 7.2.26, live theatre and accessory uses shall be permitted on property known municipally as 176 Morris Street.
- 9. In addition to the provisions of policy 7.2.26, office and personal service uses shall be permitted on property known municipally as 300 Elizabeth Street.
- 10. In addition to the provisions of subsection 7.2.26, several properties within the St. Patrick's Ward neighbourhood (Area 2 on Schedule 5) will continue to support a variety of business land uses in addition to any permitted residential land uses. The intent of this policy is to provide for a range of compatible business land uses where adjacent to residential areas. The specific range of permitted land will be defined in the implementing Zoning By-law for the following properties known municipally as 199 Alice Street, 59 Duke Street, 66 Duke Street, 91 Duke Street, 37 Empire Street, 92 Ferguson Street, 23 Garibaldi Street, 60 Ontario Street, 320 York Road, 383 York Road, 405 York Road, and 471 York Road. New sensitive land uses (residential, institutional or park) will also be permitted on these properties subject to meeting the following land use compatibility and property clean-up criteria:
 - a) Noise, vibration and safety requirements of the Canadian National Railway and Guelph Junction Railway, as outlined in Subsection 8.2.31 of this Plan, can be satisfied by the proposal, where applicable.
 - b) A land use compatibility analysis where industrial and sensitive uses are proposed in proximity to one another in accordance with subsection 7.7.7of this Plan.
 - c) The property has been cleaned-up or decommissioned to the Provincial standard appropriate for the land use proposed and in accordance with subsection 5.6 of this Plan.
- 11. In addition to the provisions of subsection 7.2.26, a club and compatible uses normally associated with the main use shall be permitted on property municipally known as 127 and 135 Ferguson Street. The off-street parking requirements may be satisfied by an adjacent parking lot located between Ferguson Street and Elizabeth Street.



ATTACHMENT 3 (continued) Existing Official Plan Land Use Designations and Policies

- 12. In addition to the provisions of subsection 7.2.26, a religious use and compatible uses normally associated with the main use shall be permitted on property municipally known as 122 Harris Street.
- 13. In addition to the provisions of policy 7.2.26, a social services establishment including diagnostic and treatment services shall be permitted on lands known municipally as 80 Waterloo Avenue and 20-28 Birmingham Street.
- 14. In addition to the provisions of policy 7.2.26, a medical clinic use shall be permitted on property known municipally as 262 Edinburgh Road South.
- 15. In addition to the provisions of policy 7.2.26, office, personal service, and medical office uses in conjunction with, or without residential units shall be permitted on the property known municipally as 1453 Gordon Street. The maximum gross leasable floor area shall be limited to 455 square metres.
- 16. In addition to the provisions of policy 7.2.26, office, medical clinic and medical office uses shall be permitted on property known municipally as 806 Gordon Street to a maximum gross floor area of 2500 square metres

General Residential / Housing Policies

- 7.2.2 The City shall encourage and assist, where possible, in the production of an adequate supply and mix of *affordable housing* by:
 - a) Expediting the *development* approval process and other administrative requirements;
 - b) Partnering with the private sector and other government levels to implement housing programs;
 - c) Encouraging the provision of *affordable housing* in plans of subdivision that are designed for moderate and lower income households, and, more particularly, for large subdivisions requiring this housing form to be provided to a minimum 25% of the total potential units.
 - d) Encouraging the use of alternative development techniques that can assist in lowering development costs and potentially lower housing costs;
 - e) Promoting a 3 percent *vacancy rate* for rental housing;
 - f) Encouraging the provision of additional rental housing;
 - g) Promoting the provision of *affordable housing*, located near transit, shopping, parks and other community facilities, in order to meet the needs of lower income and senior citizen households;
 - h) Supporting student housing developments conveniently accessible to the University of Guelph;
 - Supporting the provision of specialized housing facilities to meet the needs of persons with disabilities.



ATTACHMENT 3 (continued) Existing Official Plan Land Use Designations and Policies

- 7.2.3 In order to provide for the housing needs of a wide array of socio-economic groups, the City will encourage the development of a variety of housing types and forms in large plans of subdivision.
- 7.2.4 The City shall provide for the creation of *accessory apartments* and other alternative, low impact housing forms for the lower density residential areas of the City. Regulations promoting compatibility of this housing form will be outlined in the *Zoning By-law*.
- 7.2.5 The City will encourage the conversion of suitable non-residential structures to residential accommodation, provided other non-residential land uses in the vicinity would not pose an *adverse effect*.

'General Residential' Land Use Designation

- 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).
 - 1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parametres outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
 - a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;



ATTACHMENT 3 (continued) Existing Official Plan Land Use Designations and Policies

- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7

Official Plan Amendment 42: Natural Heritage Strategy

6.1.6.2 Cultural Woodlands

Cultural Woodlands are defined in the Glossary and where known are identified on Schedule 10C. These woodlands are generally considered of less ecological value than those categorized Significant Woodlands, however the City recognizes the environmental benefits and services they provide.

6.1.6.2.1 Objectives

- a) To promote the protection and management of *Cultural Woodlands* where appropriate, in order to encourage their succession to a mixed woodland community.
- b) To protect *Cultural Woodlands* that support the ecological functions of the *Natural Heritage System*.
- c) To protect healthy indigenous trees within *Cultural Woodlands* to the fullest extent possible.
- d) To recognize that *Cultural Woodlands* contribute to environmental services such as moderating temperatures, erosion control and pollution filtration.
- e) To compensate for loss of trees from *Cultural Woodlands*, where *development* and *site alteration* is permitted.

6.1.6.2.2 Criterion for Designation

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

6.1.6.2.3 Policies

- 1. Development and site alteration may be permitted in accordance with underlying designation within all or part of a Cultural Woodland where it has been demonstrated through an EIS or EA, to the satisfaction of the City, that the cultural woodland or part thereof:
- i) does not meet the criteria for one or more Significant Natural Areas; and
- ii) is dominated by non-indigenous species (i.e., 60% or more).

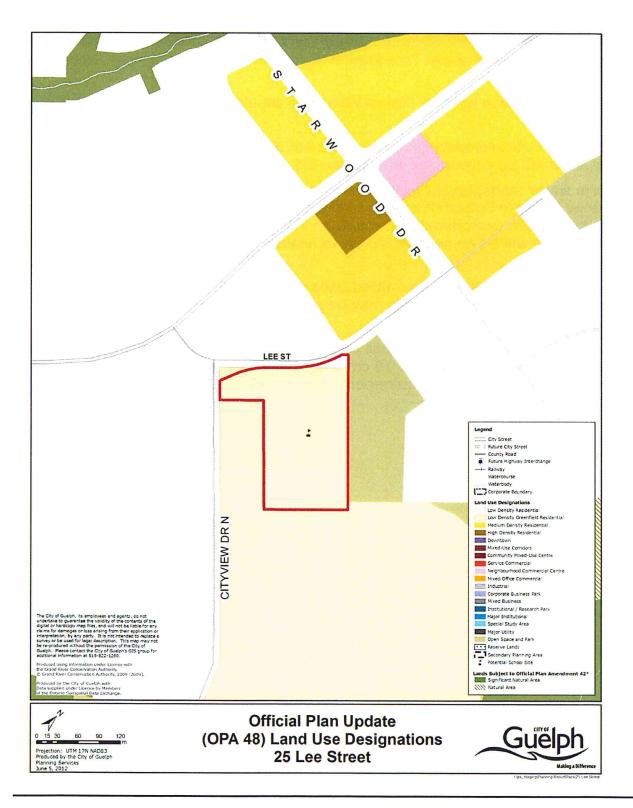


ATTACHMENT 3 (continued) Existing Official Plan Land Use Designations and Policies

- 2. Development and site alteration within or adjacent to a Cultural Woodland shall also require a Tree Inventory and Tree Preservation Plan in accordance with Section 6.2.5.
- 3. Healthy indigenous trees in *Cultural Woodlands* should be protected to the fullest extent possible.
- 4. Buffers to *Cultural Woodlands or portions thereof, that meet the criteria for Significant Natural Areas* will be determined through an EIS or EA, to the satisfaction of the City.
- 5. Storm water management facilities and structures may be permitted in the established buffers to Cultural Woodlands that meet the criteria for Significant Natural Areas where it has been demonstrated through an EIS or EA, to the satisfaction of the City that there will be no negative impacts to healthy indigenous vegetation within the woodland.
- 6. In addition to the General Permitted Uses of Section 6, new trails and walkways, and formalization of existing trails may be permitted within *Cultural Woodlands* subject to an EIS.
- 7. A Vegetation Compensation Plan shall be required for the replacement of all healthy indigenous trees measuring over 10 cm dbh, that are proposed to be removed. The Vegetation Compensation Plan requirements are addressed under the Urban Forest provisions of this Plan.

