

# COUNCIL PLANNING AGENDA



**DATE Monday, May 7 2012 7:00 p.m.**

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

**O Canada**

**Silent Prayer**

**Disclosure of Pecuniary Interest**

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

<b>Application</b>	<b>Staff Presentation</b>	<b>Applicant or Designate</b>	<b>Delegations (maximum of 10 minutes)</b>	<b>Staff Summary</b>
0 Speedvale Avenue West: Proposed Redline Amendment to a Draft Plan of Subdivision and a Zoning By-law Amendment (File: 23T-88009/ZC1203) – Ward 4	Melissa Aldunate	Nancy Shoemaker		
316 Waterloo Avenue: Proposed Zoning By-law Amendment (File: ZC1116) – Ward 5	Rita Kostyan	Jeff Buisman		

## **CONSENT AGENDA**

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

<b>COUNCIL CONSENT AGENDA</b>			
<b>ITEM</b>	<b>CITY PRESENTATION</b>	<b>DELEGATIONS (maximum of 5 minutes)</b>	<b>TO BE EXTRACTED</b>
A-1) 30, 34 and 40 Arkell Road: Proposed Zoning By-Law Amendment (File: ZC1115) – Ward 6			

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A-2) 55 Yarmouth Street and 68 Baker Street: Amendment to Draft Plan of Condominium (Conversion) (File: 23CDM-11501) – Ward 1			
A-3) 148-152 Macdonell Street: Proposed Official Plan Amendment & Zoning By-Law Amendment (Files: OP1104 & ZC1114) – Ward 1	<ul style="list-style-type: none"><li>• Krista Walkey</li><li>• Adam Carapella</li></ul>	<u>Delegation:</u> <ul style="list-style-type: none"><li>• Tom Lammer</li><li>• Barbara Turley-McIntyre</li><li>• Lloyd Longfield</li><li>• Marty Williams</li></ul> <u>Correspondence:</u> <ul style="list-style-type: none"><li>• Elizabeth Gray</li><li>• Jody Larsen</li><li>• Allan Dyer &amp; Linda Reith</li></ul>	√

## ANNOUNCEMENTS

## ADJOURNMENT

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE May 7, 2012

**SUBJECT 0 Speedvale Avenue West: Proposed Redline  
Amendment to a Draft Plan of Subdivision and a Zoning  
By-law Amendment (File: 23T-88009, ZC1203) -Ward 4**

REPORT NUMBER 12-50

## SUMMARY

### Purpose of Report:

To provide planning information on applications by BSRD Ltd. requesting a redline amendment to an approved draft plan of subdivision and an associated Zoning By-law amendment application for the lands at 0 Speedvale Avenue West (Chillico Run Subdivision – Mitchell Farm). This report has been prepared in conjunction with the statutory public meeting for these applications.

### Council Action:

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

"That Report 12-50 regarding applications for a redline amendment to an approved draft plan of subdivision and a zoning by-law amendment by BSRD Ltd. on behalf of Armel Corporation on lands municipally known as 0 Speedvale Avenue West and legally described as Part of Lots 6 and 7, Concession 1, Division 'B', City of Guelph, from Planning, Building, Engineering and Environment dated May 7, 2012 be received."

## BACKGROUND

Applications for a redline amendment to a draft plan of subdivision and a zoning by-law amendment have been received for the property municipally known as 0 Speedvale Avenue West from BSRD Ltd on behalf of Armel Corporation. The applications seek to revise the approved draft plan of subdivision and associated zoning to permit an increase in the total number of residential units and change the range and mix of residential lots and blocks. The applications were deemed to be complete on February 14, 2012.

### Location

The subject lands are located south of Speedvale Avenue along Westra Drive, west of Curzon Crescent, east of the City boundary and north of the Canadian National

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Railway (see location map in Attachment 1). The subject lands have an approximate area of 7.8 hectares and are currently vacant. Surrounding land uses include single detached houses and townhouses in a previous phase of the Mitchell Farm subdivision, open space to the north, the Canadian National rail line to the south and agricultural lands to the west and south in Guelph-Eramosa Township.

### **Existing Official Plan Designations**

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

The Official Plan also identifies the site within the "Greenfield Area" of the City. The "Greenfield Area" is intended to provide for a range of uses at a minimum density of 50 people and jobs per hectare, measured over the entire greenfield area.

### **Existing Zoning**

The subject lands are zoned in the single detached residential zones R.1B, R.1C and R.1D and the specialized single detached residential zone R.1B-17 (see Attachment 3).

## **REPORT**

### **Description of Proposed Redline Amendment**

The applicant is requesting a redline amendment to the approved draft plan of subdivision to permit a different range and mix of housing that will result in an increase in the density and total number of residential units. The redline amendment introduces three blocks for on-street townhouses. The street pattern is not affected by this redline amendment. The following table displays the total number of units by type in the approved draft plan compared to the total number of units by type that is proposed through the redline amendment application. The proposed redline amendment provides an additional 49 residential units.

<b>Type of Unit</b>	<b>Number of Units</b>	
	Approved Draft Plan 23T-88009	Redline Amendment
Single Detached	97	100
Semi-detached	0	22
Townhouse (on-street)	0	24
<b>Total</b>	<b>97</b>	<b>146</b>

### **Description of Proposed Zoning By-law Amendment**

The applicant is requesting a zoning by-law amendment to implement the proposed redline amendment. The proposed amendment is to rezone the subject lands from the single detached (R.1B, R.1C and R.1D) zones and the specialized single detached (R.1B-17) zone to the single detached (R.1D and R.1C), specialized single detached (R.1D-9), semi-detached (R.2) and specialized on-street townhouse (R.3B-5 and R.3B-7) zones (see Attachment 3). The proposed zoning amendment decreases the lot frontage of the majority of the single detached lots, adds semi-detached lots and provides zoning to implement the redline amendment which introduces blocks for townhouses.

### **Staff Review**

The review of these applications will consider the following:



- 
- Evaluation of the proposal against the Provincial Policy Statement;
  - Evaluation of the proposal's conformity with the Official Plan;
  - Review of the proposed zoning; and
  - Community Energy Initiative considerations.

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

### **CORPORATE STRATEGIC PLAN**

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

### **FINANCIAL IMPLICATIONS**

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

### **DEPARTMENTAL CONSULTATION**

N/A

### **COMMUNICATIONS**

The Notice of Complete Application was mailed on February 28, 2012 to local boards and agencies, City service areas and property owners within 120 metres of the subject property. The same notice was provided by signage on the subject property. The Notice of Public Meeting was advertised in the Guelph Tribune on April 12, 2012 and mailed on April 16, 2012.

### **ATTACHMENTS**

Attachment 1: Location Map

Attachment 2: Existing Official Plan designation and policies

Attachment 3: Existing and Proposed Zoning

Attachment 4: Proposed Redline Amendment

#### **Prepared By:**

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Original Signed by:

Original Signed by:

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#### **Recommended By:**

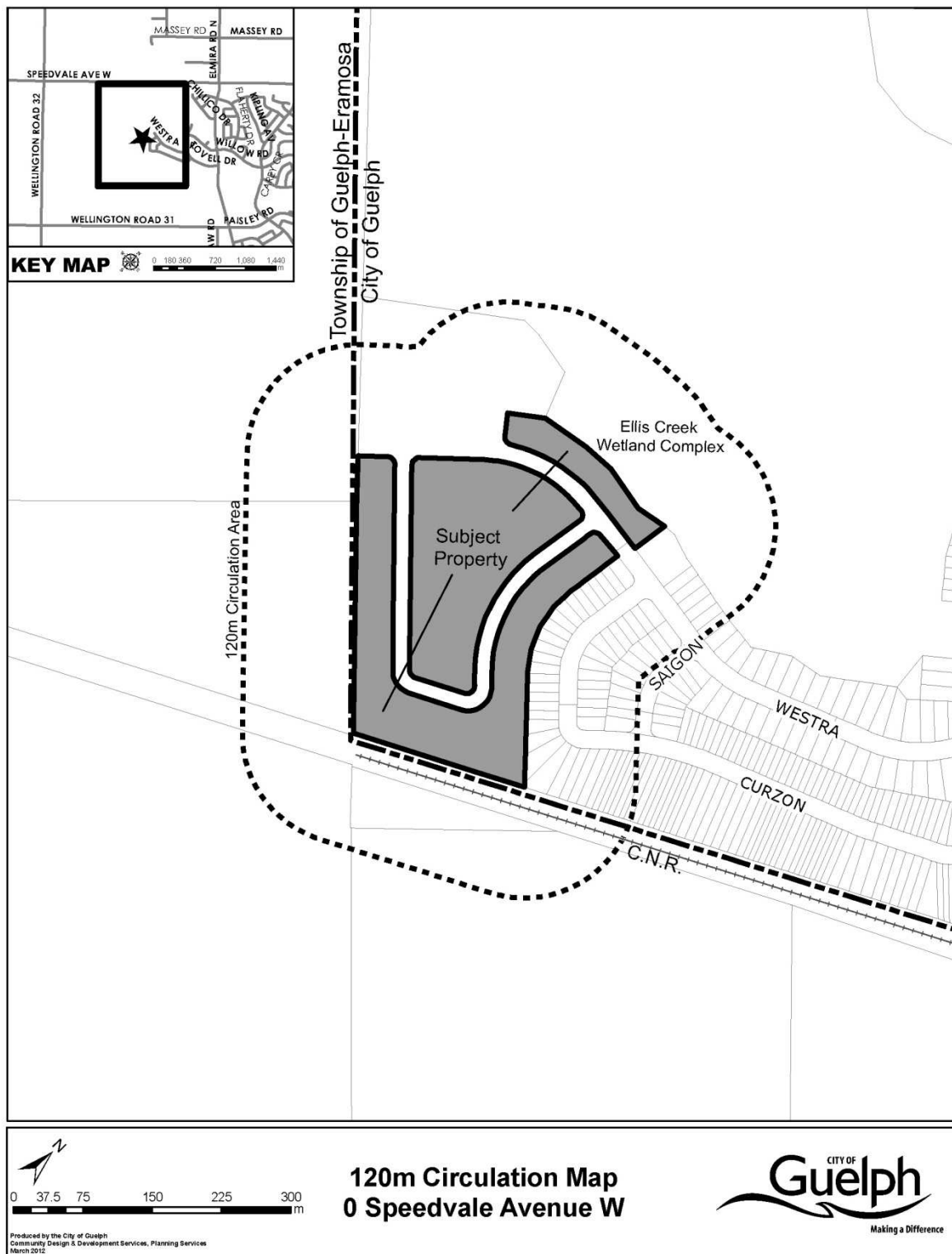
Todd Salter  
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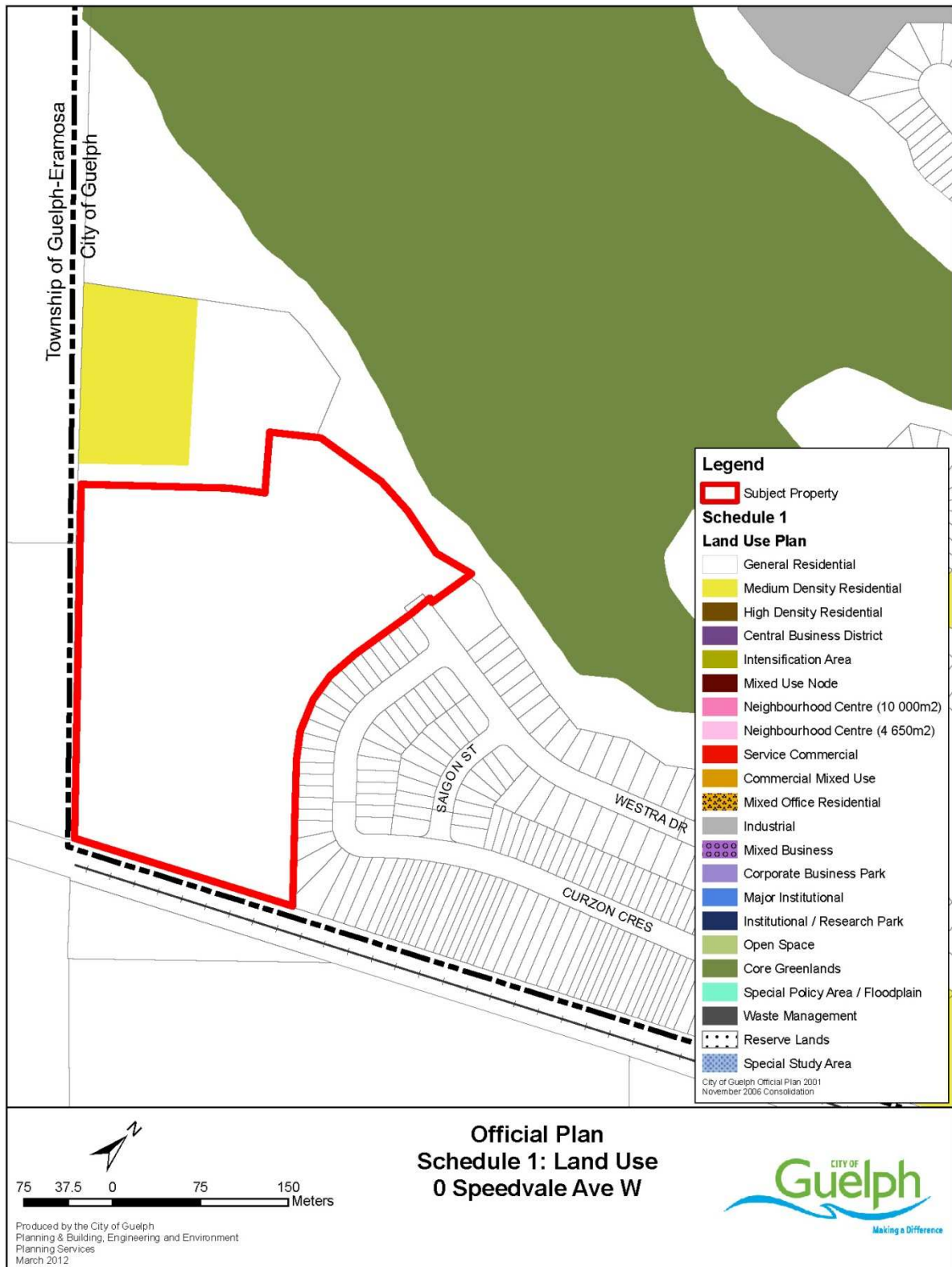
#### **Recommended By:**

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## Attachment 1: Location Map



## Attachment 2: Existing Official Plan Designation



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## Attachment 2: Official Plan 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).

## ATTACHMENT 3: Existing and Proposed Zoning



## Page 8 of 9





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TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE May 7, 2012

**SUBJECT 316 Waterloo Ave: Proposed Zoning By-law  
Amendment (File: ZC1116) – Ward 5**

REPORT NUMBER 12-51

## SUMMARY

**Purpose of Report:** To provide planning information on an application by VanHarten Surveying Inc. requesting approval of a Zoning By-law Amendment to permit two single detached residential dwellings on one property. This report has been prepared in conjunction with the public meeting on the application.

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

## RECOMMENDATION

"THAT Report 12-51 regarding an application for a Zoning By-law Amendment to permit two single detached residential dwellings at 316 Waterloo Avenue, legally described as Lot 23, Registered Plan 34, City of Guelph, from Planning, Building, Engineering and Environment, dated May 7, 2012, be received."

## BACKGROUND

An application for a Zoning By-law Amendment has been received for the subject property municipally known as 316 Waterloo Avenue. The proposal will rezone the subject property to permit the existing 2 storey single detached residential dwelling and convert the existing concrete block building, built in 1946, into a 2 bedroom residential dwelling. The application was deemed to be complete on December 8, 2011.

One of the previous owners of the subject property converted the concrete block building into a residential dwelling, without a permit, prior to 2002. The current owner of the subject property purchased it in 2002 and has been using the block building as an office for a roofing business (see Schedule 4).

## Location

The subject property is approximately 0.0811 ha in size and is located south of Waterloo Avenue and west of St. Arnaud Street (see Location Map on Schedule 1).



The subject property has approximately 16.09 metres frontage on Waterloo Avenue and a lot depth of 50.41 metres. It is bounded by mid-rise apartment buildings to the south and single detached dwellings to the north, east and west.

### **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 all forms of housing types including single detached residential dwellings, multiple unit residential buildings, residential care facilities, lodging houses, coach houses and garden suites.

The southern one third of the subject property is located within the Special Policy Area of the Official Plan, which comprises of the built-up area of Guelph that is located within the regulatory flood plain of the Speed and Eramosa Rivers. Residential development, intensification, and the conversion of non-residential buildings to residential are permitted within the Special Policy Area provided that new or existing buildings meet certain design and floodproofing requirements. See Schedule 2 for the Official Plan designations and relevant policies.

### **Existing Zoning**

The subject property is zoned R.1B (Single Detached Residential) Zone (see Schedule 3).

## **REPORT**

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

The applicant is requesting to rezone the lands from the R.1B (Single Detached Residential) Zone to a R.1B-? (Specialized Single Detached Residential) Zone to permit the development of two single detached residential dwellings on one property. The specialized zoning regulations requested in association with the proposed R.1B-? Zone include:

- Minimum side yard setback of 1.15 metres (in lieu of the required 1.5 metres);
- Permit 2 single detached residential dwellings on one property when the Zoning By-law permits 1 residential dwelling per lot.

### **Proposed Development Concept**

The applicant's proposed development concept is shown on Schedule 5. The proposal involves a site layout that is generally similar to the existing layout with the existing buildings and driveway entrance remaining in their original location. The 2 storey residential dwelling and concrete block building will be serviced by 4 off-street parking spaces.

### **Supporting Documents**

The application is supported by the following:

- Site Plan Sketch. Prepared by VanHarten Surveying Inc. November 7, 2011;
- Planning Justification Report. Prepared by VanHarten Surveying Inc. Oct. 25, 2011.

### **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 to the Growth Plan;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed zoning including all of the uses permitted and the proposed specialized regulations;
- Review of proposed site design;
- Servicing and traffic related issues;
- Review of whether the block building meets the Ontario Building Code requirements

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**

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

### **FINANCIAL IMPLICATIONS**

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

### **COMMUNICATIONS**

Notice of the Public Meeting was advertised in the Guelph Tribune on April 12, 2012, and circulated to current owners within 120 metres of the site on April 13, 2012.

### **ATTACHMENTS**

Schedule 1 – Location Map  
 Schedule 2 – Existing Official Plan Land Use Designations and Policies  
 Schedule 3 – Existing and Proposed Zoning and Details  
 Schedule 4 – Orthophoto of Subject Property  
 Schedule 5 – Proposed Development Concept

#### **Prepared By:**

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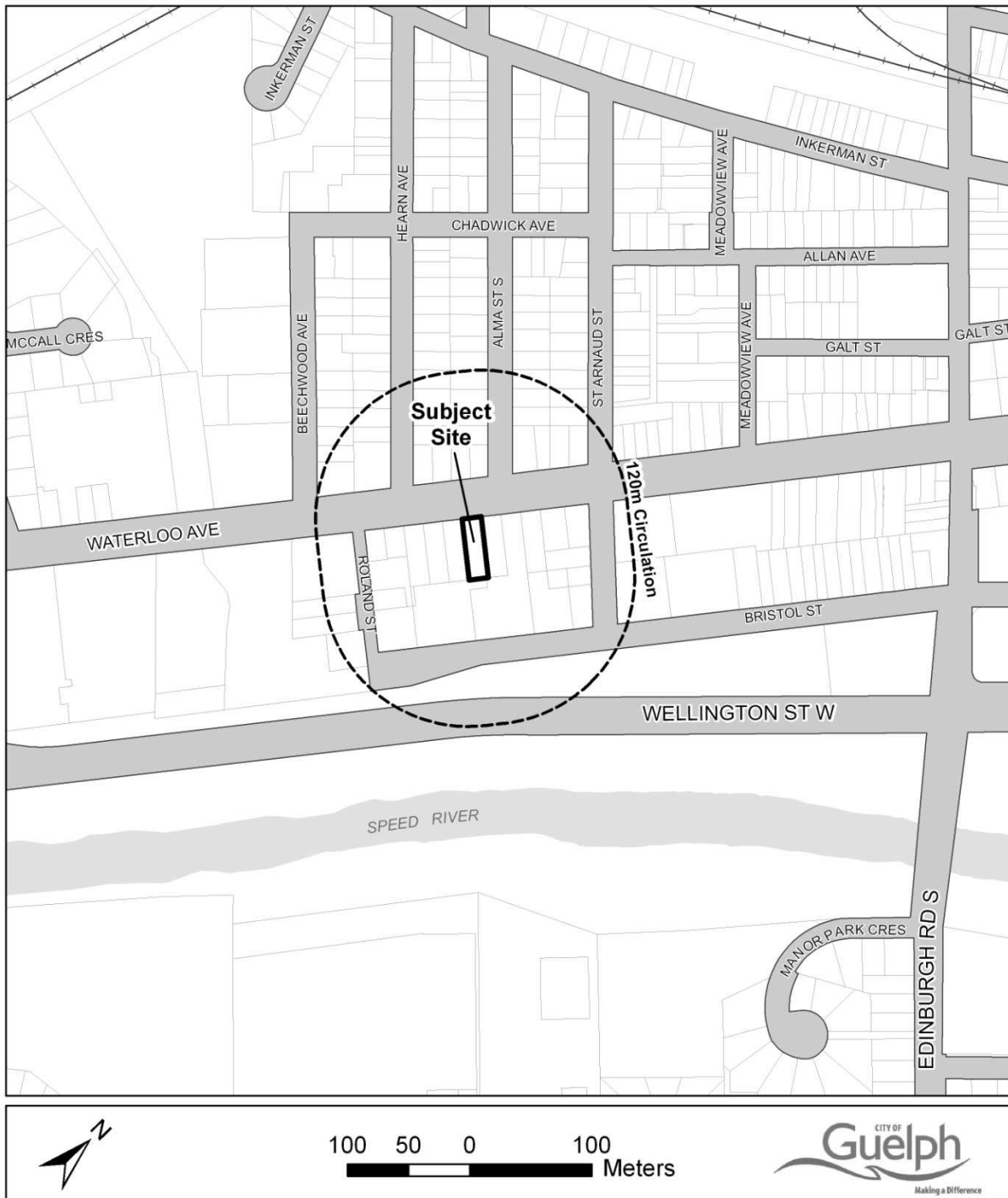
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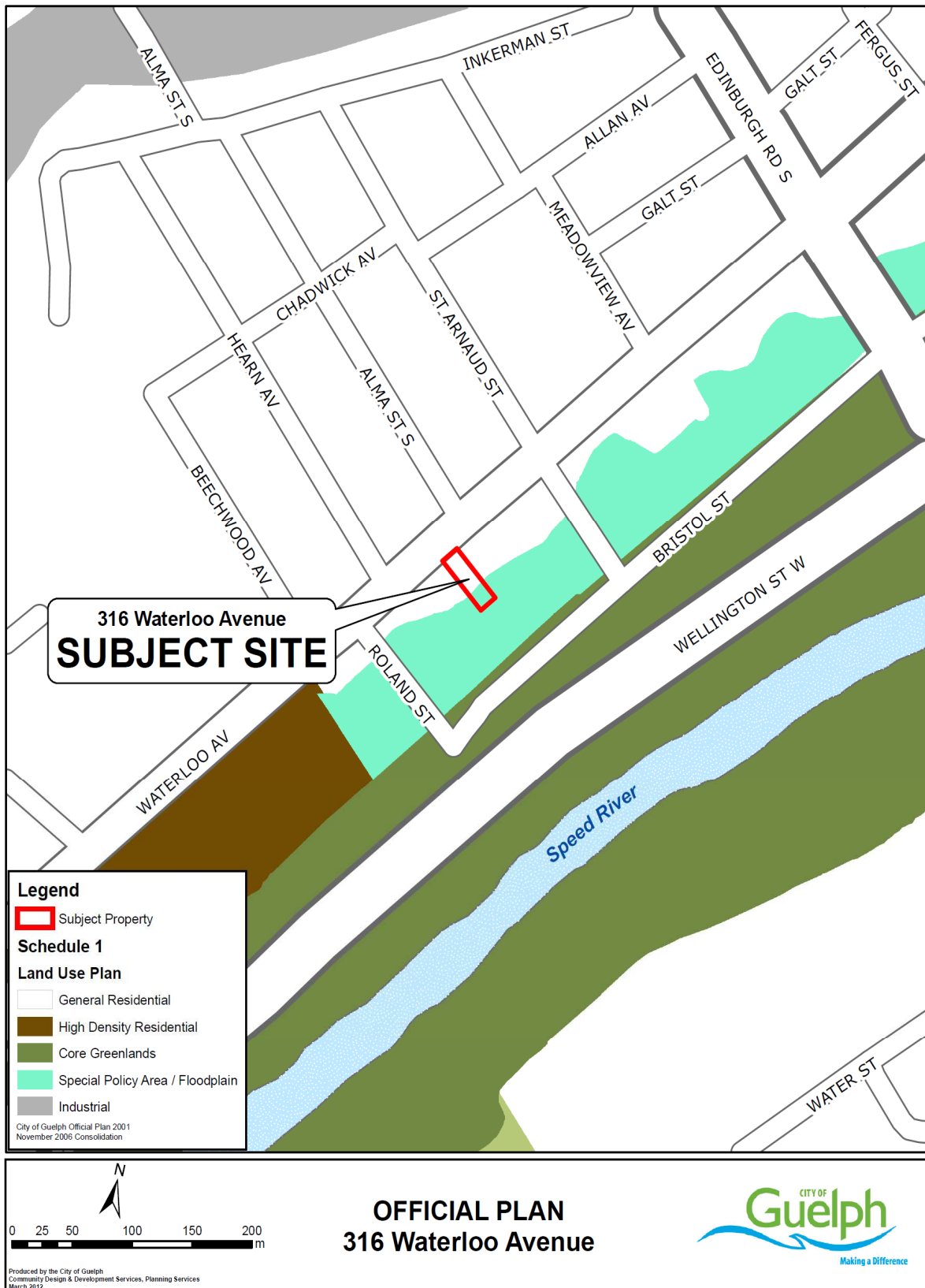
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 and Environment  
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## SCHEDULE 1 Location Map



## SCHEDULE 2 Existing Official Plan Land Use Designations



## **SCHEDULE 2 (continued)**

### **Existing Official Plan 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 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.

#### **Coach House / Garden Suites**

- 7.2.22 *Coach houses* and *garden suites* may be permitted as alternative forms of housing in all land use designations of the Plan allowing lower density forms of housing.
1. *Coach houses* and *garden suites* will be regulated by the provisions of the implementing *Zoning By-law* and shall be subject to site plan control.
  2. The following criteria will be used as the basis for permitting *coach houses* and *garden suites* by amendment to the implementing *Zoning By-law*:
- a) The use is subordinate in scale and function to the main *dwelling* on the lot;
  - b) The use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - c) The use is situated on an appropriately-sized housing lot;
  - d) The use is compatible in design and scale with the built form of the main *dwelling unit*;
  - e) The orientation of the use will allow for optimum privacy for both the occupants of the new *coach house* or *garden suite* and the main *dwelling* on the lot; and

- f) Any other siting requirements related to matters such as servicing, parking and access requirements, storm water management and tree preservation can be satisfied.

### Special Policy Area (S.P.A.) Flood Plain

The "Provincial Policy Statement" generally prohibits *development* or *redevelopment* within the *regulatory flood plain* due to inherent dangers, such as loss of life, property damage and social disruption, should flooding occur. The "Policy Statement" does however, recognize there are special circumstances in historic communities where the general prohibition of new *development/redevelopment* is so onerous that it would degrade the community's vitality. Therefore, the "Provincial Policy" also makes provision for the designation of lands within the *flood plain* as a 'Special Policy Area.'

The 'Special Policy Area Flood Plain' area as generally designated on Schedule 1 and in more defined fashion denoted on Schedule 8 of this Plan illustrates a currently built-up portion of Guelph which is within the *regulatory flood plain* of the Speed and Eramosa Rivers. *Development, redevelopment* and rehabilitation of buildings and structures in this area is considered vital to the continued economic and social viability of the City. In addition, major relocation or complete acquisition by public authorities is not feasible. Strict enforcement of the "Provincial Policy Statement's" One Zone and Two Zone Flood Plain concepts in these areas would lead to the physical deterioration of the infrastructure and unnecessary hardship to the City.

7.14.4 Within the 'Special Policy Area (S.P.A.) Flood Plain', as generally designated on Schedule 1 and in more detailed fashion on Schedule 8 of this Plan, the City, the Grand River Conservation Authority and the Province of Ontario have agreed to accept a higher *flood* risk than would normally be acceptable. This higher *flood* risk permits the *development* of a limited amount of new buildings and structures on these lands in accordance with the following:

1. The permitted uses within the 'S.P.A. Flood Plain' are established by the land use designations shown on Schedule 8. In addition, policy 7.14.1 is applicable within the 'S.P.A. Flood Plain'.
2. *Development/redevelopment* is not permitted within the *floodway*.
3. Hotels and motels may be permitted in the applicable Schedule 8 land use designations of this Plan if the use can be *floodproofed* to the *regulatory flood* level and *safe access* can be provided.
4. Within the 'S.P.A. Flood Plain' land use designation, service stations, gas bars and other uses involving the manufacture, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.
5. Within the 'S.P.A. Flood Plain' land use designation, parking facilities shall be designed to the satisfaction of the City and the Grand River Conservation Authority so as to minimize *flood* damage and potential *flood* flow interference.
6. The City's implementing *Zoning By-law* will outline specific use and building regulations for lands within the 'S.P.A. Flood Plain' land use designation.

7.14.5 *Floodproofing* shall be required for all forms of building activity within the 'S.P.A. Flood Plain' land use designation to the satisfaction of the City and the Grand River Conservation Authority. The following sub-policies will give guidance to the *floodproofing* requirements:

1. Any new building or structure shall be designed such that its structural integrity is maintained during a *regulatory flood*. In spite of the lower minimum levels specified by the policies of this subsection, every attempt should be made to *floodproof* buildings and structures to the *regulatory flood* level.
2. The various forms of *floodproofing*, as outlined in the "Implementation Guidelines of the Provincial Policy Statement on *Flood Plain Planning*" (October, 1988) may be used to achieve the necessary *floodproofing* requirements of this Plan.

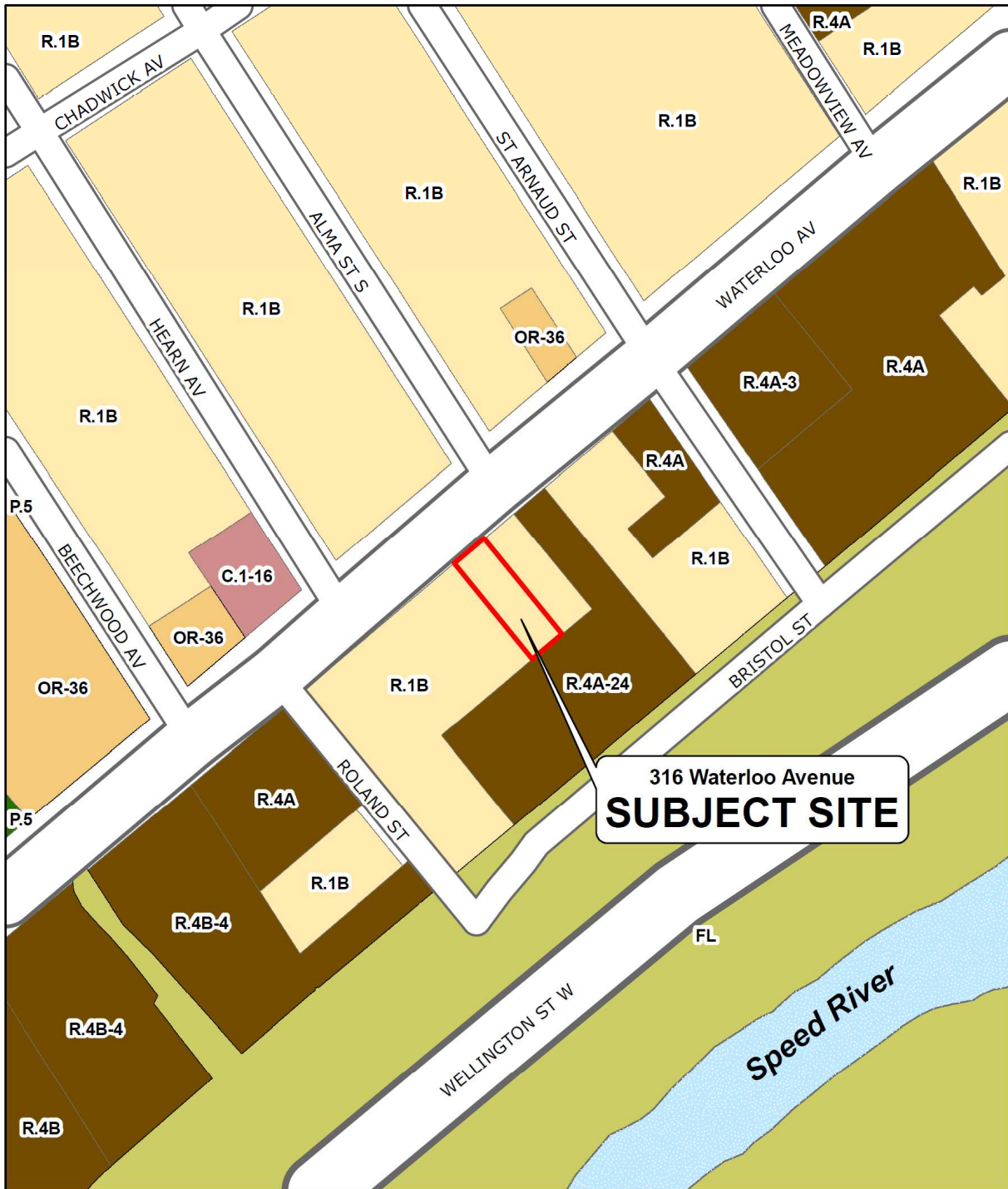
3. The replacement of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes will be permitted, provided the building or structure is not located within the *floodway*.

