

COUNCIL PLANNING AGENDA



DATE MAY 5, 2008

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

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

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

- 1) **Amendments to Brownfield Redevelopment Community Improvement Plan**
 - a) Staff presentation by Greg Atkinson
 - b) Delegations (*limited to a maximum of ten minutes*)
 - i) Andrew Lambden
 - c) Staff summary

- 2) **Morning Crest Subdivision (Phase 2) – Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (23T-0501/ZC0404) – Ward 2**
 - a) Staff presentation by Chris DeVriendt
 - b) Representative from Almondale Homes Limited
 - c) Staff summary

PLANNING CONSENT DECISIONS

"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."

- 1) **104-110 Silvercreek Parkway North: Proposed Zoning By-law Amendment (ZC0718) – Ward 4**
- 2) **240 & 250-258 Silvercreek Parkway North: Proposed Zoning By-law Amendment (ZC0717) – Ward 4**

-
- 3) **219 Silvercreek Parkway North & 292 Speedvale Avenue West:
Proposed Zoning By-law Amendment (ZC0719) – Ward 3**

ADJOURNMENT

TO Guelph City Council

SERVICE AREA Community Design and Development Services
DATE May 5, 2008

SUBJECT Amendments to Brownfield Redevelopment Community Improvement Plan

REPORT NUMBER 08-42

RECOMMENDATION

“That the Community Design and Development Services Report 08-42 regarding proposed amendments to the Brownfield Redevelopment Community Improvement Plan, dated May 5, 2008, BE RECEIVED”

SUMMARY

Official Plan Amendment No. 37 was presented at a statutory public meeting of Council in accordance with the Planning Act on February 4, 2008, and is described in Report No 08-16. Official Plan Amendment No. 37 (OPA 37) proposes to expand the Brownfield Redevelopment Community Improvement Project Area (i.e. the area to which the Community Improvement Plan applies) City wide (see Schedule A).

The purpose of this report is to propose amendments to the Brownfield Redevelopment Community Improvement Plan (CIP) to expand the Community Improvement Project Area as proposed in Official Plan Amendment No. 37 and to permit the Tax Increment-Based Grant Program, which currently is limited to the Central Business District, to apply City wide. The effect of these amendments would expand the applicability of the Tax Increment-Based Grant Program to the limits of the current Community Improvement Project Area (see Schedule B) until such time as OPA 37 is approved. Once OPA 37 is approved, the proposed change to the City’s Brownfield Redevelopment CIP would apply City wide.

BACKGROUND

The City’s current Brownfield Redevelopment Community Improvement Plan (CIP) was approved by the Ministry of Municipal Affairs and Housing in March 2004. Section 28(5) of the Planning Act requires amendments to a CIP to follow the same process as an Official Plan Amendment, which includes a public meeting prior to the adoption of the amendment by Council. Recent changes made to the Planning Act through Bill 51 (the Planning and Conservation Land Statute Law Amendment Act) removed the requirement for provincial approval of CIPs and for changes to CIPs containing financial incentives. As such, an amendment to the CIP becomes final upon Council’s adoption of the amendment, provided there are no appeals to the Ontario Municipal Board.

The CIP implements key financial components of the City's Brownfields Strategy, which was adopted by City Council in May 2002. The Brownfield Redevelopment CIP contains a number of financial incentive programs that are intended to stimulate private sector investment in the reuse/redevelopment of brownfield sites and partially offset the costs associated with site assessment and remediation.

Under the existing CIP, financial incentive programs (e.g. Environmental Study Grant Program, Tax Arrears Cancellation, and Taxation Assistance During Rehabilitation) apply to the entire Community Improvement Project Area, however, the Tax Increment-Based Grant Program is only applicable in the Central Business District (see Schedule B). Therefore, properties outside the downtown do not qualify for the Tax Increment-Based Grant Program.

The Tax Increment-Based Program is a significant incentive to the successful redevelopment of brownfield sites and a key component of the City's overall Brownfield Strategy. The financial component of the City's Brownfield Strategy was intended as a five year pilot program to be re-evaluated in 2009.

REPORT

Recently, Community Design and Development Services has received a number of inquiries regarding the potential application of the Tax Increment-Based Grant Program to brownfield properties outside of the Central Business District (CBD). Since the CIP limits this program to the CBD, interested parties outside this area are not eligible for the program.

As the City moves forward with its Local Growth Management Strategy and the implementation of the Community Energy Plan, the redevelopment of brownfield sites will play an increasingly important role in the achievement of the City's strategic goals and meeting the requirements of the Growth Plan. Accordingly, it is recommended that the following two amendments be made to Brownfield Redevelopment CIP:

- 1) The CIP text should be amended to indicate that the Tax Increment-Based Grant Program applies City wide (see Schedule C).
- 2) The Community Improvement Project Area should be amended to include all land within the municipal boundaries of the City of Guelph (see Schedule D). This change is proposed to be consistent with Official Plan Amendment No 37, which was presented at a statutory public meeting of Council on February 4, 2008, and is described in Report No 08-16. This change will not become effective until Official Plan Amendment No 37 is approved by Council, provided there are no appeals.

The following sets out the effect of the proposed CIP amendments relative to when OPA 37 is approved:

- If the recommended changes to the Brownfield Redevelopment CIP are approved prior to OPA 37, the immediate effect would extend the applicability of the Tax Increment-Based Grant Program from the Central Business District to the Community Improvement Project Area, as shown on Schedule B.
- If the CIP amendment and OPA 37 are approved concurrently, the applicability of the Tax Increment-Based Grant program (and all other financial incentive programs within the CIP) would apply City wide.
- If OPA 37 is approved prior to the CIP amendment, the Tax Increment-Based Grant program will continue to be limited to the Central Business District.

The proposed amendments to expand the applicability of the Tax Increment-Based Grant Program and the Community Improvement Project Area are consistent with 2005 Provincial Policy Statement (PPS) and conforms to the policies within the Growth Plan, namely:

- PPS Policy 3.2.2, requires that contaminated sites be remediated prior to any activity on the site associated with the proposed use;
- PPS Policy 1.1.3.3, directs planning authorities to identify and promote opportunities for intensification and redevelopment, specifically in areas with existing building stock, including brownfield sites; and
- Growth Plan Policy 2.2.2 b), requires that population and employment growth will be accommodated by focusing intensification in intensification areas, which include brownfield sites.

CORPORATE STRATEGIC PLAN

The expansion of the Tax Increment-Based Grant Program and the Community Improvement Project Area supports a number of Strategic Plan Goals, including:

- Goal 1:** An attractive, well-functioning and sustainable City;
- Goal 2:** A healthy and safe community where life can be lived to its fullest;
- Goal 3:** A diverse and prosperous local economy; and
- Goal 6:** A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

The expansion of the Tax Increment-Based Grant Program will make the program available to a larger number of properties, however no additional funds are requested at this time because the program is available on a first come basis. The provision of grants based on a future increase in tax assessment, for properties that may not otherwise be redeveloped, will result in a higher long-term tax base and therefore have a potential positive financial impact on the City. The City currently has \$101,000 in its Brownfield Reserve Fund, which provide funds for all municipal brownfield initiatives.

DEPARTMENTAL CONSULTATION

Community Design and Development Services - Engineering Services
Corporate Services - Legal Services
Finance – Budget Services
Environmental Services

COMMUNICATIONS

A Notice of Public Meeting was published in the City News section of the Guelph Tribune on Friday, March 14, 2008 for the April 7, 2008 Planning Council Meeting, which was subsequently cancelled.

A revised Notice of Public Meeting was published in the City News section of the Guelph Tribune on Friday, April 4, 2008, announcing that the meeting date has been changed to May 5, 2008. A similar notice was mailed to persons requesting notice and prescribed public bodies on Monday, April 7, 2008.

ATTACHMENTS

Schedule A: Change to Community Improvement Project Area Proposed in Official Plan Amendment No 37

Schedule B: Current Community Improvement Project Area

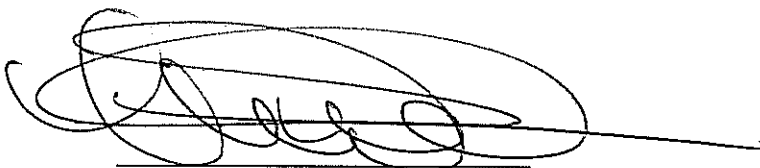
Schedule C: Proposed Changes to the Brownfield Redevelopment Community Improvement Plan Text

Schedule D: Proposed Community Improvement Project Area



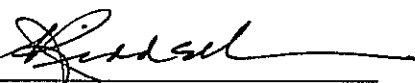
Prepared By:

Greg Atkinson
Policy Planner
519-837-5616 ext. 2521
gregory.atkinson@guelph.ca



Prepared and Recommended By:

Marion Plaunt
Manager of Policy Planning and Urban Design
519-837-5616 x2426
marion.plaunt@guelph.ca



Recommended By:

Jim Riddell, Director, Community Design and Development Services
519-837-5616 x2361
jim.riddell@guelph.ca

Schedule A: Change to Community Improvement Project Area Proposed in Official plan Amendment No 37

Official Plan Amendment No 37 modification # 35 proposes to amend the Official Plan text as follows (~~stricken out~~ text is proposed to be removed and **bold** text is proposed to be added):

- 35) General Policies 4.7.2.1 and 4.7.3 with respect to 'Community Improvement and Renewal' on page 58 are amended as follows:

4.7.2.13 The City has completed the following Community Improvement Plans to guide and facilitate identified improvements:

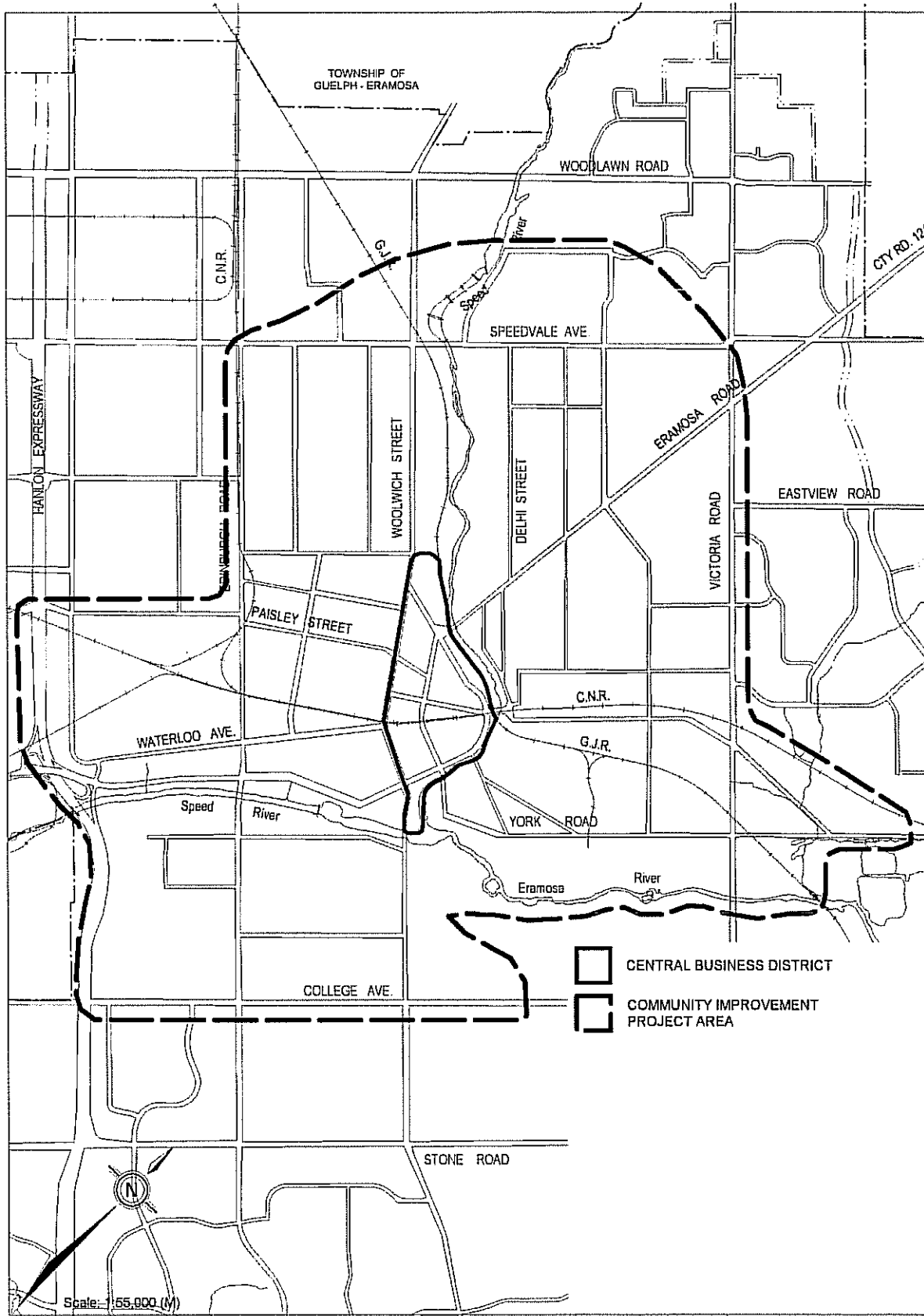
- a) St. Patrick's Ward Community Reinvestment Strategy as **adopted by Council** (Area 2 on Schedule 5);
- b) **Old University and Centennial Neighbourhoods, which was received by Council and should be applied to the evaluation of development proposals and used to identify potential capital projects within the Community Plan boundaries (Area 5 on Schedule 5); and**
- c) **Brownfield Redevelopment Community Improvement Plan, which applies to all the lands within the City of Guelph. For clarification, all programs contained within the Brownfield Community Improvement Plan also apply to the entire City.**

4.7.34 The City will consider the designation of community improvement areas within the older, established areas of Guelph as outlined on Schedule 5. At this time, priority areas for community improvement include:

- a) The Central Business District (Downtown) – Area 1;
- b) York Road Area (East of Victoria Road) - ~~(Area 3);~~
- c) The Junction Lands Area – Area 4;
- d) ~~Old University and Centennial Neighbourhoods (Area 5)~~

~~In addition to the above defined areas, City Council has adopted a Brownfield Redevelopment Community Improvement Plan that applies to all lands identified as a Community Improvement Area on Schedule 5.~~