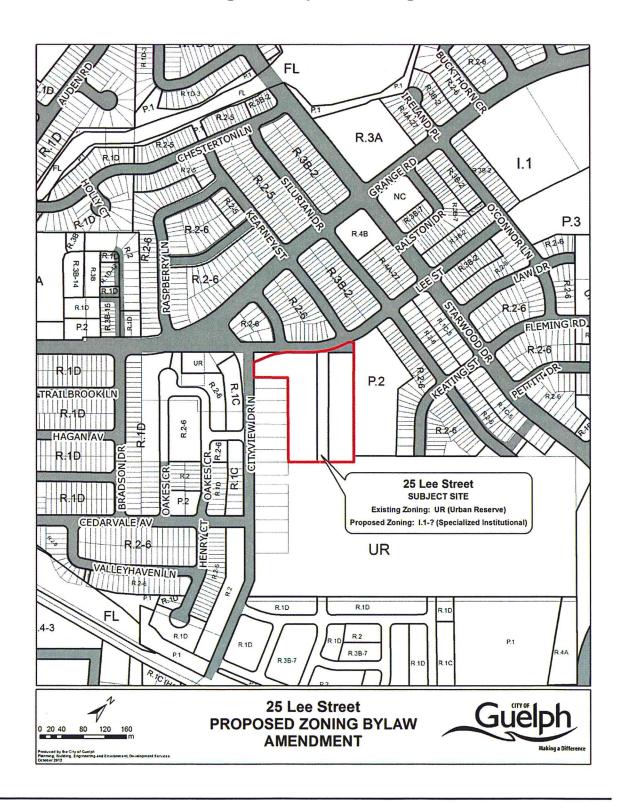


ATTACHMENT 4 Official Plan Update (OPA 48) Land Use Designations





ATTACHMENT 5 Existing and Proposed Zoning





ATTACHMENT 5 (continued) Existing Zoning Details

SECTION 11 – URBAN RESERVE (UR) ZONE

11.1 PERMITTED USES

The following are permitted Uses within the Urban Reserve (UR) Zone:

- · Agriculture, Livestock Based
- Agriculture, Vegetation Based (mushroom farms shall not be permitted)
- Conservation Area
- Flood Control Facility
- Outdoor Sportsfield Facilities
- Recreation Trail
- Wildlife Management Area
- Accessory Uses in accordance with Section 4.23

11.2 REGULATIONS

Within the Urban Reserve (UR) 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 following regulations:

11.2.1 Minimum Separation Distances Regulating Livestock Based Agriculture

Minimum separation distances for Livestock Based Agriculture operations shall be based on the Minimum Separation Distance requirements for livestock farms required by the Ontario Ministry of Agriculture and Food.

11.2.2 Permitted Building or Structure

In addition to all other provisions of this Section, a permitted Building or Structure shall only be permitted in accordance with all of the following regulations:

11.2.2.1 Minimum Side Yard

Equal to one-half the Building Height but in no case less than 3 metres.

11.2.2.2 Minimum Rear Yard

Equal to one-half the Building Height but in no case less than 7.5 metres.

11.2.2.3 Minimum Front Yard

7.5 metres or as set out in Section 4.24, whichever is greater.

11.2.2.4 Off-Street Parking

No off-Street parking shall be located within 3 metres of any boundary of an UR Zone.

11.2.2.5 Off-Street Loading

No off-Street loading shall be located within 3 metres of any boundary of an UR Zone.

11.2.3 Accessory Building or Structure

Despite Section 4.5, an accessory Building or Structure shall be permitted only in accordance with the following regulations:

11.2.3.1 No accessory Building or Structure shall be used for human habitation.



ATTACHMENT 5 (continued) Proposed Zoning Details

Specialized I.1-? (Institutional) Zone

Permitted Uses

In accordance with the following permitted uses listed in Section 8.1.1 of Zoning By-law (1995) – 14864, as amended:

- Art Gallery
- Day Care Centre in accordance with Section 4.26
- Group Home in accordance with Section 4.25
- Library
- Museum
- Outdoor Sportsfield Facilities
- Religious Establishment
- School
- Occasional Uses in accordance with Section 4.21.

Administrative Office, Nursing Home, activity room, Recreation Centre, nursing station, Research Establishment, chapel, residence and other Accessory Uses are permitted provided that such Use is subordinate, incidental and exclusively devoted to a permitted use listed in Section 8.1.1 and provided that such Use complies with Section 4.23.

Regulations

Within the Institutional (I) Zones, 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, the regulations set out in Table 8.2, with the following exceptions:

- No Maximum Front or Exterior Yard Setback Required
- An accessory building is permitted in the Front Yard
- · A minimum of 52 parking spaces is required for a elementary school use



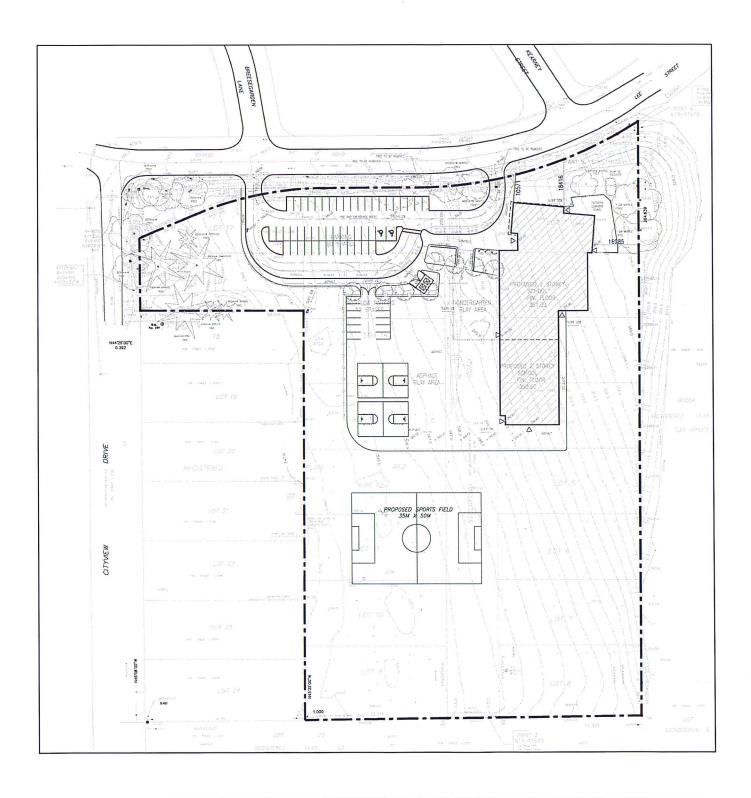
ATTACHMENT 5 (continued) Standard I.1 (Institutional) Zone Regulations

TABLE 8.2 - REGULATIONS GOVERNING INSTITUTIONAL (I) ZONES

Row 1	Institutional Zones	Educational, Spiritual and Other Services (I.1) Zone	University of Guelph and Guelph Correctional Centre (I.2) Zone	Health and Social Services (I.3) Zone
2	Minimum Lot Area	700 m ²		
3	Minimum Front and Exterior Side Yard	6 metres and in accordance with Sections 4.16 and 4.24.		
4	Maximum Front and Exterior Side Yard	20 metres		
5	Minimum Side Yard	6 metres or one-half the <i>Building Height</i> , whichever is greater.		
6	Minimum Rear Yard	7.5 metres or one-half the <i>Building Height</i> , whichever is greater.		
7	Minimum Lot Frontage	30 metres		
8	Off- Street Parking	In accordance with Section 4.13 and 8.2.1.1.		
9	Off-Street Loading	In accordance with Section In accordance with Sections 4.14 and 8.2.1.1.		
10	Accessory Buildings and Structures	In accordance with Section 4.5.		
11	Fences	In accordance with Section 4.20.		
12	Maximum Building Height	4 Storeys and in accordance with Sections 4.16 and 4.18.	10 Storeys and in accordance with Sections 4.16 and 4.18.	
13	Buffer Strips	Where an Institutional Zone abuts any Residential, Park, Wetland or Urban Reserve Zone , a Buffer Strip shall be developed.		
14	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.		



ATTACHMENT 6 Conceptual Development Plan





ATTACHMENT 6 (continued) Proposed Building Elevations



View from Parking Lot



ATTACHMENT 7 Planning Analysis

Provincial Policy Statement and Places to Grow

The proposed Zoning By-law Amendment is consistent with the direction of the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow Plan). The proposed elementary school contributes to accommodating an appropriate range and mix of land uses to meet long-term needs and supports an integrated approach in planning for growth, providing necessary public service facilities to meet current and projected needs. The application supports the overall goal of the PPS to manage and direct land use to achieve efficient development and land use patterns.

The proposed development also satisfies Places to Grow legislation that promotes the provision of a diverse and compatible mix of land uses. This includes institutional uses that support vibrant neighbourhoods and meet long term needs. Further, the application conforms to the Places to Grow Plan by contributing to the provision of an appropriate mix of employment uses and providing an appropriate range of community infrastructure to meet the needs resulting from population changes and to foster complete communities.

Official Plan

The subject site is designated "General Residential" in the Official Plan, which is intended for a range of residential uses and complementary uses. Section 7.2.26 of the Official Plan permits a variety of small scale institutional uses that are complementary to, and serve the needs of residential neighbourhoods. This includes schools, churches, day care centres, municipal parklands and recreational facilities. The proposed elementary school is considered small-scale according to the Official Plan, noting that the Official Plan has a designation for "major institutional" use which is meant for uses of a much larger scale, like hospitals, colleges and the university campus.

Section 7.2.27 of the Official Plan provides criteria for the development of such non-residential uses in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood. These criteria are:

- a. Be located on an arterial or collector road;
 - i. The subject site does provide frontage on Cityview Drive North, identified as a collector road in the current Official Plan. The location of the site with proposed site access on Lee Street also provides an immediate connection to an arterial road (Grange Road) to the west and a direct connection to an arterial road (Starwood Drive) to the east.
- b. Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;



i. A traffic study has been completed by Paradigm Transportation Solutions and has been reviewed and supported by Engineering staff. The study concluded that the traffic generated by the proposal can be accommodated without any other roadway or traffic control improvements. While intersections along Starwood Drive currently do not meet warrants for additional signalization, as development occurs City staff would be monitoring whether further crossing assistance may be necessary to benefit students attending either Ken Danby Public School or the proposed Lee Street school. It is noted that the majority of students would be within a safe walking distance to the school, with students south of the rail line being eligible for transportation.