#### **Floodproofing Requirements for Residential Uses within the 'S.P.A. Flood Plain' Land Use Designation**

7.14.6 In addition to the requirements of policy 7.14.5, the following policies apply to the *renovation* of, intensification of, *conversion* to, *development* and *redevelopment* of residential uses.

1. *Renovation* of existing residential buildings shall be permitted provided any new *habitable floor space* is no lower than the elevation of the existing ground floor level.
2. Residential intensification, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an *accessory apartment* to an existing *single/semi/duplex* building or the creation of a new lot by *consent* for a single/semi/duplex dwelling, shall be permitted provided that the new building or structure is *floodproofed* to an elevation no lower than one metre below the *regulatory flood level*; and:
  - a) The *habitable floor space* is constructed to an elevation equal to, or greater than the ground floor elevation of adjacent buildings, but in no case lower than one metre below the *regulatory flood level*;
  - b) Mechanical, electrical and heating equipment will be located no lower than one metre below the *regulatory flood level*;
  - c) Basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of one metre below the *regulatory flood level*. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing; and
  - d) Access is available to the site at an elevation no lower than one metre below the *safe access level*.
3. Conversion of a non-residential building to a residential use will be permitted provided the building is *floodproofed* to an elevation no longer than one metre below the *regulatory flood level*: and
  - a) The *habitable floor space* elevation of any new residential unit is located at an elevation no lower than one metre below the *regulatory flood level*;
  - b) Mechanical, electrical and heating equipment will be located no lower than one metre below the *regulatory flood level*; and
  - c) Access is available to the site at an elevation no lower than one metre below the *safe access level*.
4. *Development/redevelopment* of new residential units, excluding forms of residential intensification noted in policy 7.14.6.2, shall be permitted provided that the new building and related structures are *floodproofed* to the *regulatory flood level*; and
  - a) The *habitable floor space* of any new residential unit is constructed to an elevation equal to or greater than the *regulatory flood level*;
  - b) Windows, doors and other building openings for any new residential unit will be located above the *regulatory flood level*;
  - c) Mechanical, electrical and heating equipment for any new residential unit will be located above the *regulatory flood level*;
  - d) Access is available to the site at an elevation no lower than one metre below the *safe access level*; and
  - e) Unenclosed parking facilities shall be located at or above an elevation of the *100 year flood level*. Enclosed facilities shall be *floodproofed* to the *regulatory flood level*.

## SCHEDULE 3 Existing Zoning



0 12.5 25 50 75 100 m

### ZONING BYLAW

### 316 Waterloo Avenue

Produced by the City of Guelph  
Community Design & Development Services, Planning Services  
March 2012



## SCHEDULE 3 (continued)

### Existing Zoning Details

#### R.1B Detached Residential Zone

##### **Permitted Uses**

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

Regulation	Required in the Standard R.1B Zone
Minimum Lot Area	460m <sup>2</sup>
Minimum Lot Frontage	15m
Maximum Building Height	3 storeys
Minimum Front Yard	6m
Minimum Exterior Side Yard	4.5m
Minimum Side Yard	
1 to 2 storeys	1.5m
Over 2 storeys	2.4m
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	See Section 4.9

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## **SCHEDULE 3 (continued)**

### **Proposed Zoning Details**

#### **Specialized R.1B-? (Specialized Single Detached Residential) Zone**

##### **Permitted Uses**

In addition to the Uses listed in Section 5.1.1 of Zoning By-law (1995) – 14864, as amended, the following Use shall also be permitted:

- A coach house

Notwithstanding the Uses permitted in 5.1.1., a coach house located in the R.1B-? Zone shall not be occupied by a Home Occupation or Accessory Apartment or Lodging House Type 1.

##### **Regulations**

###### **Minimum Side Yard**

- 1.15 metres (in lieu of the required 1.5 metres)

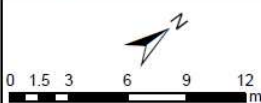
###### **Number of Buildings per Lot**

- Notwithstanding Section 4.4, a coach house is permitted on the same Lot as the main Dwelling Unit in the R.1B-? Zone.

###### **Off-Street Parking**

- In addition to the requirements of Section 4.13, where a coach house has been provided in addition to the main Dwelling Unit, a total of 3 parking spaces shall be required on the property.

**SCHEDULE 4**  
**Orthophoto of Subject Property**

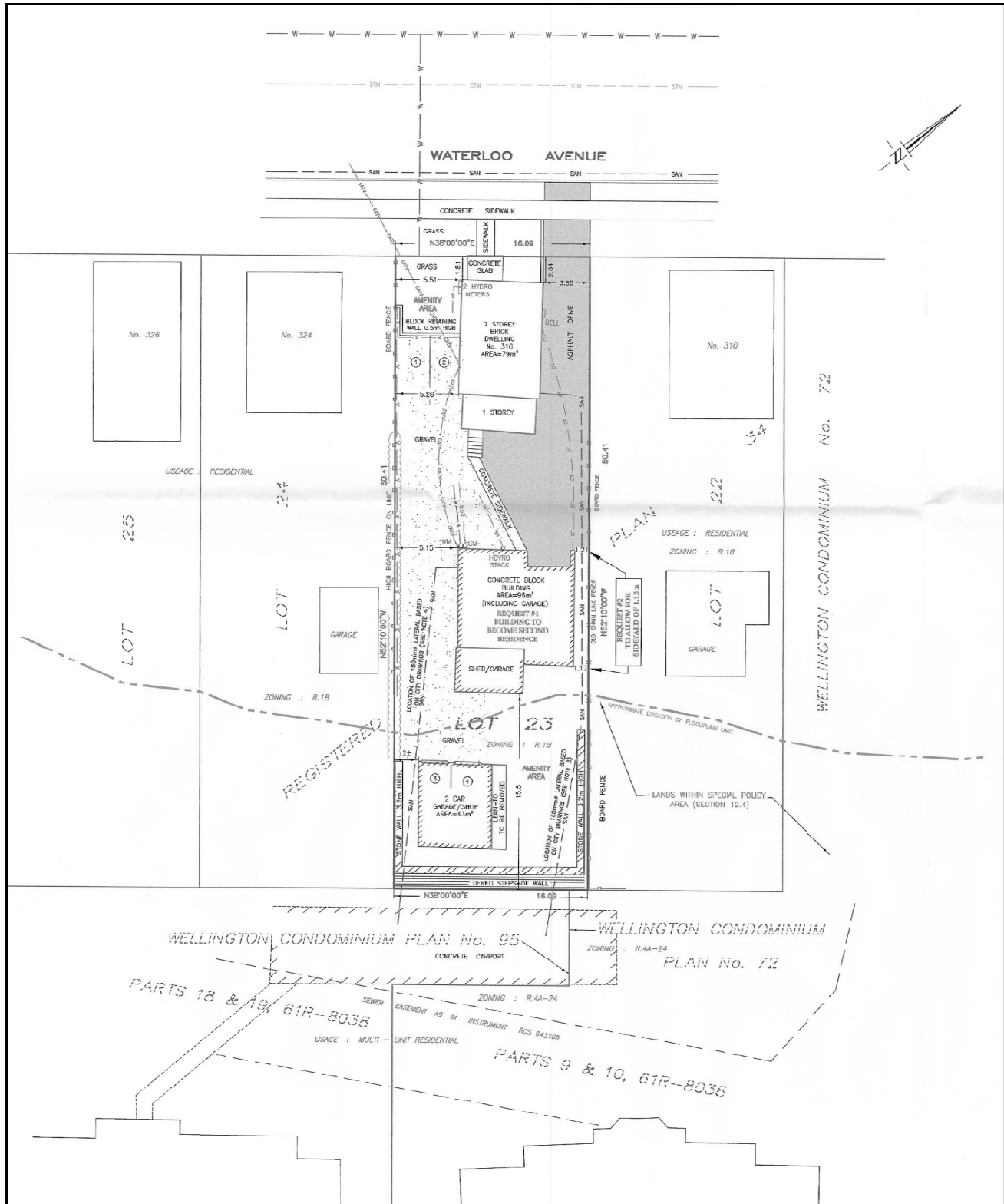


Produced by the City of Guelph  
Community Design & Development Services, Planning Services  
March 2012

**ORTHOPHOTO**  
**316 Waterloo Avenue**



## SCHEDULE 5 Proposed Development Concept



## CONSENT AGENDA

May 7, 2012

Her Worship the Mayor  
and  
Members of Guelph City Council.

### **SUMMARY OF REPORTS:**

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

#### **A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p><b>A-1) 30, 34 AND 40 ARKELL ROAD: PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1115) – WARD 6</b></p> <p>THAT Report 12-42 dated May 7, 2012 regarding a proposed Zoning By-law Amendment for the properties municipally known as 30, 34 and 40 Arkell Road from Planning, Building, Engineering and Environment be received;</p> <p>AND THAT the application by Astrid J. Clos Planning Consultants for a Zoning By-law Amendment to change the zoning from the R.3A-38 (Specialized Cluster Townhouse) Zone and the R.1B (Single Detached Residential) Zone to a Specialized R.3A-? (Cluster Townhouse) Zone for the properties municipally known as 30, 34 and 40 Arkell Road, and legally described as Part Lot 6, Concession 8, Geographic Township of Puslinch, Lot 1 and Part of Lot 2, Registered Plan 514, City of Guelph be approved in accordance with the regulations and conditions set out in Attachment 2 of Planning, Building, Engineering and Environment Report 12-42 dated May 7, 2012;</p> <p>AND THAT in accordance with Section 34(17) of the <i>Planning Act</i>, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 30, 34 and 40 Arkell Road as set out in Report 12-42 from Planning, Building, Engineering and Environment dated May 7, 2012;</p> <p>AND THAT the request to demolish the detached dwelling located on the property municipally known as 40 Arkell Road be approved.</p>	<p>Approve</p>

**A-2) 55 YARMOUTH STREET AND 68 BAKER STREET AMENDMENT TO DRAFT PLAN OF CONDOMINIUM (CONVERSION) (FILE: 23CDM-11051) – WARD 1**

Approve

THAT Report 12-24 regarding a proposed amendment to a Draft Plan of Condominium, applying to properties municipally known as 55 Yarmouth Street and 68 Baker Street from Planning, Building, Engineering and Environment, dated May 7, 2012, be received;

AND THAT the application by Astrid J. Clos Planning Consultants, on behalf of Skyline Inc., requesting an amendment to an approved Draft Plan of Condominium, as shown on Attachment 4, applying to properties municipally known as 55 Yarmouth Street and 68 Baker Street and legally described as Part of Lots 91 and 93 and Lot 92, Registered Plan 8, City of Guelph, be approved, subject to conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 12-24, dated May 7, 2012.

**A-3) 148-152 MACDONELL STREET: PROPOSED OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT (FILES OP1104 & ZC1114) – WARD 1**

Approve

THAT Report 12-47 regarding Official Plan and Zoning By-law Amendment applications by Stantec Consulting Ltd. on behalf of The Tricar Group, to permit the development of an 18-storey mixed use building for the property municipally known as 148-152 Macdonell Street, and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph, from Planning, Building, Engineering and Environment dated May 7, 2012, be received;

AND THAT the application by Stantec Consulting Ltd. on behalf of The Tricar Group for approval of an Official Plan Amendment to add a site specific policy to permit a maximum density of 408 units per hectare affecting lands municipally known as 148-152 Macdonell Street and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph, be approved in accordance with the policies as set out in Attachment 2 of Planning, Building, Engineering and Environment Report 12-47 dated May 7, 2012;

AND THAT the application by Stantec Consulting Ltd. on behalf of The Tricar Group for approval of a Zoning By-law Amendment to change the zoning from the CBD.1 (Central Business District) Zone to a Specialized CBD.1 (Central Business District) Zone to permit the development of an 18-storey mixed-use building for the property municipally known as 148-152 Macdonell Street and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph, be approved, in

accordance with the provisions set out in Attachment 2 of Planning, Building, Engineering and Environment Report 12-47 dated May 7, 2012;

AND THAT in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 148-152 Macdonell Street as set out in Report 12-47 from Planning, Building, Engineering and Environment dated May 7, 2012.

**A-4) VICTORIA ROAD SOUTH RECONSTRUCTION CONTRACT NO. 2-1207**

Approve

THAT the tender from Capital Paving Inc., Guelph be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1207 for Victoria Road South Reconstruction between Arkell Road and MacAlister Boulevard for a total tendered price of \$4,584,928.46 with actual payment to be made in accordance with the terms of the contract.

Attach.

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE May 7, 2012

**SUBJECT 30, 34 and 40 Arkell Road  
Proposed Zoning By-law Amendment (File: ZC1115)  
Ward 6**

REPORT NUMBER 12-42

## SUMMARY

**Purpose of Report:** This report provides a staff recommendation to approve a Zoning By-law Amendment to rezone the subject properties to a Specialized R.3A-? (Cluster Townhouse) Zone to permit the development of multiple attached dwellings with a total of 36 units.

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

## RECOMMENDATION

"THAT Report 12-42 dated May 7, 2012 regarding a proposed Zoning By-law Amendment for the properties municipally known as 30, 34 and 40 Arkell Road from Planning, Building, Engineering and Environment be received;

AND THAT the application by Astrid J. Clos Planning Consultants for a Zoning By-law Amendment to change the zoning from the R.3A-38 (Specialized Cluster Townhouse) Zone and the R.1B (Single Detached Residential) Zone to a Specialized R.3A-? (Cluster Townhouse) Zone for the properties municipally known as 30, 34 and 40 Arkell Road, and legally described as Part Lot 6, Concession 8, Geographic Township of Puslinch, Lot 1 and Part of Lot 2, Registered Plan 514, City of Guelph be approved in accordance with the regulations and conditions set out in Attachment 2 of Planning, Building, Engineering and Environment Report 12-42 dated May 7, 2012;

AND THAT in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 30, 34 and 40 Arkell Road as set out in Report 12-42 from Planning, Building, Engineering and Environment dated May 7, 2012;



AND THAT the request to demolish the detached dwelling located on the property municipally known as 40 Arkell Road be approved.”

## **BACKGROUND**

An application for a Zoning By-law Amendment (ZC1115) has been received for the properties municipally known as 30, 34 and 40 Arkell Road from Astrid J. Clos Planning Consultants. The proposal is a request to rezone the properties from the R.3A-38 (Specialized Cluster Townhouse) Zone and the R.1B (Single Detached Residential) Zone to a Specialized R.3A-? (Cluster Townhouse) Zone to permit the development of 36 multiple attached dwelling units within 9 buildings, each containing 4 dwelling units.

The application was deemed to be complete on November 3, 2011. The statutory Public Meeting was held on February 6, 2012. Report 12-09 from Planning & Building, Engineering and Environment provided background information related to the proposed Zoning By-law amendment application.

## **Location**

The subject lands are approximately 0.59 hectares in size and are located north of Arkell Road and east of Gordon Street (see Location Map on Attachment 1). The subject site is bounded by:

- the Salvation Army Church to the north;
- existing residential development to the east;
- Arkell Road to the south; and
- vacant commercially zoned land to the west at the corner of Gordon Street and Arkell Road.

A single detached dwelling is located at the east end of the site (40 Arkell Road), which is proposed to be demolished to accommodate the proposed development.

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

The Official Plan land use designation that applies to the subject lands is “Medium Density Residential” (see Attachment 3). Based on the interpretation policies of the Official Plan (Section 9.2.2), the subject site is considered to be designated “Medium Density Residential” in its entirety. The boundaries of the “Neighbourhood Centre (4650 m<sup>2</sup>)” designation shown on Attachment 2 are generalized to illustrate its application to the adjacent corner of Arkell Road and Gordon Street and is not intended to apply to the westerly area of the subject site.

The “Medium Density Residential” designation permits “multiple unit residential buildings, such as townhouses, row dwellings and walk-up apartments.” The net density of development for the Medium Density designation is a minimum of 20 units per hectare to a maximum of 100 units per hectare.

The subject site is also within the “Non-Core Greenlands Overlay”. Staff have reviewed the details of the “Non-Core Greenlands Overlay” and have determined that an Environmental Impact Study (EIS) would not be required for this application. This was on the basis that the proposed development site is outside the

120 metre adjacent lands to the Provincially Significant Wetland (PSW); the proposed development site is not included within the Grand River Conservation Authority (GRCA) regulatory area; and there are no other natural features on the subject site that would warrant or trigger the preparation of an EIS.

Official Plan Amendment #39 (in 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), known as the City's Natural Heritage Strategy does not designate any of this site "Significant Natural Areas".

The relevant Official Plan land use designations and related policies are included in Attachment 3.

### **Existing Zoning**

The westerly portion of the subject site at 30-34 Arkell Road is zoned Specialized R.3A-38 (Cluster Townhouse) Zone and the easterly portion of the site at 40 Arkell Road is zoned R.1B (Single Detached Residential) Zone (see Attachment 4). It is noted that the Specialized R.3A-38 Zone was implemented on the subject site through a zoning by-law amendment application approved by Council in 2007 to permit the development of a 12 unit cluster townhouse development.

## **REPORT**

### **Description of the Proposed Zoning By-law Amendment**

The applicant proposes to rezone the lands from the Specialized R.3A-38 (Cluster Townhouse) Zone and the R.1B (Single Detached Residential) Zone to a Specialized R.3A-? (Cluster Townhouse) Zone to permit the development of 36 multiple attached dwelling units within 9 buildings, each containing 4 dwelling units. The specialized zoning regulations requested in association with the proposed R.3A-? Zone include:

- Minimum front yard of 4 metres (in lieu of the required 6 metres)
- Minimum rear yard of 3 metres (in lieu of the required 6 metres)
- Minimum side yard setback of 4.7 metres from the westerly lot line (in lieu of the required 5.33 metres)
- Minimum side yard setback of 3 metres from the easterly lot line (in lieu of the required 5.33 metres)
- Maximum building height of 4 storeys (in lieu of 3 storeys)
- Minimum distance between buildings of 6 metres (in lieu of 15 metres)
- Minimum area for private amenity area of 12 square metres (in lieu of the required 20 square metres)
- Minimum depth of private amenity area of 2.4 metres (in lieu of the required 4.5 metres)
- Minimum area for above grade private amenity area of 3.3 square metres (in lieu of the required 10 square metres)
- Maximum density of site of 61.5 units per hectare (in lieu of the maximum of 60 units per hectare)

The applicant has also requested that a “Multiple Attached Dwelling” be added as a permitted use within the requested Specialized R.3A-? Zone, which is defined as follows:

- A Multiple Attached Dwelling shall mean a building consisting of 3 or more dwelling units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors or from an internal hall or corridor and which share common facilities such as amenity area, parking and driveways.

Attachment 4 includes the proposed zoning map, as well as the proposed specialized and standard zoning regulations.

### **Proposed Development Concept Plan**

The initial concept plan presented at the February 6, 2012 Public Meeting is shown on Attachment 5. Minor revisions to the development concept have since been made based on the incorporation of the necessary road widening on the north side of Arkell Road (4.94 metres along frontage of 30 Arkell Road and 1.892 metres along the frontage of 34 and 40 Arkell Road). This has resulted in slight changes to the alignment and front setbacks of the buildings along the frontage of Arkell Road. The applicant’s current development concept is shown on Attachment 6.

The proposed development includes 36 multiple attached dwelling units within 9 buildings, each containing 4 dwelling units. Five multiple attached buildings are proposed along the frontage of Arkell Road and four multiple attached buildings are located along the northern boundary of the subject site. The proposed buildings are separated by a surface parking area central to the subject site that would accommodate a total of 57 off-street parking spaces. Vehicular access is proposed from a single driveway connection to Arkell Road, which is located at the westerly portion of the subject site and approximately 90 metres east of Gordon Street. A 399 square metre common amenity area is located at the northeast corner of the subject site.

The density of the proposed development is 61.5 units per hectare and approximately 104 persons per hectare under the Places to Grow Plan.

### **Staff Planning Analysis**

The staff review and planning analysis of this application is provided in Attachment 8. This staff analysis addresses the issues and questions that were raised during the review of the application, including any issues raised by Council at the statutory Public Meeting held on February 6, 2012. The issues generally relate to:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan
- Evaluation of the proposal’s conformity with the Official Plan
- Review of the proposed specialized zoning regulations, including the reduced minimum side yard setback from the adjacent zoned commercial site to the west
- Review of proposed site design

- Urban design review of the built form and streetscape
- Traffic related issues
- Community Energy Initiative considerations

### **Planning Staff Recommendation**

Staff support the proposed Zoning By-law Amendment application subject to the recommended permitted uses, regulations and conditions outlined in Attachment 2. The applications are consistent with the Provincial Policy Statement and conform to the Places to Grow Plan and the City's Official Plan.

The request to demolish the single detached dwelling at 40 Arkell Road is supported and included within the staff recommendation to accommodate the proposed development. It is noted that the dwelling is not listed on the City's Inventory of Heritage Properties.

### **Minor Application Revisions**

The revisions that have been made to the application since the February 6, 2012 Public Meeting are considered minor, and therefore staff are recommending to Council that no further public notice is required in accordance with Section 34(17) of the Planning Act. These changes relate to the inclusion of the necessary road widening on the north side of Arkell Road and the addition of the specialized zoning regulation to require a 4.7 metre minimum side yard setback from the western property line.

## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

### **Projected Taxation**

\$118,800 (estimated at \$3,300 per unit)

### **Development Charges**

The anticipated development charges for the proposed development of 36 townhouse units is \$670,896 (\$18,636.00 per unit)

## **DEPARTMENTAL CONSULTATION**

The public and agency comments received through the review of the application are summarized on Attachment 9.

## **ATTACHMENTS**

- Attachment 1 – Location Map
- Attachment 2 – Regulations and Conditions
- Attachment 3 – Official Plan Land Use Designations and Related Policies
- Attachment 4 – Existing and Proposed Zoning and Regulations
- Attachment 5 – Initial Concept Plan
- Attachment 6 – Development Concept Plan and Building Elevations
- Attachment 7 – Community Energy Initiative Commitment

Attachment 8 – Staff Planning Analysis  
Attachment 9 – Circulation Comments  
Attachment 10 – Public Notification Summary

**Prepared By:**

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Original Signed by:

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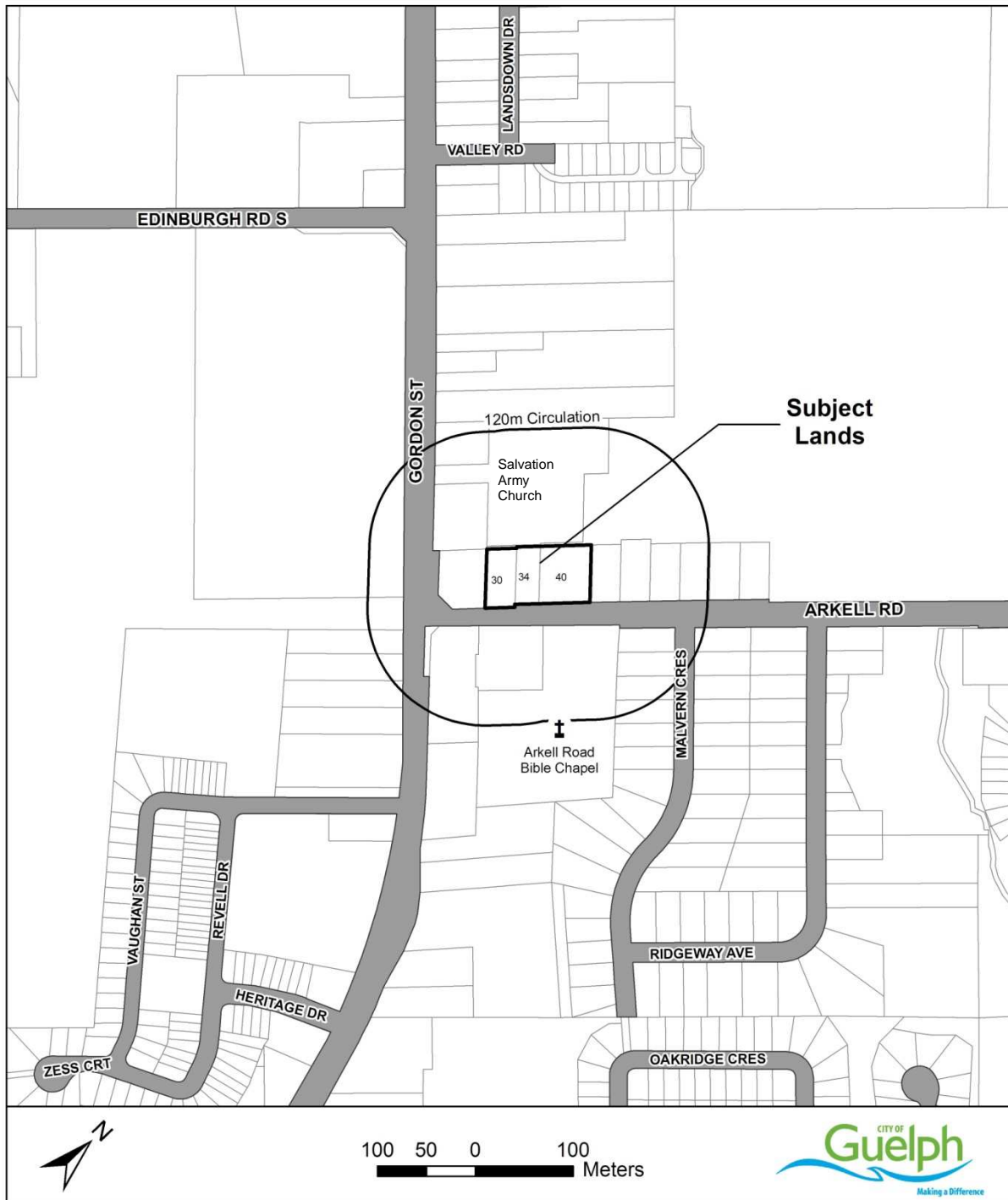
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**Recommended By:**

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Planning, Building, Engineering  
and Environment  
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janet.laird@guelph.ca

## ATTACHMENT 1 Location Map



## **ATTACHMENT 2**

### **Regulations and Conditions**

The properties affected by the Zoning By-law Amendment application are municipally known as 30, 34 and 40 Arkell Road and legally described as Lot 6, Concession 8, Geographic Township of Puslinch, Lot 1 and Part of Lot 2, Registered Plan 514, City of Guelph.

The following zone is proposed:

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

##### **Permitted Uses**

In addition to the Uses listed in Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, the following Use shall also be permitted:

- ***Multiple Attached Dwelling*** – shall mean a building consisting of 3 or more dwelling units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors or from an internal hall or corridor and which share common facilities such as common amenity area, parking and driveways

##### **Regulations**

###### Minimum Front Yard

- 4 metres

###### Minimum Rear Yard

- 3 metres

###### Minimum Side Yard

- 4.7 metres from the westerly lot line
- 3 metres from the easterly lot line

###### Minimum Private Amenity Area

- minimum private amenity area of 12 square metres
- minimum depth of private amenity area of 2.4 metres
- minimum area for above grade private amenity area of 3.3 square metres

###### Minimum Distance between Buildings

- 6 metres

###### Maximum Building Height

4 storeys

###### Maximum Density

- 61.5 units per hectare

## **Conditions**

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

1. The Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
  - a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the Owner's concept plans attached as Attachment 6 to the May 7, 2012 Planning and Building, Engineering and Environment Report Number 12-42 (Site Plan, prepared by Astrid J. Clos Planning Consultants, Project No. 0907, dated February 22, 2012).
2. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 6 to Report 12-42 from Planning and Building, Engineering and Environment dated March 7, 2012.
3. The Owner shall be responsible for the payment of cash-in-lieu of parkland dedication in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545 and By-Law (2007)-18225, or any successor thereof prior to the issuance of building permits.
4. The Owner shall apply to the Committee of Adjustment for a consent to sever the remainder of Lot 2, Registered Plan 514 (not included within this zoning by-law amendment application) and convey the land as a lot addition to the lands to the north, legally described as Part Lot 6, Concession 8, for the use as an access.
5. The Owner acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The 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 site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.



If contamination is found, the Owner shall:

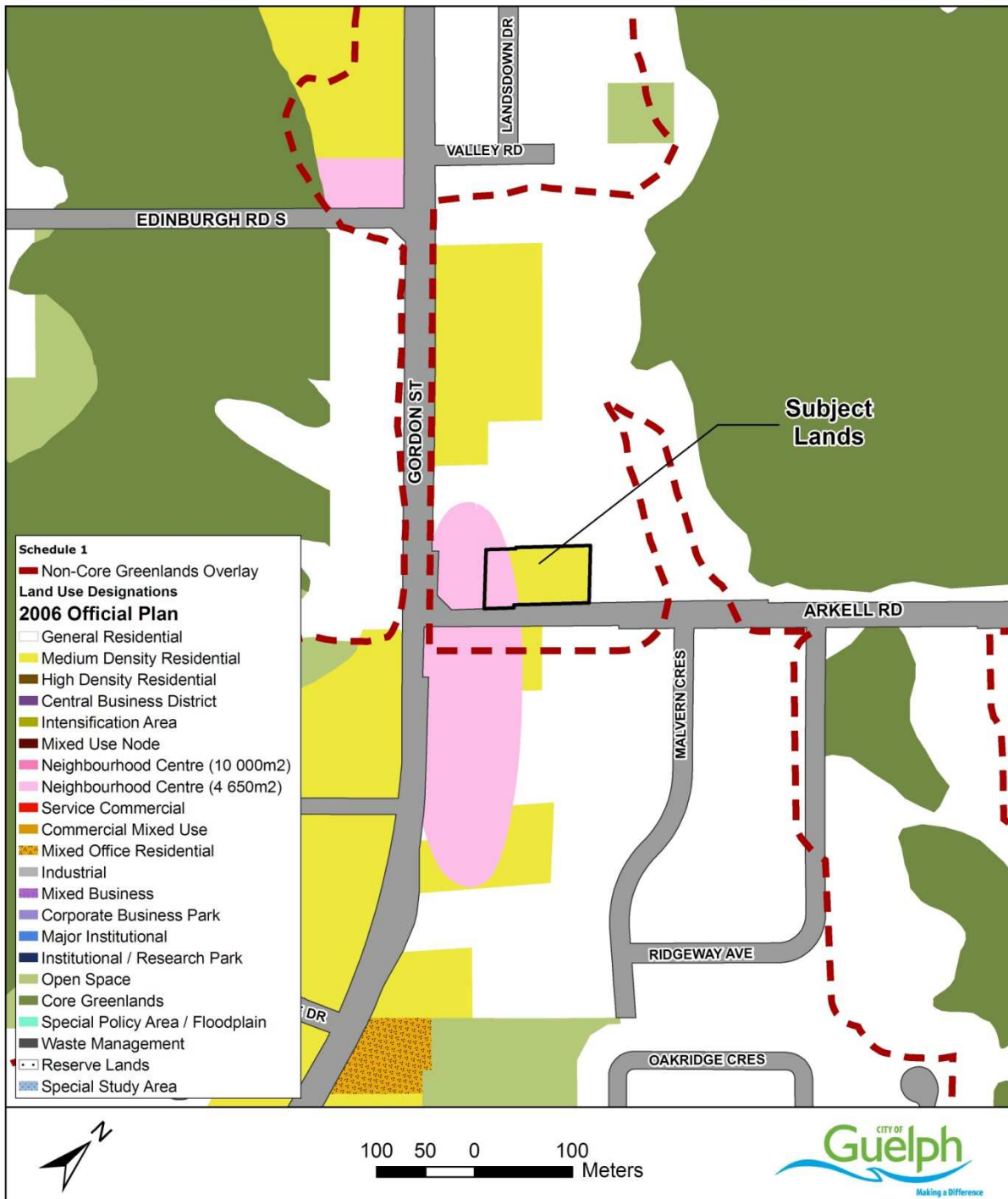
- (a) submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
- (b) complete any necessary remediation work 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.

6. That the Owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a site plan that has been submitted to and approved by the City Engineer. Furthermore, the Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
7. That the Owner has a Professional Engineer identify any private water wells on the adjacent properties and ensure that the development of the subject lands do not adversely impact those wells.
8. The Owner shall pay to the City, their share of the actual cost of constructing municipal services on Arkell Road across the frontage of 30 and 34 Arkell Road, including roadworks, sanitary sewer, storm sewer, curb and gutter, catchbasins, sidewalks, streetlighting as determined by the City Engineer, prior to site plan approval.
9. The Owner shall pay to the City, their share of the actual cost of the existing Municipal Stormwater Management facility as determined by the General Manager/City Engineer, prior to site plan approval.
10. The Owner shall pay to the City the actual cost of the existing service lateral to 34 Arkell Road as determined by the City Engineer, prior to site plan approval. In addition, the Owner shall be responsible for the actual cost of abandoning and disconnecting at the watermain any existing water services that are not going to be used by the development, and furthermore, the owner shall pay to the City the estimated cost of abandoning and disconnecting the existing water services at the watermain as determined by the General Manager/City Engineer.
11. The Owner shall pay to the City the actual cost of constructing and installing any new service laterals required and furthermore, prior to site plan approval, the Owner shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
12. The Owner shall pay to the City the actual cost of the construction of the new access and the required curb cut, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost as determined by the General Manager/City

Engineer of constructing the new access/private road and the required curb cut.