Schedule B: Current Community Improvement Project Area



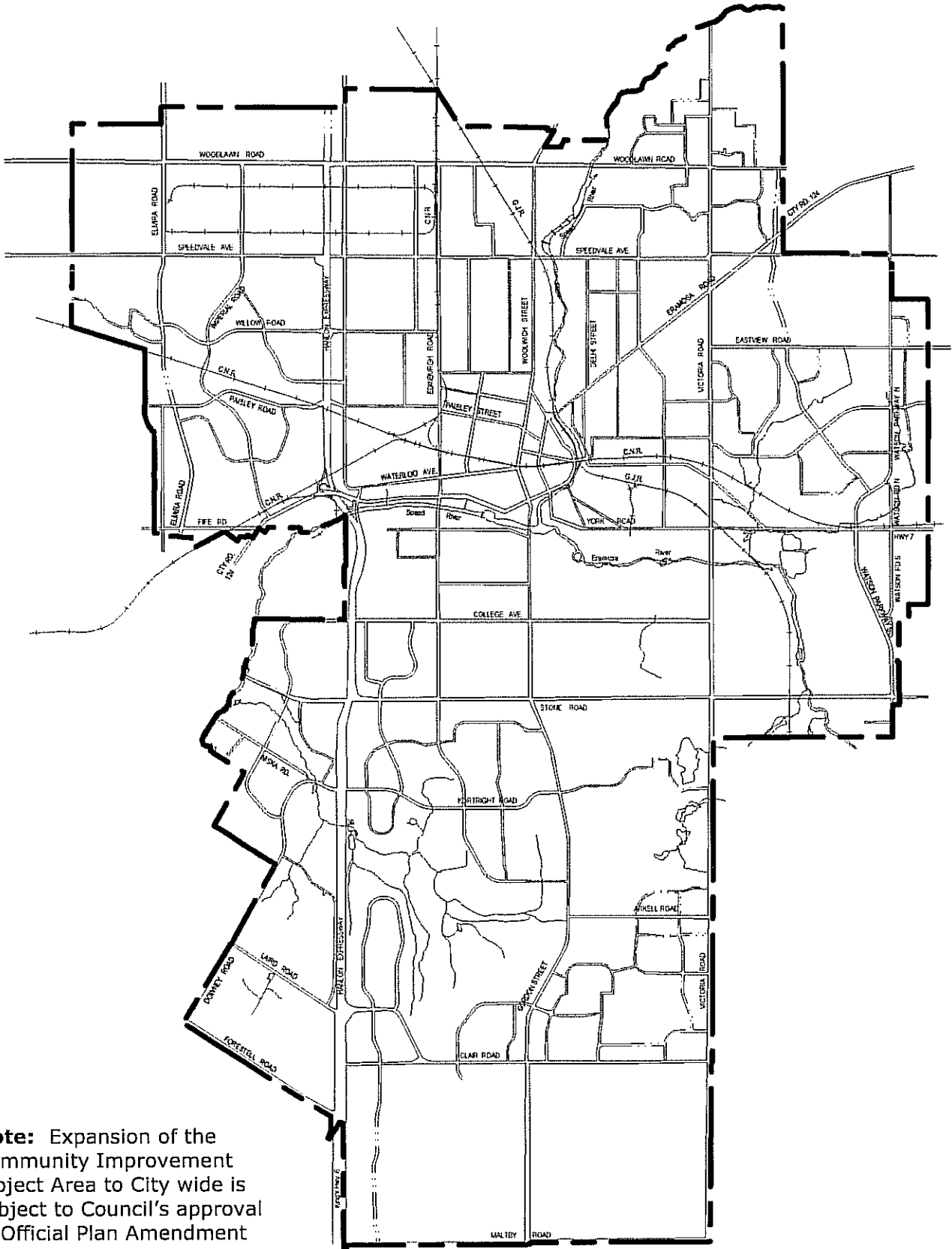
Schedule C: Proposed Changes to the Brownfield Redevelopment Community Improvement Plan Text

That Schedule 2 on page 21 of the Brownfield Redevelopment Community Improvement Plan, which is entitled 'Tax Increment-Based (Or Equivalent) Grant Program' be amended as follows (~~stricken-out~~ text is proposed to be removed and **bold** text is proposed to be added):

Area:

- **City wide.** ~~Currently applicable only in the downtown area.~~

Schedule D: Proposed Community Improvement Project Area



Note: Expansion of the Community Improvement Project Area to City wide is subject to Council's approval of Official Plan Amendment No 37

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE May 5, 2008

**SUBJECT Morning Crest Subdivision (Phase 2) – Proposed Draft
Plan of Subdivision and Associated Zoning By-law
Amendment (File: 23T-04501/ZC0404) – Ward 2**

REPORT NUMBER 08-48

RECOMMENDATION

“THAT Report 08-48 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment for approval of Phase 2 of the Morning Crest Subdivision applying to property municipally known as 340 Eastview Road, City of Guelph, from Community Design and Development Services dated May 5, 2008, BE RECEIVED.”

SUMMARY

This report provides information on an application requesting approval of Phase 2 of a residential plan of subdivision and associated zoning by-law amendment application (23T-04501 / ZC0404) from Almondale Homes Limited (see Location Map on **Schedule 1**).

BACKGROUND

This report provides information regarding the proposed second and final phase of the Morning Crest residential draft plan of subdivision. Phase 1 of draft plan of subdivision application 23T-04501 was draft approved on March 3, 2006 and registered on November 28, 2007 as Plan 61M-144. Currently, the owner is pursuing the registration of Phase 1b of the subdivision, which includes 12 lots for detached dwellings along Eastview Road. **Schedule 2** illustrates the limits of Phase 1, Phase 1b and Phase 2 of the overall draft plan of subdivision application.

Schedule 3 illustrates the overall draft plan of subdivision proposal, consisting of approximately 20.8 hectares of land, that was initially presented to Council in January of 2006. In accordance with the City’s phasing policy for large scale subdivisions, only the first phase of the overall subdivision proposal was approved by City Council. This initial phase included 155 residential units, including a neighbourhood park and a service commercial block at the northeast corner of Watson Road and Eastview Road.

The applicant is now requesting that Phase 2 of this draft plan of subdivision and associated zoning by-law amendment application be brought forward for Council's consideration.

Location

The subject site consists of 8.3 hectares of land bounded by Watson Road and the former Eastview landfill site to the west, the Phase 1 subdivision lands and Eastview Road to the south, and the City boundaries to the north and east (see **Schedule 1**).

Official Plan Designation

The existing Official Plan land use designations that apply to the subject lands are "General Residential" and "High Density Residential" (see **Schedule 4**).

Existing Zoning

The subdivision lands are currently zoned UR (Urban Reserve) Zone in the City of Guelph Zoning By-law (see **Schedule 5**).

REPORT

Description of Proposed Plan of Subdivision

The application is a request to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 6**. Phase 2 of draft plan of subdivision 23T04504 proposes a total of 324 residential units, consisting of 47 residential lots for detached dwellings, 90 semi-detached residential units, 22 on-street townhouse units and 165 apartment units. The proposed draft plan also includes a pedestrian walkway (Block 52) as a connection between Street "E" and Street "F". The proposed pedestrian walkway corresponds with location of a 10 metre wide servicing easement. The lot sizes and breakdown for the proposed subdivision Phase 2 subdivision is also detailed in **Schedules 6 and 7**.

The proposed density of the Phase 2 subdivision, as calculated under "Places to Grow", is approximately 90 persons and jobs per hectare.

Description of Proposed Zoning Bylaw Amendment

To implement the proposed draft plan of subdivision, the owner wishes to rezone the lands to the R.1C and R.1D (Single-Detached Residential) Zones, the R.2 (Residential Semi-Detached/Duplex) Zone, the R.3B (Residential On-Street Townhouse) Zone, the R.4B (Residential Apartment) Zone and the P.1 (Conservation Land) Zone.

The proposed zoning concept and zoning details are provided in **Schedule 7**.

In support of the entire plan of subdivision, the developer has submitted the following reports and information which have since been processed and approved:

- Environmental Overview on Part 6, Concession 5, Division C and Adjacent Lands
Prepared by: Stantec Consulting Ltd.
Dated: December, 2003

-
- Linke Property Subdivision – Preliminary Stormwater Management Report
Prepared by: Stantec Consulting Ltd.
Dated: February, 2004
 - Linke Property Subdivision – Preliminary Servicing Report
Prepared by: Stantec Consulting Ltd.
Dated: February, 2004
 - Linke Property, Guelph – Traffic Impact Study and Noise Study
Prepared by: Paradigm Transportation Solutions Ltd.
Dated: February, 2004
 - Landfill Impact Assessment – Linke Subdivision
Prepared by: Stantec Consulting Ltd.
Dated: March, 2004

Staff Review

The review of this application will address the following issues:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control).
- Evaluation of the proposal against the General Residential and High Density Residential policies of the Official Plan.
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation.
- Review of the proposed zoning.
- Review timing in relation to the Development Priorities Plan and phasing policy.

Once the application is reviewed and all issues are addressed, a report from Community Design and Development Services with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

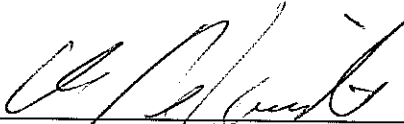
Financial implications will be reported on in the future Community Design and Development Services recommendation report to Council.

COMMUNICATIONS

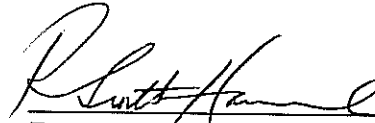
The Notice of Application and Notice of Public Meeting was circulated on April 11, 2008.

ATTACHMENTS

-
- Schedule 1 - Location Map
 - Schedule 2 - Subdivision Phasing
 - Schedule 3 - Overall Draft Plan of Subdivision
(Presented to Council January 16, 2006)
 - Schedule 4 - Official Plan Designations
 - Schedule 5 - Existing Zoning
 - Schedule 6 - Proposed Phase 2 Draft Plan of Subdivision
 - Schedule 7 - Proposed Zoning



Prepared By:
Chris DeVriendt
Senior Development Planner



Recommended By:
R. Scott Hannah
Manager of Parks and Development
Planning

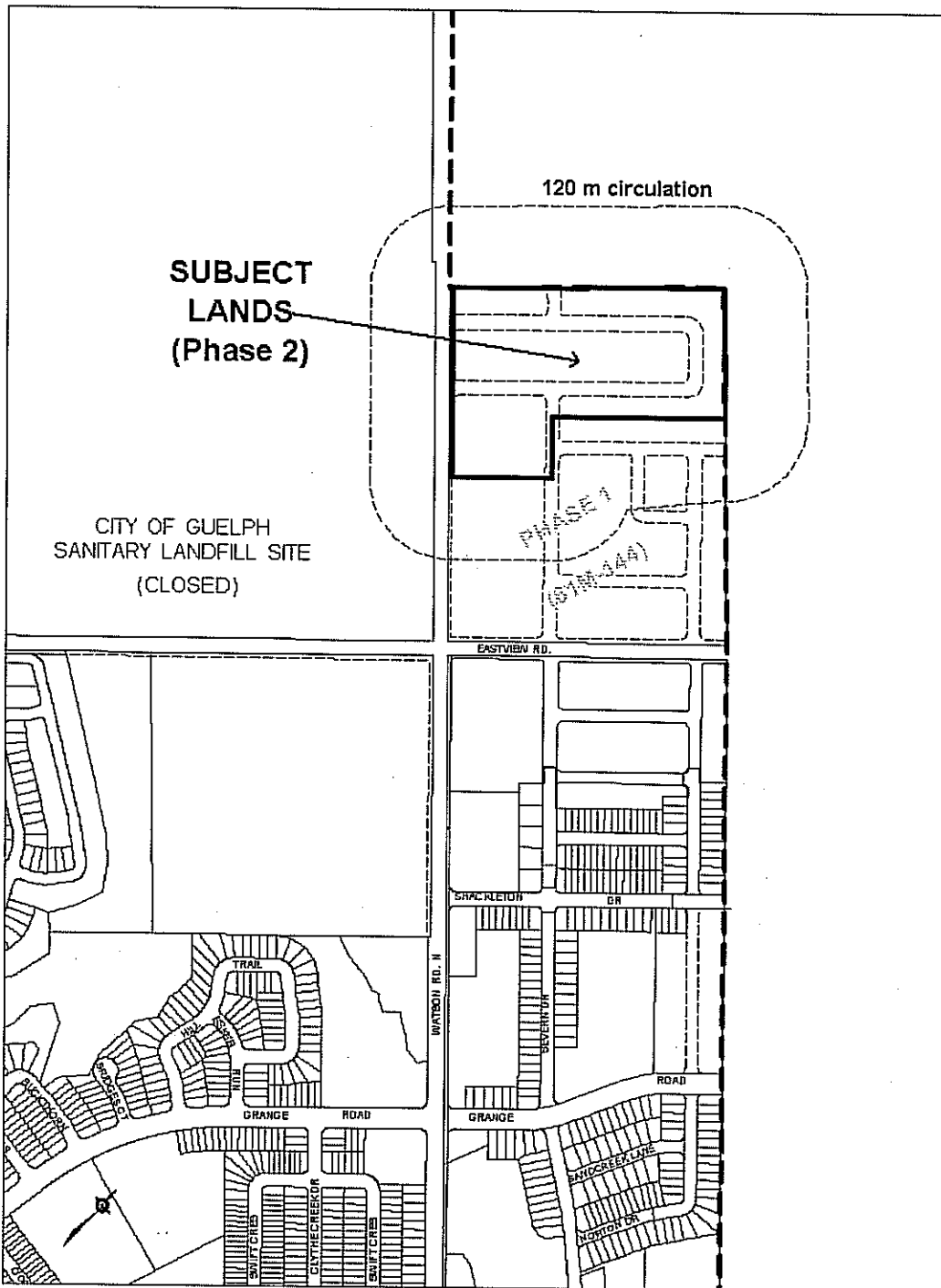


Recommended By:
Jim Riddell
Director of Community Design and
Development Services

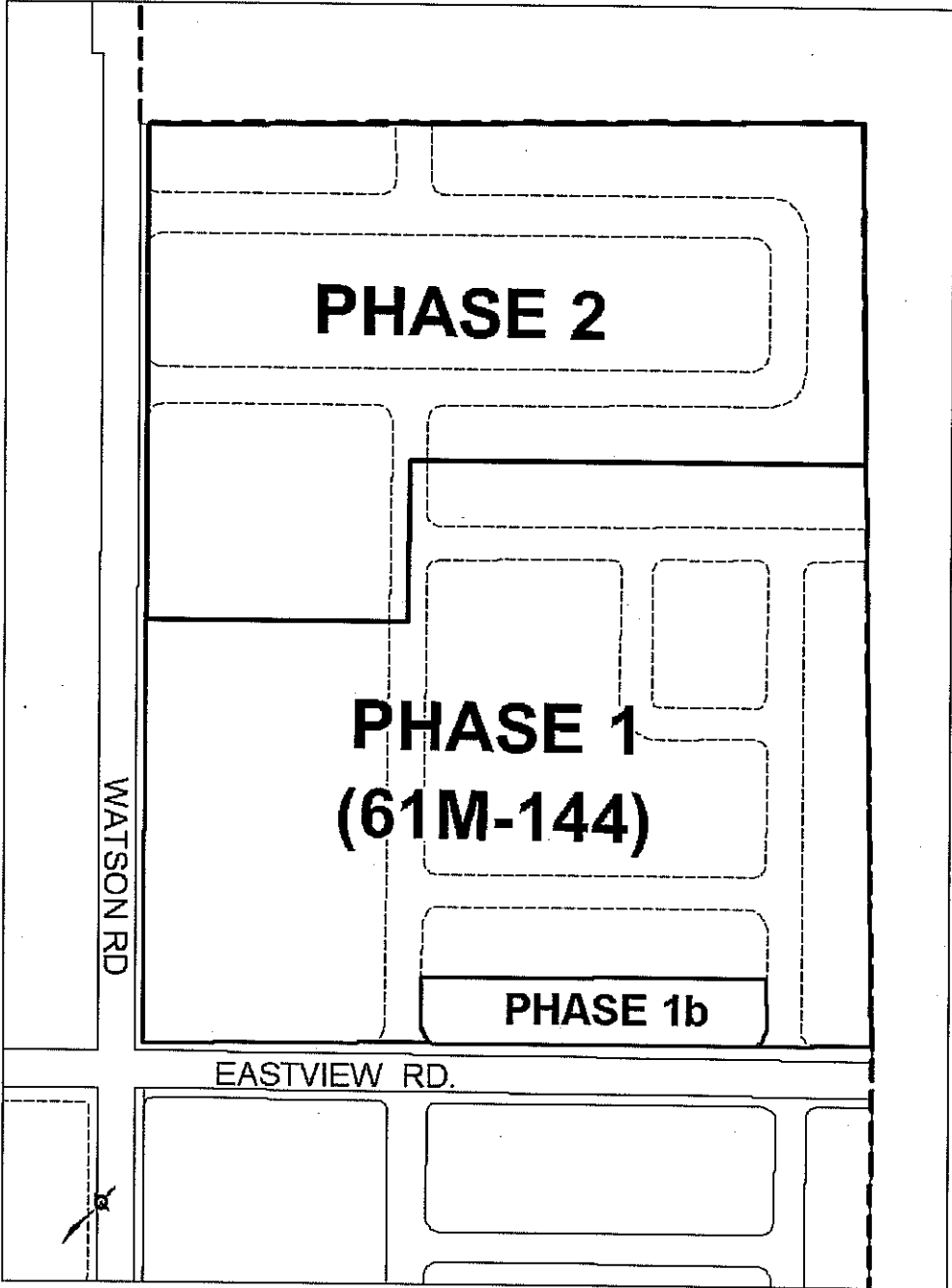
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SCHEDULE 1