In addition, development can be accommodated on the subject property with sufficient buffering to minimize the impact of noise, signs and lighting on surrounding residential properties. Site illumination will be managed during the subsequent site plan approval stage, as an outdoor lighting plan will be required as part of the subsequent site plan submission to ensure lighting is designed in a way to minimize any impacts on adjacent properties.

- c. Have adequate landscaping and screening to promote compatibility with adjacent activities;
 - i. The proposed development can incorporate adequate landscaping and screening to promote compatibility with adjacent residential land uses. This would include the implementation of a landscaped buffer strip along westerly boundary of the subject site to provide screening for the existing residential properties along Cityview Drive. All details regarding landscaping and buffering will be fully reviewed through the site plan approval process.
- d. Have sufficient off-street parking, circulation and access points;
 - i. In accordance with the City's Zoning By-law requirements, the proposed school would require 64 parking spaces (1 space per classroom plus a minimum of 4 visitor parking spaces plus 1 space per 10 square metres gross floor area for the gymnasium). The applicant submitted an analysis of the operational parking needs for the proposed school site in support their requested specialized parking requirement of 52 parking spaces that has been accepted by staff. It indicated that 52 spaces would meet the school's day-to-day parking needs for teachers, other staff, volunteers and visitors. The 12 additional overflow parking spaces shown within the applicant's concept plan would also address extra parking demands from special and after hour events at the school.



Engineering staff have reviewed the development concept shown in Attachment 6 and are satisfied that appropriate traffic circulation and site access can be accommodated. All details regarding site access and traffic circulation will be further reviewed through the final site plan approval process. The applicant has submitted a site plan application that is currently being reviewed by staff. All details with respect to internal traffic circulation, location and functioning of pick-up/drop off areas and pedestrian connections will be finalized through this process.

- e. Have adequate municipal services.
 - i. Engineering staff have reviewed the proposed plans and determined that the site can be provided with adequate municipal water, sanitary and stormwater services. SWM details, Condition 16 requires that an easement be provided to ensure future SWM outlet provided in the future in conjunction with the future development lands to the south at 55 Cityview Drive.

Official Plan Amendment 48

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is subject to Ministerial approval and is not yet in effect. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City.

OPA 48 designates the property "Low Density Greenfield Residential", which would permit the proposed elementary school as a small scale non-residential use that is complementary to and serves the needs of residential neighbourhoods. OPA 48 also includes a Potential School Site symbol on the subject property, as shown in Attachment 4. Although this symbol does not represent a specific land use designation, this particular school site location was identified by the Upper Grand District School Board and implemented accordingly into the Land Use Plan (Schedule 2) of OPA 48.

Proposed Zoning

The request to rezone the subject site to an I.1-? (Specialized Institutional) Zone is appropriate to accommodate the proposed elementary school. The applicant has requested a specialized zoning regulation that would remove the maximum 20 metre front yard setback included within the standard I.1 Zone. This specialized zoning regulation is appropriate and necessary to address a site specific zoning issue associated with the subject property that defines the front yard setback from Cityview Drive and not Lee Street (the zoning bylaw defines the front lot line where it abuts two or more streets as the shorter of the two lines). However, recognizing that Lee Street serves as the proper frontage within the proposed site design of the school site, the requested removal of the zoning provision that would require a maximum 20 metre front yard setback from Cityview Drive is logical and



recommended. The incorporation of a maximum setback of the school building from Lee Street is not considered necessary. The school is currently shown with a setback of approximately 15 metres from Lee Street within the proposed development concept in Attachment 6. All details of site development will be reviewed through the site plan approval stage and will ensure the proper building setback is implemented that will maintain street presence along Lee Street.

The specialized zoning regulation requested to permit an accessory building within the front yard is intended to address the same situation discussed above that technically defines Cityview Drive as the front lot line. This specialized regulation is a technical variance to address the location of the garbage enclosure (considered an accessory building) between Cityview Drive and the school building, as shown within the proposed development concept. An accessory building cannot occupy a front yard or exterior side yard. However, given the same consideration that Lee Street serves as the proper frontage based on the configuration of the subject property and the design of the proposed development concept, this specialized regulation is considered appropriate and still meets the intent of the zoning bylaw. The garbage enclosure can be sited a suitable distance away from public streets and adjacent properties and this will be pursued further and secured through the site plan approval process.

The specialized zoning regulation to permit a minimum of 52 parking spaces in lieu of the required 64 is considered appropriate for the proposed elementary school. The applicant submitted an analysis of the day-to-day operational parking needs for the proposed school site in support their requested specialized parking requirement. It was estimated that the 52 parking spaces proposed would meet the school's actual needs, considering the parking requirements for teachers, other staff, volunteers and visitors. The estimate also included possible future allocation to the staffing of portables, if required. While the 12 additional parking spaces included in the applicant's proposed development concept cannot be considered as part of the required parking total, these additional parking spaces can address additional parking demands from other special and after hour events held at the school.

Site Design and Urban Design Review

The conceptual development plan and building elevations provided in Attachment 6 illustrates the proposal for a two storey elementary school building. The proposed site design and building elevations are in keeping with the urban design policies and objectives of the Official Plan. The school building has been positioned at the higher easterly portion of the subject property and would be built into the side of the hill adjacent to Lee Street Park, providing good views to the rest of the site. The school building would be established in a visually prominent location and accessible location, providing building presence along Lee Street. Parking areas have been located to be screened from the street, further contributing to an attractive streetscape. The design of the school site can also accommodate appropriate pedestrian and vehicular circulation to provide direct user entrances from adjacent streets and walkways. The proposed site design allows a good relationship and



connection to be established surrounding existing and planned development, including the adjacent Lee Street Park. Sidewalks implemented on both sides of Lee Street will facilitate the safe movement of pedestrians to and from the subject site and will ensure a complete pedestrian network is implemented. Further, the school site is located within a walkable residential area that will decrease the number of vehicle trips and ensures safe routes to and from school are available to students.

Condition 1 in Attachment 2 would require any future development of the site through site plan review to be in general accordance with the development concept plan attached as Attachment 6 to this report. The final site design would be established through formal site plan approval to secure specific urban design and architectural details. This will ensure that a high quality of design is implemented and attractive streetscaping along Lee Street is provided. The site plan review process will also ensure that walkways and crosswalks are well articulated, safe and accessible, and integrated within the overall network of pedestrian linkages in the area.

Environmental Review and Tree Preservation

An issue regarding the small wetland areas that were removed from the subject site was raised through the circulation and review of this application. Three small wetland pockets, totalling 0.18 hectares, were removed following the issuance of a permit to infill the wetlands by the Grand River Conservation Authority (GRCA) on February 24, 2012 (see GRCA approval in Attachment 9). This approval was based on their review and acceptance of an Environmental Impact Study (EIS) in 2011 that was prepared to satisfy the policies of the GRCA relating to wetlands under 0.2 hectares in size. Further, as a result of field investigations and dialogue with the GRCA, the City removed the "other wetlands" designation from the Natural Heritage System in Official Plan Amendment 42 (OPA 42) based on the small size and limited function of the wetlands. OPA 42 that was approved by Council (subject to appeals) does not designate any of the site as "Significant Natural Areas". The entire subject property is designated "General Residential" in the Official Plan and property contains no mapped Natural Heritage features within the schedules of the Official Plan.

The woodland feature on the subject property does meet the definition of a Cultural Woodland, as identified in OPA 42 (see relevant policies in Attachment 3). An EIS addendum submitted in November of 2012 was prepared to address details regarding this onsite woodland in support of the rezoning application. At the January 9, 2013 meeting of the City's Environmental Advisory Committee (EAC), the applicant's Environmental Impact Study (EIS) addendum was supported by EAC and the City's Environmental Planner (EAC's resolution is included in Attachment 9). Condition 2 in Attachment 2 outlines the owner's requirement to prepare a tree preservation and compensation plan to the satisfaction of the City prior to site plan approval. This will ensure that all remaining tree preservation and compensation details are addressed. The environmental policies of the Official Plan have been



addressed during the review of this application through the approval of the EIS addendum.

Questions and concerns regarding the issuance of the site alteration permit on November 1, 2012 by the City prior to the approval of the zoning by-law amendment application were raised at the December 3, 2012 Public Meeting. The concern was expressed that a proper environmental review had not been undertaken with allowing site alteration and tree removals prior to the approval of the zoning by-law application. These concerns, which were raised subsequently in January, 2013, were responded to accordingly by staff with the following information:

The City's Site Alteration by-law does include consideration for the environment when deciding whether or not a site alteration permit will be issued. Further, site alteration permits are issued only after necessary conditions are imposed and can be issued in advance of any planning approvals. An EIS Addendum and Tree Conservation Plan in support of the Site Alteration Permit Application were requested to address the cultural woodlands at 25 Lee Street (as identified in OPA 42). It was subsequently determined that the Scoped Tree Conservation Plan would be satisfactory in this case and that the EIS Addendum could be completed with the rezoning application after site alteration. This decision was based on consideration of timing and the environment, noting that there was substantial fill available from the Cityview Drive road construction project for a limited time in the fall of 2012 that the subject site could utilize to undertake site alteration. From an environmental perspective, this allowed for local fill to be used and avoided approximately 500 truckloads of fill from being removed from the City and 500 truckloads of fill being brought in at a later date. Since the Site Alteration Permit was issued, an EIS Addendum was completed and has been supported by City staff and the City's Environmental Advisory Committee.