13. Prior to site plan approval, the Owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
14. The Owner shall deed to the City, free of all encumbrance and satisfactory to the City Solicitor a 4.940 metre road widening across the frontage of 30 Arkell Road and a 1.892 metre road widening across the frontage of 34 & 40 Arkell Road.
15. The Owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
16. That all telephone and Cable TV service to the lands be underground and the Owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service, prior to any construction or grading on the lands.
17. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction or grading on the lands.
18. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction or grading on the lands.
19. The Owner shall pay development charges to the City in accordance with By-law Number (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.
20. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
21. That prior to site plan approval, the Owner shall enter into an agreement, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

# **ATTACHMENT 3** **Official Plan Land Use Designations and Related Policies**



## **ATTACHMENT 3 (continued)**

### **Related Official Plan Policies**

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

7.2.36 The predominant use of land within areas designated as 'Medium Density Residential' on Schedule 1 shall be for *multiple unit residential buildings*, such as townhouses, row dwellings and walk-up apartments. It is not intended that housing forms such as *single detached* or *semi-detached* units shall be permitted. Residential care facilities and *lodging houses* may be permitted by the provisions of this Plan.

- a) Within the Medium Density Residential designation at the northeast side of the intersection of York Road and Wyndham Street South, detached and semi-detached housing forms are permitted with frontage onto York Road, Wyndham Street South and Richardson Street provided that the overall density of development within the Medium Density Residential designation in this location complies with Section 7.2.38.

7.2.37 The 'Medium Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:

- a) Medium density housing forms in new growth areas to assist in providing opportunities for *affordable housing*;
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.

7.2.38 The *net density of development* shall be a minimum of 20 units per hectare (8 units/acre) and a maximum of 100 units per hectare (40 units/acre), except as provided for in policy 7.2.10.

7.2.39 Medium density residential *development* proposals shall generally comply with criteria established for *multiple unit residential buildings* in policy 7.2.7 of this Plan, and shall be regulated by the *Zoning By-law*.

7.2.40 In addition to being permitted on land designated 'Medium Density Residential', *multiple unit residential buildings* may be permitted without an amendment to this Plan on land designated 'General Residential' where such proposals generally comply with the criteria in policy 7.2.7.

#### **Secondary Plan Policies**

9.5.6 In addition to the Secondary Plan work in the South Guelph Area, a "community plan" has been prepared to give guidance to *development* plans for land within the South Gordon Community Plan area. The preparation of this Plan is in accordance with the provisions of the South Guelph Secondary Plan, Urban Form and Design Considerations (see policy 3.6.31). This Community Plan supplements the policies of the Official Plan.

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

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

### **2.4 GROWTH MANAGEMENT STRATEGY**

#### **2.4.5 Built-up Area and General Intensification**

To ensure development proceeds in accordance with the objectives of Section 2.4.2 and to achieve the Growth Plan intensification targets, significant portions of new residential and employment growth will be accommodated within the built-up areas through intensification. The built-up area is identified on Schedule 1B of this Plan. The built-up area has been delineated in accordance with Section 2.2.3.5 of the Growth Plan and is based on the limits of the developed urban area as it existed on June 16, 2006. The built up area will remain fixed in time for the purpose of measuring the density and intensification targets of the Growth Plan and the Official Plan.

2.4.5.1 Within the built-up area the following general intensification policies shall apply:

- a) By 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's built-up area as identified on Schedule 1B. Provision may be made for the fulfilment of this target sooner than 2015.
- b) The City will promote and facilitate intensification throughout the built-up area, and in particular within the urban growth centre (Downtown), the community mixed use nodes and the intensification corridors as identified on Schedule 1B "Growth Plan Elements".
- c) Vacant or underutilized lots, greyfield, and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings.
- d) The City will plan and provide for a diverse and compatible mix of land uses, including residential and employment uses to support vibrant communities.
- e) A range and mix of housing will be planned, taking into account affordable housing needs and encouraging the creation of secondary suites throughout the built-up area.
- f) Intensification of areas will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas.
- g) The City will plan for high quality public open space with site design and urban design standards that create attractive and vibrant spaces.
- h) Development will support transit, walking, cycling for everyday activities.
- i) The City will identify the appropriate type and scale of development within intensification areas and facilitate infill development where appropriate.



## **ATTACHMENT 4 (continued)**

### **Existing Zoning**

#### **Specialized R.3A-38 (Cluster Townhouse) Zone**

##### **Permitted Uses**

In addition to the Uses listed in Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, the following Use shall also be permitted:

- Apartment Building

##### **Regulations**

Apartment Buildings shall be in accordance with the R.4A regulations of Section 5.4.1 of Zoning By-law (1995)-14864, as amended, with the following exception:

##### **Maximum Building Height**

The maximum Building Height shall be 5 Storeys.

All Townhouse dwellings shall be in accordance with Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, with the following exceptions:

##### **Minimum Front Yard**

The minimum Front Yard Setback shall be 4.5 metres.

##### **Minimum Side and Rear Yards**

The minimum Side Yard shall be 3 metres.

The minimum Rear Yard shall be 6.5 metres.

Despite Section 5.3.2.2.2, windows to Habitable Rooms shall be permitted to face onto the Side and Rear Yards.

##### **Off-street Parking**

Despite Section 4.13.2.2, Parking Spaces located in the Side Yard may be located within 3 metres of the Lot Line.

#### **R.1B Detached Residential Zone**

##### **Permitted Uses**

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

<b>Regulation</b>	<b>Required in the Standard R.1B Zone</b>
Minimum Lot Area	460m <sup>2</sup>
Minimum Lot Frontage	15m
Maximum Building Height	3 storeys
Minimum Front Yard	6m
Minimum Exterior Side Yard	4.5m
Minimum Side Yard 1 to 2 storeys	1.5m

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Over 2 storeys	2.4m
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	See Section 4.9



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## **ATTACHMENT 4 (continued)**

### **Proposed Zoning**

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

##### **Permitted Uses**

In addition to the Uses listed in Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, the following Use shall also be permitted:

- ***Multiple Attached Dwelling*** – shall mean a building consisting of 3 or more dwelling units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors or from an internal hall or corridor and which share common facilities such as common amenity area, parking and driveways

##### **Regulations**

###### **Minimum Front Yard**

- 4 metres (in lieu of the required 6 metres)

###### **Minimum Rear Yard**

- 3 metres (in lieu of the required 6 metres)

###### **Minimum Side Yard**

- 3 metres from the easterly lot line (in lieu of the required 5.33 metres)
- 4.7 metres from the westerly lot line (in lieu of the required 5.33 metres)

###### **Minimum Private Amenity Area**

- minimum private amenity area of 12 square metres (in lieu of the required 20 square metres)
- minimum depth of private amenity area of 2.4 metres (in lieu of the required 4.5 metres)
- minimum area for above grade private amenity area of 3.3 square metres (in lieu of the required 10 square metres)

###### **Minimum distance between buildings**

6 metres (in lieu of the required 15 metres)

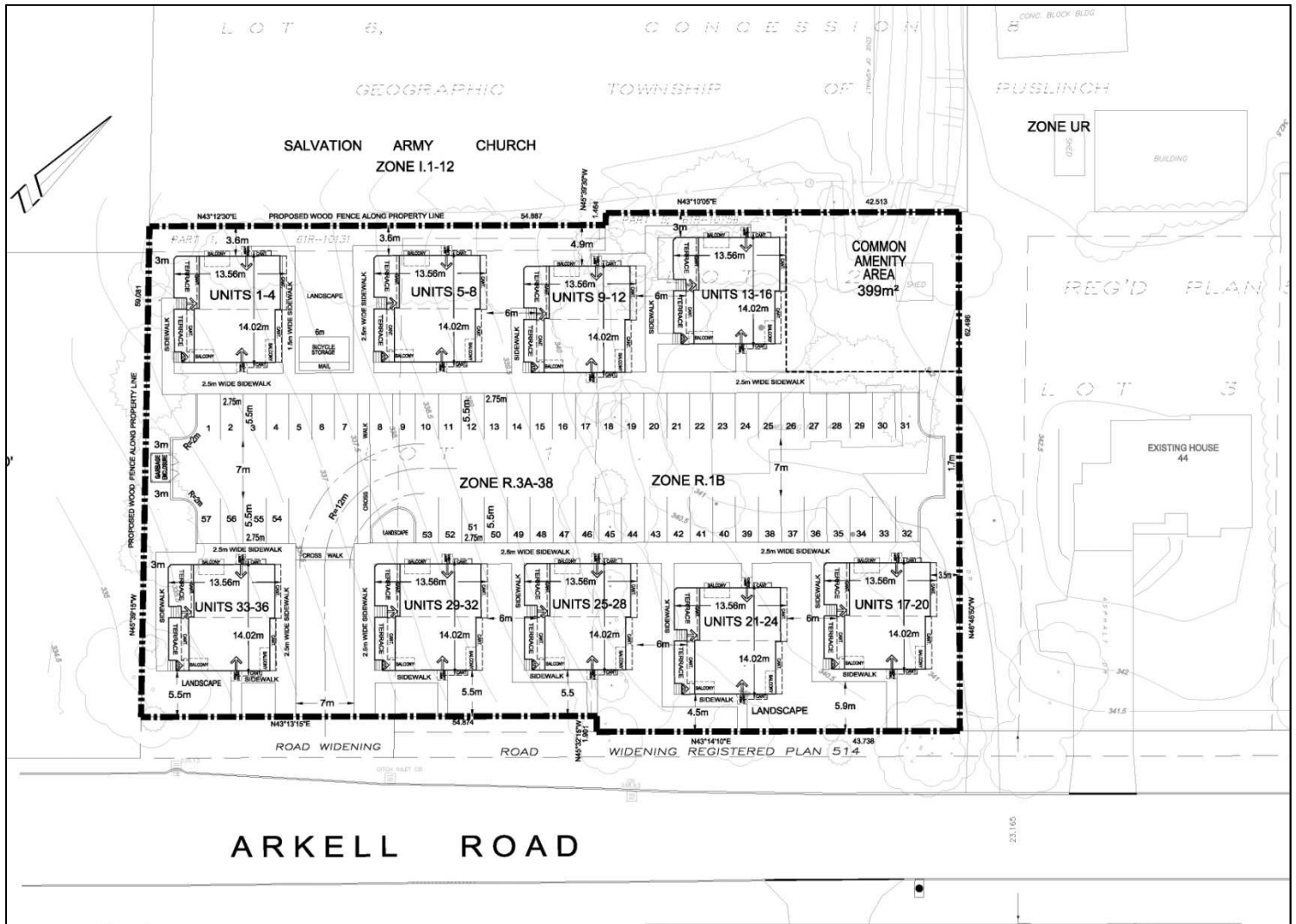
###### **Maximum Building Height**

4 storeys

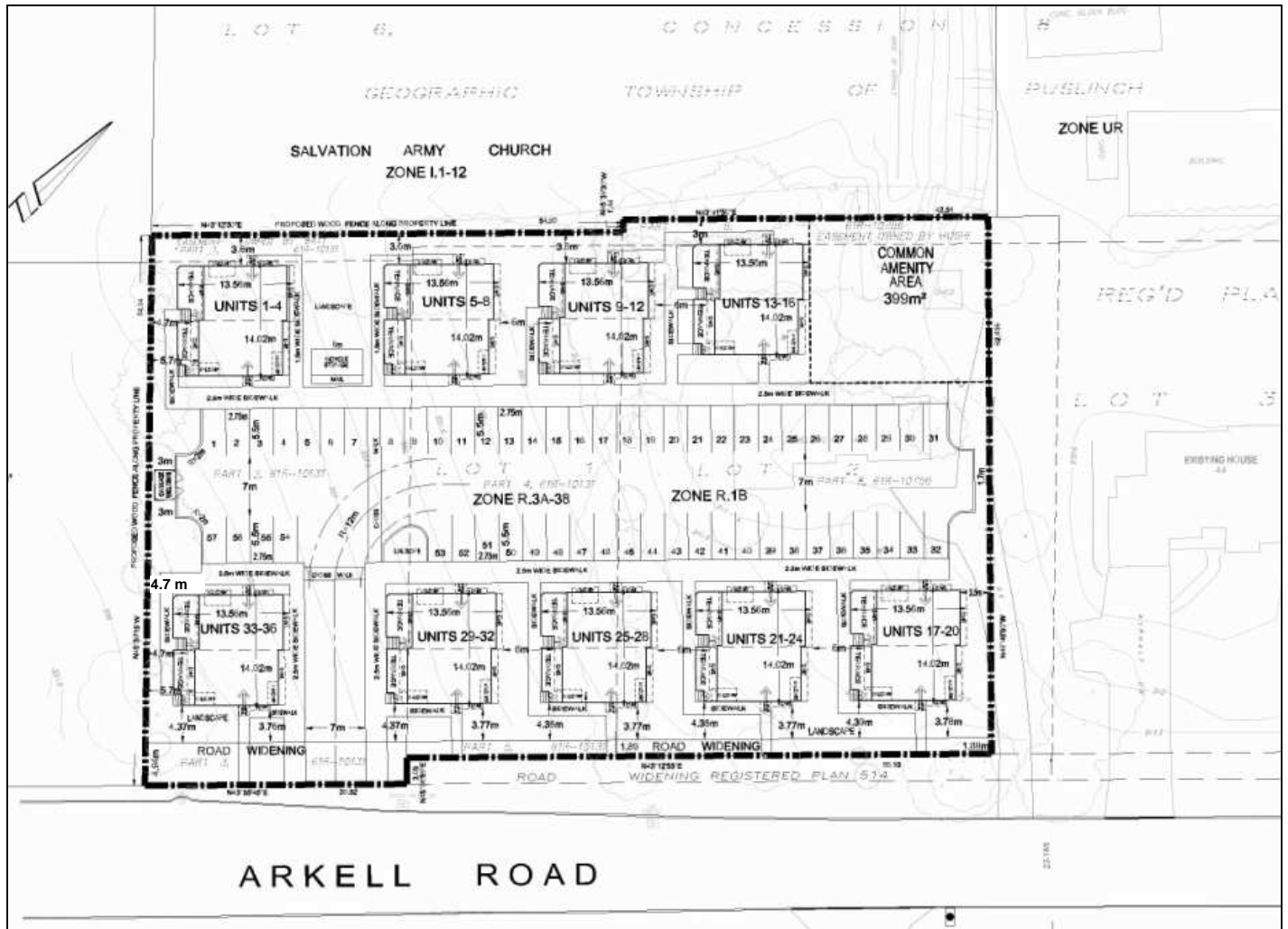
###### **Maximum Density**

61.5 units per hectare (in lieu of the maximum of 60 units per hectare)

# **ATTACHMENT 5** **Initial Development Concept Plan presented at** **February 6, 2012 Public Meeting**



# **ATTACHMENT 6** **Current Proposed Development Concept Plan**



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**ATTACHMENT 6 (continued)**  
**Proposed Building Elevations**



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## **ATTACHMENT 7**

### **Community Energy Initiative Commitment**

#### **Arkell Heights Ltd.**

Thurs. Feb 27<sup>th</sup>, 2012

Guelph City Hall  
1 Carden St  
Guelph, ON  
N1H 3A1

Attention: Mr. Chris DeVriendt, Senior Development Planner  
Community Design and Development Service

**Re: 30, 34, 40 Arkell Rd – Zoning Bylaw Amendment File ZC1115 Community Energy Initiative Plan**

Further to your request, please find below a summary of how the above noted application will assist the City in implementing the Guelph Community Energy Plan.

The proposed development contains a total of 36 multiple attached dwellings on a 0.59 hectare site.

- The subject lands currently contain one, single-detached rental dwelling built to 1950's Building Code. The proposed development will substantially increase the density of the site.
- The proposed development will be served by the transit network which includes the municipal and Greyhound bus routes as well as bicycle lanes along Gordon Street and Arkell Road.
- High density, low impact development on an infill property in keeping with the Places to Grow legislation and the Smart Guelph Principles.
- A compact, well-utilized, efficient site design with green space throughout site.
- Construction waste diversion program will be in effect during construction period.
- The buildings will incorporate a contemporary, low slope or flat roof design that is well suited to the installation of solar panels that are able to be aligned in the most efficient direction independent of the slope of a roof.
- Incorporate a comprehensive erosion and sedimentation control plan throughout the redevelopment of the site.
- Native tree and drought resistant plant species will be incorporated throughout the landscape plan to minimize sod and affiliated water demands.
- Exterior lighting for parking and pedestrians will shine down in order to light the intended areas while minimizing light pollution.
- Exterior lights will be controlled by light sensors to conserve hydro.
- Pedestrian walkways are incorporated throughout the.
- Ample bicycle storage will be provided for all residents and visitors.
- Low VOC (volatile organic compound) materials will be used where possible.

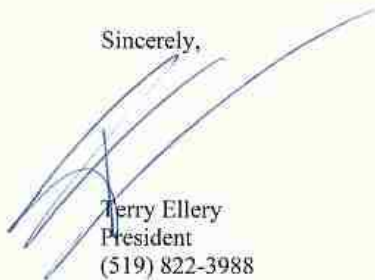


- We are consulting with a water conservation expert/professor at the University of Guelph to research economical, efficient water conservation systems for this development.
- The units will utilize low flow faucets, shower heads and low volume flush toilets. Use of kitchen and bathroom aerators for hot water conservation.
- Laundry closets will be designed to encourage the use of front loading washer/dryer.
- All homes will be constructed to the Energuide 80 standard that promotes energy efficiency
- Use of either high efficiency hot water tanks or on demand hot water tanks
- Low-E Argon filled windows will be used to reduce heat gain/loss
- Designs will incorporate passive solar principals to minimize daytime lighting requirements and take advantage of lower sun in the winter while blocking out higher sun in the summer.
- Programmable digital thermostats in all units
- All units will include high efficiency gas furnaces
- All kitchen designs will include integrated garbage separation compartments to assist with recycling

Our vision is for this development to be a leader in innovative energy and water efficiency systems and design. This development will be visible from the main gateway to the city and we want it to be a statement for what The City of Guelph stands for and what Granite Homes stands for.

We trust that the above outline is satisfactory. If you have any further questions, please don't hesitate to contact us.

Sincerely,



Terry Ellery  
President  
(519) 822-3988

cc: Astrid Clos, Astrid J. Clos Planning Consultants  
Chris Sims, Gamsby and Mannerow Engineers

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## **ATTACHMENT 8**

### **Staff 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 and conforms to the Places to Grow Plan.

The Provincial Policy Statement (PPS) refers to focusing growth within settlement areas and promoting their vitality and regeneration. It further indicates that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion [PPS 1.1.3.2 a) 1. and 1.1.3.2 a) 2.]. In addition, the PPS indicates that Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (PPS 1.1.3.3.). The proposed Zoning By-law Amendment increases the permitted density of this area and will allow efficient use of existing infrastructure.

The Provincial Policy Statement also indicates that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety [PPS 1.1.3.4]. Further, an appropriate range of housing types and densities should be provided [PPS 1.4.3]. The Zoning By-law Amendment proposes site specific zoning regulations that will facilitate an appropriate and compact form of intensification and will provide a different multiple attached dwelling type in this neighbourhood. Overall, the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement.

The "Growth Plan for the Greater Golden Horseshoe" includes policies that direct a significant portion of growth to the built-up area of the community through intensification where the capacity exists to best accommodate the expected population and employment growth. More specifically, by the year 2015, a minimum of 40% of all residential development will be within the built-up area. Further, the development of compact, vibrant and complete communities with a diverse mix of land uses, and a range and mix of employment and housing types is encouraged. The promotion of transit-supportive densities and the optimal use of existing and new infrastructure to support growth in a compact, efficient form, is also encouraged by the Growth Plan.

The proposed Zoning By-law Amendment will allow for residential development within the City's built-up area and promotes intensification through the introduction of a different housing form to this area. The introduction of additional density on this site makes efficient use of existing infrastructure and supports public transit.

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### **Conformity with the Official Plan**

The subject lands are designated "Medium Density Residential" in the City's Official Plan. It is noted that the Official Plan Land Use Designation Map on Attachment 3, shows a portion of the west side of the property within the "Neighbourhood Centre" designation. However, this designation is intended for the properties to the west of the subject site that front on to Gordon Street. Section 9.2.2 in the "Implementation" section of the Official Plan indicates:

"The boundaries of the designations on Schedules to the Plan shall be considered approximate, except where they coincide with roads, railways, lot and concession lines, major water courses or other definitive physical features. Where the general intent of the Plan is maintained, minor boundary adjustments will not require an amendment to this Plan".

The intent is that the "Neighbourhood Centre" designation, which is a commercial designation, be located along Gordon Street as opposed to applying to a portion of the subject lands that is oriented along the frontage of Arkell Road.

### **"Medium Density Residential"**

The proposed Zoning By-law Amendment to allow the development of the proposed multiple attached dwelling units and the other standard uses in the R.3A Zone conforms to the "Medium Density Residential" designation that applies to the subject property (see Attachment 3).

Section 7.2.36 of the Official Plan indicates that the predominant use of land in the Medium Density Residential designation shall be for multiple unit residential buildings, such as townhouses, row dwellings and walk-up apartments. It is not intended to accommodate single detached or semi-detached housing forms. The zoning by-law amendment application would allow the proposed multiple attached dwelling units as well as cluster and stacked townhouses, all of which are considered multiple unit residential buildings.

The proposed zoning by-law amendment satisfies Section 7.2.37 of the Official Plan, which indicates the clear planning intent of the Medium Density Residential designation as follows:

- a) Medium density housing forms in new growth areas to assist in providing opportunities for affordable housing;
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Support urban form objectives and policies to establishing or maintaining mixed-use nodes.

The proposed zoning by-law amendment provides a medium density housing form that provides opportunities for affordable housing, achieves increased residential densities that are supportive of transit, introduces a different form of housing to this area and is supportive of urban form objectives and policies. The proposed



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development will also support the adjacent future neighbourhood commercial centre at the intersection of Arkell Road and Gordon Street, as well as the mixed use node at the intersection of Clair Road and Gordon Street.

Section 7.2.38 indicates that the net density of development shall be a minimum of 20 units per hectare and a maximum of 100 units per hectare. The proposed development of 36 multiple attached dwelling units, resulting in a net density of 61.5 units per hectare conforms to the Medium Density Residential designation.

#### Multiple Unit Residential Criteria

The Medium Density Residential designation policies state that multi-unit residential buildings are to be evaluated against the following criteria outlined in Section 7.2.7 of the Official Plan:

- 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 vehicle 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

The application is in conformity with Section 7.2.7 of the Official Plan. The scale, intensity and design of the proposed development are considered to be compatible with existing and planned development of the surrounding area. The proposed zoning allows a maximum building height of four storeys and a maximum density of 61.5 units per hectare, representing an appropriate scale and density for development on this site. The proposed minimum building setback of 4.7 metres from the west property line (in lieu of the required 5.33 metre setback) will not adversely impact or restrict future development opportunities of the adjacent commercially zoned property at the northeast corner of the intersection of Arkell Road and Gordon Street. It is noted that the minimum side yard setback from the west property line has been increased to 4.7 metres from the 3 metre setback originally included in the applicant's initial proposal.

The proposed development can be adequately served by local shopping facilities, schools, parks and recreation facilities, as well as public transit. In addition, there is adequate municipal infrastructure, services and amenity areas provided. The vehicle traffic generated by the permitted uses can also be accommodated by the streets and intersection in the immediate vicinity (Arkell Road and Gordon Street). The proposed site design provides for adequate on-site vehicle circulation, access and parking facilities.

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### **Conformity with the Local Growth Management Strategy (Official Plan Amendment #39)**

The proposed application conforms to the Local Growth Management Strategy (Official Plan Amendment #39). Official Plan Amendment #39 identifies the site within the “Built-Up Area” of the City, which is intended to accommodate a significant portion of the new residential and employment growth through intensification. Residential intensification sites can include underutilized properties such as the subject lands, which contain a vacant portion at 30-34 Arkell Road and the redevelopment of the large lot at 40 Arkell Road that currently contains the single detached dwelling proposed to be demolished.

### **Review of Proposed Zoning and Specialized Regulations**

The request to rezone the subject site to a Specialized R.3A (Townhouse) Zone is appropriate to accommodate the proposed development. The requested specialized zoning regulation to permit a maximum density of 61.5 units per hectare (in lieu of the maximum of 60 units per hectare for stacked townhouse units) is appropriate to implement the applicant’s proposed development of 36 multiple attached dwelling units. This density conforms to the maximum density of 100 units per hectare permitted within the subject site’s “Medium Density Residential” Official Plan land use designation.

The proposed zoning also includes specialized side yard setbacks that will permit a building setback of 3 metres from the easterly lot line and a building setback of 4.7 metres from the westerly lot line. In terms of the easterly side yard setback, it is noted that the abutting property to the east (44 Arkell Road) that currently contains a single detached dwelling is also owned by the owner of the subject lands. It is anticipated that this adjacent property in conjunction with additional surrounding lands to the east and north will be brought forward as a separate, larger development proposal in the future. With respect to the specialized building setback from the westerly property line, a minimum setback of 4.7 metres is now being proposed, as opposed to the 3 metre side yard setback that was originally requested in the applicant’s initial proposal presented at the February 6, 2012 Public Meeting. While generally supportive of the proposal, the owner of these adjacent lands to the west (1340 Gordon Street) has raised the issue with respect to potential impacts the proposed development may have on the future development of their commercial property (see Attachment 9). This proposed minimum setback of 4.7 metres is considered appropriate and will not restrict future development opportunities or adversely impact this adjacent commercially zoned property at the intersection of Arkell Road and Gordon Street. Further, this proposed specialized 4.7 metre minimum side yard setback from the westerly property line provides an increased building setback from the current R.3A-38 zoning that requires a 3 metre setback.

The specialized zoning regulations include a proposed minimum front yard setback of 4 metres, which is also considered appropriate for this proposed development. The applicant’s development concept provides for the necessary road widening along the north side of Arkell Road and this setback is consistent with the existing R.3A-38 zoning that applies to 30-34 Arkell Road. As the area is developed, it is expected that new buildings will be oriented to the street to provide a strong street

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presence in accordance with Official Plan urban design policy, and therefore, have setbacks generally in keeping with the setback proposed for the development of the subject property.

The specialized zoning regulation proposed to permit a maximum building height of 4 storeys is appropriate for the multiple attached dwellings. As illustrated in Attachment 6, these buildings are designed to be 3 storeys in height. However, a maximum height of 4 storeys is requested to recognize that final grades may result in an additional storey partially above grade, and therefore, may be considered to be 4 storeys by definition. This maximum building height will not have a negative impact on the adjacent commercial property to the west. It is noted that the R.3A-38 Zone that currently applies to 30-34 Arkell Road would allow a 5 storey apartment building.

Specialized private amenity zoning regulations are also being requested in association with the multiple attached dwellings included within the applicant's proposed site design. The reduced private amenity areas proposed, as specified in Attachment 2, will still provide an appropriately sized and functional private amenity area for each dwelling unit, which is well suited to the distinctive housing form being proposed (see Attachment 6). Common amenity area is also provided to supplement the private amenity areas.

### **Site Design and Urban Design Review**

The proposed site design and building elevations, as illustrated in Attachment 6, are in keeping with the urban design policies and objectives of the Official Plan. The buildings are oriented towards the street, providing a strong street edge and building presence along Arkell Road. Parking areas have been located to be screened from the street, further contributing to an attractive streetscape. The proposed development represents a compact form of development and contributes to the provision of a wide variety of housing types. Further, appropriate pedestrian and vehicular circulation is provided, as well as adequate parking and an appropriate sized common amenity area.

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 the formal site plan approval process to secure specific urban design and architectural details. This will ensure that a high quality of design is implemented and attractive streetscaping along Arkell Road is provided.

### **Traffic and Vehicular Access to Arkell Road**

The traffic impact study submitted in support of the application has been reviewed and accepted by City staff. In addition to the development proposed on the subject lands, the traffic impact study also considered potential future development in the vicinity of the subject lands along Gordon Street, Arkell Road and Valley Road. The traffic impact study also included an assessment of the need for auxiliary turn lanes and the sight distance available at the proposed site driveway connection to Arkell Road. Engineering staff supported the findings of the traffic impact study, which indicated that no roadway or traffic control improvements are required to

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accommodate the traffic related to this development. Further, it was concluded that the proposed location of the driveway connection to Arkell Road provides adequate sightlines to satisfy the minimum stopping sight distance requirements.

**Community Energy Initiative Considerations**

The applicant has submitted information outlining some additional energy efficiency initiatives that are proposed in association with the construction of the proposed dwellings (see Attachment 7). Condition 2 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 9 Circulation Comments

<b><u>RESPONDENT</u></b>	<b><u>NO OBJECTION OR COMMENT</u></b>	<b><u>CONDITIONAL SUPPORT</u></b>	<b><u>ISSUES/CONCERNS</u></b>
Planning		✓	Subject to conditions in Attachment 2
Engineering		✓	Subject to conditions in Attachment 2
Park Planning & Development		✓	Subject to cash-in-lieu of parkland being
Guelph Fire	✓		
Guelph Police	✓		
Wellington Catholic District School Board		✓	No objection. Development charges required
Upper Grand District School Board		✓	No objection. Development charges required.
Guelph and Wellington Development Association	✓		Support application
ACCO Group*		✓	Generally supportive provided proposed development does not restrict future development of their property in any way

\* comments attached



RECEIVED  
FEB - 1 2012

CITY CLERK'S OFFICE

January 25, 2012

City Clerk's Office  
City Hall  
1 Carden St  
Guelph ON N1H 3A1

FAX TO: 1-519-763-1269  
1 PAGE

Dear Sir/Madam:

**RE: Proposed Zoning By-law Amendment File ZC1115**  
**30, 34, 40 Arkell Rd N, Guelph (0.69 hectares)**

We represent Valentina Buttinger, the owner of the vacant property to the west of the above-noted subject property at the corner of Gordon Street and Arkell Road. As such, we have been instructed to generally support the proposed development, with the following provisos:

1. Our property is commercially zoned land and is potentially graded lower than this development, with the result that the requested reduction of side yard from 5.3 m to 3 m may not be adequate to transition from property to property. We would not want it to adversely influence any side yard adjustments we may require going forward.
2. With the grading variance in mind, we also wish to point out that the requested increase from three storeys to four stories on units 1 – 4 and 33 – 36, could result in these buildings towering over our property in an unsightly manner.

In view of the foregoing, we wish to point out that our property is zoned for commercial use and we would expect that any new residential use abutting our property would not hinder or restrict in any way, our future development of that currently vacant land as currently zoned or as proposed.

Regards,

  
Paul Buttinger, CEO  
ACCO GROUP  
/dm

654 Fairway Rd. S. Unit B • Kitchener, ON N2C 1X3 | T: 519.744.4405 | F: 519.894.8607 | [www.accogroup.com](http://www.accogroup.com)  
Austria • Canada • United States

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**ATTACHMENT 10**  
**Public Notification Summary**

October 7, 2011	Application received by the City of Guelph
November 3, 2011	Application deemed to be complete
January 12, 2012	Notice of Public Meeting advertised in the Guelph Tribune
January 13, 2012	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres for Public Meeting
February 6, 2012	Public Meeting of City Council
May 7, 2012	City Council Meeting to consider staff recommendation

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE May 7, 2012

**SUBJECT** **55 Yarmouth Street and 68 Baker Street  
Amendment to Draft Plan of Condominium  
(Conversion)  
File 23CDM-11501 – Ward 1**

REPORT NUMBER 12-24

## SUMMARY

**Purpose of Report:** This report provides the staff recommendation on a proposed amendment to an approved Draft Plan of Condominium application which permitted the conversion of an existing mixed use building from rental units to condominium ownership.

**Council Action:** Council is being asked to grant revised Draft Plan Approval for the proposed plan of condominium, as shown in Attachment 4.

## RECOMMENDATION

"THAT Report 12-24 regarding a proposed amendment to a Draft Plan of Condominium, applying to properties municipally known as 55 Yarmouth Street and 68 Baker Street from Planning, Building, Engineering and Environment, dated May 7, 2012, be received;

AND THAT the application by Astrid J. Clos Planning Consultants, on behalf of Skyline Inc., requesting an amendment to an approved Draft Plan of Condominium, as shown on Attachment 4, applying to properties municipally known as 55 Yarmouth Street and 68 Baker Street and legally described as Part of Lots 91 and 93 and Lot 92, Registered Plan 8, City of Guelph, be approved, subject to conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 12-24, dated May 7, 2012."

## BACKGROUND

### Location

The subject lands are located in the City's downtown area, between Baker Street and Yarmouth Street, south of Woolwich Street (see Attachment 1 – Location Map). The site has a total area of 0.26 hectares including both 55 Yarmouth Street and 68 Baker Street. 55 Yarmouth Street is occupied by a nine-storey mixed use building containing 72 rental apartment units in the upper storeys and 842m<sup>2</sup> of office and



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commercial space in six units on the ground floor. 68 Baker Street is a surface parking lot.

Surrounding land uses include the Baker Street parking lot to the east, a vacant lot to the south, mixed low density residential and office buildings to the west and a small apartment building to the north.

In April 2011, Council granted Draft Plan Approval to permit the conversion of the existing rental apartment building and commercial units located at 55 Yarmouth Street to condominium tenure. This included 72 residential apartment units, 6 commercial units and 39 parking spaces. Additional parking spaces do exist for the building, however, were not converted to condominium units through the application.

The applicant has now acquired 68 Baker Street, which is immediately north and east of 55 Yarmouth Street. The applicant is requesting to amend the approved Draft Plan of Condominium to include 68 Baker Street in order for additional parking spaces to be available for the residential condominium units.

### **Official Plan Designation**

The Official Plan land use designation that applies to the subject lands is Central Business District.

### **Existing Zoning**

55 Yarmouth Street is zoned CBD.1-5 (Specialized Central Business District) Zone. 68 Baker Street is zoned CBD.1 (Central Business District).