Location Map

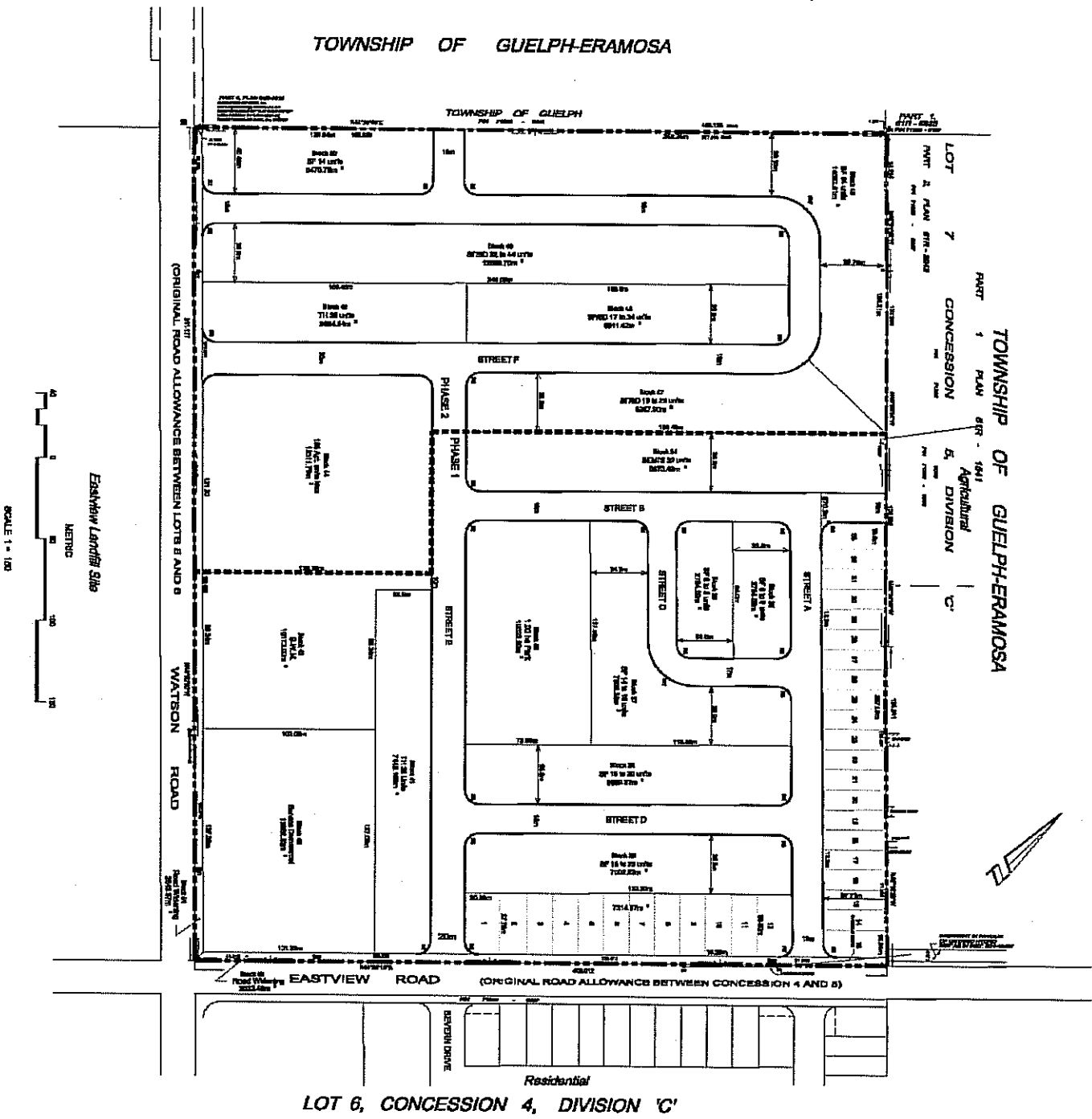


SCHEDULE 2
Subdivision Phasing

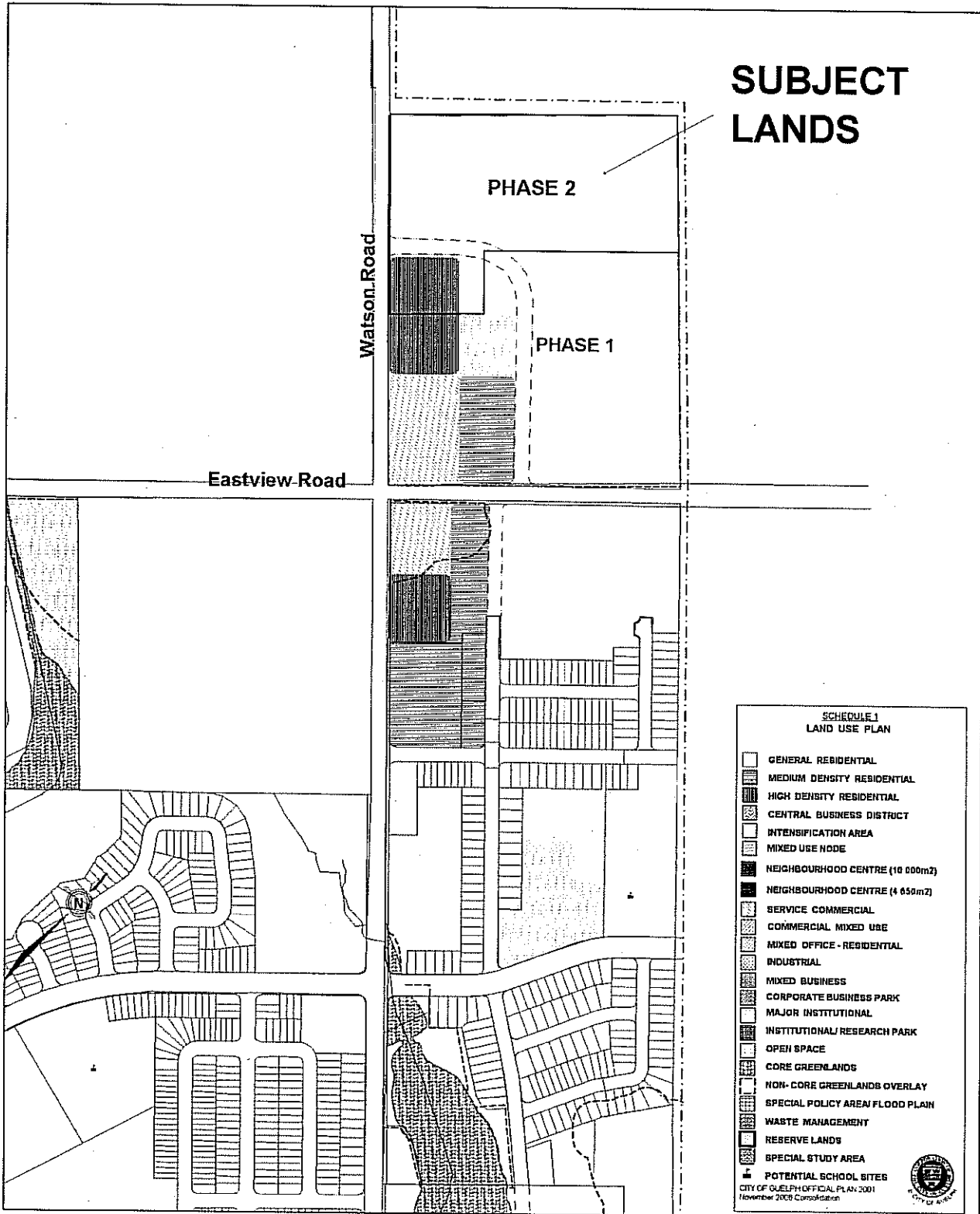


SCHEDULE 3

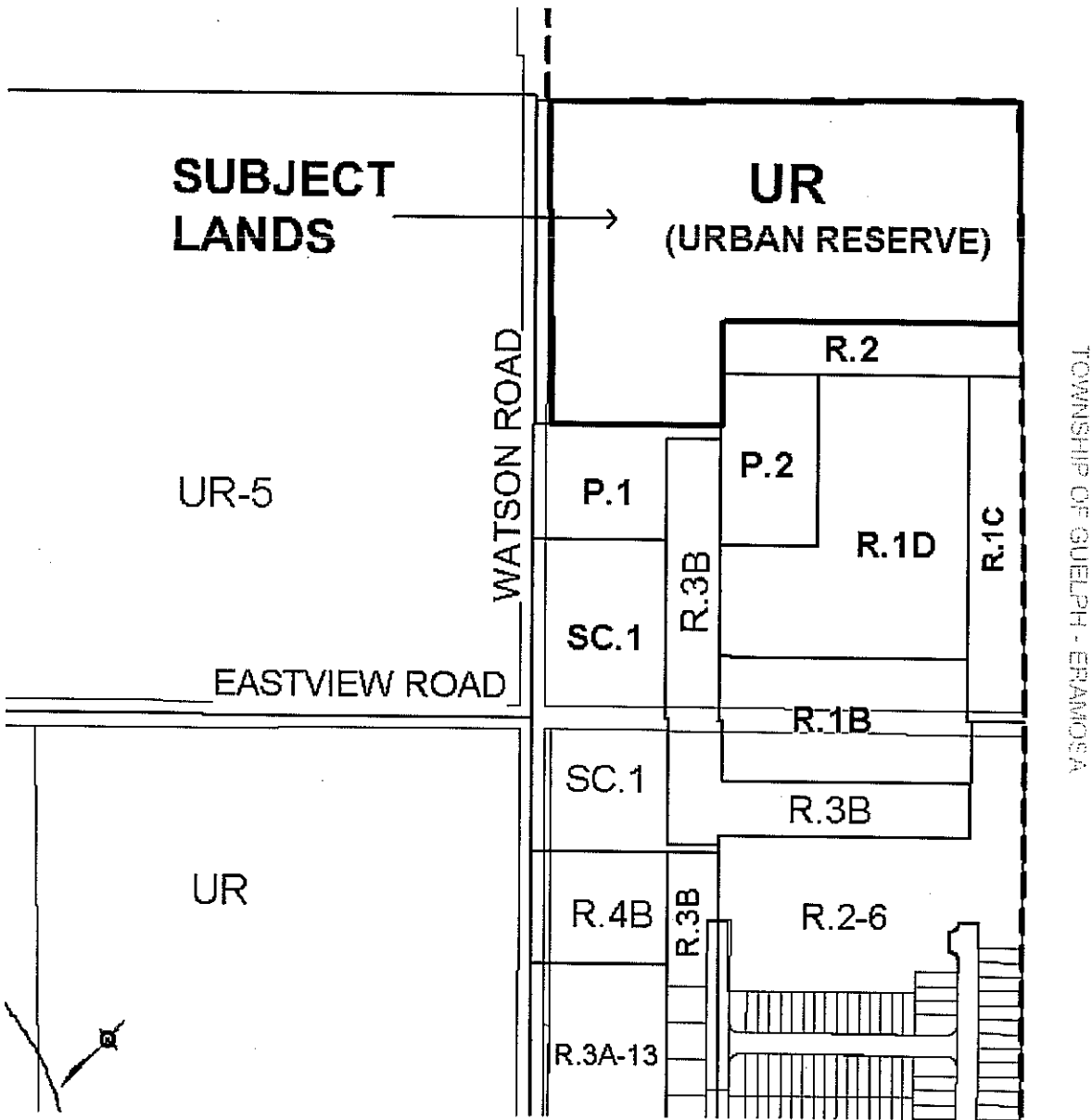
Overall Draft Plan of Subdivision



SCHEDULE 4 Official Plan Designations

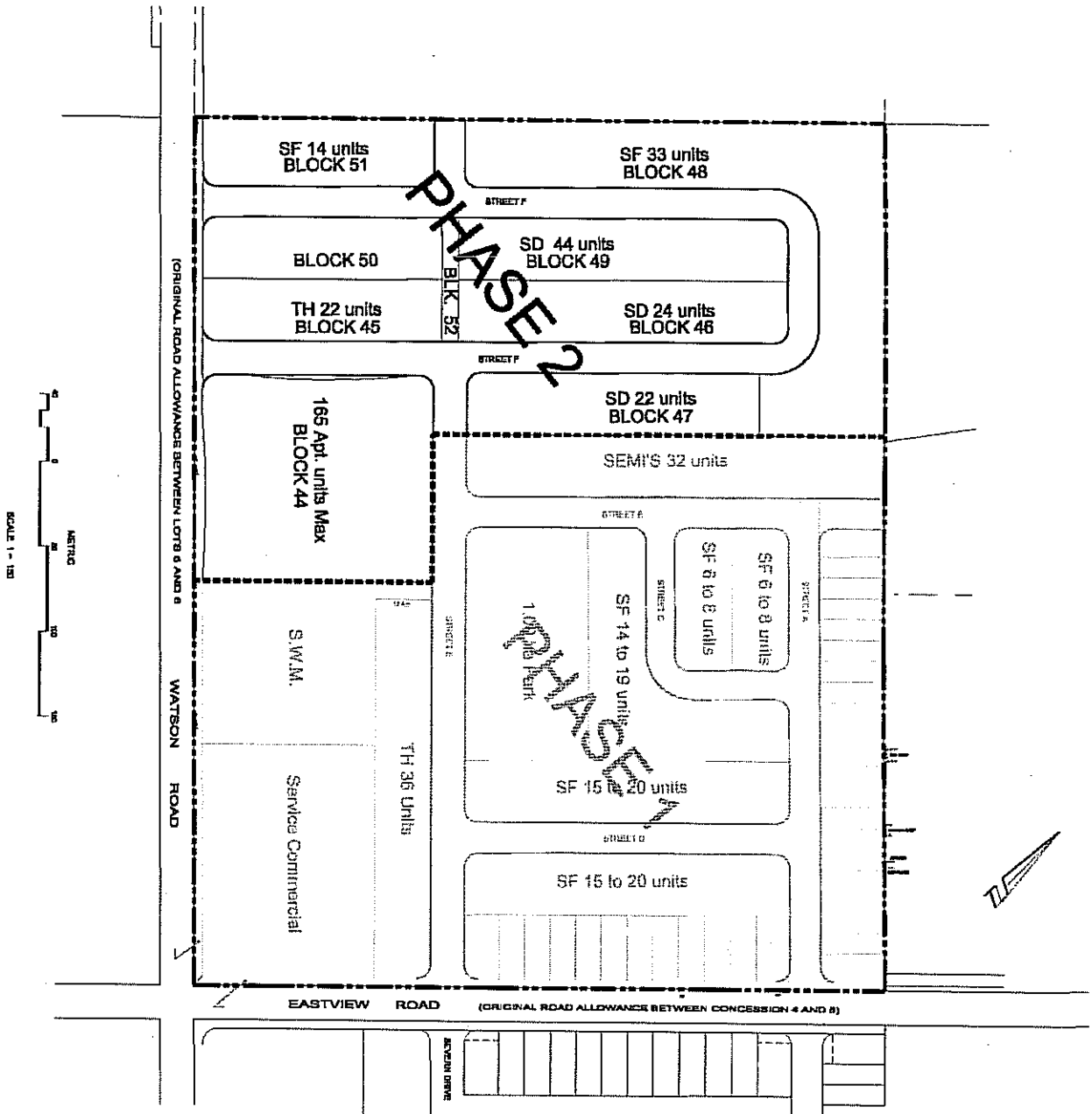


SCHEDULE 5
Existing Zoning



SCHEDULE 6

Proposed Phase 2 Draft Plan of Subdivision



SCHEDULE 6 (continued)