Traffic Impacts

A traffic impact study was submitted in support of this zoning by-law amendment application. In response to Engineering comments, a traffic study update was submitted on February 11, 2013. In addition to the proposed development of the school site, the traffic impact study also considered generalized background traffic growth and likely future traffic volumes from future development in the vicinity of the subject lands. The traffic impact study also included recommendations regarding designated school crossings. City staff supported the findings of this traffic study, indicating that no other roadway or traffic control improvements are required to accommodate the proposed development.

A school crossing is envisioned at the intersection of Lee Street and Kearney Street across from the proposed school building. This will be reviewed fully through the site plan approval process to ensure appropriate school crossings are implemented to conform to City standards.



Integration and Compatibility with Adjacent Lands

The proposed development is compatible with surrounding lands. The school building is proposed at the easterly edge of the subject property away from the existing residential lots along the west side of Cityview Drive. The proposed design of the site also allows for a substantial buffer strip, which would include landscaping and fencing, to be implemented along the westerly property line of the subject site between the adjacent residential lots along Cityview Drive and the school parking and playground areas.

The proposed school site can also be integrated appropriately with the adjacent future development lands to the south at 55-75 Cityview Drive, which is the subject of a residential draft plan of subdivision application (23T-12501) currently under review. Condition 12 in Attachment 2 outlines the requirement for a future external storm sewer connection between the subject property and the adjacent street proposed within this future subdivision. This connection would also be utilized as a pedestrian walkway, providing pedestrian access from these future development lands to the school site. The street frontage and sidewalks within the adjacent development lands to the south will also provide the necessary pedestrian connections between the school site and Lee Street Park, which will minimize adhoc trails through the park that could have an impact on the existing trees on both sites.

The City usually does not require property demarcation between a park and a school site and it is noted that there is an existing treed buffer between the proposed school site and the Lee Street Park leash free zone. However, to address potential conflicts between the adjacent Lee Street Park leash free zone and the proposed school site, implementation of proper fencing would be required through the site plan approval process. Condition 1b in Attachment 2 outlines this requirement.

Public Comments

There were no public concerns were expressed from adjacent residents through the circulation of this application. One resident located on the north side of Lee Street opposite the subject site did express some concern regarding any impacts to the topography of the adjacent Lee Street Park in association with the school site development. The response was provided that grading of the site would be required to match grades at the property line and there would be no grading impacts onto Lee Street Park.

Community Energy Initiative Considerations

The applicant has submitted information outlining some additional energy efficiency initiatives that are proposed in association with the development of the proposed school site (see Attachment 8). Condition 24 has been included in Attachment 2 to ensure that the owner does submit written confirmation that the proposed building



is constructed to a standard that implements energy efficiency in support of the Community Energy Initiative.



ATTACHMENT 8 (continued) Community Energy Initiative Commitment



ARCHITECTURE PLANNING INTERIORS MANAGEMENT 517 Wellington St W Suite 404 Toronto, Ontario Canada M5V 1G1 T 418 979 9834 F 418 979 3783 arche@zasa.com

Energy Efficiency Opportunities

An aggressive energy reduction and recovery strategy is proposed. This reduction will be achieved through a high performance envelope, heat recovery, and high-efficiency HVAC units, as well as high-efficiency motors with variable frequency drives (VFD). Other major components of the energy-efficient design include a high efficiency electrical system (including T-8 electronic fixtures and high efficiency transformers, and occupancy sensors). Most importantly, building efficiencies will be verified through the Board's M&V plan and a building energy management system (BAS), as well as complete commissioning and user training / follow-up. This is an opportunity to address any discrepancies between the design and actual performance, and to consider any possible on-site improvements.

The design also includes for the possibility of future solar electrical generation by designing the roof to support solar PV panels and providing electrical rough-ins.

Material and Resources

Specifications will include a waste management plan, tracking sheets and require contractor to implement a plan to meet a minimum 75% waste diversion. A significant percentage of materials (including concrete block, structural steel, cladding materials and concrete) will be locally produced (with in 800 km) reducing transportation related pollution. Also to reduce negative impacts of extraction raw materials, building components with high recycled contents will be installed such as: up to 25% fly ash in concrete, 100% recycled reinforcing bars and 30% recycled ceiling tile.

Indoor Environmental Quality

To ensure high indoor environmental quality the school has been designed to maximise natural daylighting, views to the outside, effective ventilation and low VOC emitting finish materials will be specified. As well the specifications require the contractor to protect the Indoor Environmental Quality during construction including protection of materials from dampness and water damage. The building design will create spaces that promote the health and well-being of both the staff and students.



ATTACHMENT 9 Agency and Public Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning		√	Subject to conditions in Schedule 2
Engineering*		√	Subject to conditions in Schedule 2
Park Planning and Development*		√	Subject to conditions in Schedule 2
(Heritage Planning)	√		
Guelph Fire	√		Fire route and hydrant requirements will be reviewed at site plan stage
Guelph Hydro		\checkmark	
Guelph and Wellington Development Association*	√		Support application
Guelph Field Naturalists*			
Environmental Advisory Committee (EAC)*		√	EAC supported EIS and addendum at meeting held January 9, 2013 (see resolution)
Grand River Conservation Authority*	√		Permit to infill wetlands issued

^{*} letters attached

MEMO



FILE: 16.131.001

TO:

Chris DeVriendt, Senior Development Planner

FROM:

Engineering

DEPARTMENT:

Engineering Services 3rd December 2012

DATE: SUBJECT:

25 Lee Street -- Zoning By-law Amendment - ZC1213

The application is for a Zoning By-law Amendment that would redesignate the site from the existing UR (Urban Reserve to an I.1? (Specialized Institutional) Zone as described in the City of Guelph Zoning Bylaw. The subject lands are located at the NE corner of Lee Street and Cityview Drive with existing residential lots abutting the southerly property boundary. The Upper Grand District School Board (UGDSB) development is proposed to be built and occupied in 2014 with a capacity of 500 elementary students.

The subject property was originally part of Registered Plan 462 dated the 5th March 1954. Planning has indicated that a deeming bylaw will be required and approved by Council or confirmation from a lawyer that the subject property is deemed not to be part of a registered plan and the Stockford Road allowance has closed and dedicated to the UGDSB.

Engineering Services provides the following comments:

1. Road Infrastructure, Traffic Impacts and Access Requirements

Lee Street

Lee Street is designated as a 2-lane local roadway with a 20.0m ultimate right-of-way with a 10m wide roadway, sidewalk and grassed boulevard along the westside (between Breesegarden Lane and Kearney Street). The existing boulevard along the eastside of Lee Street consists of a 5m wide grassed boulevard and no sidewalk. A new sidewalk will be required along the entire Lee Street frontage of the subject site and the UGDSB will be responsible for the actual cost of this sidewalk.

Lee Street is presently under reconstruction to realign the horizontal curve between Breesegarden Lane and Cityview Drive, plus construction of new water, sanitary and storm services south of Breesegarden Lane.

A traffic impact study has been prepared by Paradigm Transportation Solution Ltd in July 2012 to identify and address the traffic impacts associated this development on the surrounding road network. Engineering received a copy of the study for review in early November 2012. We have reviewed the traffic impact study and have the following comments:

Engineering ServicesPlanning, Building, Engineering and Environment



Two vehicular access driveways to the development will be provided onto Lee Street. The southerly driveway is proposed to align opposite Breesegarden Lane and allows full movements and the northerly one with right out only at the midblock location between Breesegarden Lane and Kearney Street.

The future traffic is forecasted for the opening year 2014 and five years after. It is expected that a total of approximately 225 two-way vehicular trips will be generated by the school during AM peak hour and approximately 75 two-way vehicular trips during PM peak hour. Total traffic incorporates general background growth and six surrounding developments along Cityview Drive and Grange Road.

The levels of service at the study area intersections are evaluated under the assumption that background trips from 55 Cityview Drive and South of 55 Cityview Drive are all distributed to Starwood Drive. This assumption is incorrect as vehicular access to these two properties will be made via Cityview Drive rather than Starwood Drive. The resulting difference in turning movements at the study area intersections is substantial and will have significant impacts on the intersection operational analysis. We require the consultant correct this error as it may lead to incorrect conclusions and recommendations. The consultant should also provide discussions on a pedestrian school crossing at high volume crossing points as indicated in the City's email dated March 9, 2012. Therefore, based upon the aforementioned comments, Engineering will require an updated traffic impact study.

2. Municipal Services

Lee Street (Site N boundary to Breesegarden Lane)

Existing services within the right-of-way along Lee Street includes sanitary sewer, storm and water as follows:

- 200mm diameter sanitary sewer (flowing south then west on Breesegarden) approximately 3.5m in depth;
- 300mm diameter storm sewer (flowing south then west on Breesegarden) approximately 3.2m in depth;
- 150mm diameter watermain approximately 2.0m in depth (stubbed at Breesegarden);

Lee Street (Reconstructed south of Breesegarden Lane to Cityview Drive separate from the above except the watermain) Re-constructed services within the right-of-way include sanitary sewer, storm and water as follows:

- 200mm diameter sanitary sewer approximately 3.0m in depth;
- 300mm diameter sanitary sewer approximately 3.5m in depth;
- 150mm diameter watermain approximately 2.0m in depth (reconnected at stub);

Design and Construction/ Infrastructure staff have confirmed that adequate sanitary and water capacities are available in the existing system to service the site.