## **REPORT**

### **Proposed Amendment to the Draft Plan of Condominium**

As indicated, the approved Draft Plan of Condominium application includes 72 apartment dwelling units, 6 commercial or office units and 39 of the 55 parking spaces as condominium units (See Attachment 3 for the Approved Draft Plan of Condominium). The applicant is now requesting to amend the Draft Plan of Condominium to include additional lands, 68 Baker Street, in order for additional condominium unit parking spaces to be provided. The proposed amended Draft Plan of Condominium would include 72 apartment dwelling units, 6 commercial or office units and 51 of the 67 parking spaces as condominium units. In addition, the applicant is proposing to create separate ownership parcels above and below the northerly parking lot, which includes the lands at 68 Baker Street, to protect for future development rights above and below the surface parking area (See Attachment 4 for the Proposed Draft Plan of Condominium).

In addition, the applicant has requested some amendments to the Conditions of Approval that were included in April 2011 when the original application was granted Draft Plan Approval.

Condition #2 required the owner to submit and receive Site Plan Approval from the City prior to the registration of the Plan of Condominium. Further, Condition #3 required the owner to develop the property in accordance with the approved site

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plan prior to the registration of the Plan of Condominium. The required on-site works include asphalt and concrete work that is weather dependent. The owner has requested that final site plan approval and the on-site works be secured with a Site Plan Agreement and letters of credit/securities to allow for the registration of the Plan of Condominium to not be dependent on the construction season.

In addition, Condition #18 of the original Draft Plan Approval required that the owner of 1 Douglas Street (Gummer Building) enter into an agreement with the City requiring that 20 apartment dwelling units be made available as rental housing for a period of not less than 10 years. The provision of rental units at 1 Douglas Street would assist in offsetting the loss of rental stock at 55 Yarmouth Street. As the owner of 1 Douglas Street has completed detailed design work for the Gummer Building, they have determined that a more efficient floor plan layout with a variety of unit types can be achieved with 18 residential units rather than 20 residential units. Overall, while the number of residential units will be decreasing from 20 to 18, the number of bedrooms will be increasing from 34 to 37. Therefore, the owner is requesting that Condition #18 (proposed Condition #19 on Attachment 2) be amended to reflect the revised number of residential units for the Gummer Building.

### **Planning Issues and Analysis**

The specialized zoning (CBD.1-5) that applies to 55 Yarmouth Street permits a maximum of 72 apartment units and requires that only 54 parking spaces be provided. The approved Draft Plan of Condominium complies with the current zoning for the site, however, the owner has indicated that there is demand for additional parking spaces. The standard CBD.1 Zone requires that 1 parking space be provided for every residential unit. Therefore, by adding additional parking spaces to the Draft Plan of Condominium, a total of 67 parking spaces are being provided for 72 units, which is more in keeping with the City's standard requirements for downtown residential units. Further, the creation of separate ownership parcels above and below the surface parking on the northerly side of the building provides for future development opportunities in the downtown while accommodating the current development.

### **Staff Recommendation**

Planning staff are satisfied that the proposed amendment to the Draft Plan of Condominium is appropriate and better meets the City's standard zoning requirements. Planning staff recommend that the proposed amendment to the Draft Plan of Condominium be approved in accordance with the conditions in Attachment 2 of this report. Staff are recommending that the amendment to the Approved Draft Plan of Condominium be generally in keeping with the proposal shown on Attachment 4.

### **CORPORATE STRATEGIC PLAN**

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

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## **FINANCIAL IMPLICATIONS**

N/A

## **DEPARTMENTAL CONSULTATION**

A summary of the public and agency comments received during the review of the application are outlined on Attachment 5.

## **COMMUNICATIONS**

Key dates for the public process regarding this planning application are included in Attachment 6.

## **ATTACHMENTS**

Attachment 1 – Location Map

Attachment 2 – Conditions of Approval

Attachment 3 – Approved Draft Plan of Condominium

Attachment 4 – Proposed Amendment to the Draft Plan of Condominium

Attachment 5 – Circulation Comments

Attachment 6 – Public Notification Summary

### **Prepared By:**

Stacey Laughlin  
Senior Development Planner  
519-837-5616, ext 2327  
stacey.laughlin@guelph.ca

### **Recommended By:**

Allan C. Hearne  
Acting Manager of Development Planning  
519-837-5616, ext 2362  
al.hearne@guelph.ca

Original Signed by:

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### **Recommended By:**

Todd Salter  
Acting General Manager  
Planning Services  
519-837-5616, ext 2395  
todd.salter@guelph.ca

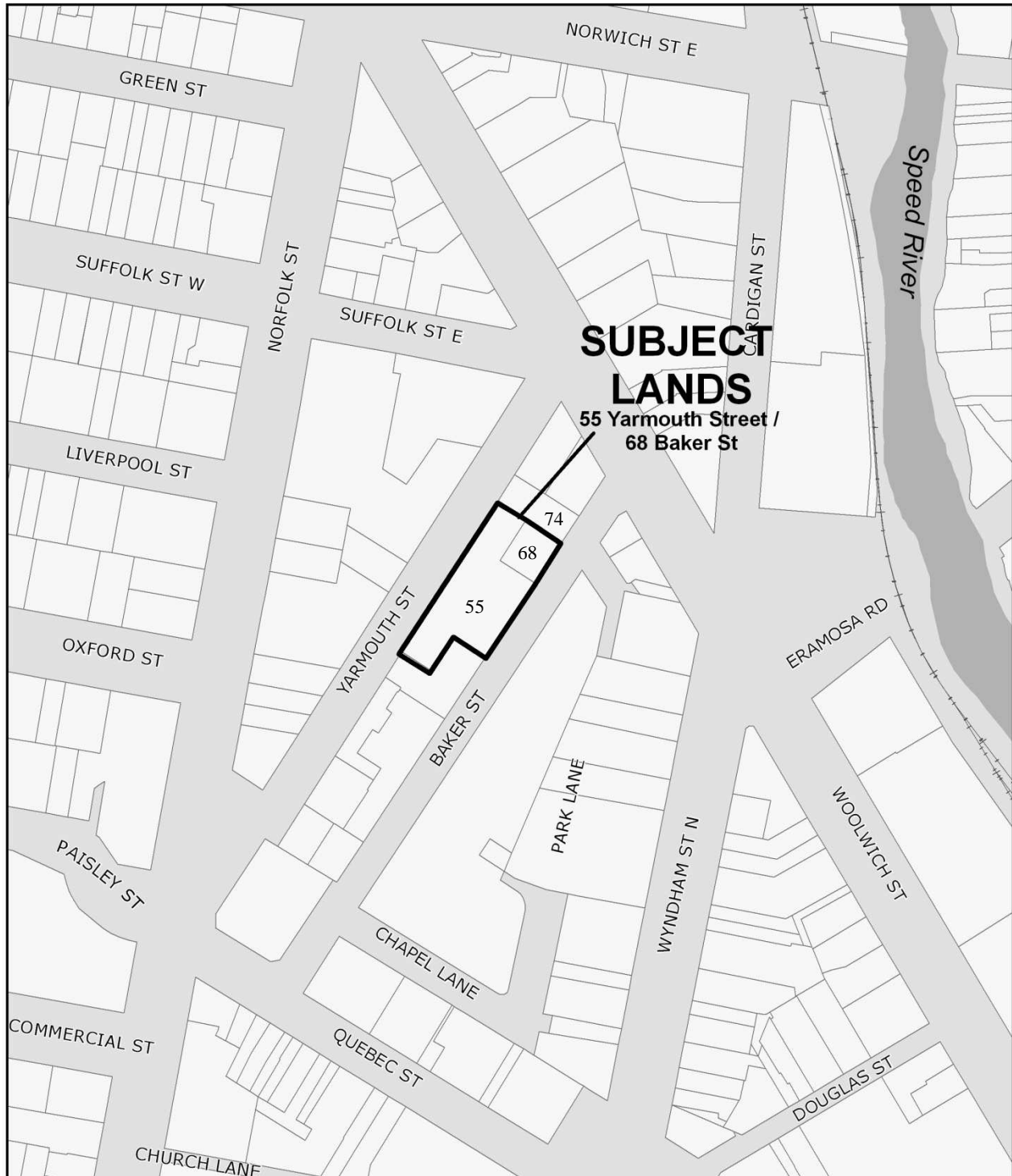
Original Signed by:

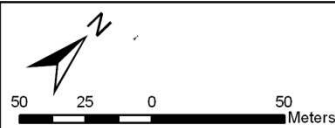
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### **Recommended By:**

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

## Attachment 1 Location Map






Produced by the City of Guelph  
Planning & Building, Engineering and Environment  
Planning Services

### Location Map

**55 Yarmouth Street /  
68 Baker Street**



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## **Attachment 2**

### **Conditions of Approval**

1. That this approval applies to the draft plan of condominium prepared by Van Harten Surveying, Project Number 19724-10, dated April 4, 2012, illustrating a total of 72 apartment units, 6 commercial or office units and 51 parking units.
2. The owner agrees to submit and receive approval from the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to the registration of the Plan of Condominium. Alternatively, the owner shall agree to a Site Plan Agreement being registered on title of the lands and receives conditional site plan approval prior to the registration of the Plan of Condominium.
3. That the owner develops the property in accordance with the site plan as approved by the City, prior to the registration of the Plan of Condominium. The owner acknowledges and agrees that the City shall make a detailed site inspection at 55 Yarmouth Street/68 Baker Street to ensure the site is completed according to the plans approved by the City in condition 2 above, prior to the registration of the Plan of Condominium. Alternatively, the owner shall agree to a Site Plan Agreement being registered on title of the lands, receives conditional site plan approval and post securities for 100% of the required on and off-site works prior to the registration of the Plan of Condominium.
4. That the owner pays any outstanding debts owed to the City, prior to the registration of Plan of Condominium.
5. That prior to the registration of the Plan of Condominium the owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer stating that the building constructed and the grading of the property is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the General Manager/City Engineer.
6. Prior to the registration of the Plan of Condominium, the wood fence, concrete sidewalk and step encroachments of 74 Baker Street upon the 68 Baker Street lands be resolved satisfactory to the General Manager/City Engineer and the City Solicitor.
7. The owner shall pay the actual costs associated with the closure of the existing driveway entrance including the required curb fill and the boulevard restoration within the Baker Street right-of-way, with the estimated cost of the works as determined necessary by the General

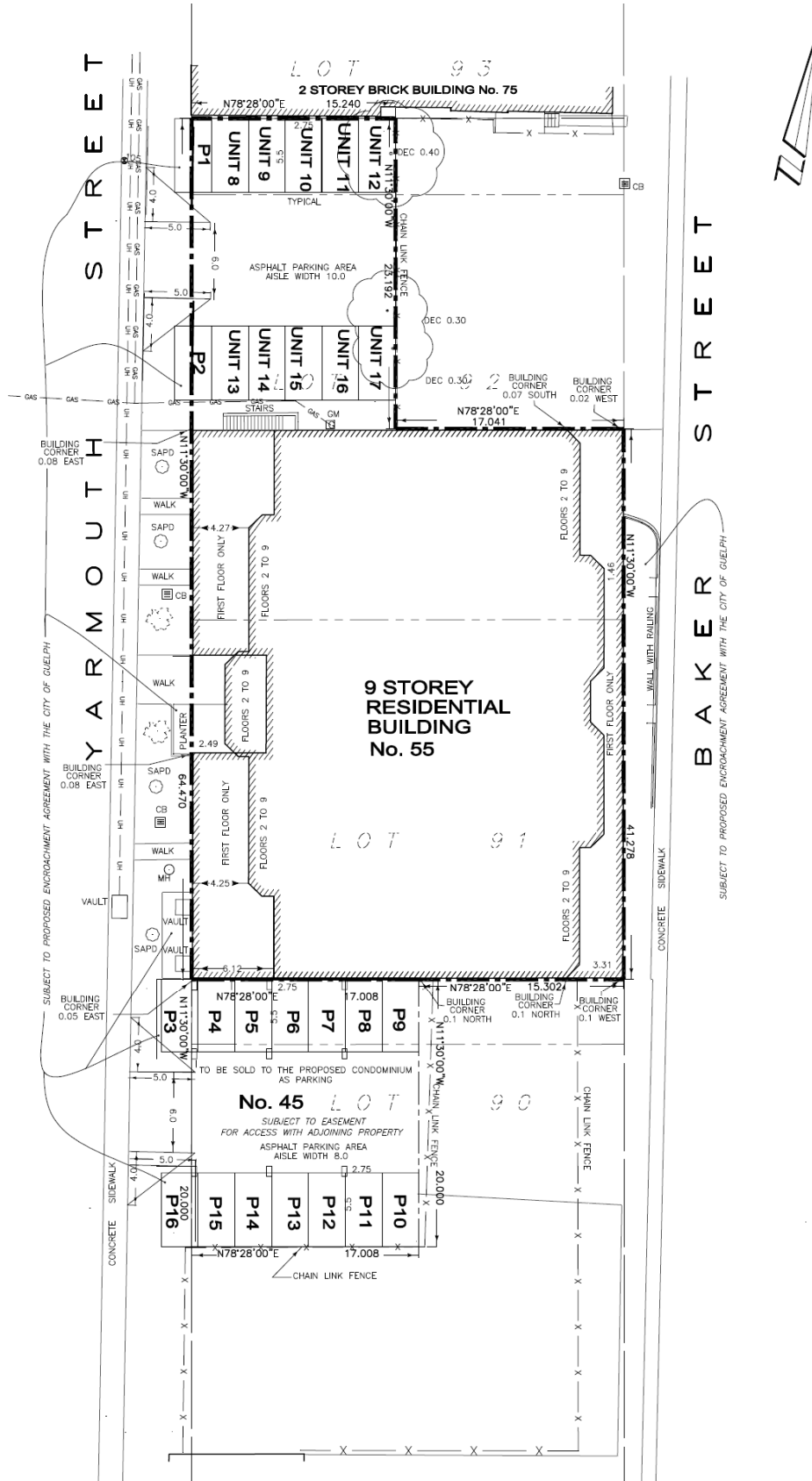
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Manager/City Engineer being paid, prior to the registration of the Plan of Condominium.

8. That prior to the registration of the Plan of Condominium the owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
9. That a Professional Engineer and/or Ontario Land Surveyor identifies all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, watermains, water distribution system, serving the property and also identifies the locations where easements are required, prior to the registration of the Plan of Condominium.
10. That prior to the registration of the Plan of Condominium the owner retains an Ontario Land Surveyor at their own expense to prepare and deposit at the Registry Office an appropriate Reference Plan to facilitate Agreements between the Owner and the City, which said Reference Plan will show the nature and extent of the encroachments upon the adjacent road allowances.
11. Prior to the registration of the Plan of Condominium, the owner shall enter into an Encroachment Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the use of the road allowance for parking purposes.
12. That prior to the registration of the Plan of Condominium the owner enters into an Encroachment Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary encroachments upon the road allowances (such as planters, vault and interlocking pavers) within the same.
13. That prior to the registration of the Plan of Condominium the owner enters into a Maintenance Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary maintenance requirements for any approved improvements (such as planters, vault and interlocking pavers) within the same.
14. That prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the proposed condominium phase has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, watermains and water distribution system serving the condominium phase.

- 
15. That prior to registration of the Plan of Condominium, a Professional Engineer and/or Ontario Land Surveyor shall identify all the rights-of-way required to provide access to the parking spaces on the site.
  16. That prior to registration of the Plan of Condominium, an independent lawyer shall certify that easements for all the rights-of-way are in place to provide parking spaces and vehicular access to all the parking spaces required to be provided for the site, when the parking or vehicular access is on private lands other than the lands included in the phase being registered.
  17. That prior to registration of the Plan of Condominium, that if any previously allowed reductions in parkland dedication occurred, current Parkland Dedication requirements will be met, as per the Parkland Dedication By-law, to the satisfaction of the General Manager of Planning Services.
  18. That prior to registration of the Plan of Condominium, a written opinion be provided from a qualified professional engineer, stating the age and physical condition of the building and appurtenances.
  19. That prior to registration of the Plan of Condominium, that the owner of 1 Douglas Street enter into an agreement with the City of Guelph, registered on title of the site known as 1 Douglas Street, requiring that 18 apartment dwelling units be made available as rental housing for a period of not less than 10 years.
  20. That prior to registration of the Plan of Condominium, the owner shall pay to the City, the City's total cost of reproduction and distribution of Guelph Residents' Environmental Handbook, to all future homeowners or households within the plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
  21. That prior to the registration of the Draft Plan of Condominium, a strata reference plan be deposited on title for the north parking lot which creates parts above and below the at-surface parking units for future development rights to the satisfaction of the General Manager of Planning Services.
  22. The developer agrees to provide the City's Planning Services with a digital file of the Plan of Condominium in either ARC/INFO export or ACAD2010 .dwg format containing parcel fabric, building footprints and the internal driveway network.
  23. That this draft plan of condominium shall lapse on April 4, 2016.
  24. Prior to the City's final approval of the plan of condominium, the City shall be advised in writing by the owner how conditions 1 through 23 have been satisfied.

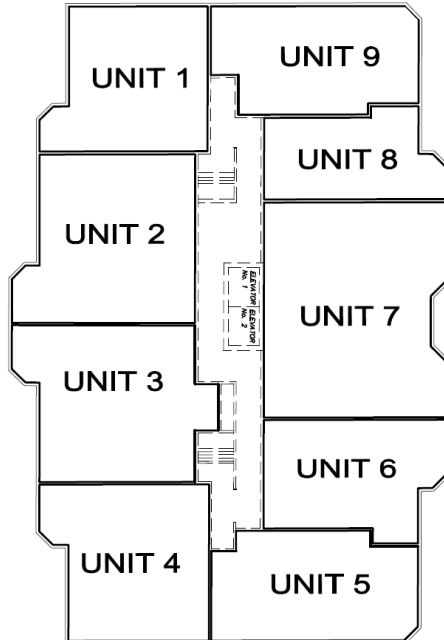
# **Attachment 3** **April 2011 Approved Draft Plan of Condominium (Exterior)**





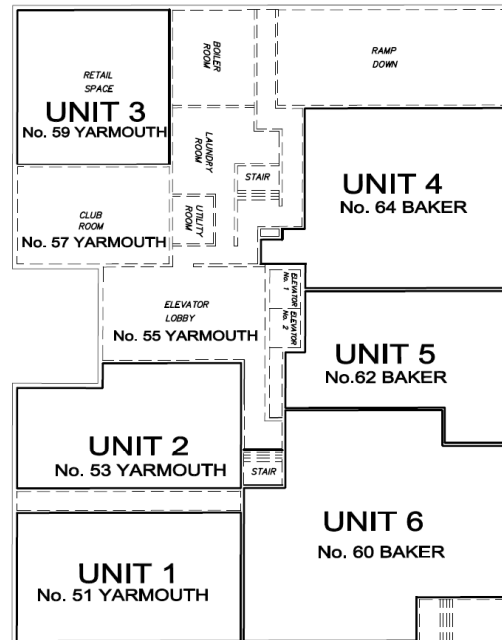
**Attachment 3 continued**  
**April 2011 Approved Draft Plan of Condominium (Interior)**

LEVELS 2 TO 9 INCLUSIVE  
 UNITS 1 TO 9



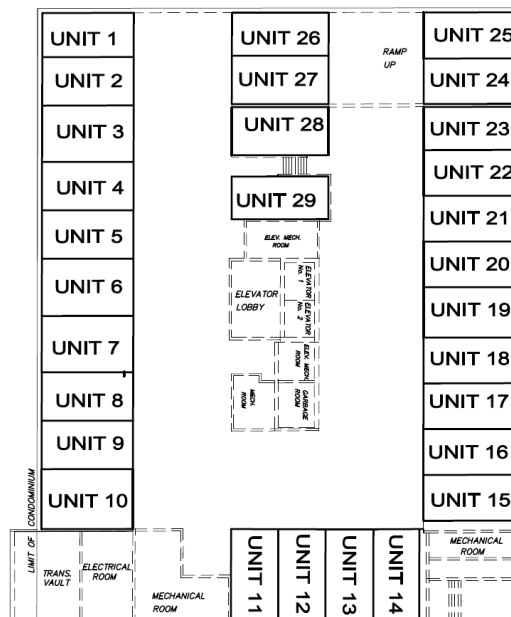
72 RESIDENTIAL UNITS

LEVEL 1  
 UNITS 1 TO 7



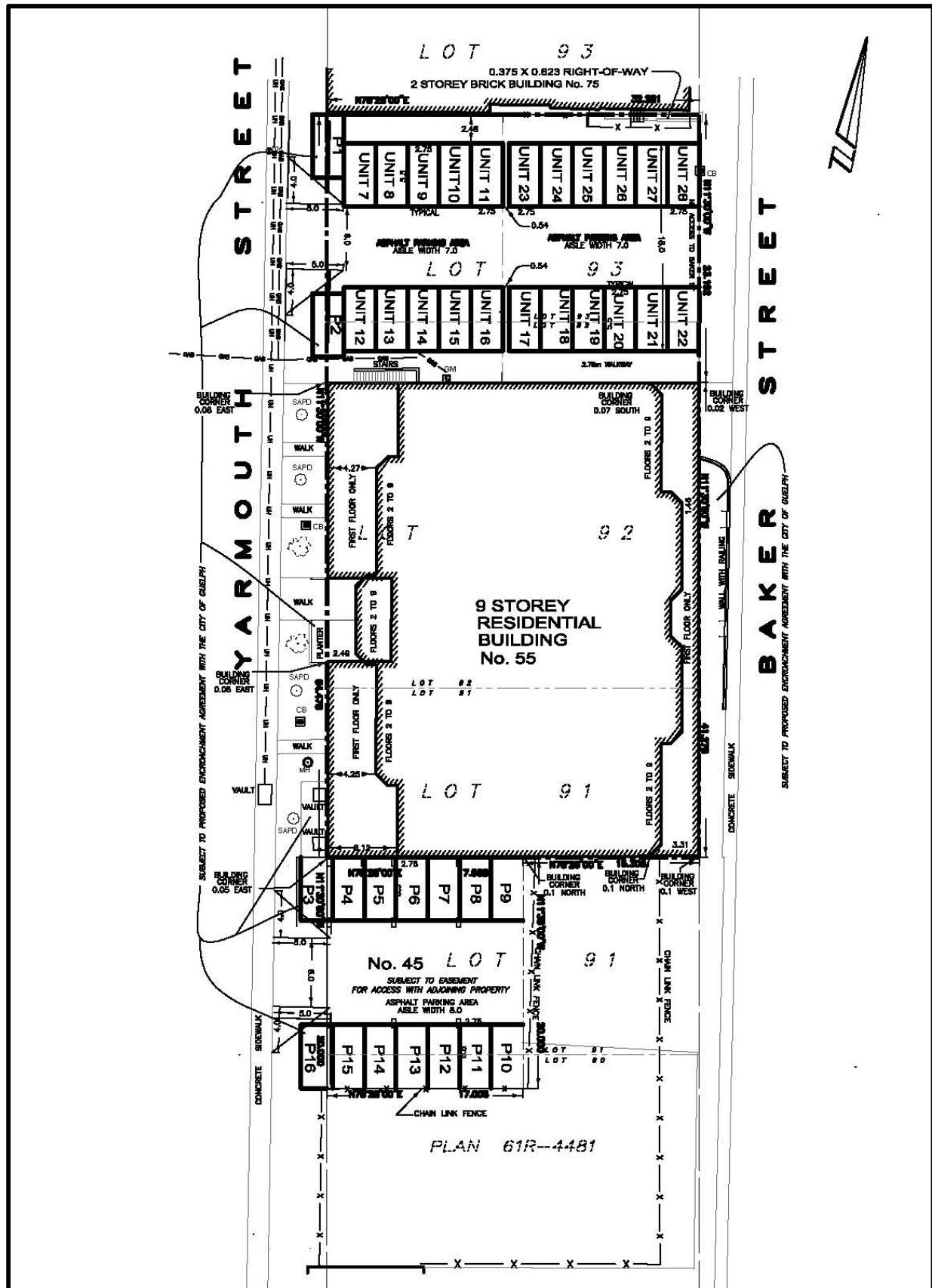
6 COMMERCIAL UNITS

LEVEL A  
 UNITS 1 TO 29



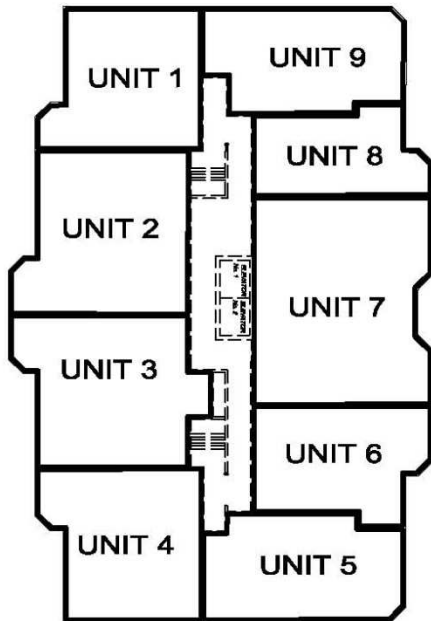
29 PARKING UNITS

# **Attachment 4** **Proposed Amendment to the Draft Plan of Condominium (Exterior)**



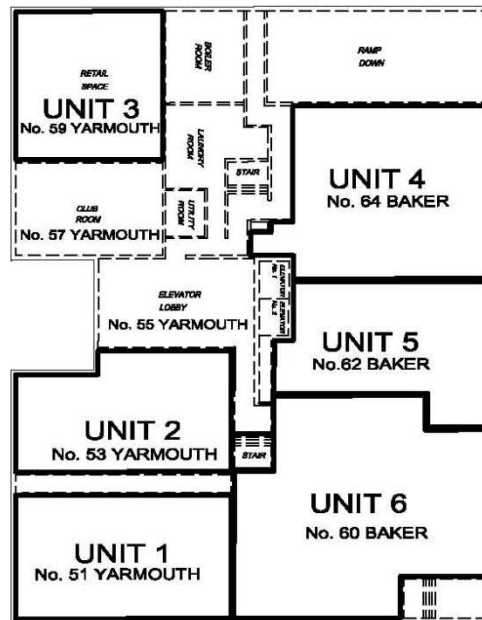
**Attachment 4 continued**  
**Proposed Amendment to the Draft Plan of Condominium (Interior)**

**LEVELS 2 TO 9 INCLUSIVE**  
**UNITS 1 TO 9**



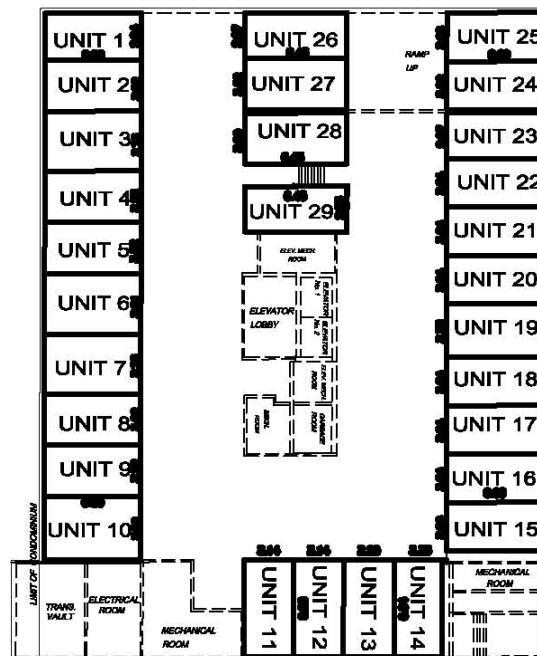
**72 RESIDENTIAL UNITS**

**LEVEL 1**  
**UNITS 1 TO 6**



**6 COMMERCIAL UNITS**

**LEVEL A**  
**UNITS 1 TO 29**



**29 PARKING UNITS**

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## Attachment 5 Circulation Comments

<b><u>RESPONDENT</u></b>	<b><u>NO OBJECTION OR COMMENT</u></b>	<b><u>CONDITIONAL SUPPORT</u></b>	<b><u>ISSUES/CONCERNS</u></b>
Planning		✓	Subject to Attachment 2
Engineering*		✓	Subject to Attachment 2
Parks Planning & Development *		✓	Subject to Attachment 2
Guelph Police Services	✓		
Emergency Services	✓		
Union Gas Ltd.	✓		
Grand River Conservation Authority*	✓		
Hydro One*	✓		

\*See written comments on following pages.

# INTERNAL MEMO



DATE January 26, 2012  
TO **Stacey Laughlin, Senior Development Planner**  
FROM Julius J. Bodai, C.E.T./Rajan Philips, P.Eng.  
DIVISION Engineering Services  
DEPARTMENT Planning & Building, Engineering and Environment  
SUBJECT **55 YARMOUTH STREET AND 68 BAKER STREET – PROPOSED  
RED-LINE AMENDMENT TO A DRAFT PLAN OF  
CONDOMINIUM (23CDM-11501)**

The applicant is seeking approval of a Red-line amendment to the current Draft Plan approval for the subject property to add additional lands (68 Baker Street) for the purposes of providing additional parking units. The additional land is presently being used as a parking lot. To access these lands, there is an existing driveway entrance from Baker Street. Therefore, the existing curb cut will have to be filled in and the asphalt pavement removed from the Baker Street road allowance. The owner shall be responsible for all the costs associated with the closing up of the existing driveway access which includes filling in a portion of the existing curb cut and the removal of the asphalt pavement from the road allowance and replacing the asphalt pavement with topsoil and sod.

In April 2011 Draft Plan Approval was granted to permit the conversion of the existing rental apartment building and commercial units located at 55 Yarmouth Street to condominium tenure. The twelve (12) additional parking spaces are to become condominium unit parking spaces (Units 17-28 shown on the revised Draft Plan of Condominium), are to be proposed to be created with the revised plan.

A site plan approval is currently in the process which will have to be amended to include the additional lands and parking.

According to the revised Draft Plan of Condominium that was submitted with this application, it shows an existing wood fence and concrete sidewalk with steps leading to the building at 75 Baker Street. A private encroachment agreement/maintenance agreement will have to be entered into between the owners of 75 Baker Street and 55 Yarmouth Street for the encroachment of the wood fence and concrete sidewalk and steps on the 68 Baker Street lands.

Engineering Services have concerns with this application since there are still some outstanding issues from the previous Draft Plan of Condominium approval.

Should this amended Draft Plan of Condominium be approved, we recommend that the following conditions are imposed:

1. The owner agrees to submit and receive approval from the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing to the satisfaction of the General Manager of Planning and Building and the General Manager/City Engineer, prior to the registration of the Plan of Condominium.

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**RE: 55 YARMOUTH STREET AND 68 BAKER STREET – PROPOSED RED-LINE  
AMENDMENT TO A DRAFT PLAN OF CONDOMINIUM (23CDM-11501)**

Page 2 of 3

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2. That the owner develops the property in accordance with the site plan as approved by the City, prior to the registration of the Plan of Condominium.
3. That the owner pays any outstanding debts owed to the City, prior to the registration of Plan of Condominium.
4. That prior to the registration of the Plan of Condominium the owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer stating that the building constructed and the grading of the property is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the General Manager/City Engineer.
5. Prior to the registration of the Plan of Condominium, the owners of 55 Yarmouth Street and 75 Baker Street shall enter into a private Encroachment Agreement/Maintenance Agreement, satisfactory to the General Manager/City Engineer and the City Solicitor, for the encroachment of the wood fence and concrete sidewalk and steps upon the 68 Baker Street lands.
6. The owner shall pay the actual costs associated with the closure of the existing driveway entrance including the required curb fill and the boulevard restoration within the Baker Street right-of-way, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the registration of the Plan of Condominium.
7. That prior to the registration of the Plan of Condominium the owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
8. That a Professional Engineer and/or Ontario Land Surveyor identifies all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, watermains, water distribution system, serving the property and also identifies the locations where easements are required, prior to the registration of the Plan of Condominium.
9. That prior to the registration of the Plan of Condominium the owner retains an Ontario Land Surveyor at their own expense to prepare and deposit at the Registry Office an appropriate Reference Plan to facilitate Agreements between the Owner and the City, which said Reference Plan will show the nature and extent of the encroachments upon the adjacent road allowances.
10. Prior to the registration of the Plan of Condominium, the owner shall enter into an

**RE: 55 YARMOUTH STREET AND 68 BAKER STREET – PROPOSED RED-LINE  
AMENDMENT TO A DRAFT PLAN OF CONDOMINIUM (23CDM-11501)**

Page 3 of 3

Encroachment Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the use of the road allowance for parking purposes.

11. That prior to the registration of the Plan of Condominium the owner enters into an Encroachment Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary encroachments upon the road allowances (such as planters, vault and interlocking pavers) within the same.
12. That prior to the registration of the Plan of Condominium the owner enters into a Maintenance Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary maintenance requirements for any approved improvements (such as planters, vault and interlocking pavers) within the same.
13. That prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the proposed condominium phase has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, watermains and water distribution system serving the condominium phase.
14. That prior to registration of the Plan of Condominium, a Professional Engineer and/or Ontario Land Surveyor shall identify all the rights-of-way required to provide access to the parking spaces on the site.
15. That prior to registration of the Plan of Condominium, an independent lawyer shall certify that easements for all the rights-of-way are in place to provide parking spaces and vehicular access to all the parking spaces required to be provided for the site, when the parking or vehicular access is on private lands other than the lands included in the phase being registered.

**Julius J. Bodai, C.E.T.**  
Engineering Technologist II

Engineering Services  
**Planning, Engineering and Environmental Services**  
Location: 1 Carden Street, 3<sup>rd</sup> Floor

T 519-822-1260 x 2332  
F 519-822-6194  
E [julius.bodai@guelph.ca](mailto:julius.bodai@guelph.ca)

File #16.132.026 and 16.171.GEN.