Details of Phase 2 Proposed Draft Plan of Subdivision

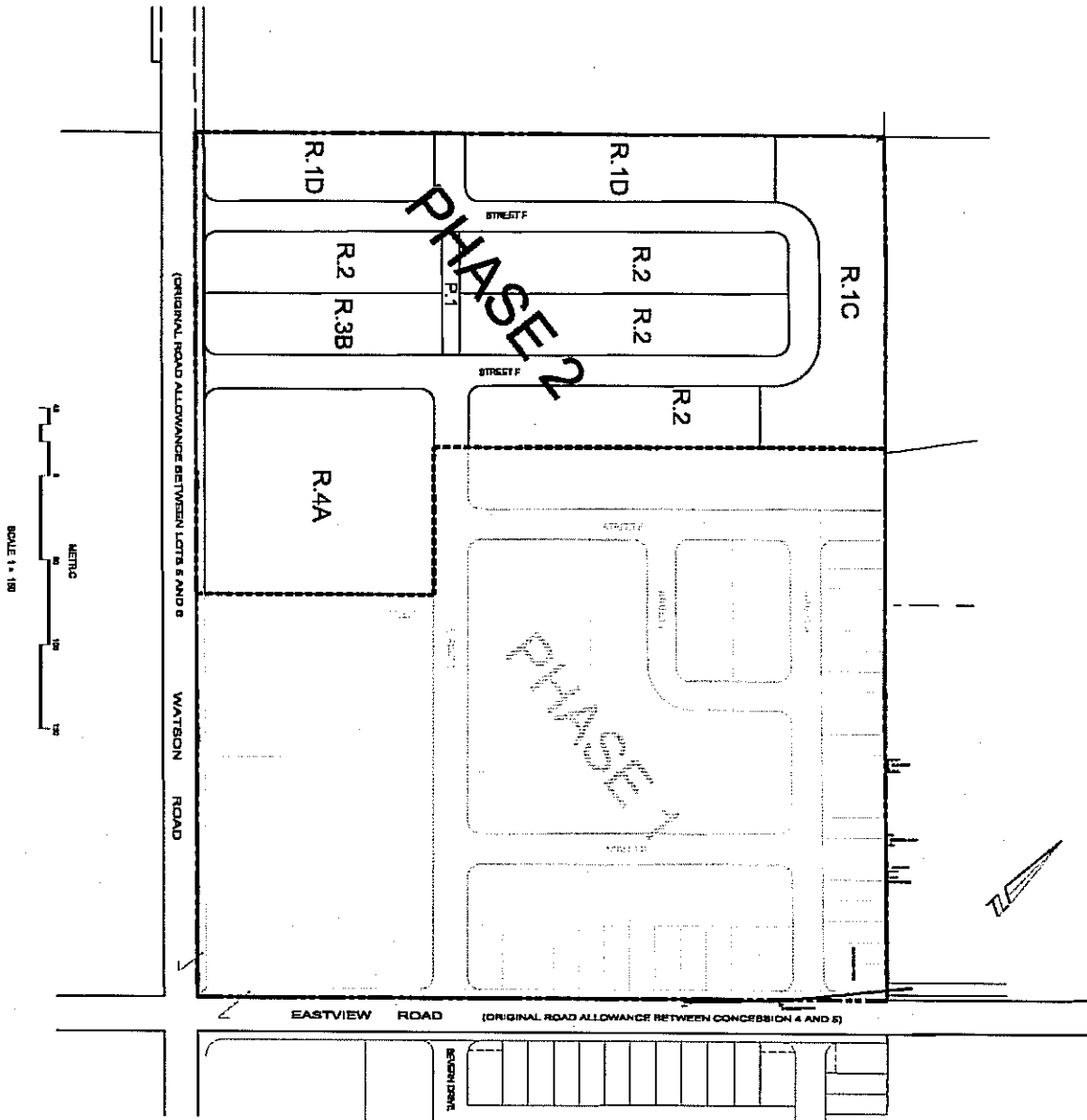
LAND USE SCHEDULE

LOTS/BLOCKS	LAND USE	AREA
PHASE 2		
Blocks 48, 51	Single-Detached Residential	2.256 hectares
Blocks 46-47, 49, 50	Semi-Detached	2.564 hectares
Block 45	Medium Density Residential	0.514 hectares
Block 44	High Density Residential	1.651 hectares
Block 52	Pedestrian Walkway	0.073
TOTAL AREA		7.06 hectares

DWELLING UNIT BREAKDOWN

LOTS/ BLOCKS	UNIT TYPE	UNITS (minimum – maximum)
Blocks 48, 50	Single-detached dwelling	47
Blocks 46-47, 49	Semi-Detached dwellings	90
Blocks 45	On-street townhouses	22
Block 44	Apartment units	165
TOTAL UNITS		324

SCHEDULE 7 Proposed Zoning



SCHEDULE 7 (continued)

Proposed Zoning Details

PHASE 2 PLAN

LOTS/BLOCKS	LAND USE	ZONING
Block 44	Residential Apartment	R.4B
Block 45	On-street Townhouses Min. Lot Frontage - 6m	R.3B
Blocks 46, 47 and 49	Semi-detached Residential Min. Lot Frontage - 15m	R.2
Block 48	Single detached Residential Min. Lot Frontage - 12m	R.1C
Block 50, 51	Single detached Residential Min. Lot Frontage - 9m	R.1D
Block 52	Pedestrian Walkway	P.1

PLANNING CONSENT AGENDA

May 5, 2008

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 can be approved in one resolution.

A Planning Consent Decisions

REPORT	DIRECTION
1 104-110 SILVERCREEK PARKWAY NORTH: PROPOSED ZONING BY-LAW AMENDMENT (ZC0718) - WARD 4	Approve
THAT Report 08-39 dated May 5, 2008 regarding an application for a Zoning By-law Amendment for 104-110 Silvercreek Parkway North from Community Design and Development Services be received;	
AND THAT the application by Black, Shoemaker, Robinson & Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law Amendment (File ZC0718) from the SC.1-47 (Service Commercial) Zone to the CC (Community Shopping Centre) Zone affecting properties municipally known as 104-110 Silvercreek Parkway north and legally described as Block D and E, Registered Plan 615, City of Guelph, be approved in accordance with the regulations set out in Schedule 2 of Community Design and Development Services Report 08-39, dated May 5, 2008.	

**2 240 & 250-258 SILVERCREEK PARKWAY NORTH:
PROPOSED ZONING BY-LAW AMENDMENT (ZC0717) –
WARD 4**

Approve

THAT Report 08-38 dated May 5, 2008 regarding an application for a Zoning By-law Amendment for 240 and 250-258 Silvercreek Parkway North from Community Design and Development Services be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law Amendment (File ZC0717) from the SC.1-8 Zone and the SC.1-18 Zone to the CC (Community Shopping Centre) Zone affecting properties municipally known as 240 & 250-258 Silvercreek Parkway North and legally described as Lots 32, 33, 34 and Part Lot 31, Registered Plan 599, City of Guelph be approved in accordance with the regulations set out in Schedule 2 of Community Design and Development Services Report 08-38, dated May 5, 2008.

**3 219 SILVERCREEK PARKWAY NORTH AND 292
SPEEDVALE AVENUE WEST: PROPOSED ZONING BY-
LAW AMENDMENT (ZC0719) – WARD 3**

Approve

THAT Report 08-40 dated may 5, 2008 regarding an application for a Zoning By-law Amendment for 219 Silvercreek Parkway North and 292 Speedvale Avenue West from Community Design and Development Services be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law Amendment (File ZC0719) from the SC. 1-8 (Service Commercial) Zone to the CC (Community Shopping Centre) Zone affecting properties municipally known as 219 Silvercreek Parkway North and 292 Speedvale Avenue West and legally described as Lots 210-213, Registered Plan 568, City of Guelph be approved in accordance with the regulations set out in Schedule 2 of Community Design and Development Services Report 08-40, dated May 5, 2008.

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE Monday, May 5, 2008

**SUBJECT 104-110 Silvercreek Parkway North: Proposed Zoning
By-law Amendment (ZC0718) – Ward 4**

REPORT NUMBER 08-39

RECOMMENDATION

"THAT Report 08-39 dated May 5, 2008 regarding an application for a Zoning By-law Amendment for 104-110 Silvercreek Parkway North from Community Design and Development Services BE RECEIVED; and

"THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law Amendment (File ZC0718) from the SC.1-47 (Service Commercial) Zone to the CC (Community Shopping Centre) Zone affecting properties municipally known as 104-110 Silvercreek Parkway North and legally described as Block D and E, Registered Plan 615, City of Guelph BE APPROVED in accordance with the regulations set out in Schedule 2 of Community Design and Development Services Report 08-39, dated May 5, 2008."

BACKGROUND

An application was received from Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law amendment for the property municipally known as 104-110 Silvercreek Parkway North (see Location Map as **Schedule 1**). The application was deemed by the City to be a complete application on November 28, 2007.

The statutory Public meeting was held on February 4, 2008. Report 08-09 from Community Design and Development Services dated February 4, 2008 provided background information related to this application. No issues or concerns were raised at the Public Meeting.

Location

The subject properties are located at the southwest corner of Silvercreek Parkway North and Willow Road (see **Schedule 1**). Existing uses on the site include a gas bar and convenience store at the corner of Silvercreek Parkway and Willow Road (110 Silvercreek) and a freestanding pharmacy, 825 square metre commercial building and a future site for an additional commercial building at 104 Silvercreek (see **Schedule 5**). Surrounding properties consist of

commercial land uses to the north and east and apartment residential development to the south.

Official Plan Designation

The subject properties are designated 'Intensification Area' in the Official Plan. The 'Intensification Area' designation promotes "the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location." This designation is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses, including open space, institutional, cultural and educational uses, hotels and live-work studios. This designation also permits medium and high density multiple unit residential development. The 'Intensification Area' designation policies are included in **Schedule 3**.

Existing Zoning

SC.1-47 (Service Commercial) Zone. **Schedule 4** includes the existing zoning map and lists the current permitted uses within the SC.1-47 Zone.

REPORT

Description of Proposed Zoning By-law Amendment

The application proposes to rezone the properties from the current SC.1-47 to the CC (Community Shopping Centre) Zone.

This zoning by-law amendment application seeks to broaden the range of permitted uses under the current zoning to allow a full range of retail uses to be accommodated within the existing plazas. This request is being made in an effort to harmonize the zoning of the properties with the intent of the 'Intensification Area' designation of the Official Plan that includes the provision of a wide range of retail, service, office and entertainment uses. There is no new development proposed in association with this application at this time.

Public Comments

The Notice of Application was circulated to agencies and area residents on January 10, 2008. No concerns were expressed through the circulation of the application.

Planning Analysis

This application has been reviewed in terms of the Official Plan policies related to the 'Intensification Area' designation. The subject properties were designated 'Intensification Area' in 2006 with the approval of the Commercial Policy Review. The proposed zoning bylaw amendment represents a logical implementation of the Official Plan's commercial policies. The proposed expanded range of commercial uses on the subject properties is in accordance with the 'Intensification Area' designation that is intended to provide a wide range of retail, service, office, entertainment and recreation commercial uses. The

permitted uses listed within the existing Community Commercial (CC) Zone are appropriate and well suited to the site. There is no new development proposed in association with this application at this time. The approved site plan shown on **Schedule 5** has been mainly implemented, with the exception of the future building site at 104 Silvercreek Parkway. Development of this remaining site has not been contemplated by the applicant with this application.

It is noted that the ultimate implementation of the Official Plan's new commercial policies will be undertaken through the ongoing Zoning By-law Review Update project, which is being conducted in conjunction with the overall update of the Official Plan. The introduction of the permitted uses within the existing Community Commercial (CC) Zone on the subject properties is considered appropriate prior to the completion of this comprehensive review.

This Zoning By-law amendment is recommended for approval in accordance with the regulations outlined in **Schedule 2** of this report.

COMMUNITY ENERGY PLAN (CEP)

Currently, this application is to increase the range of permitted uses and no building construction is proposed at this time. Future construction will be reviewed for conformity with the goals of the CEP.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Not Applicable - No new development is proposed.

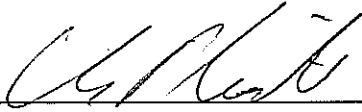
DEPARTMENTAL CONSULTATION

The public and agency comments received during the review of the application are included on **Schedule 6**.