3. Storm Water Management

Background

The subject property (2.986 ha) is part of the watershed study entitled "Final Stormwater Management Report for the Southern Hadati Creek Watershed, Upstream on the CN Railway Tracks, City of Guelph, Revised in 1997" and prepared by Schaeffers Consulting Engineers. The study area is approximately 73-hectares which includes the



Campus Estates Subdivision, Cedarvale Subdivision, Valleyhaven Subdivision Phase 2, Martini/Valeriote Subdivision and future development area north and east of Cityview Drive.

Existing Conditions

The existing drainage pattern for the proposed school site is split. A portion of the site drains overland to the east then towards the CNR with the remaining lands flowing west out letting via an existing 400mm diameter storm sewer. The sewer then connects into the Lee Street/Breesegarden Lane storm sewer which ultimately flows to the Hadati Creek conveyance channel. It should be noted that the existing drainage from the adjacent residential lots presently flow onto the subject property. These flow patterns will be maintained and included as part of the proposed stormwater management strategy for the school site.

The final storm outlet where the east side of the site will drain is contingent upon the completion of two developments, the Debrob and Carson Reid Subdivisions which are currently at the Draft Plan of Subdivision stage. In order to facilitate the development of the school, an interim solution as well as a final stormwater solution has been proposed and conceptually accepted by Engineering.

Proposed Conditions

Interim Design

The Developer's consulting engineer is proposing to maintain the split drainage pattern. Due to a lack of a positive storm outlet immediately east of the site at this time, the design will include a temporary stormwater basin (fenced) sized to accommodate up to and including 100yr design storm to control easterly flow patterns onsite. The design will include a storm pipe stub to the property line which will eventually tie into the future subdivision as a permanent outlet once the subdivision is developed.

Westerly drainage flow will be released at a controlled flow rate to Lee Street/Breesegarden Lane storm sewer and will require quality control.

Ultimate Design

Once the adjacent subdivisions have been completed, the temporary storm facility will be decommissioned and the easterly drainage will be picked up in the Debrob and Carson Reid storm sewer system. Storm flow will eventually discharge into a 100yr quantity control conveyance channel then ultimately discharging into the Valleyhaven stormwater management facility before flowing into Hadati Creek.

Westerly drainage flow will continue to be released at a controlled flow rate to Lee Street/Breesegarden Lane storm sewer and will require quality control.

Storm events greater than the 5_{yr} design storm will be conveyed overland on public right-of-way.

The consulting engineer for the UGDSB has advised that opportunity for on-site infiltration will not be possible due to soil conditions. Engineering will require a geotechnical report under site plan review to confirm these findings.



4. Site Alteration

The subject property received Site Alteration approval on 1st October 2012, Permit No. 07/12. The permit included site pre-grading and construction of a temporary sediment and erosion control pond/ Hickenbottom drain system which outlets to an existing depressional area onsite.

5. Recommended conditions of Approval

Should the zone change be approved, the development will follow the site plan process for review and approval. We recommend the following conditions for approval of this proposed Zone Change Amendment:

- 1. The Developer will phase the development of the subject lands to the satisfaction of the City.
- 2. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to Site Plan approval, and furthermore the Developer agrees to develop the said lands in accordance with the approved plan.
- 3. The developer/owner acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer/owner shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a Phase 1 Environmental Site Assessment and any other subsequent phases required, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the developer/owner's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
- 4. If contamination is found, the developer/owner shall:
 - (a) submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - (b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use; and
 - (c) file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.
- 5. Prior to site plan approval, the Developer shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.



- 6. Prior to site plan approval, the Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i) a revised traffic impact study certified by a Professional Engineer;
 - ii) a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - iii) a detailed stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility;
 - iv)a detailed erosion and sediment control plan in accordance with the Grand River Conservation Authority Guidelines, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction;

And furthermore, the Developer agrees to implement all the recommendations of the approved final studies, plans and reports to the satisfaction of the General Manager/City Engineer.

- Prior to site plan approval and prior to any construction on the lands, the Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
- The Developer 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 General Manager/City Engineer. Furthermore, the Developer 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.
- The Developer shall pay to the City their share of the cost of the existing downstream stormwater management facility, prior to site plan approval as determined by the General Manager/City Engineer.
- The Developer shall pay to the City their share of the actual cost for the future construction of a 100yr quantity control conveyance channel (upstream of Valleyhaven Pond) and furthermore, prior to site plan approval, the developer shall pay to the City their share of the estimated cost of the future 100yr quantity control conveyance channel as determined by the General Manager/City Engineer.

Engineering Services

Planning, Building, Engineering and Environment



- The Developer shall pay to the City their share of the cost for the Lee Street improvements done under the Cityview Heights Phase 2 Subdivision (Contract No. 2-1217) prior to site plan approval, as determined by the General Manager/City Engineer.
- The Developer shall pay to the City their share of the actual cost of for a future external storm sewer connection (approximately 42.0m) between the subject properties (UGDSB) into the adjacent future subdivision (Debrob) storm sewer and furthermore, prior to site plan approval, the developer shall pay to the City their share of the estimated cost of the future external storm sewer connection as determined by the General Manager/City Engineer.
- The Developer shall pay to the City the actual cost of constructing, installing and/or removal of any service laterals required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
- The Developer shall pay to the City the actual cost of the construction of the new access, ramps, required curb cut and boulevard restoration prior to any construction on the lands and prior to site plan approval the developer shall pay to the City the estimated cost of constructing the new access, ramps, required curb cut and boulevard restoration, as determined by the General Manager/City Engineer
- The Developer shall pay to the City the actual cost of constructing a sidewalk along the entire Lee Street frontage of the subject site and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the sidewalk, as determined by the General Manager/City Engineer.
- That prior to site plan approval if required, the servient tenement (Debrob, Draft Plan of Subdivision, Part of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division 'C' City of Guelph, Former Township of Guelph, grants an easement approximately 6.0-metres (19.68 feet) wide by approximately 42.0-metres (137.79 feet) long, registered on title, in favour of the dominant tenement (Upper Grand District School Board, Lots 1-17 and Part of Lot 18, Registered Plan 462 and Part of Grange Road and Cityview Drive, Registered Plan 53 and Part of Block 218, City of Guelph) for storm sewer and storm overflow purposes.
- The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to street tree planting within the proposed subdivision.
- The Developer makes 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 site plan approval.
- 17 That all electrical services to the lands are underground and the developer 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 site plan approval.



- The Developer 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.
- 19 Prior to the issuance of a building permit, any domestic wells, monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
- All domestic water wells on adjacent lands are to be located and a qualified professional shall provide a certified report identifying any impacts that the development has on those wells as well as any mitigation measures that would be necessary.
- That prior to site plan approval, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

Mary Angelo, P. Eng.
Supervisor, Development Engineering

Kime D. Toole, C.E.T. Engineering Technologist III

INTERNAL MEMO



DATE

December 14, 2012

TO

Chris DeVriendt

FROM

Jyoti Pathak

DIVISION

Parks Planning and Development

DEPARTMENT

Community & Social Services - Parks & Recreation

SUBJECT

25 Lee Street - Zoning Bylaw Amendment (ZC1213)

Parks Planning and Development has reviewed the application for the above noted Zoning By-Law Amendment (dated October 26, 2012) and offers the following comments:

Zoning By-Law Amendment

Park Planning has no objection to the proposed re-zoning of the subject property from the current UR (urban Reserve) Zone to an I.1-? (Specialized Institutional) Zone.

However Lee Street Park is located adjacent to the subject property and the following concerns should be addressed through the **Zoning By-law Amendment and Site Plan Review Process.**

- The existing Toboggan Hill located at the north-west corner of the park and partially on school site should be protected with a consideration for continued use by public and user safety.
- Where feasible, retain as many trees as possible along the property line. The
 Consulting Arborist should consider removal of hazard trees and invasive
 undergrowth (buckthorn) along the Property line as part of the Tree Management
 Plan.
- There is potential for conflict due to existing un-fenced Leash Free Zone on Lee Street Park and the proposed school use on adjacent subject property. City has a total of eight leash free zones located across the whole City and none of them is fenced. The current standards for leash free zones don't include perimeter fence. To make any changes to the current standards, Parks will have to go through Leash Free Zone Policy Review and Update Process which is currently scheduled for the year 2017.
- Pedestrian Connection: Need and feasibility of a new pedestrian connection between
 the school site and Lee Street Park will be explored through the Site Plan Review
 Process. This is required to minimize ad-hoc trails through the park which could
 impact the existing trees on both sites. If the future development (55-75 Cityview
 drive) just south of park block and subject property allows for a street frontage and
 sidewalk to provide direct access to the school there may not be any need for a
 pedestrian connection to the school site through the park.

Property Demarcation:

Normally City doesn't require property demarcation between a park and school site and although there is an existing treed buffer between the subject property and the Park's leash free zone; yet School Board should consider installation of a Chain Link Fence as a property

demarcation in accordance with City's property demarcation policy to avoid any conflict between leash free zone and the future school use. If it is not feasible to install a fence due to presence of existing vegetation along the property line Parks Planning recommends that UGDSB considers installation of fence around the leash free zone on park block in consultation with Parks. If UGDSB would like to use the second approach; the process will also require public consultation.