# INTERNAL MEMO



DATE January 30, 2012  
TO **Stacey Laughlin**  
FROM Jyoti Pathak  
DIVISION Parks Planning and Development  
DEPARTMENT Park Maintenance and Development  
SERVICE AREA Operations and Transit Services  
SUBJECT **55 Yarmouth Street & 68 Baker Street**

Parks Planning and Development has reviewed the proposed red line Amendment to the draft plan of Condominium (Notice of application dated January 13, 2012) for 55 Yarmouth Street & 68 Baker Street and offers the following comments:

**Parkland Dedication:**

**Cash-in-lieu of Parkland Dedication** is required for the proposed red-line amendment to the approved draft plan.

The applicant shall be responsible for a payment of cash-in-lieu of parkland dedication for 55 Yarmouth Street and the additional lands at 68 Baker Street, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545.

The cash-in-lieu of parkland dedication will be calculated at 5% of the lands involved at 55 Yarmouth Street and 86 Baker Street as per the current Parkland Dedication By-law.

Regards,

**Jyoti Pathak**  
Parks Planner

File # T:\ParksPlanning\\_Park Planning\PLANNING\EAST DISTRICT\Condominiums



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**Stacey Laughlin**

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**From:** Vaille Laur  
**Sent:** January 19, 2012 10:37 AM  
**To:** Stacey Laughlin  
**Subject:** FW: Attn: Stacey Laughlin - 55 Yarmouth Street & 68 Baker Street

Hi Stacey

Please see below

vaille

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**From:** [Jennifer.Stewart@HydroOne.com](mailto:Jennifer.Stewart@HydroOne.com) [<mailto:Jennifer.Stewart@HydroOne.com>]  
**Posted At:** January 18, 2012 1:50 PM  
**Posted To:** Planning Division Emails  
**Conversation:** Attn: Stacey Laughlin - 55 Yarmouth Street & 68 Baker Street  
**Subject:** Attn: Stacey Laughlin - 55 Yarmouth Street & 68 Baker Street

Draft Plan of Condominium Application No. 23CDM11501

We have reviewed the documents concerning the above noted Plan of Condominium Application/Amendment and have no comments or concerns at this time.

Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier.

If you have any questions please call me at the number below.

Thank you.

**Jennifer Stewart**

Hydro One Networks Inc.  
Real Estate  
905-946-6374

Sent on behalf of Laura Giunta



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: [www.grandriver.ca](http://www.grandriver.ca)

January 25, 2012

Stacey Laughlin  
Planning & Building, Engineering & Environment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1



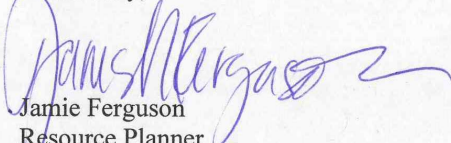
Dear Ms. Laughlin,

**RE: Proposed Red-line Amendment to a Draft Plan of Condominium  
55 Yarmouth Street and 68 Baker Street  
23CDM11501**

We have now had an opportunity to review the red-line amendment for 23CDM11501 to add additional lands (68 Baker Street) for the purposes of providing additional parking units. We have no objections to the proposed red-line amendment. We trust the City is reviewing for stormwater management through the site plan approval process.

If you have any comments, please contact me at 519-621-2763 extension 2238.

Yours truly,

  
Jamie Ferguson  
Resource Planner  
Grand River Conservation Authority

Encl. (1)

cc. Astrid Clos, Astrid J. Clos Planning Consultants

N:\Watershed Resources Planning\Resource Planning\WELLINGTON\GUELPH\GUELPH  
SUBDIVISIONS\23CDM11501 - 55 Yarmouth and 68 Baker\23CDM11504 Redline Amendment.docx

Page 1 of 1

Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities ■ The Grand – A Canadian Heritage River

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## **Attachment 6**

### **Public Notification Summary**

January 5, 2011	Application considered complete by the City of Guelph
January 12, 2011	Notice of Public Meeting mailed to prescribed agencies and building tenants.
January 14, 2011	Notice of Public Meeting advertised in Guelph Tribune
February 7, 2011	Public Meeting of City Council
March 16, 2011	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision
April 4, 2011	City Council Approved Draft Plan of Condominium
April 13, 2011	Notice of Decision of Draft Plan of Condominium given by City Clerk
May 20, 2011	Certificate with respect to Draft Plan of Condominium issued by City Clerk
January 9, 2012	Amendment request received from applicant
January 13, 2012	Notice of Amended Application mailed to prescribed agencies
May 7, 2012	City Council Meeting to consider amendment to Approved Draft Plan of Condominium

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE May 7, 2012

**SUBJECT** **148-152 Macdonell Street  
Proposed Official Plan Amendment &  
Zoning By-law Amendment  
(Files OP1104 & ZC1114)  
Ward 1**

REPORT NUMBER 12-47

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## SUMMARY

**Purpose of Report:** This report provides a staff recommendation for the property at 148-152 Macdonell Street to approve an Official Plan Amendment to introduce a site specific policy to permit a maximum density of 408 units per hectare for the subject site and to approve a Zoning By-law Amendment to rezone the subject property to a Specialized CBD.1 (Central Business District) Zone to permit the development of an 18-storey mixed-use building with 130 residential dwelling units and approximately 335m<sup>2</sup> of ground level commercial floor area.

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

## RECOMMENDATION

"THAT Report 12-47 regarding Official Plan and Zoning By-law Amendment applications by Stantec Consulting Ltd. on behalf of The Tricar Group, to permit the development of an 18-storey mixed use building for the property municipally known as 148-152 Macdonell Street, and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph, from Planning, Building, Engineering and Environment dated May 7, 2012, be received;

AND THAT the application by Stantec Consulting Ltd. on behalf of The Tricar Group for approval of an Official Plan Amendment to add a site specific policy to permit a maximum density of 408 units per hectare affecting lands municipally known as 148-152 Macdonell Street and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph, be approved in accordance with the policies as set out in Attachment 2 of Planning, Building, Engineering and Environment Report 12-47 dated May 7, 2012;

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AND THAT the application by Stantec Consulting Ltd. on behalf of The Tricar Group for approval of a Zoning By-law Amendment to change the zoning from the CBD.1 (Central Business District) Zone to a Specialized CBD.1 (Central Business District) Zone to permit the development of an 18-storey mixed-use building for the property municipally known as 148-152 Macdonell Street and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph, be approved, in accordance with the provisions set out in Attachment 2 of Planning, Building, Engineering and Environment Report 12-47 dated May 7, 2012;

AND THAT in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 148-152 Macdonell Street as set out in Report 12-47 from Planning, Building, Engineering and Environment dated May 7, 2012."

## **BACKGROUND**

Applications to amend the Official Plan (OP1104) and Zoning By-law (ZC1114) have been received for the property municipally known as 148-152 Macdonell Street from Stantec Consulting Ltd. on behalf of The Tricar Group. The proposal is a request to add a site specific policy in the Official Plan to permit a maximum residential density of 408 units per hectare for the subject site and to rezone the property from the CBD.1 (Central Business District) Zone to a Specialized CBD.1 (Central Business District) Zone, to permit the development of an 18 storey mixed use building with 130 residential dwelling units and approximately 335m<sup>2</sup> of ground level commercial floor area.

The applications were deemed complete on December 7, 2011 and the Statutory Public Meeting was held on March 5, 2012.

The subject property is also identified on the City's Inventory of Potential Brownfield sites. Financial Incentive Program Applications have been submitted and were approved by Council on March 26, 2012 through the City's Brownfield Redevelopment Community Improvement Plan.

## **Location**

The subject property is located on the northwest corner of Macdonell Street and Woolwich Street (see Attachment 1 – Location Map). The property has approximately 56 metres of frontage on Woolwich Street, approximately 70 metres of frontage on Macdonell Street and a site area of 0.32 hectares. There were two buildings on the site which were demolished in February 2012.

The land uses surrounding the subject property consist of a car wash and the Sleeman Centre to the north; John Galt Park and the Speed River to the east (across Woolwich Street); the CN Rail tracks and a vacant parcel known as the Marsh Tire site to the south (across Macdonell Street); and the entrance to the East Parkade and Priory Park/Blacksmith's Fountain to the west.

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

The Official Plan Land Use Designations and Related Policies are included in Attachment 3 of this report.

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The existing Official Plan land use designation that applies to the subject lands is "Central Business District" (CBD). This designation permits many different land uses with the exception of new industrial uses. The land use distribution in the CBD consists of a variety of sub-areas, which are shown on Schedule 6 of the Official Plan. The subject property is identified as "Office or Residential" on Schedule 6 which emphasizes a mixture of office buildings and residential buildings as well as multiple-use buildings for both of these uses. The Schedule 6 concept provides flexibility to recognize the coexistence of a wide range of activities to allow innovative development proposals. The CBD designation permits residential uses to a maximum density of 200 units per hectare.

The northeast corner of the site is also subject to the "Non-Core Greenlands Overlay" because this section of the site is within the flood fringe. Development that is consistent with the underlying land use designation may occur on lands associated with the Non-Core Greenlands overlay in instances where an environmental impact study has been completed and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions associated with the area. The matters associated with "hazard lands" as noted in Section 5 of the Official Plan must be safely addressed. Further, development within the flood fringe areas of the Two Zone Flood Plain is to be guided by the policies of subsection 7.14 of the Official Plan.

The applicant has submitted a Scoped Environmental Impact Study which has been reviewed by staff and agencies.

The City's Growth Plan Conformity Amendment, Official Plan Amendment (OPA) 39, 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. More specifically, OPA 39 identifies the site within the "Urban Growth Centre" (UGC). The UGC is intended to accommodate the highest density of people and jobs within the City and is to be planned and designed to achieve a minimum of 150 persons and jobs combined per hectare by 2031, which is measured across the entire Downtown.

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

In accordance with OPA 39, the City is currently preparing a Secondary Plan for Downtown (the UGC). The draft Secondary Plan, proposed OPA 43, was considered at a Council Statutory Public Meeting on November 7, 2011 and is being brought forward to Council for consideration of adoption on April 30, 2012. The Draft Downtown Secondary Plan proposes to designate the subject site as "Mixed Use 1" with a "Two Zone Fringe" (floodplain) overlay in the northeast corner of the site. "Mixed Use 1" areas are intended for a broad range of land uses including retail and service, multiple residential, live/work, office, entertainment and recreational commercial, cultural, educational and institutional, in a mix of highly compact development form.

### **Existing Zoning**

The site is zoned CBD.1 (Central Business District) Zone as illustrated in Attachment 4. Details of this zone are also included in Attachment 4. The northeast

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corner of the subject lands are also identified with a "Lands within the Flood Fringe" overlay which refers to Section 12.3 of the Zoning Bylaw. Section 12.3 of the Zoning Bylaw entitled "Regulations for Lands within the Flood Fringe" requires floodproofing for the permitted uses (See Attachment 4).

## **REPORT**

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

The application proposes to add a site specific policy for 148-152 Macdonell Street into Section 7.3.7 of the Official Plan in order to permit a maximum residential density of 408 units per hectare for the subject site. Currently, Section 7.3.7 of the Official Plan permits a maximum density of 200 units per hectare. The Central Business District designation for this site is not proposed to be amended.

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

The application proposes to rezone the subject lands from the CBD.1 (Central Business District) Zone to a Specialized CBD.1 (Central Business District) Zone, to permit the development of a mixed-use building. Specialized zoning regulations are being requested to permit: a maximum building height of 18 storeys; an increased angular plane from the centreline of the street; and a change in the height requirements for the building within 15m of the street allowance. See Attachment 4 for the proposed zoning mapping, as well as the proposed specialized regulations and the standard CBD.1 regulations.

### **Proposed Development Concept Plan**

The site concept plan for the proposed development is shown on Attachment 5. The concept plan proposes an 18-storey building, with 130 residential units and approximately 335m<sup>2</sup> of ground floor commercial area. The commercial units are proposed to front on to Macdonell Street. Two vehicular accesses to the site are proposed. From Woolwich Street, the proposed driveway will access the underground portion of the parking garage. Another access is proposed indirectly from Macdonell Street, by way of the East Parkade driveway, which will access the two levels of above-ground parking that are proposed within the building. On top of the parking levels, an outdoor terrace area for the residents of the building is proposed.

Based on the type of residential dwellings proposed (apartments) and the amount of commercial floor area (335m<sup>2</sup>), it is estimated that the 0.32 hectare site will yield 222 persons and 30 jobs. This is equivalent to a density of approximately 787 persons and jobs per hectare.

The City has also retained a Peer Review Architect, Mr. Ralph Giannone of Giannone Petricone Associates Inc. to assist in the review of the proposed development. The report prepared by Ralph Giannone is referred to in the Staff Planning Analysis (Attachment 6) and included as Attachment 7.

### **Staff Planning Analysis**

The staff review and planning analysis of these applications is provided in Attachment 6. The analysis addresses all relevant and planning considerations including the issues and questions raised by Council and members of the public at the Statutory Public Meeting held on March 5, 2012, as well as the concerns raised by the public through correspondence. The issues addressed relate to:

- 
- Evaluation of the proposal against the Provincial Policy Statement and the Growth Plan
  - Evaluation of the proposal against the land use designation and policies of the Official Plan including Official Plan Amendment 39
  - Consideration of the Proposed Downtown Secondary Plan
  - Consideration of the River Systems Management Plan
  - Review of the proposed zoning and specialized regulations
  - Density
  - Site Layout and Building Design
    - Ground Floor/Relationship to Street
    - Building Height
    - Mechanical Penthouse
    - Location of the Tower on the Podium
    - Garbage/recycling
    - Amount of Green Space
    - Graffiti
  - Community Energy Initiative considerations
  - Downtown Secondary Plan Related Issues
  - Emergency Response Capabilities
  - Evaluation of the Preliminary Noise and Vibration Analysis
  - Proximity to Transit Terminal

As was outlined in the March 5, 2012 Public Meeting Report, the following issues have already been addressed:

- Consideration of the flood plain issues and policies associated with the site
- Consideration of the required site remediation for the property
- Evaluation of the Functional Servicing and Stormwater Management Report, the Scoped Environmental Impact Study, and the Traffic Impact Study

### **Staff Recommendation**

Planning staff are satisfied that the applications to amend the Official Plan and Zoning By-law are consistent with the Provincial Policy Statement and conform to the Places to Grow Plan and the City's Growth Plan conformity amendment (OPA 39). Further, the Official Plan Amendment application satisfies the criteria set out in Section 9.3.2 for Amendments to the Official Plan and the Zoning By-law Amendment application conforms to the land use designation and policies within the City's Official Plan for this site. The proposed amendments have also had regard for the proposed Downtown Secondary Plan policies. These applications are recommended for approval subject to the policies, provisions and conditions outlined in Attachment 2 of this report.

### **CORPORATE STRATEGIC PLAN**

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

Goal #3: A diverse and prosperous local economy

### **FINANCIAL IMPLICATIONS**

#### **Projected Taxation**

\$407,718.78 per year (including residential units and commercial floor area)



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## **Development Charges**

**Residential** - \$1,826,072.00 (116 2-bedroom units @ \$15,742 per unit)

**Residential** - \$159,250.00 (14 1-bedroom units @ \$11,375 per unit)

**Commercial** - \$44,069.25 (335m<sup>2</sup> of commercial floor area @ \$131.55 per m<sup>2</sup>)

**Total** - \$2,029,391.25

## **COMMUNICATIONS**

Notice of the Public Meeting for these applications was circulated to current property owners within 120m of the site and other interested members of the public on February 13, 2012 and advertised in the Guelph Tribune on February 9, 2012 for the March 5, 2012 Statutory Public Meeting. Notice of Decision Meeting for these applications was circulated to persons providing comments or signed attendees at the Public Meeting on April 16, 2012.

## **DEPARTMENTAL CONSULTATION**

The agency comments received through the review of the application are summarized on Attachment 12.

## **ATTACHMENTS**

- Attachment 1 – Location Map
- Attachment 2 – Policies, Provisions and Conditions
- Attachment 3 – Existing Official Plan Land Use Designations and Policies
- Attachment 4 – Existing & Proposed Zoning and Regulations
- Attachment 5 – Site Concept Plan & Elevations
- Attachment 6 – Staff Planning Analysis
- Attachment 7 – Peer Review Architect Report from Ralph Giannone
- Attachment 8 – Riverside Trail Angular Plane Analysis
- Attachment 9 – Shadow Study
- Attachment 10 – Architect's Wind Letter
- Attachment 11 – Community Energy Initiative Commitment
- Attachment 12 – Circulation Comments
- Attachment 13 – Public Notification Summary

### **Prepared By:**

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Original Signed by:

Original Signed by:

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### **Recommended By:**

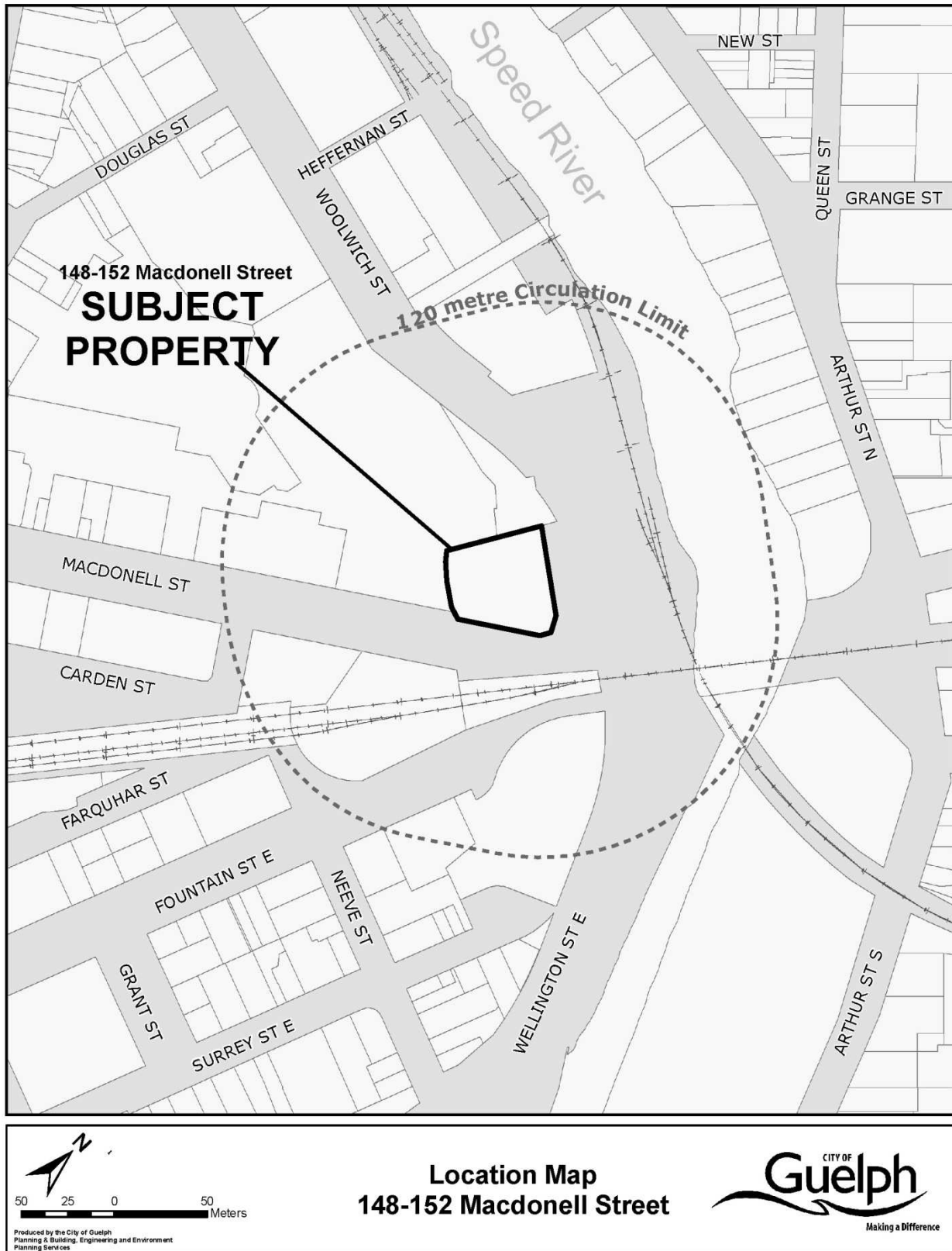
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### **Recommended By:**

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## Attachment 1 – Location Map



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## **Attachment 2 – Policies, Provisions and Conditions**

The property affected by the Official Plan Amendment and Zoning By-law Amendment applications is municipally known as 148-152 Macdonell Street and legally described as Part of Lots 1, 2, 4 & 17 and Lot 3 and Part of Priory Street, Registered Plan 16 and Part of Lot 3 Registrar's Compiled Plan No. 712, City of Guelph.

### **Official Plan Amendment**

The following amendment adds a site specific policy to the City's Official Plan for the subject property:

- 7.3.7      2. Despite the maximum net density for residential uses set out in policy 7.3.7, the net density for residential uses at 148-152 Macdonell Street shall not exceed 408 units per hectare.

### **Zoning By-law Amendment**

The following zoning is proposed:

#### **Specialized CBD.1 (Central Business District) Zone**

##### **Permitted Uses**

In accordance with Section 6.3.1.1 of Zoning By-law (1995)-14868, as amended.

##### **Regulations**

In accordance with Section 4 (General Provisions) and Section 6.3.2 and Table 6.3.2 (Central Business District Regulations) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

##### **Building Height**

Despite Row 8 of Table 6.3.2, the maximum permitted building height shall be 18 storeys

Despite Row 8 of Table 6.3.2, Section 6.3.2.3.1 requiring buildings to be a minimum of 3 storeys and a maximum of 5 storeys within 15 metres of the street allowance shall not be applicable.

##### **Angular Plane**

Section 4.16 outlining a maximum angular plane of 45° from the centerline of the street shall not be applicable

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## **Attachment 2 – Policies, Provisions and Conditions (cont'd)**

### **Conditions**

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

1. The Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
  - a. Further, the Owner commits and agrees that the details of the layout and design for the development of the subject lands including: the proposed design of the building, the proposed stone masonry on the podium of the building and the colour pallet for the building, shall be generally in conformance with the development concept plan and elevations attached as Attachment 5 to the May 7, 2012 Planning, Building, Engineering and Environment Report Number 12-47.
  - b. Further, the Owner commits and agrees to explore opportunities to use enhanced tree planting standards or new rooting technologies for any trees planted within City-owned lands to assist in improving the survivorship and longevity of trees.
2. Prior to the issuance of site plan approval, the owner shall provide the City with written confirmation that the building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services and in accordance with the letter attached as Attachment 7 to Report 12-47 from Planning, Building, Engineering and Environment dated May 7, 2012.
3. Prior to the issuance of full site plan approval for the lands, the owner shall provide written confirmation from the owners of 20 Woolwich Street (superior Car Wash), 50 Woolwich Street (Sleeman Centre) and 128-130 Macdonell Street (the Co-operators building) to the satisfaction of the General Manager of Planning Services that the recommendations in the Noise & Vibration Study dated September 30, 2011 from J.E. Coulter Associates Limited and the letter dated February 15, 2012 from J.E. Coulter Associates Limited regarding 148-152 Macdonell Street can and will be implemented on the affected sites. Alternatively, a revised Noise Report will have to be completed indicating how the recommendations will be completed and the process and mechanism for implementation to the satisfaction of the General Manager of Planning Services..
4. Prior to the issuance of site plan approval, written confirmation shall be

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received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law.

5. Prior to the issuance of site plan approval for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households within the project, with such payment based on a cost of one handbook per residential household, as determined by the City.
6. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
7. That prior to the issuance of site plan approval, the Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof.
8. 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.
9. Prior to site plan approval, the Developer shall update and finalize as required by the City, any or all of the following studies, plans and reports to the satisfaction of the General Manager/City Engineer:
  - i) a traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads including recommendations with detailed cost estimates of the works recommended on the municipal roadways;
  - 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 servicing and 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,

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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.

10. The Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 3 i) to 3 iv) inclusive
11. Following the completion of site remedial works, the owner shall submit all environmental documentation related to the remediation including, but not limited to, remediation activities summary and monitoring reports prepared in accordance with the Records of Site Condition regulation (O. Reg. 153/04 as amended) describing the current conditions of the property known municipally as 148-152 Macdonell Street to the satisfaction of the City.
12. Prior to issuance of any residential building permit for the property, the owner shall complete the following:
  - a) File a Record of Site Condition (RSC) on the Ministry of the Environment (MOE) Environmental Site Registry for the property including certification by a Qualified Person as defined by O.Reg. 153/04 that the environmental condition of the property meets the appropriate MOE Site Condition Standards for the intended land use; and,
  - b) Submit the MOE acknowledgment letter for the RSC to the satisfaction of the City.
13. The owner shall complete a Phase 2 ESA to confirm the presence and extent of contamination from the property beneath the adjacent City lands. If contamination from the property is present on City lands, the Owner shall prepare a Remedial Work Plan, to the satisfaction of the City, and implement said approved plan to address the contamination.
14. The Developer agrees to enter into a Municipal Services Relocation Agreement with the City and pay for the developer's share of the cost of relocation of services from Priory Street, the installation of new watermain on Macdonell Street, the service connections to the subject property and related roadworks on Woolwich Street and Macdonell Street, based on the design and cost estimates prepared by the City.
15. That 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.

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16. Prior to site plan approval, the Developer shall enter into an Encroachment Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary encroachments upon the road allowances (such as planters, retaining walls and interlocking pavers) within the same. The developer shall replace and restore at his own cost all surface features including curb and gutter, sidewalks and boulevards and any underground services within the road allowance that may have been removed or damaged during site development.
  17. Prior to site plan approval, the Developer shall enter into a Maintenance Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary maintenance requirements for any approved improvements (such as planters, retaining walls and interlocking pavers) within the same.
  18. That 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 the development of the lands.
  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 the development of the lands.
  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. That prior to site plan approval a detailed noise study be submitted and the recommendations of the study be integrated into the design of the building particularly with respect to specifications for upgraded windows within the building and air-conditioning requirements.
  22. That the following warning clauses be incorporated into a future site plan agreement:
    - "Warning: GEXR or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). GEXR will not be responsible for any

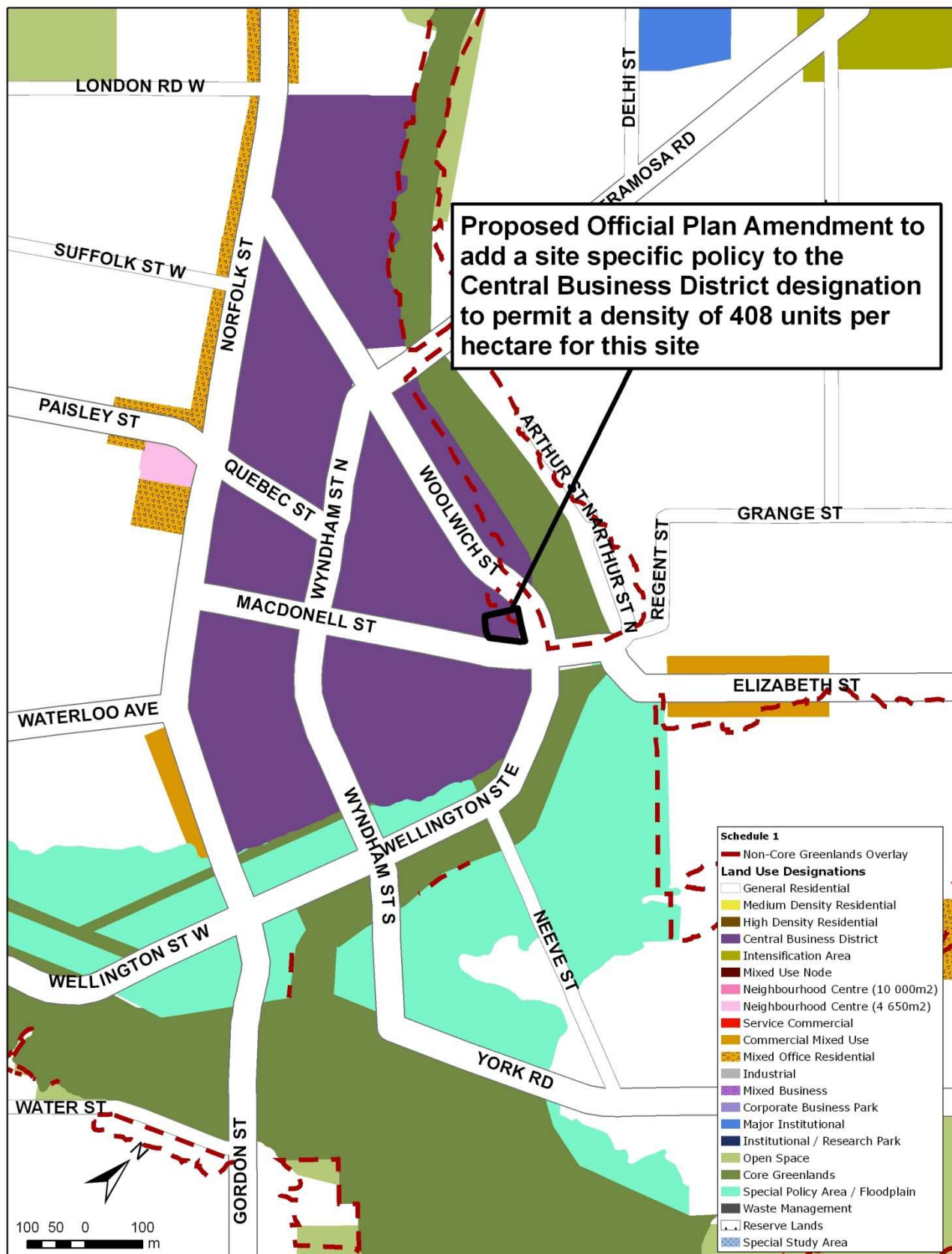
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complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

- "Warning: Ontario Southland Railway Inc. or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). Ontario Southland Railway Inc. will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
23. That prior to site plan approval, the owner shall enter into a site plan agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.



## Attachment 3 – Official Plan Land Use Designations and Related Policies



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## Attachment 3 – Official Plan Land Use Designations and Related Policies

### 7.3 Central Business District (Downtown)

The Central Business District (Downtown) of the City is promoted by this Plan as a beautiful, vibrant multiple-functional urban centre for Guelph that is a focal area for investment, employment and housing. The Plan promotes the C.B.D. as the community's civic, cultural, social and economic centre with a high concentration of activities and land uses developed in concert with excellent quality design standards. It is the overall goal of this Plan to see the C.B.D. rank amongst the finest of City centres and be a source of great public pride for the benefit of Guelph's residents.

- a) To promote the development of the C.B.D. as a major community focus and the civic, cultural, social, and economic centre of the City.
- b) To promote the development of the C.B.D. as a vibrant multiple use, multiple function district providing institutional, civic and public service uses, residential uses, recreational and cultural uses and a variety of commercial functions including office and other services, retail and entertainment uses serving both the wider city as well as the downtown area residential neighbourhoods.
- c) To ensure the C.B.D. remains as a place for people, for recreation, doing business, pursuing cultural interests, engaging in civic and other government activities and for living.
- d) To maintain and promote the current resources of the C.B.D.; its heritage buildings, scenic and carefully tended rivers, intensive vegetation, attractive streets and landmarks.
- e) To maintain and enhance the physical appearance, historic characteristics and *cultural heritage resources* of the C.B.D. with particular emphasis on Wyndham Street.
- f) To develop additional public open space, tourist, recreational and cultural facilities within the downtown.

### General Policies

- 7.3.1 The area designated on Schedule 1 as the 'Central Business District' (C.B.D.) is generally defined by London Road, Gordon/Norfolk Streets and the Speed River.
- 7.3.2 The City will work in co-operation with the "Downtown Board of Management" which has been established under the provisions of the Ontario Municipal Act as the administrative body for the downtown Business Improvement Area (BIA). The primary intent of this organization is to assist in improving business within the BIA of the downtown. The BIA is defined by by-law for the purposes of levying a special charge on rateable property within a defined area of the C.B.D. This area is defined by boundaries including the following lands: property to the north of the CNR tracks; property to the east of Norfolk Street; property to the east of Yarmouth Street; and property to the west of Wellington Street.
- 7.3.3 The land use distribution in the C.B.D. consists of a variety of sub-areas and it shall be the policy of this Plan to encourage the preservation, rehabilitation and implementation of the desirable elements of identified sub-areas of the C.B.D.
  1. The "Guelph C.B.D.-Concept Plan", as shown on Schedule 6, indicates land use areas and the transportation facilities necessary to realize the objectives for the C.B.D.
  2. The concept plan provides flexibility to recognize the coexistence of a wide range of activities and to allow innovative *development* proposals.