ATTACHMENTS

- Schedule 1 - Location Map
- Schedule 2 - Regulations
- Schedule 3 - Official Plan Designation
- Schedule 4 - Existing Zoning and Permitted Uses


Schedule 5 – Current Approved Site Plan
Schedule 6 - Circulation Comments
Schedule 7 – Public Notification



Prepared By:
Chris DeVriendt
Senior Development Planner



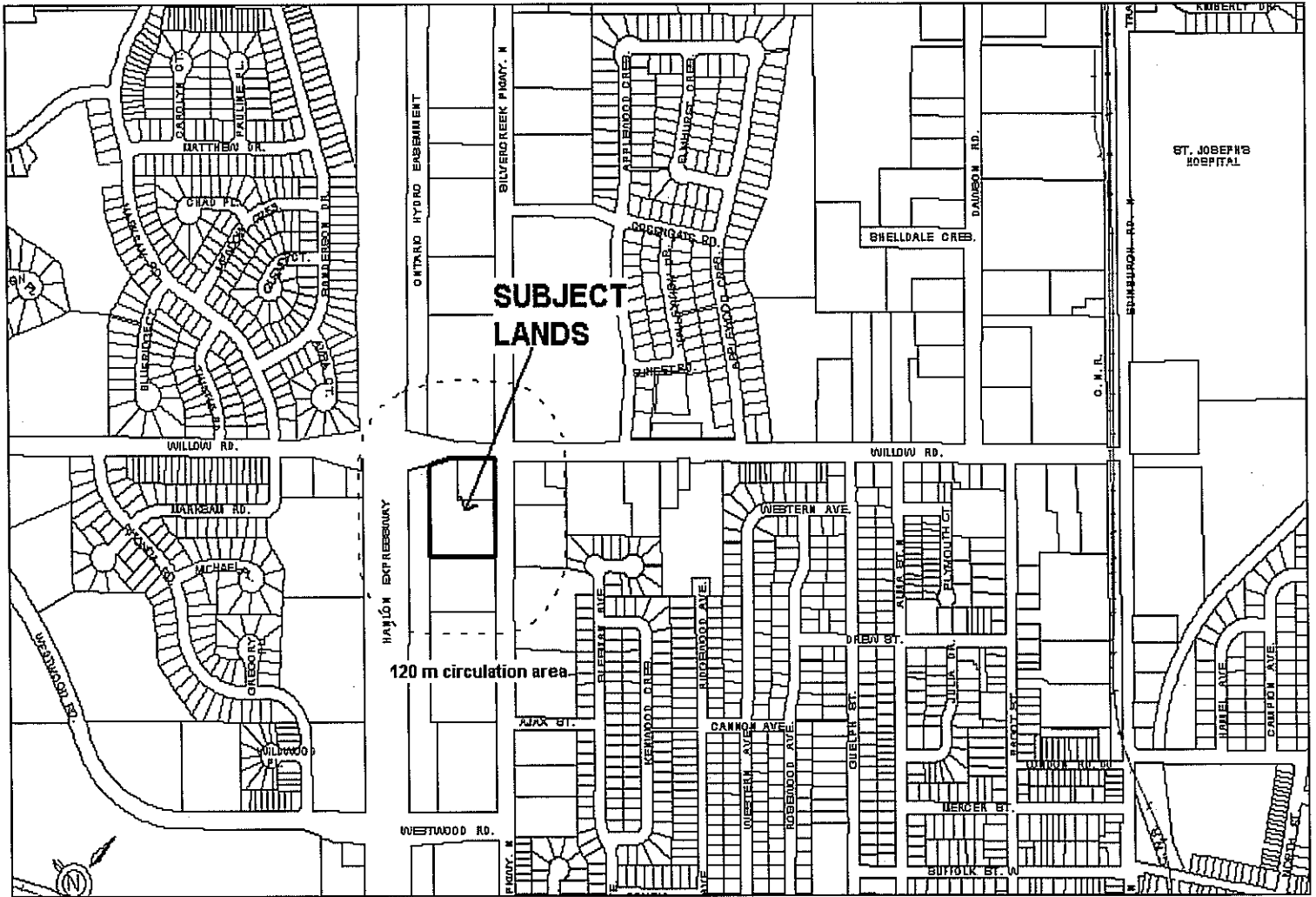
Recommended By:
R. Scott Hannah
Manager of Parks and
Development Planning



Recommended By:
Jim Riddell
Director of Community Design and
Development Services

P:\Planning&DevelopmentServices\Planning\COUNCIL REPORTS\Council Reports - 08\04-07\08-39\104 Silvercreek (Chris D).doc

SCHEDULE 1 Location Map



SCHEDULE 2

Proposed Zoning By-Law Amendment Regulations

The properties affected by this Zoning By-law Amendment are municipally known as 104-110 Silvercreek Parkway North.

The following zoning is proposed:

CC (Community Shopping Centre) Zone

Permitted Uses

Dwelling Units with permitted commercial Uses in the same Building

Art Gallery	Retail Establishment
Artisan Studio	Vehicle Gas Bar
Club	Veterinary Service
Day Care Centre	Amusement Arcade
Dry Cleaning Outlet	Carwash, Automatic
Financial Establishment	Carwash, Manual
Group Home	Commercial Entertainment
Laundry	Commercial School
Library	Funeral Home
Medical Clinic	Garden Centre
Medical Office	Public Hall
Office	Recreation Centre
Personal Service Establishment	Rental Outlet
Religious Establishment	Tavern
Restaurant	Taxi Establishment
Restaurant (take-out)	

Regulations

In accordance with Section 6.2.2 of Zoning By-law (1995) – 14864, as amended.

Section 6.2.2 of the Zoning By-law contains regulations for the Community Shopping Centre zone including setbacks, parking, gross floor area, landscaped open space, etc.

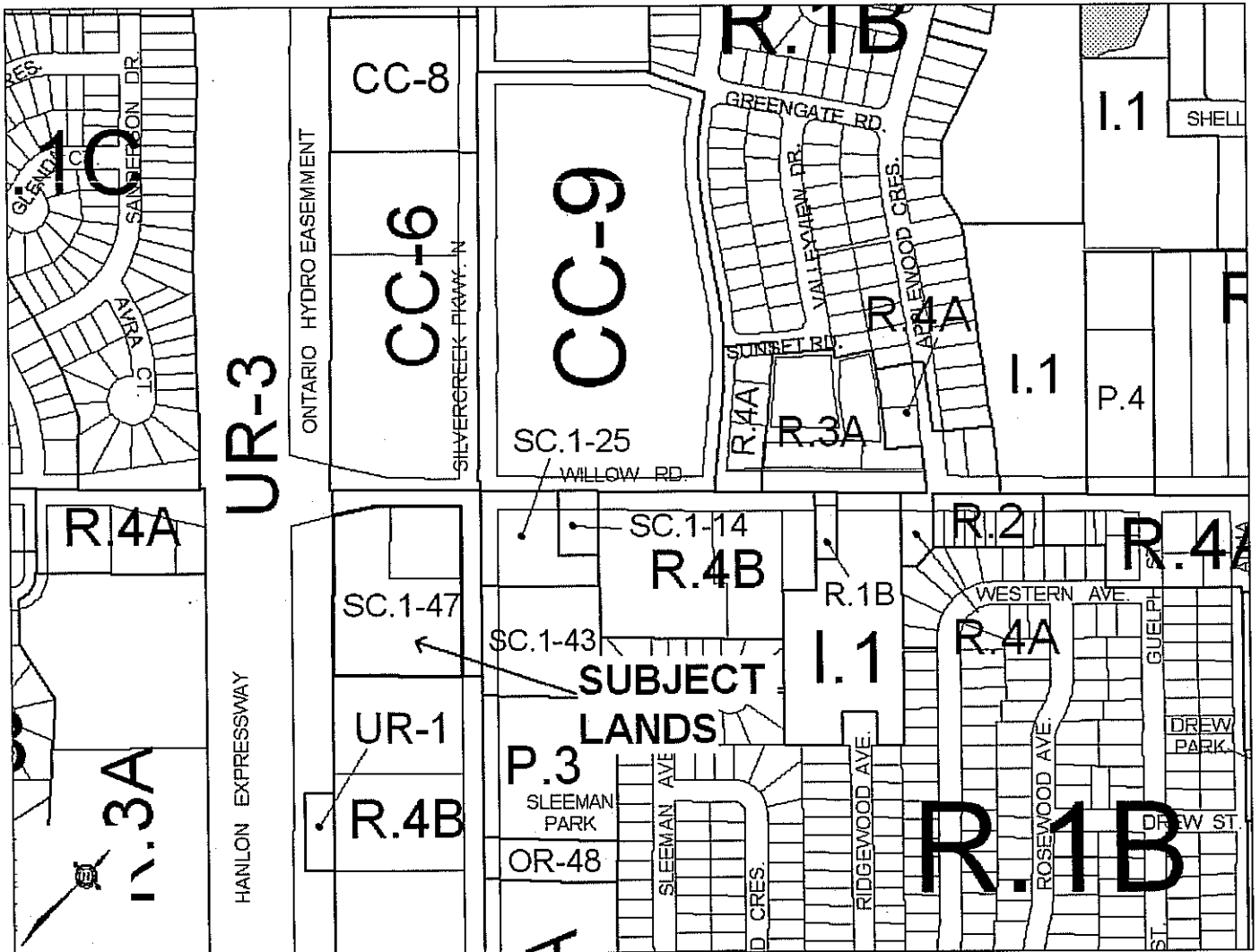
SCHEDULE 3

'Intensification Area' Official Plan Designation Policies

Intensification Areas:

- 7.4.15 The 'Intensification Areas' designation identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties within a "node", and is intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
- 7.4.16 The intent of the 'Intensification Area' designation is to promote the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.
- 7.4.17 It is intended that where there are adjacent properties within the node that as new development occurs the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Intensification Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
- 7.4.18 The boundaries of the 'Intensification Area' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of section 9.2, proposals to expand an 'Intensification Area' beyond these boundaries shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.19 The 'Intensification Area' is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and live-work studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2.
- 7.4.20 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development.
- 7.4.21 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Intensification Area' designation to ensure such consistency.

SCHEDULE 4 Existing Zoning



SCHEDULE 4 (continued)
Existing Zoning - Permitted Uses

SC.1-47 Permitted Uses

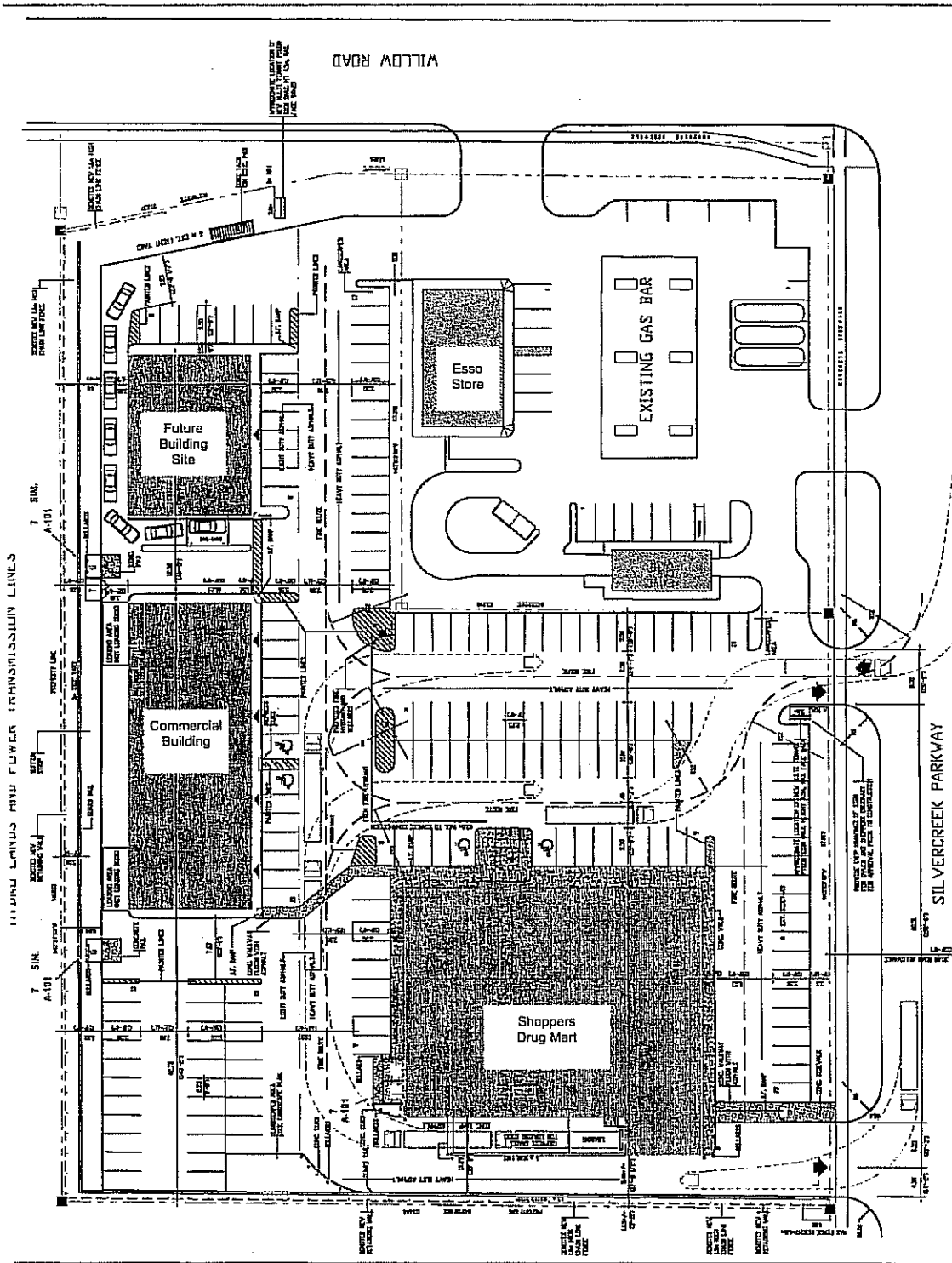
Auto-oriented Department Store	Religious Establishment
Car Wash, Automatic	Research Establishment
Car Wash, Manual	Rental Outlet
Catalogue Sales Outlet	Restaurant
Club	Restaurant (take-out)
Commercial School	Retail sales, service and rental of:
Commercial Entertainment	- electrical/lighting supplies
Day Care Centre	- electronic and audio-visual equipment
Financial Establishment	- furniture and appliances
Funeral Home	Retail sales of: sporting goods
Group Home	Retail sales of: party supplies
Hardware Store	Tavern
Hotel	Tourist Home
Liquor Store	Retail Warehouse,
Medical Clinic	Vehicle Gas Bar
Office Supply	Vehicle Service Station
Parking Facility	Vehicle Specialty Repair Shop
Print Shop	Veterinary Service
Public Hall	
Recreation Centre	

Within a Mall:

All uses listed in Section 6.4.1.1 including:

Artisan Studio
Bake Shop
Cleaning Establishment
Convenience Store
Dry Cleaning Outlet
Florist
Laundry
Medical Office
Office
Personal Service Establishment
Pharmacy
Photofinishing Place
Postal Outlet
Rental Outlet
Repair Service
Taxi Establishment
Video Rental Outlet

SCHEDULE 5 Current Site Plan



SCHEDULE 6

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning	✓		
Engineering	✓		
Parks Planning	✓		
Finance	✓		
Economic Development	✓		
Police Service	✓		
Wellington Catholic District School Board	✓		
Guelph Chamber of Commerce	✓		
County of Wellington	✓		
Guelph Development Association	✓		
Ministry of Transportation*			<ul style="list-style-type: none"> • MTO's permit requirements outlined

*correspondence attached

Ministry of Transportation

Engineering Office
Planning and Design Section
Southwestern Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4550
Facsimile: (519) 873-4600

Ministère des Transports

Bureau du génie
Section de planification et de conception
Région du Sud-Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4550
Télécopieur: (519) 873-4600



February 1, 2008

by email (planning@queph.ca) & mail

Chris DeVriendt
City of Guelph
Community Design and Development Services
City Hall
59 Carden Street
Guelph, Ontario
N1H 3A1

RE: Applicant: Black, Shoemaker, Robinson and Donaldson Ltd.
Submission No.: ZC 0717
240 and 250-258 Silvercreek Parkway North
County of Wellington
City of Guelph - Highway 6

The ministry has completed its review of the above noted amendment. The amendment has been considered in accordance with the requirements of our highway access control policies and the Public Transportation and Highway Improvement Act. The following outlines our comments.