Based on the current information provided, I would support the proposed development subject to the comments outlined above.

Jyoti Pathak CSLA OALA MCIP RPP Parks Planner

Parks & Recreation
Community & Social Services
Location: City Hall

T 519-822-1260 x 2431 F 519-822-1751 E Jyoti.pathak@guelph.ca

C Murray Cameron, Rory Templeton

File #T: Parks Planning\PLANNING\East District\Zoning By-Law and Official Plan Amendments\25 Lee Street ZBA – Park Planning comments.docx.

ENVIRONMENTAL ADVISORY COMMITTEE WEDNESDAY, JANUARY 09, 2013 AT 7:00 P.M.

COUNCIL COMMITTEE ROOM C MINUTES

Present:

G. Drewitt (Chair)

E. Blenkhorn

C. Parent

S. Lohnes

B. Mungall

K. O'Reilly

R. Park

Regrets:

M. Gillen, E. Stahl

Staff:

A. Labbé, V. Laur

External Groups:

Stephen Aboud, Aboud & Associates

Marc Garon-Nielsen, Aboud & Associates

Kevin Butt, Aboud & Associates Chris Sims, Gamsby & Mannerow Ltd.

Angela Kroetsch, Gamsby & Mannerow Ltd. Bill Banks, Banks Groundwater Engineering

Astrid Clos, Astrid J. Clos Planning Tom Krizsan, Thomasfield Homes

Katherine McLaughlin, Thomasfield Homes

Jennifer Passy, Upper Grand District School Board

Charles Cecile, Guelph Field Naturalists Judy Martin, Sierra Club of Canada

A. Labbé introduced new EAC Members Kelsey O'Reilly and Ryan Park to the Environmental Advisory Committee.

1. 1897 Gordon Street (Bird)

A. Labbé, Environmental Planner with the City of Guelph, provided a brief overview of the subject property and reviewed the staff report.

Stephen Aboud, from Aboud & Associates, advised that the EIR will include a comprehensive plan which demonstrates locations where functional habitat types will be restored to meet the goals outlined in the EIS for the Savannah Sparrow, Braun's Wood Fern, wetland enhancement and tree compensation. The following was noted:

- Savannah Sparrow 2 singing males many more in other areas beyond the site.
 Goal is to expand/include habitat in 2 blocks not create new habitat.
- Single specimen of Braun's Wood Fern will be relocated to the Open Space block where it will receive enough shade.

- Wetland enhancements will consist of invasive species removal.
- Planting plan will consist of native hardwoods.

Astrid Clos, from Astrid J. Clos Planning sought clarification on the term Vegetation Compensation Plan and A. Labbé noted it refers to Tree Compensation Plan.

Astrid Clos also indicated that in other sites, the City has counted trees in Stormwater Blocks.

General discussion took place and the consultants were available to respond to questions from the Environmental Advisory Committee.

Moved by S. Lohnes and seconded by E. Blenkhorn

"That the Environmental Advisory Committee conditionally support the Terms of Reference for an Environmental Implementation Report prepared by Gamsby & Mannerow, with the following conditions:

The EIR ToR is to address the following to the satisfaction of City Staff and the GRCA:

- Section 6.0 Monitoring Plan of the ToR is to provide additional detail with respect to the surface and groundwater monitoring that will take place to measure impacts of the development and operation of the stormwater management system to the satisfaction of City staff and the GRCA.
- Any items identified by the City's Parks Planner in their review of the Terms of Reference (forthcoming).

The EIR is to include:

- In section 1.0 of the proposed table of contents include a summary of Draft Plan Conditions.
- A comprehensive plan which demonstrates locations where functional habitat types will be restored to meet the goals outlined in the EIS, for Savannah Sparrow, Braun's Wood Fern, wetland enhancement and tree compensation.
- A detailed Tree Preservation and native Vegetation Compensation Plan including locations, species, size and condition of proposed compensation plantings. On-site, off-site and cash-in-lieu options to adequately achieve compensation at a 3:1 ratio must be discussed to ensure compensation is achieved. For clarity, the Tree Preservation and Vegetation Compensation Plan shall satisfy the detailed tree preservation/compensation plan requirement of the October 13, 2010 EAC Resolution.
- A hydrogeological report is required as part of the EIR and must include information and analyses of the additional 3 wells that were installed in December of 2010.

- A site-specific Stewardship Awareness Program which includes educational signage as well as a two-page information brochure which can be included as an insert to the City's Environmental Handbook.
- A summary of EIS information under the Proposed Section 2.0 (Existing Physical and Natural Environment) will suffice.
- Specific items that have been previously identified:
 - Items from the October 13, 2010 EAC Resolution under the heading: "Required for the EIR".
 - Items in the GRCA letter dated December 16, 2010."

Motion Carried -Unanimous-

2. 25 Lee Street

A. Labbé, Environmental Planner with the City of Guelph, provided a brief overview of the subject property and reviewed the staff report.

Kevin Butt, from Aboud & Associates, presented a Power Point presentation and provided history on the subject property. It was advised that a Site Alteration permit has been issued.

Some highlights noted from the presentation include:

Presentation Outline:

- 1. Site Overview Map
- 2. History of Site Studies
- 3. Need for EIS Addendum
 - Focus on woodland only
- 4. How OPA 42 Applies Cultural Woodlot Policies
- 5. OPA 42 Constraints and Opportunities
- 6. Proposed Vegetation Compensation Plan
 - 3:1 replacement for mature trees >30cm dbh
 - 1:1 replacement for immature trees 10-30cm dbh
- 7. General Locations for Additional Planting
- 8. Compensation Breakdown
- 9. Species List

General discussion took place and the consultants responded to questions from the Environmental Advisory Committee.

EAC asked if there was more opportunity for compensation adjacent the sports fields. Also, EAC suggested that a no-mow zone should be considered adjacent to the woodlot which is being preserved.

Kevin Butt indicated that currently woodlot management is not recommended and there is no need for plantings in the park based on the proposed compensation approach.

The floor was opened to delegations.

Delegation:

Charles Cecile, on behalf of Guelph Field Naturalists, expressed the following concerns:

- Concerned with attention being paid to non-native cultural woodland and the lack of importance given to native wetland communities.
- Charles clarified that the wetlands in question were headwater wetlands and were identified within subcatchment S14 of the Clythe Creek Subwatershed Study.
- Noted that the decision to remove small wetlands from the Natural Heritage
 Strategy was a mistake and noted that City staff did not look at the wetlands to the
 South. Charles would like EAC to acknowledge mistakes were made in the past.

Discussion was had about the lack of continuity in the wetland units which were staked in the field with the GRCA. They were staked as separate pockets.

Jennifer Passy, from the Upper Grand District School Board spoke to the Storm water management plan in response to EAC's questions.

General discussion took place re: compensation and the Environmental Advisory
Committee noted the following concerns:

- No compensation for Scots Pine is inconsistent with previous proposals.
- C. Parent expressed discomfort on deciding a compensation plan without a City Policy.
- City staff responded that the City has a current Draft policy and is working on a Tree Technical Manual as part of the Urban Forest Management Plan.
- EAC recommended alternatives to the compensation plan presented.

Moved by R. Park and seconded by K. O'Reilly

"That the Environmental Advisory Committee accept the Environmental Impact Study Addendum prepared by Aboud & Associates for 25 Lee Street with the following additions:

- Consideration should be given to enhancing the exiting woodland unit (majority of which is Scots Pine Plantation ELC unit) as part of the compensation approach.
- In addition to the compensation approach presented, EAC recommends non native, invasive species (excluding White Mulberry) be replaced at 1:1 ratio.
- In addition to the compensation approach presented, EAC recommends that trees sized 10-30cm dbh be replaced at a 3:1 ratio."

Motion Carried

3. Other Business

- C. Parent asked if Clerks Department could come and speak to EAC on how to deal with conflict of interest items. A. Labbé to follow up on this request.
- C. Parent advised there will be a draft outline for EIS ToR Guidelines distributed by the next meeting.

4. Approval of Minutes from December 12, 2012

Moved by E. Blenkhorn and seconded by S. Lohnes -

"To accept the minutes as amended.

- In agenda item #1 under Dallan (161, 205 and 251 Clair Road East) EIR ToR review, include italicized wording to paragraph 3 (see italics) as well as bullet point 3 (see italics):
 - Nancy Shoemaker, from Black, Shoemaker, Robinson and Donaldson spoke to the comment in the staff report regarding consideration of wildlife movement surveys and advised of the following:
 - Additional information was presented at the October 11, 2011
 meeting and EAC determined that wildlife movement surveys were not
 required. Based on EAC's October 11, 2011 resolution, Council
 approved the size and location of the wildlife corridor within the
 Dallan lands.
- In agenda item #1 under Dallan (161, 205 and 251 Clair Road East) EIR ToR review, include italicized wording to include a new paragraph (#9 see italics) before the Motion:
 - C. Parent noted that detailed fieldwork beyond the Dallan lands would not be feasible but that an analysis of a north-south trail route could be completed based on existing information (e.g. aerial photographs, MNR wetland evaluation records)."

Motion Carried

3 members abstained

5. Next Meeting

February 13, 2013.

The meeting was adjourned at 10:30 p.m.