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### Attachment 3 – Official Plan Land Use Designations and Related Policies

3. Without limiting the generality of this Plan, the location, nature and scale of development shall be determined by individual proposals and shall be specified in the *Zoning By-law*.
4. The categories of land-use shown on the "Guelph C.B.D. - Concept Plan" are as follows:
  - a) "Commercial Base, Office and/or Residential Emphasis Above"

This category includes multiple use of buildings. The "base" referred to is the bottom layer (i.e. street-level) usually in the form of a store. Where development is to take place above that base, office and/or apartment uses would be favoured.
  - b) "Office or Residential"

This category emphasizes a mixture of office buildings and residential buildings as well as multiple-use of buildings for both these uses.
  - c) "Office Emphasis' and `Residential Emphasis"

These two categories describe areas where it is desirable to encourage pure office use or pure residential uses, respectively. It does not mean that other uses cannot be considered but that one use should be favoured, and other land uses introduced into these areas should at least be compatible with the dominant use.
  - d) "Sensitive Commercial"

This category encourages the retention of existing old mansions and houses. It provides for their *conversion* to boutiques, offices or agencies especially at the ground floor, with residential units in the upper floors of the existing buildings, and for infilling of new small scale commercial *developments*.
  - e) "Open Space"

This category includes parks and pedestrian-oriented open space, walkways and squares. A civic centre or other recreational facilities may be located within an "Open Space" area.
  - f) "C.B.D. Transition Area" - Goldie Mill Secondary Plan Area

The area designated on Schedule 6 as the "C.B.D. Transition Area" is generally defined as the area bounded by London Road, Woolwich Street, Eramosa Road, and the Speed River. The "C.B.D. Transition Area" permits limited grade level commercial and office uses, as well as more intensive residential uses near the traditional core area of the CBD. The more intensive residential uses shall be directed to larger, consolidated land parcels where older industrial or commercial buildings exist - primarily along Cardigan Street. Existing open space uses are permitted and development of additional open space areas are encouraged. The maximum *net density* of 200 units per hectare specified in subsection 7.3.7 of this Plan may not be achievable on all potential *development* or *redevelopment* sites within the "Transition Area" and shall not be interpreted as an expected target or yield for all properties. Achievable density for any *development* proposal will be determined by the built form envelope permitted on a particular site through the imposition of controls such as angular planes, build-to lines, and floor space index ratios specified by the *Zoning By-law*. All *development* in the "Transition Area" as designated on Schedule 6 shall be:

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### Attachment 3 – Official Plan Land Use Designations and Related Policies

- i. Developed in a manner that is compatible with adjacent and nearby established low density residential uses, open space and natural areas;
  - ii. Generally less intensive in character on streets serving a primarily local function, particularly where such areas occur adjacent to land designated 'General Residential' or which would have an impact on nearby lower density residential areas. More intensive *development* will be encouraged on available large, or consolidated land parcels which are not directly adjacent to areas designated 'General Residential';
  - iii. Subject to site plan control where design issues such as compatibility with adjacent and nearby development, sensitivity to local topography and natural features will be reviewed; and
  - iv. Regulated through specialized *Zoning Bylaw* requirements. Generally the "Transition Area" will encourage a stepping down of intensity of use and built form between the traditional core commercial sectors of the C.B.D. and surrounding lower density residential uses.
- 7.3.4 Due to special problems relating to land assembly, land costs, parking, urban design and structure, the City will promote and assist new *development* in the 'Central Business District' by:
  - a) Actively participating in the promotion of commercial *development* and conducting market studies from time to time;
  - b) Encouraging and co-operating with the private sector in a full and longterm program supporting downtown revitalization to ensure a favourable climate for commercial and residential activity in the core;
  - c) Promoting the development of special events, cultural activities, entertainment facilities and public open space;
  - d) Implementing a long range plan for the provision of off-street municipal parking;
  - e) Encouraging the private sector to provide off-street parking;
  - f) Considering municipal lands for *development*, generally by way of lease arrangements;
  - g) Establishing priorities in the municipal capital budget specifically for downtown rejuvenation.
- 7.3.5 The City may reduce or exempt any requirement for private off-street parking for *development* in the downtown provided adequate alternative parking facilities are available in the general vicinity. A *development* agreement or cash-in-lieu of parking may be required where a *development* proposal is granted an exemption or is permitted to reduce the parking requirement.
- 7.3.6 In order to maximize the number of people in the downtown at all times and keep it economically viable, the City will encourage the expansion of the residential function of the 'Central Business District' by:
  - a) Encouraging the *development* and use of lands for mixed-use commercial/residential buildings;
  - b) Encouraging new housing to locate in areas where municipal *infrastructure* is available and in close proximity to residential amenities and open space;
  - c) Encouraging the rehabilitation and *renovation* of the upper stories of existing buildings and their *conversion* to residential use.
- 7.3.7 The maximum *net density* for residential use within the 'Central Business District' shall not exceed 200 units per hectare (80 units per acre), except as noted in policy 7.3.7.1.

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## Attachment 3 – Official Plan Land Use Designations and Related Policies

1. The *net density* for residential uses within the "Sensitive Commercial" sub-area of the "Guelph C.B.D. - Concept Plan" shall not exceed 100 units per hectare (40 units per acre).
- 7.3.8 In recognizing the high density residential limits permitted by policy 7.3.7, the wide range of uses permitted by policy 7.3.3 and the historically and architecturally significant context of the downtown, this Plan requires that the design of *development* proposals be in keeping with, and be compatible with, their surrounding built and open space environments.
  1. The urban design principles as noted in subsection 3.6 of this Plan will be used to guide *development* proposals within the C.B.D.
- 7.3.9 The City will encourage the majority of new *multiple unit residential buildings* to be designed for the accommodation of singles, couples, students and senior citizens.
- 7.3.10 For the purpose of encouraging residential *development* in the downtown, the City may consider incentives, such as:
  - a) Exempting new residential units in rehabilitated buildings from off-street parking requirements;
  - b) Providing financial assistance as part of a community improvement plan or other program.
- 7.3.11 Public open space will be developed in accordance with Schedule 6 to this Plan. The basic open space components of the "Guelph C.B.D. - Concept Plan" include:
  - a) Expansion and development of public open space along the banks of the Speed and Eramosa Rivers, by acquiring lands when they become available, and utilizing rail and other public lands in the downtown;
  - b) Maintenance of St. George's Square as a focal point for the downtown and the improvement of other downtown public squares;
  - c) Provision of a system of pedestrian walkways and malls throughout the downtown and linked with the citywide open space network.
- 7.3.12 In order to support development in the C.B.D., it shall be the policy of the City to encourage major entertainment anchor uses to locate in the downtown.
- 7.3.13 The civic government functions of the City of Guelph, County of Wellington, Provincial and Federal offices will be encouraged to retain their present prominence within the C.B.D. Other civic agencies and boards will be encouraged to remain or relocate to the downtown.
- 7.3.14 It is the policy of this Plan to improve access to and within the downtown for various modes of transportation: pedestrian, bicycle, public transit and automobiles.
  1. In the review of *development* proposals, the City will encourage the retention or creation of mid-block pedestrian corridors to improve pedestrian access to all areas within the C.B.D.
  2. The creation of on-road bicycle lanes and routes to and through the C.B.D. will be encouraged.
  3. The continued existence of the inter-city and intra-city public transit terminals as well as the VIA rail train station in the downtown will be encouraged.
  4. The maintenance of the road network in accordance with the "Guelph C.B.D. - Concept Plan" will be encouraged. Specifically, this Plan promotes the retention of a landscaped ring-road system - Wellington Street to the south, Woolwich Street to the east, Norfolk and Gordon Streets to the west - for through automotive traffic.

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## Attachment 3 – Official Plan Land Use Designations and Related Policies

7.3.15 Because the design or layout of the downtown and the concentration of historic, cultural and architecturally significant buildings in the C.B.D. gives Guelph a distinctive character, the City will promote the retention of the existing downtown townscape; specifically, the focal points, view corridors, landmarks, prominent buildings and entranceways/gateways will be recognized. This Plan shall encourage and support townscape improvements by:

- a) Considering development of a co-ordinated program to improve the townscape features of publicly owned lands and to support the cosmetic improvement of privately owned lands;
- b) Encouraging the retention, renewal and conservation of *built heritage resources* and historic landmarks in the 'Central Business District';
- c) Strengthening and promoting areas with special identity through the designation of heritage conservation districts under the Ontario Heritage Act;
- d) Preserving the significant views in the downtown through building height controls and “protected view areas” in the implementing *Zoning By-law*; and
- e) Utilizing the urban design principles as outlined in subsection 3.6 of this Plan to promote compatible *development* and improvements to public space (i.e. the Speed River corridor and other open spaces and public rights-of-way).

1. The City will utilize the detailed design elements of the Council-approved “Downtown Guelph Public Realm Plan” and the “Downtown Guelph Private Realm Improvements Manual” to promote an enhanced downtown townscape.

7.3.16 It is the policy of this Plan to discourage the location or retention of uses in and near the C.B.D., which are incompatible with the primary role of the downtown.

7.3.17 While new industrial buildings are not permitted in the C.B.D., the City shall recognize existing industrial activities by:

- a) Permitting the continued operation and rehabilitation of existing activities;
- b) Permitting the establishment of new industry occupying an existing industrial building provided that the new industrial use would be environmentally compatible with other land uses in the area. The Ministry of the Environment guidelines will be consulted in this regard.

7.3.18 The City will encourage the *conversion* or *redevelopment* of existing obsolete industrial buildings and sites.

### Non-Core Greenlands Overlay

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain *natural heritage features*, *natural feature adjacent lands* and *natural hazard lands* that should be afforded protection from *development*. The following *natural features* and their associated *adjacent lands* are found within the Non-Core Greenlands area: *fish habitat*, *locally significant wetlands*, *significant woodlands*, *significant environmental corridors and ecological linkages*, *significant wildlife habitat*. In many instances these *natural features* also have *hazards* associated with them which serve as development constraints.

1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.
2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.

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## Attachment 3 – Official Plan Land Use Designations and Related Policies

- 7.13.6 *Development* may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection on the *natural features* or the *ecological functions* which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified *natural heritage feature* as part of such environmental impact study.
- 7.13.7 It is intended that the *natural heritage features* associated with the Non-Core Greenlands overlay are to be protected for their *ecological value* and *function*. The implementing *Zoning By-law* will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.
- 7.13.8 *Development* may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with *hazard lands* as noted in Section 5 can be safely addressed. In addition, *development* within the *flood fringe* areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.

### Interpretation Considerations

- 7.13.9 The physical limits of the 'Core Greenlands' designation and Non-Core Greenlands overlay on the various Schedules to this Plan may be subsequently refined by more detailed mapping on individual properties or through the completion of *scoped* and *comprehensive environmental impact studies*. It is intended that, in circumstances where more detailed mapping is available, this Plan will be interpreted as applying to the most recent information available.
- 7.13.10 The boundaries of the Greenlands System are approximate. The completion of environmental impact studies will be used to determine the exact limits of *development* and areas to be afforded protection. In instances where an approved environmental impact study adjusts the boundaries of the 'Core Greenlands' designation or the Non-Core Greenlands overlay, the land use policies of the adjacent or underlying designation will apply.

## 7.14 Flood Plains (Two Zone and Special Policy Area)

### Objectives

- a) To minimize conditions which may be hazardous to human life or may cause significant property damage due to flooding.
- b) To recognize existing development within the *flood plain*, and, where the flooding hazards will not be aggravated, provide for infill and *redevelopment* in existing built-up areas of the City.

### General Policies

- 7.14.1 This Plan requires that the following uses not be located within lands comprising the Two Zone Flood Plain and the 'Special Policy Area Flood Plain' as described by the provisions of this Plan:
- a) New land uses which are associated with the manufacture, storage, disposal and/or consumption of hazardous substances or the treatment, collection and disposal of sewage are not permitted to locate within the *flood plain*.
  - b) New essential services, such as police, fire and ambulance service, as well as electrical sub-stations are not permitted to locate within the *flood plain*. Existing essential services that wish to expand/renovate will be encouraged to relocate to a site outside of the *flood plain* area.

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## Attachment 3 – Official Plan Land Use Designations and Related Policies

- c) Elementary schools, nursery schools, *day care centres*, hospitals, homes for the aged, *nursing homes*, *rest homes*, *group homes* for the physically or mentally challenged, or similar residential care and institutional facilities, shall not be located within the *flood plain*.

### Two Zone Flood Plain

The “Provincial Policy Statement” generally encourages the prohibition of *development* or *redevelopment* within the *regulatory flood plain* due to inherent dangers, such as loss of life, property damage and social disruption, should flooding occur. The “Policy Statement” does however, recognize special circumstances where the general prohibition of new *development* or *redevelopment* in *flood plain* areas of historic communities is not practical. Therefore, the “Policy Statement” makes provision for the delineation of certain lands within a *flood plain* area as “*floodway*” and “*flood fringe*” – these are the lands that distinguish it as a Two Zone Flood Plain area.

7.14.2 The Two Zone *floodways* of the Speed and Eramosa Rivers are defined as a component of the ‘Core Greenlands’ designation. For a more specific definition of their extent, reference can be made to Schedule 2 where the *floodway* is illustrated. The following policies are applicable to the *floodway*:

1. No *development* is permitted within the *floodway*; however, existing buildings/structures within the *floodway* will be recognized as legal nonconforming.
2. The *floodway* may be used for:
  - a) Outdoor recreation, including small, municipal ancillary buildings and structures (e.g. picnic shelters) provided that damage potential is minimized and proposed structures will not affect the hydraulic characteristics of the *flood plain*;
  - b) Open space and conservation areas;
  - c) Wildlife sanctuaries; and
  - d) Nurseries and forestry.
3. This Plan does not imply that *floodway* lands are open to the general public or that such lands will be purchased by the City, or any other public agency.
4. *Floodway* lands will be zoned in an appropriate hazard category in the implementing *Zoning By-law*.
5. In spite of policies 7.14.2.1 and 7.14.2.2, the use of lands described as Part of Lots 1 and 2, Concession 2, Division “D”, more particularly described as Parts 7, 8, 9, 10, 11 and 12, Reference Plan 61R-5491, being lands located on the north side of Woodlawn Road East and along the west side of the Speed River, shall be extended to include three additional land uses as follows: a private road; a day use parking area at the existing grade; a dry land access road bed to service the senior citizen's residential project located to the east.

7.14.3 The Two Zone *flood fringe* for the Speed and Eramosa Rivers is outlined as a component on the Non-Core Greenlands overlay on Schedule 1. For a more specific definition on its extent, reference can be made to Schedule 2 where the flood fringe is defined as the lands that lie between the *floodways* of these river *flood plains* and the *regulatory flood line*.

1. *Development/redevelopment* may be permitted within the *flood fringe* subject to the use, building and/or structure being *floodproofed* to the *regulatory flood level* as required by the Grand River Conservation Authority.



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## Attachment 3 – Official Plan Land Use Designations and Related Policies

2. Subject to policy 7.14.1, permitted uses within the *flood fringe* are established by the underlying land use designations on Schedule 1. These lands will be zoned in the appropriate categories of the implementing *Zoning Bylaw*.

### 2.3 Major Goals of the Official Plan

The Official Plan is based upon a number of goals that provide the broad framework for the development and planning of the City. Goals are general statements of intent that describe a desired future condition.

The following represent the major goals of the Official Plan:

1. Maintain the quality of life, safety and stability of the community.
2. Promote a compact and staged development pattern to maintain the distinct urban/rural physical separation and to avoid sprawl and premature development.
3. Ensure that adequate serviced land is provided to accommodate future development of all required urban land uses.
4. Direct *development* to those areas where municipal services and related physical infrastructure are most readily or can be made available, considering existing land uses, *natural heritage features*, development constraints, development costs and related factors.
5. Provide for urban growth in a manner that ensures the efficient use of public expenditures without excessive financial strain upon the City.
6. Ensure that any *development* in established areas of the City is done in a manner that is sympathetic and compatible with the built form of existing land uses.
7. Implement an economic development strategy that encourages steady, diversified and balanced economic growth while maintaining a favourable assessment base and a wide range of employment opportunities.
8. Promote opportunities for employment in the emerging high-tech "knowledge based" sectors including environmental management and technology, and agri-food technology.
9. Develop a safe, efficient and convenient transportation system that provides for all modes of travel and supports the land use patterns of the City.
10. Promote energy conservation and climate change protection through land use planning, the development approvals process and through other municipal initiatives.
11. Respect and encourage the protection and enhancement of the natural environment, other distinctive features of the landscape and the associated *ecological functions* to support a healthy and diverse ecosystem both within and beyond the City limits.
12. Promote *development* that supports a sustainable community that is sensitive to the natural environment and creates additional awareness of our natural heritage system.

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## **Attachment 3 – Official Plan Land Use Designations and Related Policies**

13. Enhance the visual qualities of the City and protect the heritage resources and unique character of the urban environment.
14. Develop an appropriate framework to facilitate the full range of commercial uses consistent with the needs of the City's population and employment base and supportive of the City's transportation objectives.
15. Maintain and strengthen the role of the Central Business District (Downtown) as a major focal area for investment, employment and residential uses. The Central Business District (Downtown) will be a vibrant multiple function district and community focus of the City for commercial, recreational, entertainment, institutional, cultural and public service uses.
16. Ensure that an adequate supply and range of housing types and supporting amenities are provided to satisfy the needs of all residents.
17. Develop and maintain sufficient parks and open space facilities to meet the needs of all ages and socio-economic groups for active and passive recreation activities.
18. Provide the facilities to satisfy the social, health, educational and leisure needs of existing and future residents.
19. Promote informed public involvement and education in a user-friendly planning and development process.
20. Promote the sustainable use of natural resources and the effective management of wastes to ensure protection of the natural and built environment.
21. Recognize and sustainably manage the finite groundwater and surface water resources that are needed to support our existing and planned growth.
22. Plan and design an efficient and attractive urban landscape that reinforces and enhances Guelph's sense of place and image while acknowledging innovative design opportunities.
23. Utilize an interdisciplinary approach to planning whereby decisions are made with an understanding of the ecological, social, cultural and economic implications for any particular course of action.

### **General Development Objectives**

- a) To guide the direction, location, scale and timing of growth in order to ensure compact, orderly and sustainable development and to minimize the cost of municipal services and related infrastructure.
- b) To work towards achieving a moderate rate of population growth, which will represent an annual average population increase of 1.5 per cent of the total City population.
- c) To prohibit fringe development on private services (except on existing lots of record) within the City in order to avoid sprawl, premature municipal servicing and potential negative impacts on the City's water resources and *natural heritage features*.

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### Attachment 3 – Official Plan Land Use Designations and Related Policies

- d) To encourage development that is supportive of long term, community environmental sustainability.
- e) To promote the provision of community facilities that supports a high quality of life for persons living and working in Guelph.
- f) To maintain the unique style and character of the City recognizing the significant *cultural heritage resources* of the community.
- g) To outline urban design principles and guidelines to promote Guelph's unique character.
- h) To present the Municipality's general requirements respecting a barrier free environment for all of its inhabitants.
- i) To promote energy conservation and climate change protection measures.
- j) To outline policies to promote compatible and efficient development in the gradual transition of rural uses in the City to urban activities.
- k) To encourage mechanisms that will promote a distinct urban-rural boundary with our neighbouring municipalities.

#### 5.2 Flood Plains

Lands that are associated with rivers and creeks in the City may be subject to *flooding* conditions from time to time. This Plan outlines policies and mapping schedules that delineate/designate these lands that may be *hazardous* to life and property. Various *flood plain* planning techniques are used to provide this protection and to reflect existing development circumstances in the community. These techniques, for example, differentiate between parts of the City where past development has occurred within the *flood plain* area, and newer growth areas of the City where no *development* is permitted within a *flood plain* area.

The City uses three techniques for *flood plain* planning permitted by way of provisions of the "Provincial Policy Statement": One Zone, Two Zone and Special Policy Area concepts.

The One Zone area is used in those instances where the City wishes to prohibit *development* within the entire *flood plain* area. These areas are found around rivers and creeks in the outlying reaches of the community, where buildings/structures do not currently exist within the *flood plain*.

The Two Zone and Special Policy Area concepts are used in the older, established areas of the City where past development activities have occurred within the *flood plain* area. It is in these areas where some allowance is given to see existing development retained, and new *development* permitted if certain design criteria/standards are maintained to protect human life and minimize property damage during a flooding event.

#### Objectives

- a) To minimize conditions which may be hazardous to human life or may cause significant property damage due to flooding.
- b) To prevent the creation of new hazards caused by *development* within the *flood plains* in new growth areas of the City.
- c) To provide for *infill* and *redevelopment* in existing older, established areas of the City within the *flood plain* where flooding hazards will not be aggravated.

#### General Policies

- 5.2.1 The City has identified those areas of the community adjacent to rivers and creeks that are subject to *flooding* events from time to time. These areas, as defined by the Grand River Conservation Authority, are delineated on Schedule 2 by *regulatory floodlines*.

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## Attachment 3 – Official Plan Land Use Designations and Related Policies

- 5.2.2 *Development* within *flood plain* areas is regulated in accordance with Provincial *flood plain* management policies and the regulations of the Grand River Conservation Authority.
- 5.2.3 The One Zone *flood plain* areas of the City are located within the no *development* ‘Core Greenlands’ land use designation of subsection 7.13 of this Plan. In general location description terms, these *flood plains* comprise *floodway* areas and are delineated by the *regulatory floodlines* of Schedule 2. The following river and creek areas, as illustrated on Schedule 1A comprise the One Zone *flood plain* areas of Guelph: the upper reach of the Eramosa River (east of Victoria Road), the upper reach of the Speed River (east and west of Victoria Road), the lower reach of the Speed River (west of the Hanlon Expressway), Hadati, Clythe and Watson Creeks, Torrance Creek, Hanlon Creek, Ellis/Chillico Creek, Howitt Creek.
1. No *development* is permitted within the One Zone *flood plain* areas of the City.
  2. Lands within the One Zone *flood plain* may be used for:
    - a) Outdoor recreation, excluding buildings and structures;
    - b) Open space and conservation areas;
    - c) Wildlife sanctuaries; and
    - d) Nurseries and forestry.
  3. This Plan does not imply that One Zone *flood plain* lands are open to the general public or that such lands will be purchased by the City, or any other public agency.
- 5.2.4 *Development* in the Two Zone and Special Policy Area *flood plain* areas of the City are guided by the land use policies of subsection 7.14, Flood Plains (Two Zone and Special Policy Area). Generally, these *flood plain* areas are centred on the Speed and Eramosa Rivers in the older, established areas of the City.
- 5.2.5 The City and the Grand River Conservation Authority will give consideration to a program of structural improvements, as well as other *flood* control works, to reduce the risk of *flood* within the *flood plains* of Guelph.
- 5.2.6 Council shall maintain its “Peacetime Emergency Plan” to ensure a prompt response and the co-ordination of all required services in the event of a *flood* emergency.
- 5.2.7 The City will continue to co-operate with the Grand River Conservation Authority in the operation of the Grand River watershed flood warning system.
- 5.2.8 The *floodlines*, that delimit the *flood plains* of this Plan, may be revised by amendment to this Plan where more current mapping becomes available or where flood control or other works alter or eliminate the *flood* prone area.

### **Official Plan Amendment 39**

#### **2.4.5 Built-up Area and General Intensification**

To ensure development proceeds in accordance with the objectives of Section 2.4.2 and to achieve the Growth Plan *intensification targets*, significant portions of new residential and employment growth will be accommodated within the *built-up areas* through *intensification*.

The *built-up area* is identified on Schedule 1B of this Plan. The *built-up area* has been delineated in accordance with Section 2.2.3.5 of the Growth Plan and is based on the limits of the developed urban area as it existed on June 16, 2006. The *built up area* will remain fixed in time for the purpose of measuring the *density* and *intensification targets* of the Growth Plan and the Official Plan.

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## Attachment 3 – Official Plan Land Use Designations and Related Policies

2.4.5.1 Within the *built-up area* the following general intensification policies shall apply:

- a) By 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's *built-up area* as identified on Schedule 1B. Provision may be made for the fulfilment of this target sooner than 2015.
- b) The City will promote and facilitate *intensification* throughout the *built-up area*, and in particular within the *urban growth centre* (Downtown), the community mixed use nodes and the *intensification corridors* as identified on Schedule 1B "Growth Plan Elements".
- c) Vacant or underutilized lots, *greyfield*, and *brownfield sites* will be revitalized through the promotion of *infill development*, *redevelopment* and expansions or conversion of existing buildings.
- d) The City will plan and provide for a diverse and compatible mix of land uses, including residential and employment uses to support vibrant communities.
- e) A range and mix of housing will be planned, taking into account affordable housing needs and encouraging the creation of secondary suites throughout the *built-up area*.
- f) *Intensification* of areas will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas.
- g) The City will plan for high quality public open space with site design and urban design standards that create attractive and vibrant spaces.
- h) Development will support transit, walking, cycling for everyday activities.
- i) The City will identify the appropriate type and scale of development within *intensification areas* and facilitate *infill development* where appropriate.

### 2.4.6 Urban Growth Centre (Downtown Guelph)

The *Urban Growth Centre* is Downtown Guelph as identified on Schedule 1B. The precise boundary of the *Urban Growth Centre* will be clearly defined through a detailed secondary plan.

Downtown Guelph will continue to be a focal area for investment in office-related employment, commercial, recreational, cultural, entertainment, and institutional uses while attracting a significant share of the City's residential growth. The Downtown will be maintained and strengthened as the heart of the community and will be the preferred location for *major office* and institutional uses as well as major transit infrastructure including a major transit station.

2.4.6.1 Downtown Guelph will be planned and designed to:

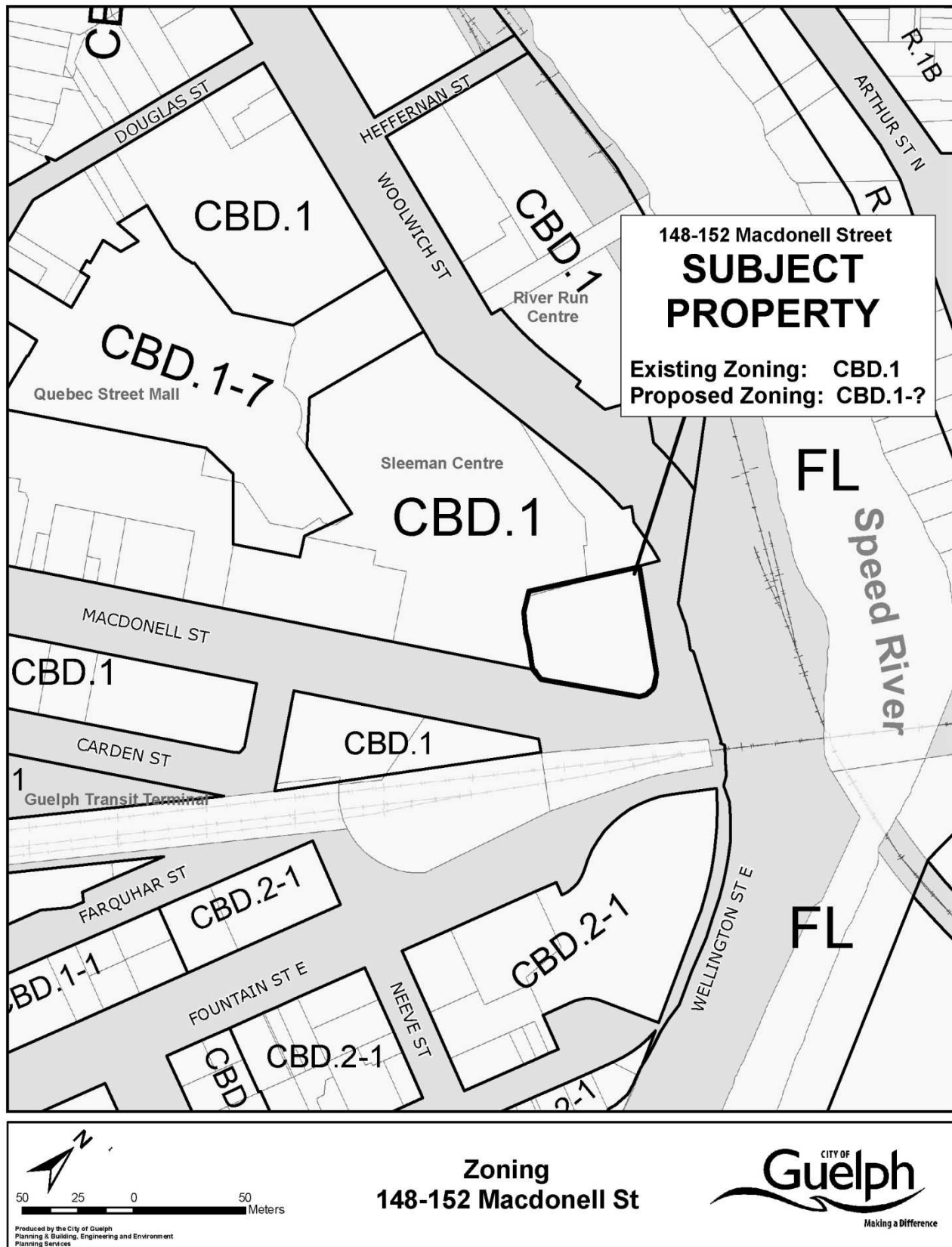
- a) achieve a minimum density target of 150 people and jobs combined per hectare by 2031, which is measured across the entire Downtown;

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### **Attachment 3 – Official Plan Land Use Designations and Related Policies**

- b) serve as a high density major *employment area* that will attract provincially and potentially nationally and internationally significant uses;
- c) provide for additional residential *development*, including *affordable housing, major offices*, commercial and appropriate institutional development in order to promote *live/work* opportunities and economic vitality in the Downtown;
- d) maintain, enhance and promote *cultural heritage resources*, the *natural heritage system*, unique streetscapes and landmarks within the Downtown;
- e) develop additional public *infrastructure* and services; public open space; and tourist, recreational, entertainment, and cultural facilities within the Downtown; and
- f) accommodate a major transit station and associated *multi modal* transportation facilities within the Downtown, which facilitates both inter and intra-city transit service.

## Attachment 4 – Existing and Proposed Zoning



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## Attachment 4 – Existing Zoning

### 6.3.1.1 Central Business District (CBD) 1 Zone

#### Permitted Uses

*Agricultural Produce Market*

*Amusement Arcade* in accordance with Defined Area Map 65

*Arena*

*Art Gallery*

*Artisan Studio*

*Auction Centre*

*Bakery*

*Bed and Breakfast* establishment in accordance with Section 4.27

*Catering Service*

*Club*

*Commercial School*

*Commercial Entertainment*

*Courier Service*

*Day Care Centre* in accordance with Section 4.26

*Dry Cleaning Outlet*

*Dwelling Units* with permitted commercial *Uses* in the same *Building* developed in accordance with Section 4.15.2

*Financial Establishment*

*Group Home* in accordance with Section 4.25

*Home Occupation* in accordance with Section 4.19

*Hotel*

*Laundry*

*Library*

*Lodging House Type 1* in accordance with Section 4.25

*Medical Office*

*Medical Clinic*

*Municipal Parkland*

*Museum*

*Office*

*Parking Facility*

*Personal Service Establishment*

*Postal Service*

*Print Shop*

*Public Hall*

*Recreation Centre*

*Religious Establishment*

*Rental Outlet*

*Repair Service*

*Restaurant*

*Restaurant (take-out)*

*Retail Establishment*

*School*

*Tavern*

*Taxi Establishment*

*Tourist Home*

*Tradesperson's Shop*

*Transportation Terminal*

*Accessory Uses* in accordance with Section 4.23

*Occasional Uses* in accordance with Section 4.21



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## Attachment 4 – Existing Zoning

### 6.3.2 REGULATIONS

Within the Central Business District (CBD) *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 6.3.2, and the following:

#### 6.3.2.1 Additional Regulations Governing *Dwelling Units* With Commercial Uses – CBD.1 Zone

In addition to the provisions of Section 4.15.2, the following shall also apply.

- 6.3.2.1.1 Where windows to *Habitable Rooms* do not open onto a public *Street* or publicly owned lands, a minimum distance of 6 metres shall be maintained between such window and the adjacent *Lot Line*.
- 6.3.2.1.2 One *Parking Space* per *Dwelling Unit* shall be provided except in that no off-*Street* parking shall be required for *Dwelling Units* constructed within *Buildings* which existed prior to June 7, 1971
- 6.3.2.1.3 *Dwelling Units* are not permitted in the *Cellar*, *Basement* or on the main floor level (i.e. in the first *Storey*).

#### 6.3.2.2 *Hotel* Regulations – CBD.1 Zone

In addition to the provisions of Section 4 and Table 6.3.2, the following shall also apply to *Hotels* in the CBD.1 Zone.

- 6.3.2.2.1 Where windows to *Habitable Rooms* do not open onto a public *Street* or publicly owned lands, a minimum distance of 6 metres must be maintained between such windows and the adjacent *Lot Line*.
- 6.3.2.2.2 Where rental units have direct access to a *Side Yard*, such *Side Yard* shall have a minimum width (measured at right angles to such access) of not less than 9 metres.
- 6.3.2.2.3 Where rental units have direct access to a *Rear Yard*, such *Rear Yard* shall have a minimum width (measured at right angles to such access) of not less than 9 metres and shall have a direct means of access to a public *Street*, such means of access having a minimum width of not less than 6 metres throughout its length.
- 6.3.2.2.4 Despite Section 4.13.4, the minimum off-*Street* parking ratio shall be one *Parking Space* per guest room.

#### 6.3.2.3 *Building Height* – CBD.1 Zone

In addition to the provisions of Sections 4.16 and 4.18, the following shall also apply:

- 6.3.2.3.1 No part of any *Building* or *Structure* constructed within 15 metres of the *Street* allowance for St. George's Square, Quebec Street, Wyndham Street, Wilson Street, Carden Street, Macdonell Street, Cork Street, Baker Street, Woolwich Street, Norfolk Street and the east side of Yarmouth Street shall be less than 3 *Storeys* in height, or exceed 5 *Storeys* in height above the elevation of the adjacent sidewalk. Refer to the Defined Area Map Number 67 for an illustration. Where Section 4.16 is in conflict with this section, Section 6.3.2.3.1 shall prevail.
- 6.3.2.3.2 No part of any *Building* or *Structure* constructed within 15 metres of the Douglas *Street* and the west side of the Yarmouth *Street* allowances shall be less than 2 *Storeys* in height, or exceed 3 *Storeys* in height above the elevation of the adjacent sidewalk. Refer

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## Attachment 4 – Existing Zoning

to Defined Area Map Number 67 for an illustration. Where Section 4.16 is in conflict with this section, Section 6.3.2.3.2 shall prevail.