The owner should be aware that building/land use and sign permits are required from the Ministry of Transportation before any grading/construction commences. Please advise the owner to contact Mr. Dave Secord, Corridor Management Officer, Operational Services - London (659 Exeter Road, London, Ontario, N6E 1L3 Phone 519-873-4209) to discuss MTO's permit requirements and obtain the necessary applications.

This property is located at the NW corner of Silvercreek Parkway and Speedvale Avenue. Our approved EA for this section of the Hanlon Expressway provides for an interchange at Speedvale Avenue. In order to construct this interchange property, and possibly adjustments to Silvercreek Parkway may be required. Access to this property from Speedvale Avenue will not be permitted.

We will require the submission of Site Plans, Site Servicing Plans, a stormwater management report and a traffic impact study for any proposed development on this property. We would appreciate receiving a copy of your Council's decision on this application for our records. Should you have any questions, please contact our office.

Ian Smyth
Regional Development Review Coordinator
Planning and Design Section
Southwestern Region, London

c. K. Boudreau - London Operational Services

SCHEDULE 6

Public Notification

November 5, 2007	Application received by the City of Guelph
December, 2007	Notice of Application Sign posted on property
January 10, 2008	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
January 11, 2008	Notice of Public Meeting advertised in the Guelph Tribune.
February 4, 2008	Public Meeting of City Council
April 11, 2008	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision
May 5, 2008	City Council Meeting to consider staff recommendation

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE May 5, 2008

**SUBJECT 240 & 250-258 Silvercreek Parkway North: Proposed
Zoning By-law Amendment (ZC0717) – Ward 4**

REPORT NUMBER 08-38

RECOMMENDATION

"THAT Report 08-38 dated May 5, 2008 regarding an application for a Zoning By-law Amendment for 240 and 250-258 Silvercreek Parkway North from Community Design and Development Services BE RECEIVED; and

"THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law Amendment (File ZC0717) from the SC.1-8 Zone and the SC.1-18 Zone to the CC (Community Shopping Centre) Zone affecting properties municipally known as 240 & 250-258 Silvercreek Parkway North and legally described as Lots 32, 33, 34 and Part Lot 31, Registered Plan 599, City of Guelph BE APPROVED in accordance with the regulations set out in Schedule 2 of Community Design and Development Services Report 08-38, dated May 5, 2008."

SUMMARY

This report provides information and planning analysis for a zoning by-law amendment application for lands known as 240 and 250-258 Silvercreek Parkway North to permit an expanded range of commercial uses on the site.

BACKGROUND

An application was received from Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law amendment for the property municipally known as 240 and 250-258 Silvercreek Parkway North (see location map as **Schedule 1**). The application was deemed by the City to be a complete application on October 22, 2007.

The statutory Public meeting was held on February 4, 2008. Report 08-08 from Community Design and Development Services dated February 4, 2008 provided background information related to this application. No issues or concerns were raised at the Public Meeting.

Location

The subject properties are located at the northwest corner Silvercreek Parkway North and Speedvale Avenue West with 98.5 metres of frontage on Speedvale Avenue and 227.4 metres of frontage on Silvercreek Parkway (see **Schedule 1**). The site is approximately 2.7 hectares in size and contains two existing commercial plazas with restaurant, optical, service and retail uses. Surrounding properties consist of industrial land uses to the north, west and east and service commercial uses to the south.

Official Plan Designation

The subject properties are designated 'Intensification Area' in the Official Plan. The 'Intensification Area' designation promotes "the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location." This designation is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses, including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development and apartments are also permitted. The 'Intensification Area' designation policies are included in **Schedule 3**.

Existing Zoning

SC.1-18 (Service Commercial) Zone and SC.1-8 Zone. **Schedule 4** includes the existing zoning map and lists the current permitted uses within the SC.1-18 Zone and SC.1-8 Zone.

REPORT

Description of Proposed Zoning By-law Amendment

The application proposes to rezone the properties from the current SC.1-18 Zone and SC.1-8 Zone to the CC (Community Shopping Centre) Zone. The permitted uses for the CC Zone are listed in **Schedule 4**.

This zoning by-law amendment application seeks to broaden the range of permitted uses under the current zoning to allow a full range of retail uses to be accommodated within the existing plazas. This request is being made in an effort to harmonize the zoning of the properties with the intent of the 'Intensification Area' designation of the Official Plan that includes the provision of a wide range of retail, service, office and entertainment uses. There is no new development proposed in association with this application at this time.

Public Comments

The Notice of Application was circulated to agencies and area residents on January 10, 2008. One letter of opposition was received on behalf of the Hanlon Park Plaza at 218-222 Silvercreek Parkway North objecting to allowing an unrestricted permitted use of retail establishments. It was requested that "retail

establishment" be restricted to exclude any supermarket, food market or grocery store (see attached letter in **Schedule 5**).

Planning Analysis

This application has been reviewed in terms of the Official Plan policies related to the 'Intensification Area' designation. The subject properties were designated 'Intensification Area' in 2006 with the approval of the Commercial Policy Review. The proposed zoning bylaw amendment represents a logical implementation of the Official Plan policies. The proposed expanded range of commercial uses on the subject properties is in accordance with the 'Intensification Area' designation that is intended to provide a wide range of retail, service, office, entertainment and recreation commercial uses. This designation also permits medium and high density multiple unit residential development. The permitted uses listed within the existing Community Commercial (CC) Zone are appropriate and well suited to the site. There is no new development proposed in association with this application.

The letter received on behalf of the Hanlon Park Plaza is considered to be an objection based on competition rather than on the land use planning merits of the application. The "Intensification Area" Official Plan designation is intended to provide a full range of retail activities, which would include a grocery store use.

It is noted that the ultimate implementation of the Official Plan's new commercial policies will be undertaken through the Zoning By-law Review Update project, which is being conducted in conjunction with the overall update of the Official Plan. The introduction of the permitted uses within the existing Community Commercial (CC) Zone on the subject properties is considered appropriate prior to the completion of this comprehensive review.

This Zoning By-law amendment is recommended for approval in accordance with the regulations outlined in **Schedule 2** of this report.

COMMUNITY ENERGY PLAN (CEP)

This application is to broaden the range of permitted uses under the current zoning and no construction is proposed.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Not Applicable - No new development is proposed.

DEPARTMENTAL CONSULTATION

The public and agency comments received during the review of the application are included on **Schedule 4**.

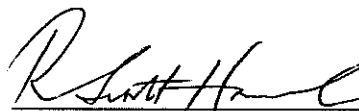
ATTACHMENTS

- Schedule 1 - Location Map
- Schedule 2 - Regulations
- Schedule 3 - Official Plan Designation
- Schedule 4 - Existing Zoning and Permitted Uses
- Schedule 5 - Circulation Comments
- Schedule 6 - Public Notification



Prepared By:

Chris DeVriendt
Senior Development Planner



Recommended By:

R. Scott Hannah
Manager of Parks and
Development Planning

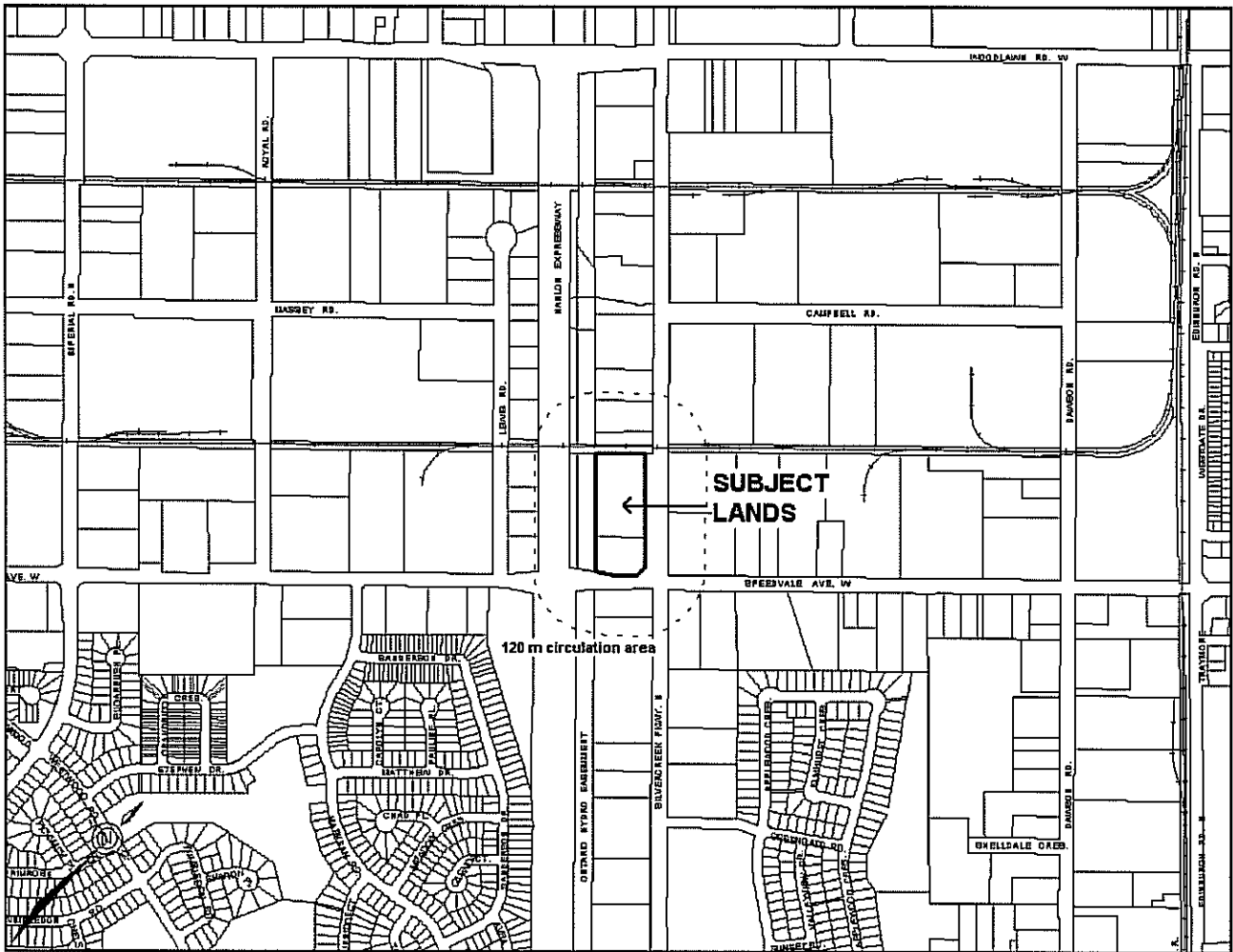


Recommended By:

Jim Riddell
Director of Community Design and
Development Services

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SCHEDULE 1 Location Map



SCHEDULE 2

Proposed Zoning By-Law Amendment Regulations

The properties affected by this Zoning By-law Amendment are municipally known as 240 and 250-258 Silvercreek Parkway North.

The following zoning is proposed:

CC (Community Shopping Centre) Zone

Permitted Uses

Dwelling Units with permitted commercial Uses in the same Building

Art Gallery	Retail Establishment
Artisan Studio	Vehicle Gas Bar
Club	Veterinary Service
Day Care Centre	Amusement Arcade
Dry Cleaning Outlet	Carwash, Automatic
Financial Establishment	Carwash, Manual
Group Home	Commercial Entertainment
Laundry	Commercial School
Library	Funeral Home
Medical Clinic	Garden Centre
Medical Office	Public Hall
Office	Recreation Centre
Personal Service Establishment	Rental Outlet
Religious Establishment	Tavern
Restaurant	Taxi Establishment
Restaurant (take-out)	

Regulations

In accordance with Section 6.2.2 of Zoning By-law (1995) – 14864, as amended.

Section 6.2.2 of the Zoning By-law contains regulations for the Community Shopping Centre zone including setbacks, parking, gross floor area, landscaped open space, etc.

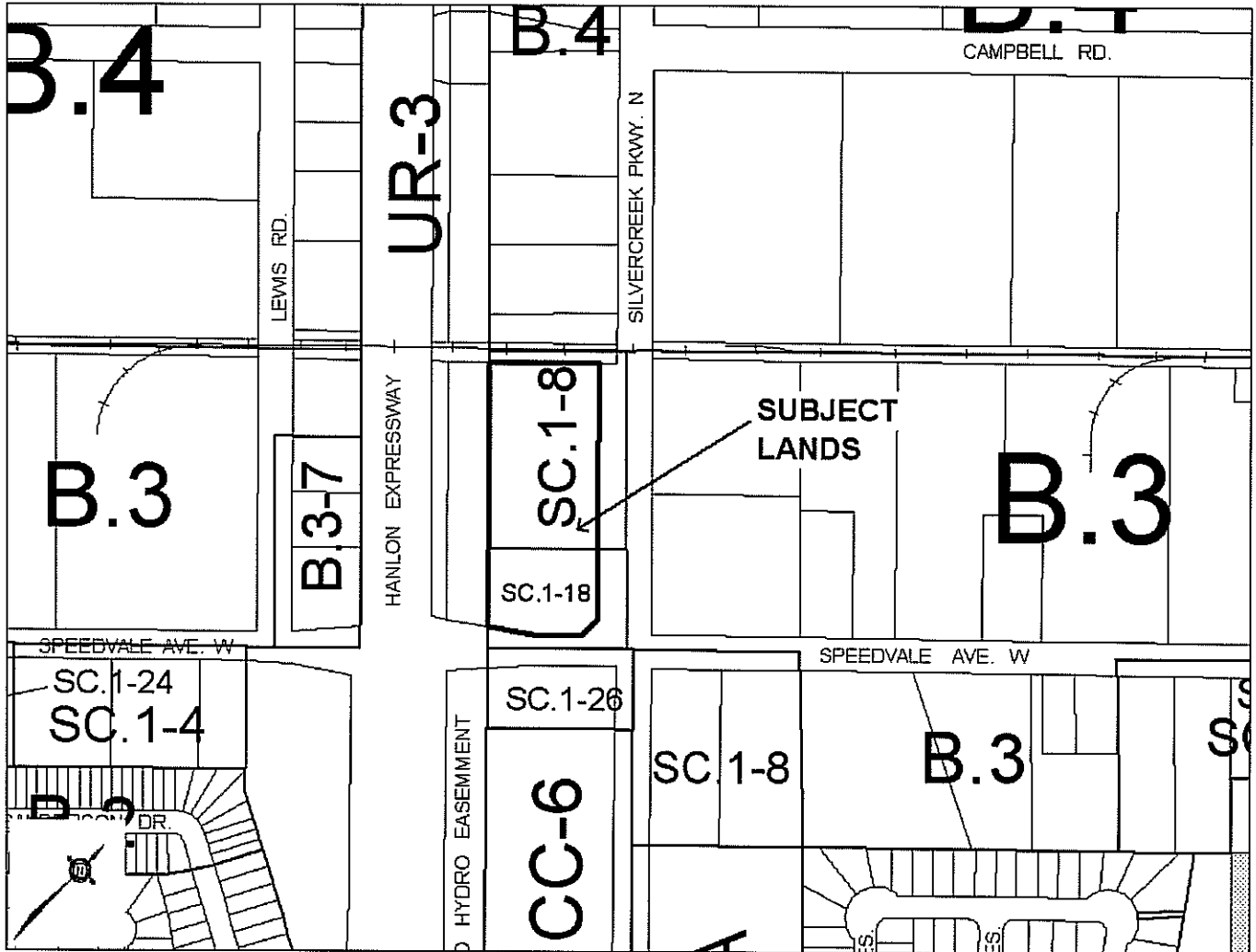
SCHEDULE 3

'Intensification Area' Official Plan Designation Policies

Intensification Areas:

- 7.4.15 The 'Intensification Areas' designation identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties within a "node", and is intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
- 7.4.16 The intent of the 'Intensification Area' designation is to promote the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.
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- 7.4.18 The boundaries of the 'Intensification Area' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of section 9.2, proposals to expand an 'Intensification Area' beyond these boundaries shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.19 The 'Intensification Area' is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and live-work studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2.
- 7.4.20 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development.
- 7.4.21 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Intensification Area' designation to ensure such consistency.