CHA	TRM	AN



November 27, 2012

Mr. Chris DeVriendt
Senior Development Planner
Planning, Building, Engineering and Environment
City of Guelph
1 Carden Street
GUELPH, Ontario
N1H 3A1

DEC 0 3 2012

Building & Planning Services

Dear Mr. DeVriendt:

Re: 25 LEE STREET - Proposed Zoning By-law Amendment (File # ZC1213)

Thank you for your notice of October 26, 2012.

This application will result in the rezoning of Urban Reserve Lands to Specialized Institutional to permit the development of a public school in the Eastview Community. The need for this school is identified in the City's Official Plan and is appropriately located adjacent to the major community park.

The Guelph and Wellington Development Association supports this application and we encourage staff to expedite the processing of this zone change.

Yours truly

Alfred Artinger President



Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

November 28, 2012

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

Attention: Chris DeVrient - Planner

Re: Zoning By-law Amendment ZC1213 25 Lee Street, City of Guelph Upper Grand District School Board

Permit Number 644/11 was issued by the Grand River Conservation Authority dated February 24, 2012. The permit was issued for the removal three small wetlands totalling 0.18 hectares. A satisfactory Environmental Impact Study has been submitted for this proposal.

We trust these comments are of assistance. Should you have any further questions, please contact Heather Ireland 519-621-2763 ext. 2320.

Yours truly,

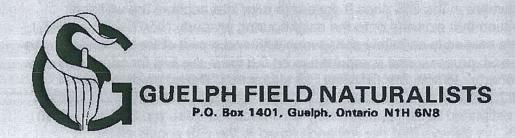
Fred Natolochny MCIP, RPP
Supervisor of Resource Planning
Grand River Consequetion Auditor

Grand River Conservation Authority

FN/hi

Encl.

cc: Jennifer Passy, Upper Grand District School Board, 500 Victoria Road North, Guelph ON N1H 3X3



November 20, 2012

Chris DeVriendt
Planning, Building,
Engineering and Environment
City of Guelph

We have reviewed the Scoped Environmental Impact Study prepared by North-South Environmental Inc. for the planning application for 25 Lee Street and offer the following comments:

- On page 12, it states that "there are no connecting channels present and no connection amongst the three (wetland) pockets". It appears to us that these wetlands are indeed connected and are headwater wetlands where surface or subsurface water flow occurs or did occur from a southeast to northwest direction along the depression between the two heights of land without a definable channel. This can be seen on air photos and historical mapping. We suggest that City files of the development of Lee Street and nearby residential areas be checked for how a small stream that drained from the Lee Street wetland was dealt with (see Grand River Information Network (GRIN) on the GRCA website and City of Guelph mapping). Was this stream buried in a dedicated sewer draining to Hadati Creek or was the water draining from the wetland directed into the residential storm sewer system?
- On page 13, it states that "these (wetland) pockets provide very little in terms of wetland function" and "these pockets neither provide a storage function nor ameliorate flooding". However, it would appear that, as headwater wetlands, a storage function definitely exists. This view is supported by the fact that there is no existing channel or visible watercourse that would quickly carry away any storm water. In other words, the wetland retains stormwater, releasing it slowly to Hadati Creek.
- The EIS outlines how the wetland areas were delineated and then treated as inclusions in the Cultural Meadow ELC designation. It is stated that the total combined wetland area is less than 0.2 ha on the subject property.

Nowhere in the EIS does it appear to take into account the wetland section that extends onto the neighbouring property (55/75 Cityview Rd.). This section is definitely contiguous with and a part of the wetlands on the Lee St. property and is reported to be 0.3 ha in the EIS for 55/75 Cityview property. In fact, the Cityview EIS states that "Based on air photo interpretation and field observations the total area of this (entire) wetland is estimated to be approximately 0.75 hectares" (see pg. 22-23). Given this, we believe that the wetlands noted in the EIS should all be considered as one unit with possibly some cultural meadow inclusions rather than the other way around. We believe the wetland unit must be considered as one whole unit that extends onto the two properties.

The Ecological Land Classification (ELC) manual put out by the Ministry of Natural Resources describes <u>inclusions</u> and <u>complexes</u> as representing two or more distinct community types present within a single polygon or where a polygon represents complex and variable site and vegetation conditions (pg. 143). Inclusions are noted to be < 0.5 ha. Complexes are noted to occur where site and vegetation conditions are variable, represented by two or more communities intermingled in a mosaic that is too complex to map.

Given the above, we believe that the EIS misinterpreted the wetland polygon and that the polygon is indeed a Meadow Marsh/Thicket Swamp with inclusions of Cultural Meadow/Cultural Savannah, the entire polygon being 0.5 ha or greater.

The EIS includes a letter from the City (M. Plaunt, June 2010) confirming the removal of the Natural Heritage designation for the wetland from the Natural Heritage System mapping "on the basis that the wetlands are less than the 0.2 ha minimum size for Other Wetlands identified in the Draft Official Plan". We believe that this decision was possibly an error as it was made without consideration of the entire wetland polygon that extends onto the two properties which has been demonstrated to be greater than 0.2 ha. This wetland should have retained its designation as a locally significant wetland or Other Wetland in the City's Natural Heritage System.

- There are a number of issues with the plant species listed in the EIS.
 - Carex stricta is a misidentified species noted in the EIS as a
 dominant species in Wetland C. In fact, Carex pellita is the
 dominant species in Wetland C. Carex pellita is uncommon in
 Halton Region & Ham-Wentworth Region and rare in Peel Region
 and the GTA (Halton Natural Areas Inventory, 2006; Vascular Plant
 Flora of Hamilton-Wentworth, 1995; Distribution & Status of
 Vascular Plants of the GTA, 2000).

- 2. Salix scouleriana is listed as occurring in the cultural meadow unit in the EIS Appendix 2, the list of plant species found on the study site. Salix scouleriana is a western species that does not occur naturally in this part of the country. It is not listed by the MNR Natural Heritage Information Centre as occurring in Ontario. This appears to be a species identification error.
- 3. Lysimachia quadriflora is listed as occurring in the cultural meadow unit in the EIS Appendix 2, the list of plant species found on the study site. This species has never previously been documented for Wellington County. Sources checked include: 'Distribution & Status of the Vascular Plants of Central Region' by Riley 1989; 'Flora of Wellington Co.' by Frank & Anderson 2009. If this species identification is correct, this species might be considered regionally significant.
- 4. On page 12 of the EIS, two species, Carex comosa and Scirpus cyperinus, are noted as occurring in Wetland C. These two species do not appear in the EIS Appendix 2, the list of plant species found on the study site. Given errors previously mentioned, it is uncertain whether these two species occur on the study site or not.
- 5. Glyceria canadensis (if the identification is correct) is noted as occurring in the cultural meadow unit in the EIS Appendix 2. This wetland species is rare in Halton, Peel, Ham.-Wentworth and Waterloo Regions (see sources above and Waterloo Region Significant Plant List, 1999). In "Grasses of Ontario" by Dore and McNeill (1980), it states "Occurrences (of this species) in the counties centering around Waterloo County are confined to acid swamps where the plant may be considered a relict of boreal conditions". We believe that the significance of this plant species at the study site needs further consideration. Its presence gives support to this wetland unit being considered a headwaters wetland that has existed at this site for a long time.

The Clythe Creek Subwatershed Study (Ecologistics, 1997/1998) provides some details of the subcatchment area (S14) that the wetland unit is part of. A small intermittent stream is shown originating at the Lee Street wetland (Reach H3) and draining to Hadati Creek. The study outlines how the natural environment associated with Hadati Creek has been degraded in various ways related to urban development. The study goes on to recommend that in the subcatchments, "efforts should be made to retain existing vegetation and to enhance natural areas. The Hadati Creek system has been altered significantly and is undergoing development. Efforts toward restoring and rehabilitating the creek should be considered."

Given all of the above, we believe that both sections of wetland that occur on the two neighbouring properties should be considered as one wetland unit and that further evaluation should be given to the entire wetland unit because:

- 1. The entire wetland polygon is known to be 0.5 ha or greater, extending onto two properties.
- 2. This wetland likely acts as a headwater wetland and therefore possesses an ecological function as a water storage area and possible flood attenuation.
- Due to the misidentification of some plant species, it is possible that significant species were missed. This appears to place some doubt on the conclusions of the EIS with respect to the wetland unit.

Thank you for the opportunity to comment.

Sincerely,

Charles Cecile

Guelph Field Naturalists
Environment Committee



ATTACHMENT 10 Public Notification Summary

September 17, 2012 Application received by the City of Guelph

October 11, 2012 Application deemed complete

October 26, 2012 Notice of Complete Application and Public Meeting Notice mailed to prescribed agencies and surrounding property owners within 120 metres

November 8, 2012 Notice of Public Meeting advertised in the Guelph Tribune

December 3, 2012 Statutory Public Meeting of City Council

April 8, 2013 City Council Meeting to consider staff recommendation



TO Council Planning

SERVICE AREA Planning, Building, Engineering and Environment

DATE April 8, 2013

SUBJECT Barn at 132 Hart's Farm Lane West - Proposed Removal

from Municipal Register of Cultural Heritage Properties

REPORT NUMBER 13-11

EXECUTIVE SUMMARY

PURPOSE OF REPORT

 To respond to the proponent's Heritage Review application to Council to consider the proposed removal of the Hart barn from the *Municipal* Register of Cultural Heritage Properties.