### 6.3.2.4 Exterior Finishes Regulations – CBD.1 Zone

Despite the provisions of this or any other *By-law* for the *City* of Guelph, the following shall apply:

- 6.3.2.4.1 All visible walls of any *Building* within the Defined Area Map Number 64 shall be constructed of the transparent glass and coursed masonry and/or such materials which replicate coursed masonry as specified in Section 6.3.2.4.1.1:
- 6.3.2.4.1.1 Exterior facades – coursed masonry and/or materials which replicate coursed masonry (except plain, uncoloured concrete).
- Exterior facade trim – all of the material permitted for exterior facades as well as plain, uncoloured concrete elements, wood and metal.
- In addition, where a *Building* is located on the corner of any *Street* shown on Defined Area Map Number 64, the provisions of Section 6.3.2.4.1 shall apply to the *Building* wall or walls facing onto the crossing *Street*.
- 6.3.2.4.2 All windows of any *Building* existing within the CBD.1 Zone on the date of the passing of this *By-law*, or any predecessor thereof, shall be of transparent glass only.
- 6.3.2.4.3 No exterior walls of a *Building* constructed of natural stone within the CBD.1 Zone shall be defaced in any manner or covered, in whole or in part, with paint, stucco, metal, or other cladding material.
- 6.3.2.4.4 No window openings of any *Building* existing within the CBD.1 Zone on the date of the passing of this *By-law*, or any predecessor thereof, shall be closed up with any material except transparent glass.

### 12.3 REGULATIONS FOR LANDS WITHIN THE FLOOD FRINGE<sup>1</sup>

Despite Section 4.2, no lands which have a shading pattern indicating *Flood Fringe* on the Defined Area Maps shall be *Used* and no *Building* or *Structure* shall be erected, located or *Used* thereon except in accordance with the regulations prescribed in this *By-law* for the *Zone* in which such lands are located and the regulations prescribed below:

- 12.3.1 Restricted *Uses*
- 12.3.1.1 The following *Uses* shall not be permitted unless *Floodproofed* to the *Regulatory Flood* level:  
Elementary *Schools* (portable classrooms are not permitted)  
*Group Home*  
*Hotel*  
*Medical Treatment Facility*  
*Home for the Aged* or rest home  
Any other residential care and institutional facilities which provides accommodation.
- 12.3.1.2 Any *Use* requiring bulk storage of dangerous, flammable, explosive, toxic, corrosive or buoyant materials shall not be permitted on lands shaded on the Defined Area Maps.

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## Attachment 4 – Existing Zoning

- 12.3.1.3 The following *Uses* shall not be permitted in the *Flood Fringe*:  
ambulance service, fire department, and police department.
- Facilities existing at the time of the passing of this *By-law* will be permitted to expand or extend with the approval of the *City* of Guelph and the Grand River Conservation Authority.
- Major expansions to *Uses* existing at the time of the passing of this *Bylaw* will be required to meet the Provincial requirements for *Safe Access* and egress by emergency *Vehicles*.
- 12.3.2 Construction of *Parking Facilities*  
*Parking Facilities* shall be permitted subject to approval by the *City* and the Grand River Conservation Authority.
- 12.3.3 Regulations for Residential Construction
- 12.3.3.1 New *Development* and *Redevelopment* of *Buildings*, *Residential Infill*, and *Conversion* of Non-Residential *Buildings* or *Structures* to Residential Use New *Development* and *Redevelopment* of *Buildings*, *Residential Infill* and *Conversion* of non-residential *Buildings* or *Structures* to residential Use shall be permitted in accordance with the following regulations:
- 12.3.3.1.1 *Floodproofing*  
*Dry Passive Floodproofing* shall be required for the *Building* to the *Regulatory Flood* level.
- 12.3.3.1.2 Minimum *Habitable Floor Space* Elevation  
The *Habitable Floor Space* elevation of new *Dwelling Units* shall not be permitted below the *Regulatory Flood* level.
- 12.3.3.1.3 Location of *Building* Openings Windows, doors and other *Building* openings shall not be permitted below the *Regulatory Flood* level.
- 12.3.3.1.4 Location of *Building* Equipment Mechanical, electrical and heating equipment shall not be located below the *Regulatory Flood* level.
- 12.3.3.1.5 Access  
*Safe Access* shall be provided for all *Dwelling Units*.
- 12.3.3.2 *Renovation* of Existing Residential *Buildings* *Renovation* of existing residential *Buildings* will be permitted provided any new *Habitable Floor Space* is not lower than the elevation of the existing floor level and no new units are created below the *Regulatory Flood* level.
- 12.3.4 Regulations Governing Non-Residential Construction
- 12.3.4.1 New *Development* and *Redevelopment* of Non-Residential *Buildings* or *Structures* and *Conversion* of Existing Non-Residential *Buildings* or *Structures* to Commercial Use New *Development* and *Redevelopment* of new non-residential *Buildings* or *Structures* and *Conversion* of existing non-residential *Buildings* or *Structures* to commercial Use shall be permitted in accordance with the following regulations:

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## **Attachment 4 – Existing Zoning**

- 12.3.4.1.1     *Floodproofing*  
*Dry Floodproofing* shall be required for the *Building* or *Structure* to the *Regulatory Flood* level.

A certificate of approval from a Structural Engineer which indicates that the *Building* or *Structure* will maintain its structural integrity during a regional storm.

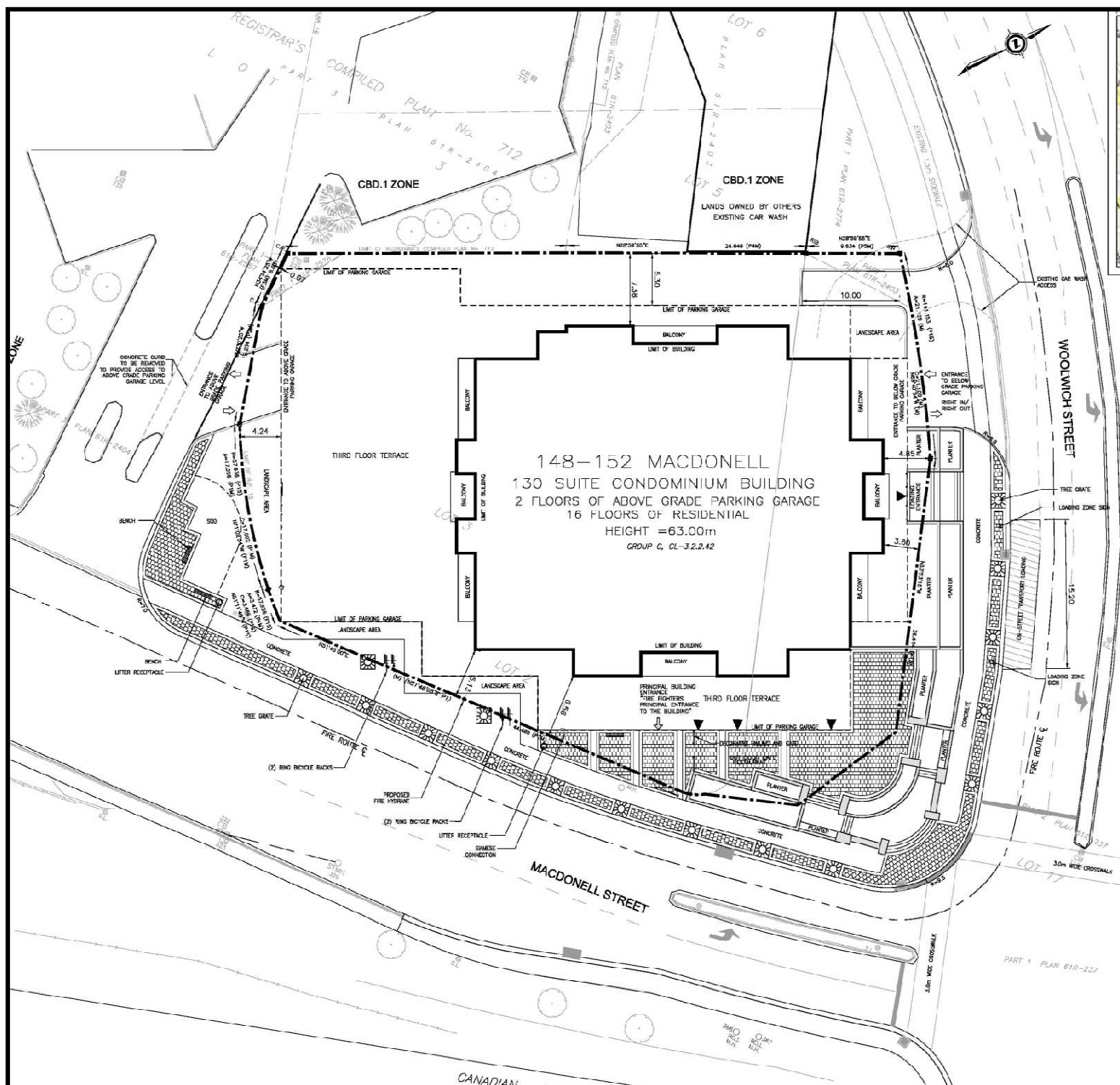
- 12.3.4.1.2     Location of *Building* Equipment  
Mechanical, electrical, and heating equipment shall not be located below the *Regulatory Flood* level.

- 12.3.5    Enforcement of Site Plan Control  
All *Development, Redevelopment, Conversion* and *Renovation* of *Buildings* or *Structures* shall be subject to the site plan control provisions of Section 41 of The Planning Act R.S.O 1990, Chapter P.13, or any successor thereof.

## Attachment 4 – Proposed Zoning

	Existing Zoning	Proposed Zoning
Regulation	Required in the Standard CBD.1 Zone	Requested in the Specialized CBD.1 Zone
Minimum Lot Area	--	--
Minimum Lot Frontage	--	--
Minimum Front Yard	The Street Line shall be the setback line	No change proposed
Minimum Exterior Side Yard	--	--
Minimum Side Yard	--	--
Minimum Rear Yard	--	--
Maximum Building Coverage (% of Lot Area)	100%	No change proposed
Maximum Building Height	6 storeys and in accordance with Section 6.3.2.3, 4.16 and 4.18	18 storeys in addition to specialized regulations relating to section 6.3.2.3 and 4.16 (see below)
Section 6.3.2.3	No part of any <i>Building</i> or <i>Structure</i> constructed within 15 metres of the <i>Street</i> allowance for Macdonell Street and Woolwich Street, shall be less than 3 <i>Storeys</i> in height, or exceed 5 <i>Storeys</i> in height above the elevation of the adjacent sidewalk.	Requesting that this section not be applicable to the subject site to allow the building to be 2 storeys in height for the podium portion of the building and 18 storeys in height for the tower portion of the building – both are within 15 m of the street allowance
Section 4.16	Requires that a 45 degree angular plane be provided from the centreline of both Macdonell Street and Woolwich Street	Requesting that the angular plane regulation in the Zoning By-law not be applicable to the subject site – the approximate angular plane is 73 degrees
Off-street Parking	No parking required for commercial floor area 1 parking space per dwelling unit required	--
Off-street Loading	--	--
Fences	--	--
Buffer Strips	--	--
Enclosed Operations	In accordance with Section 4.22	No change proposed
Accessory Buildings or Structures	--	--
Exterior Finishes Regulations	In accordance with Section 6.3.2.4 and Defined Area Map 64	No change proposed
Garbage, Refuse Storage and Composters	In accordance with Section 4.9	No change proposed

## Attachment 5 – Site Concept Plan & Elevations



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## Attachment 5 – Site Concept Plan & Elevations





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## Attachment 5 – Site Concept Plan & Elevations

**Intersection of Macdonell St & Woolwich St**



**Macdonell St Building Entrance**



**Woolwich St Building Entrance**





## Attachment 5 – Site Concept Plan & Elevations



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## **Attachment 6 - Staff Planning Analysis**

### ***Provincial Policy Statement and Places to Grow***

The Provincial Policy Statement (PPS) promotes efficient development and land use patterns that do not cause environmental or public health and safety concerns and promote cost-effective development standards to minimize land consumption and servicing costs [PPS 1.1.1 (a), (b), (c), (d), (g)]. The proposed amendments to permit the development of an 18-storey mixed use building with 130 dwelling units at 148-152 Macdonell Street promote efficient development and land use patterns, do not cause environmental or public health and safety concerns, promote cost-effective development standards, and the necessary infrastructure and public service facilities are available. Overall, the amendments promote a healthy, liveable and safe community.

The Provincial Policy Statement (PPS) refers to focusing growth within settlement areas with densities and a mix of land uses which efficiently use land and resources [PPS 1.1.3.2 a)]. In addition, the PPS indicates that Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs [PPS 1.1.3.3]. The proposed amendments allow development within the City's settlement area; increase the permitted density of this area and will allow efficient use of existing infrastructure. Further, they promote the redevelopment of a brownfield site.

The Provincial Policy Statement also indicates that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety [PPS 1.1.3.4]. Further, an appropriate range of housing types and densities should be provided [PPS 1.4.3]. The proposed amendments propose site specific policies and regulations which facilitate intensification, redevelopment and compact form as well as providing additional residential density in the Downtown area of the City.

The PPS also indicates that development and site alteration shall not be permitted on adjacent land to natural heritage features unless it has been demonstrated that there will be no negative impact on the natural features or their ecological function [PPS 2.1.6]. In addition, development shall be directed to areas outside of hazardous lands adjacent to a river system [PPS 3.1.1 (b)]. It has been demonstrated through a Scoped Environmental Impact Study that the proposed development of 148-152 Macdonell Street will not negatively impact any adjacent natural heritage features and that the building can be appropriately floodproofed to ensure that it will not be impacted by flooding.

Overall, the proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement.

The "Growth Plan for the Greater Golden Horseshoe" includes policies that direct a significant portion of growth to the built-up area of the community through intensification where the capacity exists to best accommodate the expected

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population and employment growth. More specifically, by the year 2015, a minimum of 40% of all residential development will be within the built-up area. Further, the development of compact, vibrant and complete communities with a diverse mix of land uses, and a range and mix of employment and housing types is encouraged. The promotion of transit-supportive densities and the optimal use of existing and new infrastructure to support growth in a compact, efficient form, is also encouraged by the Growth Plan.

The Growth Plan designates Downtown as an Urban Growth Centre and indicates that Urban Growth Centres should be recognized as a key focus for development to accommodate intensification. Further, the urban growth centre should be planned to accommodate a significant share of population and employment growth.

The proposed amendments allow for residential development within the City's Built-Up Area, and more specifically within the City's Urban Growth Centre. Further, the amendments promote intensification and introduce a mix of land uses to this site. The introduction of additional density on this site makes efficient use of existing infrastructure and supports public transit.

Overall, the proposed Official Plan and Zoning By-law Amendments conform to the Growth Plan for the Greater Golden Horseshoe.

### ***Conformity with the Official Plan***

#### Official Plan Amendment Criteria

Section 9.3 of the Official Plan indicates that any provision of the Official Plan may be amended pursuant to the requirements of the *Planning Act*. This section also provides direction for Council on matters that should be considered when an application to amend the Official Plan is being reviewed (see Attachment 3). The applicable criteria that need to be considered with respect to the proposed Official Plan Amendment are as follows:

- the conformity of the proposal to the goals and objectives of the plan;
- suitability of the site or area for the proposed use;
- compatibility of the proposed use with adjacent land use designations;
- the need for the proposed use, in light of projected population and employment targets;
- the impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the natural environment; and
- the financial implications of the proposed development.

The requested Official Plan Amendment to add in a site specific policy permitting a maximum residential density of 408 units per hectare for the subject site is in conformity with the goals and objectives of the plan.

In reviewing the Major Goals of the Official Plan (see Attachment 3), the proposed amendment:

- will assist in maintaining the quality of life, safety and stability of the community;
- assists in promoting a compact development pattern to avoid sprawl;
- facilitates development in an area where municipal services are readily available;

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- provides for urban growth in a manner that ensures the efficient use of public expenditures without excessive financial strain upon the City;
  - facilitates development in an established area of the City that is being done in a manner that is sympathetic and compatible with the built form of existing land uses;
  - promotes energy conservation and a sustainable community that is sensitive to the natural environment;
  - enhances the visual qualities of the City and protects existing heritage resources and unique character of the urban environment;
  - maintains and strengthens the role of the Central Business District;
  - assists in providing for an adequate supply and range of housing types and supporting amenities to satisfy the needs of all residents; and,
  - assists in enhancing an efficient and attractive urban landscape that reinforces and enhances Guelph's sense of place and image while acknowledging innovative design opportunities.

In reviewing the Objectives of the Official Plan (see Attachment 3), the proposed amendment:

- assists in building a compact, vibrant and complete community;
- assists in accommodating projected growth within the settlement area boundary and more specifically, within the built-up area where capacity exists to accommodate growth;
- provides for additional residential and employment land uses;
- supports a multi-modal transportation network by locating residential density within the urban growth centre in proximity to the transit terminal;
- supports the protection and/or conservation of water, energy, air quality and cultural heritage resources, as well as innovative approaches to waste management; and,
- supports transit, walking and cycling for everyday activities.

The recommended Amendment does not change the designation of the property or permitted uses and overall, conforms to the above goals and objectives of the Official Plan.

With respect to the other applicable criteria that need to be considered regarding the proposed Amendment, staff conclude that:

- The proposed site specific policy does not affect the compatibility with adjacent land use designations or change the suitability of this site or area for the proposed use. As previously indicated, the proposed uses for the site are not changing.
- The additional residential density will assist the City in reaching the projected population targets, particularly within the urban growth centre.
- Adequate services exist to accommodate the proposed mixed use building, including the increased residential density. Further, the

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proposed development will not negatively impact the natural environment.

- The financial implications of the proposed development have been carefully considered through the City's Brownfield Redevelopment Community Improvement Plan and Downtown Community Improvement Plan.

Overall, the proposed site specific policy provides an appropriate balance between permitting intensification and additional residential density within the Downtown area, as well as the redevelopment of a brownfield site, with the protection of the historic Downtown core and heritage buildings. The proposed Amendment satisfies the criteria outlined in Section 9.3 for an amendment to the Official Plan.

### Section 7.3 – Central Business District

The subject property is designated "Central Business District" (CBD) in the City's Official Plan. This designation permits many different land uses. The Zoning By-law Amendment which proposes changes to the height regulations for the site conforms to the CBD designation, as this designation does not limit the permitted height of development. Public views to Church of Our Lady are protected, however, the proposed development is not located within one of the protected public views.

The to accommodate the development proposal, by allowing changes to the height regulations for the site conforms to the "Central Business District" (CBD) designation of the Official Plan which applies to this property. The CBD designation With the exception of protecting public views to Church of Our Lady, the CBD designation does not limit the permitted height of development.

As outlined above, the proposed development is seeking permission for additional residential density on this site. The CBD designation permits a maximum residential density of 200 units per hectare and the proposed development is seeking approval for 408 units per hectare. As concluded above, the additional density satisfies the criteria outlined for an official plan amendment.

Additional policies within the Central Business District (CBD) designation promote the development of the CBD as a vibrant multiple use, multiple function district providing all types of land uses including residential and commercial uses. The CBD is to be a place for people to live, work and play, with protection of existing heritage resources, attractive streets and landmarks also being important [Policies 7.3 b), c), d) and e)]. The proposed mixed use building at 148-152 Macdonell Street is in keeping with these goals for the Downtown.

Policy 7.3.6 indicates that in order to maximize the number of people in the Downtown at all times and keep it economically viable, the City will encourage the expansion of the residential function of the CBD by:

- Encouraging the development and use of lands for mixed-use commercial/residential buildings; and,
- Encouraging new housing to locate in areas where municipal infrastructure is available and in proximity to residential amenities and open space.

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The proposed mixed use building for the subject site provides a mix of commercial and residential uses on the site and is located close to residential amenities and open space. Municipal infrastructure is available to service the building.

Overall, the proposed development conforms with the Central Business District designation in the City's Official Plan.

#### Section 7.13.5 – Non-core Greenlands Overlay & Floodplain

The proposed Amendments conform to the "Non-Core Greenlands Overlay" policies outlined in the Official Plan. These policies indicate that development that is consistent with the underlying land use designation may occur on lands associated with the Non-Core Greenlands overlay in instances where an environmental impact study has been completed and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions associated with the area. A scoped environmental impact study has been completed and accepted by City staff, the Environmental Advisory Committee (EAC), the River Systems Advisory Committee (RSAC) and the Grand River Conservation Authority (GRCA). The scoped environmental impact study concludes that no negative impacts will occur on the river or its ecological function in this instance.

The proposed development will also conform to the policies of Section 5, Development Constraints, and subsection 7.14, Flood Plains, of the Official Plan, as the northeast corner of this site is located within the flood fringe. Accordingly, the building must be floodproofed to the regulatory flood level as outlined by the GRCA.

#### Section 3.6 – Urban Design

Urban design seeks to create a safe, functional and attractive environment. The urban design policies in the City's Official Plan address the relationship between buildings, the spaces that surround them and the area's context.

As previously indicated, the City has retained a Peer Review Architect to assist in the review of the proposed development. The Peer Review Architect's report is included in Attachment 7 and focuses on both the architecture of the building as well as the urban design aspects of the development.

The Official Plan identifies Urban Design Objectives and General Policies that are applicable to the current development proposal:

- New buildings, landscapes and neighbourhoods should be designed to further assist in the conservation of the City's built heritage resources through complimentary design. Cultural heritage resources should be protected and enhanced. Design practices will be utilized that recognize and respect traditional urban patterns in the older parts of the City as well as heritage buildings, structures, landmarks, monuments, districts, and cultural landscapes.

Response: As a result of discussions through the peer review architect process, the proposed building will incorporate stone masonry for the podium portion of the building which will compliment many of the buildings found in the Downtown area. Further, it is also intended that the colour of the remainder of the building will also complement the existing buildings in the

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Downtown. The proposed placement of the building on the site respects the existing Downtown urban pattern of buildings being located close to the sidewalk while still respecting the view to Church of Our Lady.

- Develop an attractive, safe and functional network of open spaces by ensuring mutually supportive relationships between public and private open spaces, between the built forms that enclose them and with the links that connect them. Further, development should reinforce the historic character and improve the appearance, safety and function of urban streets by means of a comprehensively-designed street environment that provides amenities for its users.

Response: The public and private space which surrounds the proposed building is being designed as one space which appropriately connects the building to the street and intersection and will provide an enhanced streetscape connecting the historic Downtown core to John Galt Park and the river (see Attachment 5 – Site Concept Plan).

- Design space that is accessible to all, regardless of personal limitations.

Response: There is a significant grade change on this site with the grade dropping from west to east. The sidewalk slopes down as Macdonell Street slopes down toward the river. Accordingly, a landscape/streetscape plan has been developed which provides a smooth transition from the sidewalk to the building on the westerly portion of the site to ensure the development is accessible to all people.

- Preserve and enhance existing protected views and vistas of Guelph's built and natural features, identify potential new views and vistas and establish means to protect these from encroachments or discordant elements. This includes protecting existing views to Church of Our Lady.

Response: The proposed development respects protected public views to Church of Our Lady.

- Natural heritage features will be conserved and incorporated in the design and planning of the built environment where possible. In addition, design considerations will be given to mitigating negative impacts on those features.

Response: A Scoped Environmental Impact Study (EIS) has been completed and accepted by staff, the Environmental Advisory Committee (EAC) and the Grand River Conservation Authority (GRCA) which concludes that the proposed development will not have a negative impact on the river. EAC also recommended that measures to mitigate avian wildlife interference, particularly building strikes, be incorporated into the design of the building. These measures will be incorporated through the site plan approval process.

- Certain desirable locations for gateway features may be identified and may require distinctive urban design forms at these locations. Similarly, landmark locations may be identified. In general, 'signature buildings' will be required in



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corner locations or at the apex of T-intersections to serve as new neighbourhood/district landmarks.

Response: The subject property, being located at the intersection of Woolwich Street and Macdonell Street and at a gateway to the Downtown core is an appropriate site for a landmark or 'signature' building. The proposed development is providing a distinctive urban form which will mark one of the gateways to Downtown.

- The provision of a wide variety of housing types and forms in all neighbourhoods is promoted in order to create a visually stimulating building environment.

Response: The proposed development will provide apartment dwelling units in a taller building. This will introduce a new type of dwelling and built form to the immediate neighbourhood to assist in creating a visually stimulating building environment.

- Buildings should be oriented towards the street and have front facades with entrances and windows that respect the rhythm and frequency of the prevailing neighbourhood/district pattern. Extensive blank facades facing a street, open space or park should be avoided. Development should be designed in a manner that provides opportunities for informal surveillance of public spaces.

Response: The podium of the proposed building will have active facades facing both Macdonell Street and Woolwich Street. The base establishes a pedestrian-scale rhythm of entries, windows and articulated facades along both streets. Through the peer review architect process, the northerly elevation of the podium has also been modified to provide additional articulation along this façade in areas that will be visible from publicly accessible spaces. All four elevations of the tower of the building will have windows and balconies. The proposed building design will allow for informal surveillance to occur on surrounding public spaces.

- Physical planning that will reduce the need for and length of vehicular trips is promoted by: providing for a variety of land uses; providing for alternative forms of transportation; and, creating a compact development form.

Response: The proposed development is a mixed-use building in a compact built form which will provide more than one land use on the subject site. The development is also located in proximity to all of the amenities of Downtown including shopping, recreation, entertainment and the transit terminal providing the opportunity for people to walk, cycle or utilize transit to reach their destination rather than personal vehicles.

- Service areas associated with buildings should be screened when facing a publicly accessible space. Parking areas should be designed in a manner that contributes to an attractive streetscape by providing screening and landscaping.



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Response: The service and parking areas associated with this development will be located within the proposed building to ensure that these uses are accommodated while still contributing to an attractive streetscape.

It is also noted that the Official Plan outlines policies that are applicable to development adjacent to rivers and public open spaces (policy 3.6.18). Generally, these policies implement the City's River Systems Management Plan. The subject applications are reviewed in the context of the River Systems Management Plan in detail (see page 53).

Overall, the proposed development conforms to the Urban Design Objectives and General Policies of the Official Plan.

With respect to the general urban design review of the proposed development, staff have concentrated on a number of key issues including:

- Reducing the size of the floorplate;
- Creating a floorplate that is more square rather than rectangular;
- Creating a podium element which steps-back to the shaft or tower of the building;
- Ensuring that the building addresses both Macdonnell Street and Woolwich Street and expanding the amount of active uses on each façade.
- Ensuring that human-scaled materials, details and finishes are used on the podium of the building;
- Improving the intersection of Macdonnell Street and Woolwich Street for pedestrians; and,
- Creating a building profile that will positively contribute to Downtown and reducing the overall height of the mechanical penthouse.

Through ongoing discussions with the applicant, as well as the Peer Review Architect process, the above-noted key issues have been addressed. There are still some minor outstanding issues that will require additional changes to the building and which can be addressed through the site plan process. These include:

- The use of bird-friendly building materials;
- The final exterior building colours compliment Downtown Guelph;
- The landscape/streetscape details tie the building to the public streets and intersection;
- The changes recommended in the Peer Review Architect Report are incorporated into the final building design, including better resolution of the top of the building/mechanical penthouse design.

### ***Conformity with the Local Growth Management Strategy in Official Plan Amendment 39***

#### **Built-Up Area & General Intensification**

Official Plan Amendment (OPA) 39 aims to build a compact, vibrant and complete community by directing a significant amount of planned growth to locations within the built-up area. Intensification throughout the built-up area, and in particular within the Urban Growth Centre, will be promoted and facilitated by the City. Generally within the built-up area, vacant or underutilized lots, greyfields and

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brownfields will be revitalized through the promotion of infill development, redevelopment and expansions or conversions of existing buildings. By the year 2015 and each year after, a minimum of 40% of residential development will occur in the built-up area [section 2.4.5.1 (a), (b) and (c)]. The proposed development is located within the City's built-up area and the urban growth centre, and further, proposes to redevelop an existing brownfield site.

The City is planning for a diverse and compatible mix of land uses to support vibrant communities, and further, a range and mix of housing [section 2.4.5.1 (d) and (e)]. The proposed development provides a mix of land uses on the subject site, residential and commercial, and will assist in providing a range and mix of housing options in the City.

In addition, development should support transit, walking and cycling for everyday activities [section 2.4.5.1 (h)]. The subject site's location within the Downtown and in proximity to the City's multi-modal transit terminal, makes it ideal for supporting transit, walking and cycling for everyday activities.

OPA 39 also directs that the City will plan for high quality public open space with site design and urban design standards that create attractive and vibrant spaces. Further, infill development is to be facilitated where appropriate [section 2.4.5.1 (g) and (i)]. The development as allowed by the Amendments proposes high quality urban design and site design standards and assists in improving the existing streetscape and pedestrian realm in the immediate area. Further, it assists in providing a gateway to the Downtown area.

#### Urban Growth Centre

OPA 39 outlines that Downtown Guelph will be maintained and strengthened as the heart of the community and will continue to be a focal area for investment in office-related employment, commercial, recreational, cultural, entertainment, and institutional uses while attracting a significant share of the City's residential growth.

The Downtown is to be planned and designed to achieve a minimum density of 150 people and jobs combined per hectare by 2031, measured across the entire Downtown, and is to provide for additional residential development in order to promote live/work opportunities and economic vitality [section 2.4.6.1 (a) and (c)]. The development proposes a density of 222 person and 30 jobs for this site. This is equivalent to a density of approximately 787 persons and jobs per hectare. The density proposed by this development will assist in reaching the minimum density target of 150 people and jobs combined per hectare as measured across the entire Downtown. Staff are aware that many sites within the Downtown do not meet the minimum target and, further, it is unlikely that they will intensify significantly because of the heritage character of the existing buildings and areas. Therefore, additional density needs to be achieved on developable sites in appropriate locations in order to contribute to meeting the minimum target for the entire Downtown area.

OPA 39 also indicates that cultural heritage resources, the natural heritage system, unique streetscapes and landmarks within the Downtown will be maintained, enhanced and promoted [section 2.4.6.1 (d)]. The proposed development assists in maintaining existing cultural heritage resources and unique streetscapes by

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accommodating residential density in an area on the periphery of the historic core. Further, the development will enhance the streetscape and pedestrian realm in this location and will not have a negative impact on the natural heritage system.

The proposed Amendments for 148-152 Macdonell Street conform to Official Plan Amendment 39.

***Consideration of the Proposed Downtown Guelph Secondary Plan***

The Proposed Downtown Secondary Plan (DSP) is not currently in effect and is therefore not determinative in terms of staff's review of these applications. It is noted that the DSP proposes to incorporate contemporary urban planning and design principles. Staff has had regard for the emerging policies of the DSP and the following analysis provides further context for the applications.

The Vision and Principles proposed for the Downtown encourage a place where people live, work and play. Taller building heights are proposed around the periphery of the historic Downtown core where they can contribute positively to the Downtown while minimizing impacts to the historic core or surrounding neighbourhoods. Further, the Principles encourage new buildings to respect and complement the materials of surrounding historically significant buildings. The Principles also encourage the enhancement of the public realm throughout the Downtown area.

The proposed development that forms the basis for the requested Amendments to the Official Plan and Zoning By-law is in keeping with the Vision and Principles proposed for the Downtown. The mixed-use building will provide a place for people to live by providing 130 residential units. It will also provide a place for people to work and play with the commercial element on the ground floor. As is supported by the proposed DSP, a taller building height of 18 storeys is proposed in a location that will have minimal impacts on the historic Downtown core, the surrounding public realm or existing stable residential neighbourhoods. The podium or base of the building is proposed to be stone masonry in order to complement the materials of the historic Downtown core and the public realm surrounding the proposed building is being enhanced to create an aesthetically pleasing and pedestrian friendly streetscape along both Macdonell Street and Woolwich Street in proximity to the subject lands.

The proposed DSP also identifies that improvements are required to the intersection of Macdonell Street/Woolwich Street/Wellington Street/Elizabeth Street/Arthur Street to better accommodate pedestrian, cyclist, transit and vehicle mobility movements. As part of the proposed development and the associated works within the right-of-way, the northwest corner of Macdonell Street and Woolwich Street will be improved by decreasing the radius for vehicle movements, therefore increasing the space dedicated to pedestrians on this corner which improves the pedestrian crossings for this section of the intersection. The southwest corner of Macdonell Street and Wellington Street is also being improved to provide a more appropriate turning radius for buses and improving the pedestrian area, including the sidewalk, on the southerly side of Macdonell Street. These improvements will make it safer for both vehicular (bus) movements and pedestrian movements on this quadrant of the intersection.

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The Land Use and Built Form policies within the proposed DSP designate the subject property as 'Mixed Use 1'. The general Objectives of this section promote design excellence; encourage a wide range of land uses and built form; aim to concentrate higher density uses in proximity to the transit terminal; promote diverse neighbourhoods and a variety of housing forms; reinforce Macdonell Street as one of the main commercial streets; aim to ensure that built form contributes to attractive streetscapes and supports an inviting, comfortable, and active public realm; and aim to ensure that new development respects the historic core and surrounding neighbourhoods. The development proposed through the requested amendments is in keeping with the general Land Use and Built Form Objectives.

The DSP proposes General Built Form Policies which are applicable to the entire Downtown area as follows:

- Buildings should be oriented towards and have their main entrance on a street or open space;
- The visual impact of long buildings should be broken up with vertical recesses or other architectural articulation;
- Mechanical penthouses should be screened and integrated into the building design;
- Balconies should be recessed or integrated into the design of the building façade;
- Residential pick-up and drop-off areas should be located on secondary or local streets where possible;
- Buildings should be finished with high quality, enduring materials such as stone, brick or glass;
- The massing and articulation of buildings taller than 6 storeys shall moderate their perceived mass and shadow impacts, provide appropriate transitions to areas with lower permitted heights and contribute to a varied skyline in which Church of Our Lady is most prominent. Generally floorplates shall be 1200 square metres above the sixth storey and 1000 square metres above the eighth storey. The length to width ratio of the building should not exceed 1.5:1.