SCHEDULE 4 Existing Zoning



SCHEDULE 4 (continued)

Existing Zoning - Permitted Uses

SC.1-8 Permitted Uses

Within a Mall:

Catering Service	Rental Outlet
Cleaning Establishment	Repair Service
Club	Restaurant
Commercial Entertainment	Retail Sales of: furniture, hardware, home furnishings, home improvement materials and appliances
Contractor's Yard	Tradesperson's Shop
Financial Establishment	Trucking Operation
Office	Vehicle Specialty Repair Shop
Office Supply	Veterinary Service
Personal Service Establishment	Accessory Uses
Photofinishing Place	Occasional Uses
Print Shop	
Public Hall	
Recreation Centre	

SC.1-18 Permitted Uses

Car Wash, Automatic	Restaurant (take-out)
Car Wash, Manual	Retail sales of: furniture, hardware, home furnishings, home improvement materials, and appliances
Catering Service	Retail sales of: recreational vehicles, trailers, mobile homes, and farm machinery
Commercial Entertainment	Tradesperson's Shop
Commercial Recreation	Tourist Home
Convenience Store	Retail Warehouse,
Financial Establishment	Vehicle Gas Bar
Funeral Home	Vehicle Parts Establishment
Garden Centre	Vehicle Sales Establishment
Hotel	Vehicle Service Station
Liquor Store	Vehicle Specialty Repair Shop
Medical Clinic	Veterinary Service
Medical Office	Accessory Uses
Monument Sales establishment	Occasional Uses
Office	
Office Supply	
Religious Establishment	
Rental Outlet	
Restaurant	

SCHEDULE 5

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning	✓		
Engineering	✓		
Parks Planning	✓		
Finance	✓		
Economic Development	✓		
Police Service	✓		
Wellington Catholic District School Board	✓		
Guelph Chamber of Commerce	✓		
County of Wellington	✓		
Guelph Development Association	✓		
Ministry of Transportation*			<ul style="list-style-type: none"> • MTO's permit requirements outlined
Piersanti & Company (on behalf of Hanlon Park Plaza – 218-22 Silvercreek Parkway)*			<ul style="list-style-type: none"> • object to unrestricted permitted use of "retail establishment"

*correspondence attached

Ministry of Transportation

Engineering Office
Planning and Design Section
Southwestern Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4550
Facsimile: (519) 873-4600

Ministère des Transports

Bureau du génie
Section de planification et de conception
Région du Sud-Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4550
Télécopieur: (519) 873-4600



February 1, 2008

by email (planning@queph.ca) & mail

Chris DeVriendt
City of Guelph
Community Design and Development Services
City Hall
59 Carden Street
Guelph, Ontario
N1H 3A1

RE: Applicant: Black, Shoemaker, Robinson and Donaldson Ltd.
Submission No.: ZC 0717
240 and 250-258 Silvercreek Parkway North
County of Wellington
City of Guelph - Highway 6

The ministry has completed its review of the above noted amendment. The amendment has been considered in accordance with the requirements of our highway access control policies and the Public Transportation and Highway Improvement Act. The following outlines our comments.

The owner should be aware that building/land use and sign permits are required from the Ministry of Transportation before any grading/construction commences. Please advise the owner to contact Mr. Dave Secord, Corridor Management Officer, Operational Services - London (659 Exeter Road, London, Ontario, N6E 1L3 Phone 519-873-4209) to discuss MTO's permit requirements and obtain the necessary applications.

This property is located at the NW corner of Silvercreek Parkway and Speedvale Avenue. Our approved EA for this section of the Hanlon Expressway provides for an interchange at Speedvale Avenue. In order to construct this interchange property, and possibly adjustments to Silvercreek Parkway may be required. Access to this property from Speedvale Avenue will not be permitted.

We will require the submission of Site Plans, Site Servicing Plans, a stormwater management report and a traffic impact study for any proposed development on this property. We would appreciate receiving a copy of your Council's decision on this application for our records. Should you have any questions, please contact our office.

Ian Smyth
Regional Development Review Coordinator
Planning and Design Section
Southwestern Region, London

c. K. Boudreau - London Operational Services

PIERSANTI & COMPANY

PROFESSIONAL CORPORATION
BARRISTERS AND SOLICITORS
NOTARIES & TRADEMARK AGENTS

CHRISTIAN R. PIERSANTI, LL.B.
LOUIS E. RAFFAGHELLO, LL.B., LL.M.
THOMAS KERR, LL.M.

TONY SPAGNUOLO, B.A., LL.B.
ANNALISA PRESSACO, B.A., LL.B.

PHONE: (905) 738-2176
FAX: (905) 738-5182

18 January 2008

By Fax 1-519-822-8277

RECEIVED
JAN 23 2008

City of Guelph
City Hall
59 Carden St.
Guelph, Ontario
N1E 3A1
Attention: Lois Giles, City Clerk

CITY CLERK'S OFFICE
COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

JAN 23 2008

Re: File ZC0719 Rezoning Application-
219 Silvercreek Pkwy. N. and 292 Speedvale Ave, Guelph

And Re: File ZC0717 Rezoning Application
240 and 250-258 Silvercreek Pkwy. N., Guelph

We act as lawyers for 1281038 Ontario Limited, the owners of the Hanlon Park Plaza,
218-222 Silvercreek Pkwy. N., Guelph and have been asked to provide our client's
concerns and comments to the Zoning By-Law Amendments.

The Zoning By-Law Amendments propose and contain an unrestricted permitted use of
"Retail Establishment". Our client would object to such an unrestricted definition, and
request that such use be restricted to exclude any supermarket, food market or grocery
store (other than a Convenience Store as that term is defined in Section 3.1(50) of the
Zoning By-Law).

Our understanding is that the current Official Plan designation would not permit same
in any event (same being the subject matter of a Community Commercial category
which is not the case here). Not only would an Official Plan Amendment be required,
but also our concern would be that a market study be required for any such Official
Plan Amendment and Re-zoning.

Yours truly,
PIERSANTI & COMPANY PROFESSIONAL CORPORATION

Per: 
Christian Piersanti

~~cc: Chris.DC.Amend@1-519-837-5640~~

445 EDGELEY BLVD., UNIT 10, CONCORD, ONTARIO L4K 4G1

This communication and any material attached is legally privileged and is confidential information intended only for the use of the addressee. If the recipient of this communication and any material attached is not the intended addressee, you are notified that any use, dissemination or copy of same is prohibited. If you are not the addressee, please notify our office by phone and return the original to our firm by mail at the address above. Thank you.

SCHEDULE 6

Public Notification

October 16, 2007	Application received by the City of Guelph
October 22, 2007	Notice of Application Sign posted on property
January 10, 2008	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
January 11, 2008	Notice of Public Meeting advertised in the Guelph Tribune.
February 4, 2008	Public Meeting of City Council
April 11, 2008	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision
May 5, 2008	City Council Meeting to consider staff recommendation

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE Monday, May 5, 2008

**SUBJECT 219 Silvercreek Parkway North and 292 Speedvale
Avenue West: Proposed Zoning By-law Amendment
(ZC0719) – Ward 3**

REPORT NUMBER 08-40

RECOMMENDATION

"THAT Report 08-40 dated May 5, 2008 regarding an application for a Zoning By-law Amendment for 219 Silvercreek Parkway North and 292 Speedvale Avenue West from Community Design and Development Services BE RECEIVED; and

"THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law Amendment (File ZC0719) from the SC.1-8 (Service Commercial) Zone to the CC (Community Shopping Centre) Zone affecting properties municipally known as 219 Silvercreek Parkway North and 292 Speedvale Avenue West and legally described as Lots 210-213, Registered Plan 568, City of Guelph BE APPROVED in accordance with the regulations set out in Schedule 2 of Community Design and Development Services Report 08-40, dated May 5, 2008."

BACKGROUND

An application was received from Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Armel Properties Ltd. for a Zoning By-law amendment for the property municipally known as 219 Silvercreek Parkway North and 292 Speedvale Avenue West (see Location Map as **Schedule 1**). The application was deemed by the City to be a complete application on November 28, 2007.

The statutory Public meeting was held on February 4, 2008. Report 08-10 from Community Design and Development Services dated February 4, 2008 provided background information related to this application. No issues or concerns were raised at the Public Meeting.

Location

The subject properties are located at the southeast corner of Silvercreek Parkway North and Speedvale Avenue West with 132 metres of frontage on Speedvale Avenue and 156 metres of frontage on Silvercreek Parkway (see

Schedule 1). The subject site is approximately 2 hectares in size and contains 3 commercial buildings with approximately 6410 square metres of floor space. Surrounding properties consist of industrial land uses to the north and east, residential land use to the south and commercial land uses to the west.

Official Plan Designation

The subject properties are designated 'Intensification Area' in the Official Plan. The 'Intensification Area' designation promotes "the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location." This designation is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses, including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development and apartments are also permitted. The 'Intensification Area' designation policies are included in **Schedule 3**.

Existing Zoning

SC.1-8 (Service Commercial) Zone. **Schedule 4** includes the existing zoning map and lists the current permitted uses within the SC.1-8 Zone.

REPORT

Description of Proposed Zoning By-law Amendment

The application proposes to rezone the properties from the current SC.1-8 Zone to the CC (Community Shopping Centre) Zone.

This zoning by-law amendment application seeks to broaden the range of permitted uses under the current zoning to allow a full range of retail uses to be accommodated within the existing plazas. This request is being made in an effort to harmonize the zoning of the properties with the intent of the 'Intensification Area' designation of the Official Plan that includes the provision of a wide range of retail, service, office and entertainment uses. There is no new development proposed in association with this application.

Public Comments

The Notice of Application was circulated to agencies and area residents on January 10, 2008. One letter of opposition was received on behalf of the Hanlon Park Plaza at 218-222 Silvercreek Parkway North objecting to allowing an unrestricted permitted use of retail establishments. It was requested that "retail establishment" be restricted to exclude any supermarket, food market or grocery store

Another letter of opposition was received from an area resident citing traffic and noise concerns at the Speedvale Avenue and Silvercreek Parkway intersection.

These letters are attached in **Schedule 5**.

Planning Analysis

This application has been reviewed in terms of the Official Plan policies related to the 'Intensification Area' designation. The subject properties were designated 'Intensification Area' in 2006 with the approval of the Commercial Policy Review. The proposed zoning bylaw amendment represents a logical implementation of the Official Plan's commercial policies. The proposed expanded range of commercial uses on the subject properties is in accordance with the 'Intensification Area' designation that is intended to provide a wide range of retail, service, office, entertainment and recreation commercial uses. This designation also permits medium and high density multiple unit residential development. The permitted uses listed within the existing Community Commercial (CC) Zone are appropriate and well suited to the site.

The letter received on behalf of the Hanlon Park Plaza is considered to be an objection based on competition rather than on the land use planning merits of the application. The "Intensification Area" designation is intended to provide a full range of retail activities, which would include a grocery store use.

The concern expressed regarding traffic and noise is an existing situation that is not expected to be exacerbated by this application. There is no new development proposed in association with this application, and therefore, no additional traffic or noise impacts are anticipated. Any redevelopment and/or expansion of the site would be subject to site plan approval to address technical details of the site design, including access, traffic circulation, parking and site servicing requirements.

It is noted that the ultimate implementation of the Official Plan's new commercial policies will be undertaken through the ongoing Zoning By-law Review Update project, which is being conducted in conjunction with the overall update of the Official Plan. The introduction of the permitted uses within the existing Community Commercial (CC) Zone on the subject properties is considered appropriate prior to the completion of this comprehensive review.

This Zoning By-law amendment is recommended for approval in accordance with the regulations outlined in **Schedule 2** of this report.

COMMUNITY ENERGY PLAN (CEP)

This application is to broaden the range of permitted uses under the current zoning and no construction is proposed.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Not Applicable - No new development is proposed.

DEPARTMENTAL CONSULTATION

The public and agency comments received during the review of the application are included on **Schedule 5**.

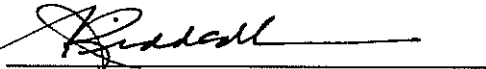
ATTACHMENTS

- Schedule 1 – Location Map
- Schedule 2 - Regulations
- Schedule 3 - Official Plan Designation
- Schedule 4 - Existing Zoning and Permitted Uses
- Schedule 5 - Circulation Comments
- Schedule 6 – Public Notification



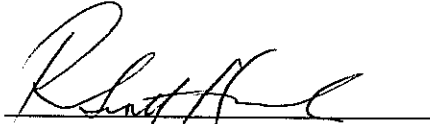
Prepared By:

Chris DeVriendt
Senior Development Planner



Recommended By:

Jim Riddell
Director of Community Design and Development Services

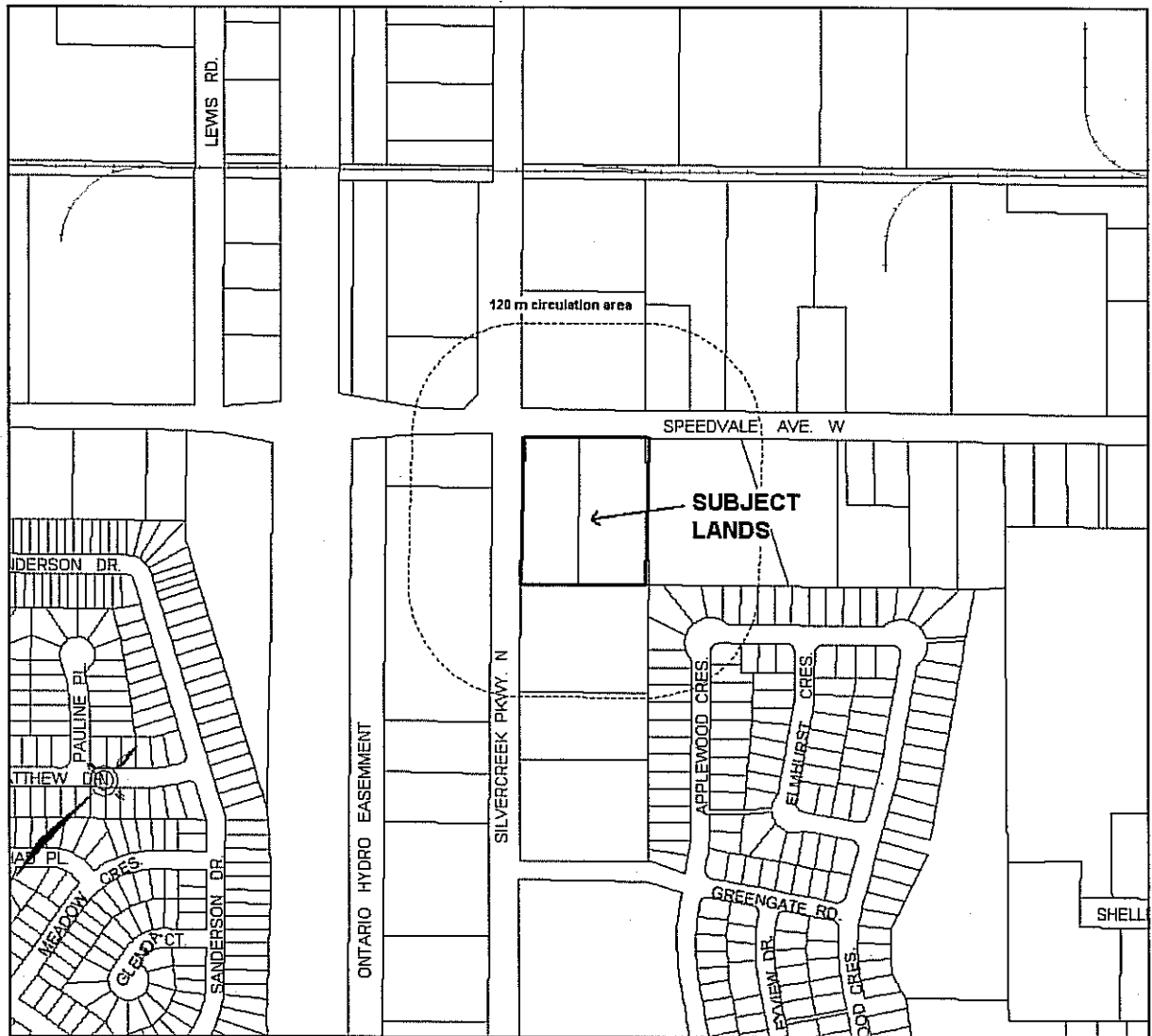


Recommended By:

R. Scott Hannah
Manager of Parks and
Development Planning

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SCHEDULE 1 Location Map



SCHEDULE 2

Proposed Zoning By-Law Amendment Regulations

The properties affected by this Zoning By-law Amendment are municipally known as 219 Silvercreek Parkway North and 292 Speedvale Avenue West.

The following zoning is proposed:

CC (Community Shopping Centre) Zone

Permitted Uses

Dwelling Units with permitted commercial Uses in the same Building

Art Gallery	Retail Establishment
Artisan Studio	Vehicle Gas Bar
Club	Veterinary Service
Day Care Centre	Amusement Arcade
Dry Cleaning Outlet	Carwash, Automatic
Financial Establishment	Carwash, Manual
Group Home	Commercial Entertainment
Laundry	Commercial School
Library	Funeral Home
Medical Clinic	Garden Centre
Medical Office	Public Hall
Office	Recreation Centre
Personal Service Establishment	Rental Outlet
Religious Establishment	Tavern
Restaurant	Taxi Establishment
Restaurant (take-out)	

Regulations

In accordance with Section 6.2.2 of Zoning By-law (1995) – 14864, as amended.

Section 6.2.2 of the Zoning By-law contains regulations for the Community Shopping Centre zone including setbacks, parking, gross floor area, landscaped open space, etc.

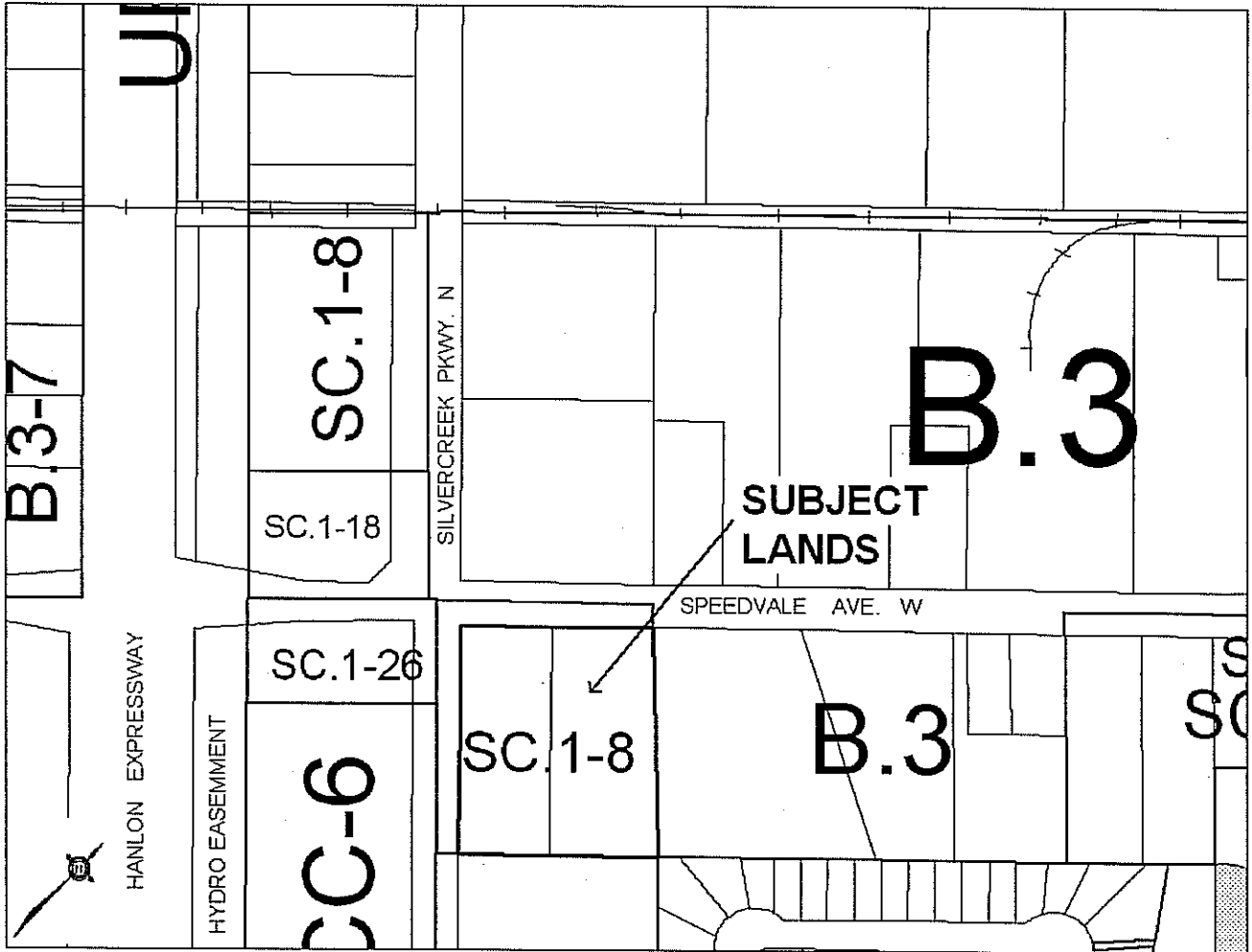
SCHEDULE 3

'Intensification Area' Official Plan Designation Policies

Intensification Areas:

- 7.4.15 The 'Intensification Areas' designation identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties within a "node", and is intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
- 7.4.16 The intent of the 'Intensification Area' designation is to promote the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.
- 7.4.17 It is intended that where there are adjacent properties within the node that as new development occurs the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Intensification Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
- 7.4.18 The boundaries of the 'Intensification Area' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of section 9.2, proposals to expand an 'Intensification Area' beyond these boundaries shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.19 The 'Intensification Area' is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and live-work studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2.
- 7.4.20 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development.
- 7.4.21 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Intensification Area' designation to ensure such consistency.

SCHEDULE 4 Existing Zoning



SCHEDULE 4 (continued)
Existing Zoning - Permitted Uses

SC.1-8 Permitted Uses

Within a Mall:

Catering Service
Cleaning Establishment
Club
Commercial Entertainment
Contractor's Yard
Financial Establishment
Office
Office Supply
Personal Service Establishment
Photofinishing Place
Print Shop
Public Hall
Recreation Centre
Rental Outlet
Repair Service
Restaurant
Retail Sales of: furniture, hardware, home furnishings, home improvement materials and appliances
Tradesperson's Shop
Trucking Operation
Vehicle Specialty Repair Shop
Veterinary Service
Accessory Uses
Occasional Uses

SCHEDULE 5

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning	✓		
Engineering	✓		
Parks Planning	✓		
Finance	✓		
Economic Development	✓		
Police Service	✓		
Wellington Catholic District School Board	✓		
Guelph Chamber of Commerce	✓		
County of Wellington	✓		
Guelph Development Association	✓		
Ministry of Transportation*			<ul style="list-style-type: none"> • MTO's permit requirements outlined
Piersanti & Company (on behalf of Hanlon Park Plaza – 218-22 Silvercreek Parkway)*			<ul style="list-style-type: none"> • object to unrestricted permitted use of "retail establishment"
Susann Elo*			<ul style="list-style-type: none"> • Traffic and noise concerns

*correspondence attached

Ministry of Transportation

Engineering Office
Planning and Design Section
Southwestern Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4550
Facsimile: (519) 873-4600

Ministère des Transports

Bureau du génie
Section de planification et de conception
Région du Sud-Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4550
Télécopieur: (519) 873-4600



February 1, 2008

by email (planning@queph.ca) & mail

Chris DeVriendt
City of Guelph
Community Design and Development Services
City Hall
59 Carden Street
Guelph, Ontario
N1H 3A1

RE: Applicant: Black, Shoemaker, Robinson and Donaldson Ltd.
Submission No.: ZC 0717
240 and 250-258 Silvercreek Parkway North
County of Wellington
City of Guelph - Highway 6

The ministry has completed its review of the above noted amendment. The amendment has been considered in accordance with the requirements of our highway access control policies and the Public Transportation and Highway Improvement Act. The following outlines our comments.

The owner should be aware that building/land use and sign permits are required from the Ministry of Transportation before any grading/construction commences. Please advise the owner to contact Mr. Dave Secord, Corridor Management Officer, Operational Services - London (659 Exeter Road, London, Ontario, N6E 1L3 Phone 519-873-4209) to discuss MTO's permit requirements and obtain the necessary applications.

This property is located at the NW corner of Silvercreek Parkway and Speedvale Avenue. Our approved EA for this section of the Hanlon Expressway provides for an interchange at Speedvale Avenue. In order to construct this interchange property, and possibly adjustments to Silvercreek Parkway may be required. Access to this property from Speedvale Avenue will not be permitted.

We will require the submission of Site Plans, Site Servicing Plans, a stormwater management report and a traffic impact study for any proposed development on this property. We would appreciate receiving a copy of your Council's decision on this application for our records. Should you have any questions, please contact our office.

Ian Smyth
Regional Development Review Coordinator
Planning and Design Section
Southwestern Region, London

c. K. Boudreau - London Operational Services

PIERSANTI & COMPANY

PROFESSIONAL CORPORATION
BARRISTERS AND SOLICITORS
NOTARIES & TRADEMARK AGENTS

CHRISTIAN R. PIERSANTI, LL.B. TONY SPAGNUOLO, B.A., LL.B. PHONE: (905) 738-2176
LOUIS E. RAFFAGHELLO, LL.B., LL.M. ANNALISA PRESSACO, B.A., LL.B. FAX: (905) 738-5182
THOMAS KERR, LL.M.

18 January 2008

By Fax 1-519-822-8277

RECEIVED
JAN 23 2008

City of Guelph
City Hall
59 Carden St.
Guelph, Ontario
N1H 3A1
Attention: Lois Giles, City Clerk

CITY CLERK'S OFFICE
COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

JAN 23 2008

Re: File ZC0719 Rezoning Application-
219 Silvercreek Pkwy. N. and 292 Speedvale Ave, Guelph

And Re: File ZC0717 Rezoning Application
240 and 250-258 Silvercreek Pkwy. N., Guelph

We act as lawyers for 1281038 Ontario Limited, the owners of the Hanlon Park Plaza,
218-222 Silvercreek Pkwy. N., Guelph and have been asked to provide our client's
concerns and comments to the Zoning By-Law Amendments.

The Zoning By-Law Amendments propose and contain an unrestricted permitted use of
"Retail Establishment". Our client would object to such an unrestricted definition, and
request that such use be restricted to exclude any supermarket, food market or grocery
store (other than a Convenience Store as that term is defined in Section 3.1(50) of the
Zoning By-Law).

Our understanding is that the current Official Plan designation would not permit same
in any event (same being the subject matter of a Community Commercial category
which is not the case here). Not only would an Official Plan Amendment be required,
but also our concern would be that a market study be required for any such Official
Plan Amendment and Re-zoning.

Yours truly,
PIERSANTI & COMPANY PROFESSIONAL CORPORATION

Per:

Christian Piersanti

cc: Chris.DC.Vincent@519-837-5640

445 EDGELEY BLVD., UNIT 10, CONCORD, ONTARIO L4K 4G1

This communication and any material attached is legally privileged and is confidential information intended only for the use of the addressee. If the recipient of this communication and any material attached is not the intended addressee, you are notified that any use, dissemination or copy of same is prohibited. If you are not the addressee, please notify our office by phone and return the original to our firm by mail at the address above. Thank you.

From: Susann Elo
Sent: Fri 1/25/2008 10:00 AM
To: Maggie Lairdlaw
Cc: June Hofland
Subject: Proposed zoning by-law amendment

Dear Councillors,

I am writing regarding the proposed amendment at 219 Silvercreek Parkway North and 292 Speedvale Avenue. I am unable to attend the meeting scheduled for February 4, 2008, and I sincerely hope that you will present my concerns at the meeting.

I am opposed to this amendment, for the following reasons:

1. The intersection at Speedvale and Silvercreek is a high traffic intersection. Many automobile accidents occur at this intersection due to the volume of traffic that travels through this intersection on a daily basis. There are some very large contributors to the traffic - Linamar companies located in close proximity to this intersection. The employees and deliveries contribute to traffic volumes. Tim Horton's is another contributor, China Park Restaurant, and so on. This intersection is full of businesses that people are accessing all day and night long.
2. The section of Silvercreek between Speedvale and Greengate is extremely busy as well, due to high traffic. The same concerns as listed above are the contributors to motor vehicle accidents and their frequency.
3. The last thing I personally want to see in my neighbourhood is an extension of Ample Annies. Having the drunks walking through our property at all hours of the night, causing disturbances is most annoying. The vandalism is bothersome. I'm sure that you would not want this happening in your neighbourhood.
4. Noise levels are almost unbearable both during the day and in the evenings. I have lived at this address since 1990, and have experienced a significant increase in noise. The noise from the Linamar factories alone is almost deafening, let alone all the traffic on Speedvale and Silvercreek.

I appreciate you taking the time to read my email, and look forward to any and all assistance you can provide.

Kindest regards,

Susanna Elo

SCHEDULE 6

Public Notification

November 5, 2007	Application received by the City of Guelph
December, 2007	Notice of Application Sign posted on property
January 10, 2008	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
January 11, 2008	Notice of Public Meeting advertised in the Guelph Tribune.
February 4, 2008	Public Meeting of City Council
April 11, 2008	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision
May 5, 2008	City Council Meeting to consider staff recommendation