KEY FINDINGS

- A Cultural Heritage Resource Impact Assessment has determined that the large bank barn building and an addition have cultural heritage value or interest.
- An engineer's structural assessment has determined that the barn and the
 addition have deteriorated beyond repair and present potentially serious
 dangers to occupants within and adjacent to the building, with the
 possibility of sudden failure if the floor or roof are subjected to loads. The
 engineer's recommendation is that access into and adjacent to the barn
 be restricted due to these safety concerns and that the building should be
 demolished as soon as possible.
- As a result of the above, Heritage Guelph and Planning Services staff support removal of the barn from the *Municipal Register of Cultural Heritage Properties* subject to certain conditions regarding documentation and study of potential re-use of materials.

FINANCIAL IMPLICATIONS

none

ACTION REQUIRED

 Council to decide whether to remove all references to the large bank barn and an addition from the description of heritage attributes pertaining to 132 Hart's Lane West, a listed non-designated property in the City's Municipal Register of Cultural Heritage Properties, subject to certain recommended conditions.



RECOMMENDATION

- 1. That the Council Planning Report 13-11, regarding the proposed removal of the barn at 132 Hart's Lane West from the Municipal Register of Cultural Heritage Properties, dated April 8, 2013, be received.
- 2. That, given the severe structural condition of the Hart barn and the addition, Council authorize staff to amend the description of the heritage attributes pertaining to 132 Hart's Lane West, a listed non-designated property in the City's Municipal Register of Cultural Heritage Properties, to refer only to the Hart farmhouse and to remove all references to the large bank barn and the addition as identified in this report.
- 3. That the property owner and applicant be directed to develop and implement a strategy at their cost, to the satisfaction of City staff, that satisfies the following cultural heritage conditions:
 - that the Hart barn and its interior framing be completely documented through measured drawings and photographs (before and during disassembly);
 - that all salvageable wood members (e.g. beams, posts or cladding) and the stone foundation wall be retained and appropriately stored for future study of potential reuse in situ or within a future proposed subdivision;
 - that heritage interpretive material presented in the form of an outdoor plaque be created by the proponent and installed for public view near the retained farmhouse to explain the former Hart farm complex and its cultural heritage value.

BACKGROUND

The subject property, 132 Hart's Lane West, has been listed as a non-designated property in the City of Guelph's *Municipal Register of Cultural Heritage Properties* as it contains two buildings of cultural heritage value or interest: the Hart farmhouse and bank barn. See Attachment 1 for subject property location.

The City of Guelph's *Municipal Register of Cultural Heritage Properties* (or "Heritage Register") is the official list of cultural heritage properties that have been identified by Council as being important to the community. The Heritage Register is an important tool to help the City monitor its cultural heritage resources and plan for their conservation. Every municipality in Ontario, under Section 27 of the *Ontario Heritage Act*, is required to maintain a Municipal Register that lists all formally designated heritage properties and may also include "non-designated" properties that it believes to be of cultural heritage value or interest.



The Hart farmhouse is described in the Heritage Register as being built about 1840 as a Neo-Classic Vernacular, 2-storey building with a 5 bay front façade with 3 bays above, under a gable roof with return eaves. The original building includes a single-storey wing to the west. The Hart barn is described as being built about 1850 as a gable roof, sidehill (or bank) barn with an overhang and single-storey addition to the north. See Attachment 2 for current photos of the buildings.

The property at 132 Hart's Lane West is currently owned by the Estate of Joseph C. Hart and is represented by Patrick Morris (executor) of McElderry & Morris, the Guelph law firm. Terra View Homes is a potential purchaser of the subject property and is the proponent for this Heritage Review Application as well as a future application for a plan of subdivision.

In response to preliminary inquiries by Terra View Homes (the proponent) regarding a future application for a plan of subdivision, Planning staff met with the proponent to identify potential concerns or requirements that would need to be addressed in the subdivision application process. Heritage Planning was asked to provide comments to Development Planning staff in June 2012 regarding the cultural heritage value of 132 Hart's Lane West. Heritage Planning staff advised the proponent that according to Official Plan policy, a Cultural Heritage Resource Impact Assessment and an Archaeological Assessment would be required in a complete application for a plan of subdivision.

The proponent and their consultants were invited to present their proposal at the 14 January 2013 meeting of Heritage Guelph. The delegation spoke to Gamsby and Mannerow's structural assessment and advised that due to serious structural deterioration issues with the barn and concerns with wind and snow load - the recommendation from their structural engineer is to demolish as soon as possible. Astrid Clos advised that the plans for the property include low and medium density residential development and they will be requesting a change in zoning. The plans also include the incorporation of the Hart farmhouse and the salvage and reuse of the barn materials in the new subdivision. Astrid Clos stated that it is the owner's intention that the materials from the barn will be salvaged and stored for re-use and that any required documentation would be done prior to demolition. The owner indicated that they planned to conduct a Cultural Heritage Resource Impact Assessment.

After discussion, the Heritage Guelph Committee approved the following recommendation:

"THAT Heritage Guelph requests a Cultural Heritage Resource Impact Assessment be conducted by the owner for the entire property prior to Heritage Guelph making a recommendation to Council as to whether the bank barn at 132 Harts Lane West should be removed from the Heritage Register and whether the barn should be demolished."



REPORT

The requested Cultural Heritage Resource Impact Assessment (Attachment 3), conducted by Owen Scott of the Landplan Collaborative Ltd, was submitted to Heritage Planning staff by the proponent on 6 February 2013 and presented by the proponent to Heritage Guelph at their meeting of February 11, 2013. The CHRIA report includes a detailed description of the cultural heritage value of the Hart farm property and the Gamsby and Mannerow's structural engineering assessment of the barn building. At the meeting Heritage Guelph passed the following resolutions:

"That the Cultural Heritage Resource Impact Assessment by Landplan Collaborative Ltd (dated 6 February 2013) pertaining to the Hart Farm at 132 Hart's Farm Lane West be received;

That Heritage Guelph recognizes the cultural heritage value of the Hart barn, at 132 Hart's Farm Lane West, as one of Guelph's and Puslinch Township's few remaining heavy timber bank barns. The barn has remained on the Hart family property from the time it was built (about 1850) through five generations. The barn has design value or physical value because it is an early and representative example of heavy timber construction methods. It has historical value or associative value because it has direct associations with a pioneering family that is significant to the community. It has contextual value because it is physically, visually and historically linked to its surroundings;

That Heritage Guelph recognizes Gamsby and Mannerow's structural engineering assessment (included in the 6 February 2013 Cultural Heritage Resource Impact Assessment) which concluded that the barn building should be condemned, that the barn is beyond repair without a complete re-build, and if an adaptive re-use could be found the building would require extensive re-building and renovation;

That Heritage Guelph recommends that Council approve the proponent's Heritage Review Application for the removal of the Hart barn from the Municipal Register of Cultural Heritage Properties;

That, given the severe structural condition of the Hart barn, Heritage Guelph would have no objection to approval of a permit to allow careful disassembly of the barn building, provided that the proponent agrees to the following conditions:

 that the barn and its interior framing be completely documented through measured drawings and photographs (before and during the disassembly);



- that all salvageable wood members (e.g. beams, posts or cladding) and the stone foundation walls be retained for future study of potential reuse in situ or within the proposed subdivision;
- that heritage interpretive material presented in the form of an outdoor plaque be created by the proponent and installed for public view near the retained farmhouse to explain the former farm complex and its cultural heritage value."

Planning Services and Heritage Guelph recognize the cultural heritage value of the Hart barn as one of Guelph's and Puslinch Township's few extant heavy timber bank barns. As has been shown in the heritage assessment report, the barn structure has design value or physical value as an early and representative example of heavy timber construction methods. It has historical value or associative value because it has direct associations with the Hart family a significant pioneering family in the community. It has contextual value because it is physically, visually and historically linked to its surroundings.

However, Planning Services and Heritage Guelph also recognize that Gamsby and Mannerow's structural engineering assessment has concluded that the barn building should be condemned and demolished as the barn has deteriorated beyond repair. The engineer's recommendation also advises that access to the barn be prohibited to ensure no injuries occur in the event of the failure of the structure.

Planning staff support Heritage Guelph's recommendation that careful disassembly of the barn building would be acceptable, provided that the proponent satisfies the Committee's suggested conditions as noted above.

CORPORATE STRATEGIC PLAN

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City.

DEPARTMENTAL CONSULTATION

Park Planning

COMMUNICATIONS

None



ATTACHMENTS

Attachment 1 Subject property location

Attachment 2 Photos of bank barn and farmhouse

Attachment 3 Cultural Heritage Resource Impact Assessment of the Hart Farm at

132 Hart's Farm Lane West (Landplan Collaborative Ltd, 6 February 2013), including Gamsby and Mannerow's structural engineering assessment of the barn building. Available for viewing at the

following link:

M:\tempdata\SR\HIA - Hart Farm.pdf

Report Author

Stephen Robinson Senior Heritage Planner 519-822-1260, ext 2496 stephen.robinson@quelph.ca

Original Signed by:

Approved By

Todd Salter General Manager Planning Services 519-822-1260, ext 2395 todd.salter@guelph.ca Original Signed by:

Recommended By

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



Attachment 1 – Subject Property Location





Attachment 2 – Photos of bank barn and farmhouse



Hart bank barn – seen from laneway



(l-r) Modern garage, north barn addition and main bank barn – seen from farmhouse



Hart farmhouse