The building will be oriented toward both Macdonell Street and Woolwich Street with its main entrance facing Macdonell Street and an additional building entrance facing Woolwich Street.

The proposed podium for this building is considered to be a long building. Therefore, it has been broken up with columns (vertical elements), building recesses and other architectural articulation (windows and entrances) in order to reduce its visual impact.

The mechanical penthouse of the proposed building has been reduced in size and better integrated into the design of the building. The applicant is continuing to work with staff and the peer review architect that has been retained by the City to further refine the design of the mechanical penthouse and better integrate it with the remainder of the building. Through the site plan approval process, the detailed design of the mechanical penthouse will be finalized.

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Through the peer review architect process, the design of the balconies has been refined to ensure that they are better integrated into design of for all four sides of the building which has resulted in the location and spacing of the balconies assisting in fortifying the symmetrical elements of each façade (see Attachment 7 - Peer Review Architect Report).

A specific residential pick-up and drop-off area has not been identified for the proposed development. It is anticipated if residents are being picked up or dropped off that the East Parkade driveway area will be used as it will allow residents to use the main entrance to the building which faces Macdonell Street or alternatively, a secondary entrance to the building which is on the westerly elevation of the podium facing the East Parkade driveway. This location ensures that any pick-up or drop-off will not be located on either Macdonell Street or Woolwhich Street.

The material proposed for the podium portion of the building was one of the issues discussed with the applicant through the peer review architect process which has resulted in the podium portion of the building now being proposed to be finished with stone (see Attachment 7 - Peer Review Architect Report). The proposed DSP identifies stone as a high quality enduring material. The podium, and the materials it is finished with, will have the greatest impact on the public realm. The tower portion of the building is proposed to be finished with precast concrete panels which complement the stone with respect to colour.

With respect to the massing and articulation of the building, staff have worked with the applicant both prior to and after the submission of development applications to reduce the floor plate size of the tower portion of the building to ensure that the perceived mass and shadow impacts are minimized. Staff have also ensured that better articulation is incorporated, especially along the podium. Through the process, the floor plate size of the tower portion of the building has been reduced from 1820.9m<sup>2</sup> to 1285.5m<sup>2</sup>. The 17<sup>th</sup> and 18<sup>th</sup> floors of the building are further reduced to 1055.4m<sup>2</sup> and 932.2m<sup>2</sup> respectively. While the proposed floor plates are larger than those generally outlined in the proposed DSP, it is noted that the Implementation section of the proposed DSP contains policies which allow for flexibility in the implementation of the built form policies. The policy approach allows for well-designed buildings that respond appropriately to their site and its surroundings and permits flexibility where an applicant demonstrates to the City's satisfaction that alternative built form parameters meet the general intent of the policy. Through the peer review architect process, the articulation of the tower portion of the building, as well as the mechanical penthouse has been further refined to ensure that the perceived mass of the building is reduced and to assist in ensuring that the proposed building will be a positive contribution to a varied skyline and that Church of Our Lady will remain the most prominent. The length to width ratio of the tower is 1.2:1, which is less than 1.5:1 resulting in a more square tower, rather than a rectangular or slab-like building. In this instance, staff are satisfied that the proposed floor plate sizes meet the general intent of the policy.

The building proposed for the subject property generally conforms to the general Built Form policies proposed in the DSP.

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As indicated, the subject site is designated Mixed Use 1 in the proposed DSP. This designation permits a variety of uses, including the uses proposed for this development: multiple unit residential building and retail and services uses. The Mixed Use 1 designation also outlines additional built form policies which are applicable to the subject development as follows:

- Generally buildings should be built close to the front property line to help frame and animate the streets;
- Buildings taller than 4 storeys should generally have a 3 metre to 6 metre setback above the fourth storey;
- Buildings should generally reflect their urban context and should have detailed and well-articulated street level facades with high quality materials. Blank walls facing a street or public open space should be avoided;
- Generally entrances to non-residential uses should be flush with the sidewalk for ease of access and to maintain a strong relationship to the street.

The subject property is irregularly shaped, however, the podium of the proposed building has been located on the property to be built close to both Macdonell Street and Woolwich Street in order to help frame and animate both of these public streets.

With respect to stepbacks, the tower portion of the building begins at the third storey and now has stepbacks from the podium that are approximately 3 metres or greater on all four sides of the building. Previously, the easterly façade of the building did not have stepback for the entire façade. Through the peer review architect process, the podium has been modified so that a stepback is provided on all four sides (see Attachment 7 - Peer Review Architect Report).

As previously indicated, the podium of the building, which includes the street level facades of the building, is well-articulated and has high quality materials. The facades facing Macdonell Street and Woolwich Street are not blank and include glazing and building entrances.

The ground floor of the proposed building includes commercial floor area oriented toward the intersection of Macdonell Street and Woolwich Street. The policies outlined above encourage this entrance to be flush with the sidewalk for ease of access and to maintain a strong relationship to the street. In this instance, there is a significant grade change from west to east, with the sidewalk dropping off as Macdonell Street slopes down toward the river. Therefore, it is not possible for the entrance to the commercial area to be flush with the sidewalk in this instance. However, a landscape/streetscape plan has been developed which provides a flush access in the form of a hardscape area which will be convenient for pedestrians travelling from the historic core toward the river. In addition, through the peer review architect process, staff have developed a concept which allows the development to maintain a strong relationship and physical access to both Macdonell Street and Woolwich Street, as well as the intersection, through the use of stairs and tiered landscape levels. The landscape/streetscape plan that has been developed also satisfies the streetscape policies proposed in the DSP which indicate that all streets should have sidewalks and street trees, as well as lighting

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appropriate for pedestrians, cyclists and drivers. The staff concept has been incorporated into the applicant's concept for the site (see Attachment 5 – Site Concept Plan). The proposed Amendments and development generally conforms to the Mixed Use 1 designation in the proposed DSP.

Overall, the proposed Amendments generally conform to the proposed Downtown Secondary Plan (DSP).

***Consideration of the River Systems Management Plan (RSMP)***

The City's River Systems Advisory Committee (RSAC) has reviewed the development proposal. The purpose of RSAC is to provide advice and assistance to City staff and Council on issues that impact waterways and adjacent lands within the City. Part of the Committee's mandate is to provide recommendations to City Staff and Council with respect to monitoring, implementing and updating the River Systems Management Plan which was finalized in 1993.

On March 21, 2012 RSAC passed the following resolution:

*"THAT the following issues have been addressed to the satisfaction of the Committee:*

- *Built Form Disposition: Principle 18;*
- *Focus and Feature on the River: Objectives 9 and 11;*
- *Directional Lighting in the Parking Structure: Objective 7;*
- *That the commercial patio be relocated to the riverside;*

*AND THAT the River Systems Advisory Committee recommends reconsideration of:*

- *Massing – Principles 13, 14 and 15;*
- *Built Form Height and Angular Plane: Principle 16;*

*AND THAT the building height be reduced to consider a 40° angular plane applied to the riverside trail."*

RSAC indicated at their meeting that they had concerns with respect to the amount of the building mass being located in proximity to the river. They requested that the applicant provide additional information demonstrating what the angular plane was from the riverside trail to the closest point of the building. The applicant analysed the angular plane as requested by RSAC and determined that it was approximately 44.5 degrees. In order to address the comments from RSAC regarding the massing along Woolwich Street and angular plane from the riverside trail, modifications were proposed to the building stepbacks along Woolwich Street to provide a stepback from the podium to the tower along this entire façade and to modify the stepbacks of the upper storeys to decrease the angular plane from the riverside trail. The angular plane is now 42.5 degrees (see Attachment 8 - Riverside Trail Angular Plane Analysis). Staff feels that with the changes to the stepbacks, both from the podium to the tower, and in the upper storeys, the building meets the intent of the RSAC resolution.

The River Systems Management Plan (RSMP) is based on several principles including: public use and enjoyment of the corridors – walking, driving and playing along the river, seeing the rivers, etc; and, sensitive built form that respects, and indeed celebrates, the paramount importance of a riverside location. Several Goals

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and Objectives are set out in the Management Plan for the river system as a whole, as well as specific areas within the system.

Goal #1 outlines that an ambition of the RSMP is to enhance the ecological integrity of the rivers by enhancing base flow, water quality, aquatic habitat vegetation and wildlife habitat.

Response: As has been demonstrated through a Scoped Environmental Impact Study, the proposed development at 148-152 Macdonell Street will not impact the environmental integrity of the river systems.

Goal #2 is to provide a sense of continuity along the rivers and between the rivers and the City. To achieve this goal, the following objectives have been set out:

6. provide continuous public access along the Speed and Eramosa Rivers;
7. protect and enhance views to the Speed and Eramosa Rivers;
8. improve public open space in the corridors of the Speed and Eramosa Rivers
9. provide a series of destinations along the corridors of the Speed and Eramosa River

Response: The proposed development for 148-152 Macdonell Street does not impact public access or obstruct public views to the river. Through the development of the subject lands, the streetscape along Woolwich Street, John Galt Park and the Speed River will be improved with a well-articulated façade and the addition of street trees and hardscaping to create an improved pedestrian realm. Further, the proposed development will accommodate an outdoor patio which will wrap around the building and be adjacent to both Woolwich Street and Macdonell Street, creating a destination along the river corridor.

Goal #3 is to ensure that new development is compatible and sensitive to the character and qualities of the river corridor and Downtown Guelph. Appropriate fit occurs when the type of use, building height, mass, materials, siting are sensitive to the conditions of a particular street, neighbourhood and river edge. To achieve this goal, the following objectives have been set out:

10. match development and redevelopment with the special qualities of the river sector in which it is located
11. have redevelopment in the corridors of the river face, focus and feature the riverland setting
12. maintain the heritage features of the rivers and their contiguous buildings

Response: The proposed development intends to address both its Downtown Guelph setting by providing a mix of uses and additional residential density in a well-designed and well-articulated building, as well as its river corridor setting by ensuring that the easterly elevation of the building faces, focuses on and features the river setting. The detailed design of the easterly elevation will be further refined through the site plan process.



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Goal #4 identifies that the river corridors are the central spine of the city's open space system. They must accommodate a full range of uses and interests. The goal of the plan is to balance a variety of uses along the rivers. To do so, the following objective has been set out:

13. encourage a variety of uses along the corridors of the rivers

Response: The proposed development will provide residential and commercial uses along the river corridor. In proximity to the subject site, there are no residential or commercial uses on the westerly side of the river. Therefore, the proposed development will assist in increasing the variety of uses existing along this section of the river.

The RSMP also sets out a 'Master Plan' in order for the Goals and Objectives of the Management Plan to be realized. The Master Plan addresses general conditions and opportunities and is not intended to solve site specific problems. The purpose of the Master Plan is to illustrate the broad goals and objectives of the Management Plan. The Master Plan also seeks to establish appropriate connections, land use and built form relationships to the rivers. Adjacent buildings must not only respect the civic importance of their riverside location but also contribute to enhancing the character of long established neighbourhoods. The Master Plan identifies that the Downtown core of the city has tremendous potential for redevelopment along the river. Redevelopment on the west side of the river must respect the low density residential character of development on the opposite side. The proposed development respects the direction set out in the Master Plan portion of the RSMP. The proposed building has been designed to respect its riverside location, as well as address the public street that is not adjacent to the river. It contributes to the Downtown core and respects the low density residential character of development on the easterly side of the river by ensuring that there are minimal shadow impacts on the existing dwellings.

The applicable Design Principles from the Master Plan are:

Principle 12 – Streetscape Treatment

Principle 13 – General Concern for Urban Design

Principle 14 – Land Use

Principle 15 – Floor Space Index/Landscape Open Space

Principle 16 – Building Height/Build-To Lines

Principle 18 – Building Disposition

Principle 19 – Location of Parking and Services

Principle 12 outlines that the street is a fundamental public space in the city. The character of the public space of a street is defined by the buildings which line it. The building height, setback, use, articulation of facades and public amenity along the streets affect the character of the street. All streets adjacent to or providing links to the rivers should be planted with street trees, and some, such as Downtown streets, should have special streetscape treatment.

Response: As part of the proposed development the streetscape along both Woolwich Street and Macdonell Street will be enhanced. Street trees and other elements such as bike parking, will be installed and the areas on either side of the sidewalk will be hardscaped in

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recognition of the subject site's urban location. The podium of the building is proposed to be two storeys in height so that it is a pedestrian scale, and the tower portion of the building will be stepped back from the podium along both public streets. The podium will be well articulated and will have active uses facing both public streets.

Principle 13 outlines that the character and disposition of built form adjacent to the riverlands plays a critical role in the quality of the public open space. This principle suggests that built form should be controlled using Floor Space Index (FSI) rather than density (units per hectare). It also indicates that a Secondary Plan should be developed for the entire river system on a sector by sector basis in order to determine the appropriate FSI, angular planes and build-to lines for that specific area.

Response: To date, Secondary Plans have not been developed for each sector of the river system. A draft Secondary Plan has been prepared for the Downtown area, including the river. This plan proposes alternative built form policies to help shape development, such as stepback requirements and maximum floor plate sizes. The intent of the built form policies in the draft Downtown Secondary Plan is similar to the built form policies in the RSMP, however it does not establish FSI or angular plane policies. It is noted that in their resolution, RSAC suggested that a 40 degree angular plane be applied from the riverside trail and the building height should be limited by this angular plane. The applicant has reviewed the building stepbacks along Woolwich Street and modified the upper storeys so that the angular plane from the riverside trail to the nearest portion of the building is 42.5 degrees which staff feel meets the intent of RSAC's resolution. The angular plane was previously 44.5 degrees.

Principle 14 encourages a mix of land uses, other than industrial, along the river edge, however, no building which impinge their scale on the river corridor or neighbourhood, or which inhibit public access through to and along the river should be developed.

Response: The proposed development provides residential units in proximity to the river and the proposed building is of an appropriate scale given the width of Woolwich Street, the park as well as the width of the river in this location; it does not inhibit river access.

Principle 15 outlines that appropriate FSI requirements should be established for the various precincts of the City. Additional tools such as Build-To lines, Angular Planes, View Corridors can be implemented to address specific urban design ambitions. This principle also indicates that landscape open space requirements should be applied as a secondary requirement to the previously mentioned design controls.

Response: Specific FSI designations have not been developed for the various precincts of the City, however, the proposed building is an appropriate scale to compliment the park and the river in this

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setting as the proposed height and mass does not overpower the park or the river. As indicated above, the proposed building has had regard for the built form policies proposed in the Downtown Secondary Plan to ensure that the building addresses both its Downtown and riverside context.

Principle 16 outlines that building height should relate directly to the adjacent public street, river's edge or park as a primary condition of the character and amenity of the space. Angular planes allow height to be established on the basis of a desired relationship between building height and the width of the street or public open space. This rationale allows the amenities of the public open space – light, views and appropriate scale – to be considered and adjusted to suit the particular condition.

Response: In this instance, Woolwich Street and John Galt Park are located between the river and the proposed building. The combination of the width of the street, the park and the river at this location provides a wide open public space which can be appropriately framed by a building with a height and mass of the one proposed. As indicated above, if the angular plane was applied from the riverside trail to the closest point of the building, it would be approximately 42.5 degrees.

Principle 18 deals with how buildings are sited on larger riverside lots to minimize their impact on the river valleys. Views from these buildings should be up and down the valleys rather than directly onto them. The mass of the building should be arranged so that the larger or longer façade is perpendicular, rather than parallel to the river.

Response: In this instance, the proposed building is close to being square, however, the north and south elevations are slightly longer than the east and west elevations. Therefore, the building has been sited to minimize its impact on the river, with the longer façade being perpendicular to the river and the shorter façade being parallel to the river.

Principle 19 states that the use of lands abutting the river for parking or for the storage of garbage and other items should be avoided as this wastes opportunities for buildings to address the river, for “eyes” to be on the riverside trail, and to enliven the corridor with activity.

Response: The parking and the storage of garbage and other items associated with the proposed development is being located within the building to ensure that it is not adjacent to the river or a public street. Further, a building entrance and windows are proposed on the Woolwich Street façade of the building to enliven the park and corridor and provide casual surveillance of these areas.

As demonstrated in the analysis above, the proposed Amendments for the development at 148-152 Macdonell Street meet the goals, objectives and principles of the River Systems Management Plan. Detailed design matters will be addressed at the site plan stage.

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### ***Review of the Proposed Zoning and Specialized Regulations***

The recommended rezoning of the subject site to a Specialized CBD.1 (Central Business District) Zone is appropriate to accommodate the development of an 18 storey mixed use building with 130 residential units and 335m<sup>2</sup> of ground floor commercial floor area.

Specialized regulations relating to overall building height, building height within 15m of the street and angular plane requirements are proposed. The overall effect of the specialized regulations allows for the urban development of an 18-storey building which relates to the intersection of Macdonell Street and Woolwich Street. The building size, shape and layout reflect well established principles of good urban design and are generally in conformance with the Built Form policies outlined in the proposed Downtown Secondary Plan.

#### **Building Height**

The proposed building height of 18 storeys is appropriate in this instance. The Growth Plan for the Greater Golden Horseshoe identifies population targets for Guelph and for the Urban Growth Centre within Guelph. These growth targets have been adopted into the City's Official Plan through OPA 39. The density target for the Urban Growth Centre is 150 people and jobs per hectare. In order to achieve the density target, different types of buildings and residential units will have to be considered in the Urban Growth Centre to respond to market demand and this could include taller buildings, mid-rise buildings and townhouses in appropriate locations. The subject property is an appropriate site for additional height because it is on the periphery of the historic Downtown core; is at a topographically low point in the Downtown; and, is not immediately adjacent to a low density residential neighbourhood. Further, a taller building at this location will act as an anchor or gateway to the Downtown core.

Staff have worked with the applicant to reduce the mass of the building in order to reduce any impacts the additional height may have. The podium and tower configuration of the building, as well as the smaller floor plate for the tower have reduced the shadow impacts of the building and also assisted in removing the mass of the building off the public streets. Further, the articulation and materials proposed for the building have been improved. All of these changes have resulted in a more pedestrian friendly environment being created at the base of the building and the impacts of the additional height being reduced.

A shadow study has been submitted (see Attachment 9 - Shadow Study) which demonstrates that the proposed building will not have a negative impact on the surrounding area. The squarer design of the building also ensures that shadows will move quickly. In addition, the building has been designed with a podium and stepped-back tower and is appropriately oriented so that any wind impacts on the pedestrian realm are mitigated (see Attachment 10 - Architect's Wind Letter).

#### **Building Height within 15m of the Street & Angular Plane**

The intent of the regulation in the Zoning By-law which requires buildings to be a minimum of 3 storeys and a maximum of 5 storeys in height within 15 metres of the street is to ensure that any building located close to the street provides an appropriately scaled street wall – high enough to help enclose the street, yet does

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not overwhelm the pedestrian environment. Similarly, the angular plane setback requirement is intended to achieve an appropriately scaled street wall while maintaining views and allowing sunlight to reach the street. The recommended Zoning By-law amendment proposes to remove these requirements for the subject site because the building has been designed to generally conform to alternative built form policies, such as building stepbacks and floor plate limitations which have the same intent. As outlined above, the building has been designed with a podium and tower configuration. The two storey podium will be located close to the street, while the tower will be stepped back from the podium on all four sides (see Attachment 5 – Site Concept). This will allow for the building to enclose, but not overwhelm the street in this location. Condition 1a as seen on Attachment 2 requires that the site be developed generally in conformance with the site concept shown on Attachment 5.

### ***Density***

As previously outlined, the Growth Plan indicates that identified Urban Growth Centres in the Greater Golden Horseshoe should be recognized as a key focus for development to accommodate intensification and be planned to accommodate a significant share of population and employment growth. Accordingly, through OPA 39, Guelph's Downtown must be planned and designed to achieve a minimum density of 150 people and jobs combined per hectare, measured across the entire Downtown by 2031. The density proposed by the subject development will assist in reaching the minimum density target for the Downtown as it proposes a density of 222 person and 30 jobs for this site. This is equivalent to a density of approximately 787 persons and jobs per hectare. While the density proposed for this site is significantly higher than the targeted 150 people and jobs per hectare, staff are aware that many sites within the Downtown do not currently meet the minimum target and, further, that it is unlikely that they will intensify significantly because of the heritage character of many the existing buildings and areas. Therefore, additional density needs to be achieved on developable sites in appropriate locations to meet the minimum target for the entire Downtown area.

In addition, the site has been designed to adequately accommodate the proposed density and will function effectively and efficiently. All of the appropriate services and amenities for the site, including parking, waste removal, and amenity areas are being provided to accommodate the future residents and proposed density associated with this development.

Finally, as concluded earlier, the proposed density satisfies the criteria outlined for an official plan amendment in this instance.

### ***Site Layout & Building Design***

#### ***Ground Floor***

The podium of the building has been modified to better address both Macdonell Street and Woolwich Street. Along Macdonell Street the lobby of the residential portion of the building has been expanded to provide more active uses along this façade and reduce the amount of ground floor area that is dedicated to parking. Along Woolwich Street, the podium has been pulled out toward the street and a more prominent building entrance has been incorporated. In addition, the

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commercial floor area and the associated patio have been extended so that they 'turn the corner' and address Woolwich Street as well as Macdonell Street. Further, as indicated earlier, the building materials on the podium have been changed to stone masonry which is a more pedestrian or human scaled material appropriate for a street level façade.

The area between the building and the street has also been significantly modified to allow the development to better address the intersection and interact with the street. As previously discussed in the 'Consideration of the Proposed Downtown Secondary Plan' section of this report, a landscape/streetscape plan has been developed which provides for a smooth transition from the sidewalk to the building on the westerly side of the site, as well as a tiered landscape solution incorporating stairs, which allows the development to interact with the public streets and the intersection (see Attachment 5 – Site Concept Plan). In addition, a move-in/garbage pick-up area was previously proposed between the building and Woolwich Street. This has been removed from the plan, with the garbage pick-up area now being located on the northerly side of the building adjacent to the existing blank wall of the car wash. The removal of this element has allowed the building to better connect to and be accessible from Woolwich Street.

#### Building Height

Through the public process, the following specific concerns relating to the proposed building height have been raised:

- Would something more modest work?
- Preference for mid-rise?
- 12 storeys would be more appropriate as it is in accordance with the 1973 Zoning By-law requirement
- Wind – will the height create an unpleasant pedestrian experience?
- The height will have a negative impact on adjacent streets and properties
- Views to Church of Our Lady will be blocked
- The building will dominate the landscape
- Will the shadow impacts on John Galt Park be acceptable
- Will the shadow impacts on Arthur Street properties in December be acceptable

As outlined above, Staff have worked with the applicant to reduce the mass of the building in order to reduce any impacts the additional height may have on adjacent streets and properties. The podium and tower configuration of the building, as well as the smaller floor plate of the tower have reduced the shadow impacts of the building and also assisted in removing the mass of the building away from the public streets. Further, the articulation and materials proposed for the building have been modified to improve the aesthetics of the building. All of these changes have resulted in a more pedestrian friendly environment being created at the base of the building and the impacts of the additional height being reduced.

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A shadow study has been submitted (see Attachment 9 - Shadow Study) which demonstrates that the proposed building will not have a negative impact on the surrounding area, including Arthur Street properties in December and John Galt Park. Because the floor plate of the tower portion of the building has been reduced, the shadows that are cast are narrow and move quickly. With respect to Arthur Street, no property will experience shadow for more than 1 hour in the afternoon on December 21<sup>st</sup>. With respect to John Galt Park, small portions of the park will be shadowed in the spring and fall, but no one area of the park will experience shadow for more than approximately 1-2 hours at a time.

The applicant has provided a letter from an architect outlining how wind impacts from the proposed building are mitigated (see Attachment 10 - Architect's Wind Letter). The proposed building has been designed with a podium and tower configuration and is appropriately oriented so that any wind impacts on the pedestrian realm are mitigated. The podium will deflect down washed wind from the tower from the public pedestrian realm at grade. The proposed landscaping and canopies at the ground floor level will also provide further mitigation for any wind impacts. It is anticipated that any wind impacts will be mitigated to an acceptable level.

The proposed building will not block any of the protected public views to Church of Our Lady. The City's Zoning By-law identifies protected view areas on Defined Area Map 63. The protected public view corridors have also been identified in the proposed Downtown Secondary Plan. No portion of the subject site is located within a protected view area. While it's not specifically identified as protected view corridor, the width of the Macdonell Street right-of-way acts as a view corridor directly to Church of Our Lady and the proposed building is located outside of the right-of-way.

The proposed building will be visible from many different areas in the City. However, it is unlikely that it will dominate the landscape, particularly in the long-term. The articulation and the design of the building have been modified to aesthetically improve the building in order to add visual interest to the landscape and skyline. As the density of the City increases, it is anticipated that a variety of built forms, including taller buildings will form part of the landscape.

#### Mechanical Penthouse

The mechanical penthouse has been reduced in size and height. Previously the mechanical penthouse was 630.8m<sup>2</sup> and the current design shows that the floor area of the mechanical penthouse is 453.4m<sup>2</sup>. The height of the mechanical penthouse has also been reduced by approximately 1.0m. Further, the applicant has been working with the staff and the peer review architect that was retained by the City for this project, to better incorporate the mechanical penthouse into the design of the building (see Attachment 5 – Site Concept Plan & Elevations).

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#### Location of Tower on the Podium

The tower portion of the building has been located near the intersection of Woolwich Street and Macdonell Street in keeping with recent direction provided through the proposed Downtown Secondary Plan. As indicated above, the Downtown Secondary Plan proposes new built form policies such as stepback requirements rather than angular plane requirements. The proposed tower location also places the tower farthest away from adjacent properties which assists in reducing any impacts the additional height may have. Further, as indicated above, the tower will not have a negative impact on Woolwich Street, John Galt Park or the Speed River as has been demonstrated by the Shadow Study and the angular plane analysis completed for the riverside trail. Finally, the proposed location of the tower also allows for “eyes on the street” or casual surveillance of the public streets, the park and the riverside trail.

#### Garbage/recycling

Garbage and recycling is being handled within the building and a pick-up area has been provided on the northerly side of the building. The intent is that waste and recycling will be stored within the building at all times except for immediately before it is to be picked up. At this time it will be transferred to the pick-up area and then taken back inside moments after the pick-up is complete.

The City’s Waste Collection By-law requires that the three-stream waste collection system be accommodated in the building (at the source). In accordance with the by-law, a waste management plan must be prepared and submitted to Solid Waste for their approval. See Attachment 2, condition 4 which requires waste from this development to be dealt with in accordance with the Waste Collection By-law. The details of waste sorting and collection will be further defined through the site plan process.

#### Amount of Green Space

The subject property is located within the City’s Downtown and the zoning for this area allows for 100% building coverage and 0m setbacks. This would typically result in no green space being provided as part of a private development. In this instance, roof top amenity spaces are being provided for the use of residents of the building and this equals 32% of the site. In addition, at-grade landscaped areas are being provided. Some sections will be softscaped and other areas will be hardscaped areas reflecting that this is an urban development. As identified in the proposed Downtown Secondary Plan, it is the City’s intent to provide public green space and parks for high density residential development in the Downtown.

At the public meeting, council requested that the applicant look into accommodating a community garden on-site. The opportunity to include a community garden for the residents of this building is being considered for the rooftop amenity space and could be accommodated in a location that would take advantage of southern sun exposure.



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### Graffiti

The building has been designed to have active views on all four sides to reduce opportunities for graffiti to occur. The landscaped areas have increased plant material in areas where the parking structure is at grade in order to reduce the ability to get close to the building. At-grade lighting will be provided to ensure the building is appropriately lit, which will reduce opportunities for graffiti to occur. The applicant has also indicated that a building manager will be on-site daily to address any issues, including graffiti.

### ***Community Energy Initiative Considerations***

The applicant has submitted information outlining some additional energy efficiency initiatives that are proposed in association with the construction of the proposed building (see Attachment 11). Condition 2 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.

### District Energy Ready

The developer is involved in discussions with Guelph Hydro regarding District Energy and it would be their preference to incorporate district energy in the building. Both Guelph Hydro and the developer are completing conceptual design and feasibility work to determine if district energy can be provided for this development now and in the future. The building has been designed to be district energy ready.

### Use of Non-potable Water

Staff have discussed the possibility of adding a wastewater reuse distribution system in the building at 148-152 Macdonell Street with the applicant. The wastewater reuse system would connect to a future municipally-owned reuse distribution or “purple pipe” system that would take treated effluent from the City’s wastewater treatment plant and make it available for non-potable uses. The purpose of the purple pipe system would be to contribute to meeting the City’s water conservation targets through the use of non-potable water for toilet flushing, irrigation and heating/cooling systems.

The applicant has indicated that they have been in discussions with Guelph Hydro regarding a potential connection to a future Downtown District Energy plant. The applicant is currently planning to construct the building’s heating and cooling system as District Energy-ready. This connection to the District Energy system would offset any need for non-potable water as a feed for the building’s heating and cooling system. Furthermore, the implementation timing and rate structure for a future purple pipe system and future requirements under the Ontario Building Code are unknown; therefore, the addition of piping internal to the building for a future purple pipe connection is neither feasible nor warranted.

### Heat Loss relating to Concrete Slabs

The applicant has provided additional information regarding the design of the building, particularly how the development implements energy-efficient building technologies and efficient construction techniques in order to reduce cooling, heating and lighting requirements in the building.

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With respect to potential heat loss relating to the concrete slabs that create each floor of the building, the balconies are independent forms which do not have a continuous slab. This creates a thermal break at the exterior of the building which does not transfer heat into or out of the building by way of the concrete slabs. Thus, the demand for heating and cooling is not increased due to the concrete slabs.

### ***Issues related to the Draft Downtown Secondary Plan (DSP)***

#### Timing of DSP and Decisions for the Subject Applications

The DSP is scheduled to be considered by Council for adoption on April 30, 2012 prior to Council considering the subject development applications.

#### Cumulative Effects of Additional Density proposed through DSP

The cumulative effects of the additional density proposed through the DSP have been looked at through that process, particularly with respect to traffic, servicing and parkland/open space requirements. As development proceeds for specific sites, the effects of it will be looked at in detail to determine if further upgrades are required.

#### "Wall" of Towers along the River

The intent of the DSP is to not have a wall of towers along the river. The built form policies proposed in the DSP limit floor plate sizes and the length to width ratio of buildings intending to discourage "slab" buildings along the river that would create that wall. Further, the DSP proposes strategic locations for height, as well as a variety of heights along the river. In addition, there are minimum separation distances proposed between taller buildings on large sites such as 5 Arthur Street.

#### Interaction with Adjacent Properties

It is not anticipated that the redevelopment of the subject parcel will preclude the future redevelopment of the car wash site or the East Parkade lands. However, it is not currently the City's intent to redevelop the East Parkade in the near future and the proposed DSP proposes that it remain a parkade for the current planning horizon (until 2031). The articulation proposed for the west, south and east facades of the building has been pulled around the northwest corner of the building to better address the East Parkade lands. Similarly, the more detailed articulation has also been pulled around the northeast corner of the building to better address the car wash site.

With respect to Priory Square, a landscape solution is proposed to assist in providing the transition from the proposed building to this public open space which is located across the driveway to the East Parkade. The landscape solution will assist in making the area between the proposed building and the Co-operators building become a more united public open space.

#### Traffic

As noted in Report #12-21 dated March 5, 2012 from Planning & Building, Engineering and Environment, the developer has submitted a Traffic Impact Study in support of this application. The study was carried out within the framework provided City staff consistent with the overall traffic analysis for the redevelopment of the entire Downtown as envisaged by the Downtown Secondary Plan. Staff are satisfied with the Traffic Impact Study for this development which also took into

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account potential future developments at 150 Wellington Street and 5 Arthur Street. No road widening is required to accommodate these developments. However, as part of the road reconstruction to accommodate municipal servicing on Woolwich Street, Wellington Street and Macdonell Street, improvements to the existing Macdonell/Wellington-Woolwich intersection will be undertaken.

### ***Emergency Response Capabilities***

Planning staff have had further discussions with Emergency Services staff regarding the proposed development. Emergency Services staff advise that current firefighting procedures used in high-rise buildings combined with building system performance and fire escape planning enhances occupant safety. There are currently many high-rise structures in Guelph which are beyond the reach of conventional aerial devices. Accordingly, rescue from high-rise buildings are more commonly approached with fire evacuation planning. Alarm systems provide early warning and communication systems used by firefighting staff instruct occupants on safe egress. These procedures coupled with good emergency access to the property, building system performance and water supply provides occupants with a safe dwelling place. Generally, Emergency Services staff respect the effectiveness of Fire Prevention regulations and the Ontario Building Code to protect the safety of residents of taller buildings.

### ***Evaluation of the Preliminary Noise and Vibration Analysis***

The preliminary Noise and Vibration Analysis (dated September 30, 2011) and follow-up letter (dated February 15, 2012) that were submitted by the applicant make recommendations with respect to stationary noise sources located on surrounding properties that need to be addressed in order for the Ministry of Environment (MOE) sound level criteria to be met for the proposed development. Generally, the recommendations include:

- modifications to or replacement of the vacuum cleaner and blowers/dryers at the car wash site, as well as sound-absorptive panels being added to the interior of the car wash building;
- potential modifications or enclosure of the emergency diesel generator located at the Co-operators building;
- modifications to the air-handling (HVAC) units and dehumidifier at the Sleeman Centre

In order to implement the recommendations in the Noise and Vibration Analysis, discussion and agreement is required from the adjacent property owners. Accordingly, condition #3 of approval has been incorporated into Attachment 2 which requires that prior to site plan approval, the applicant provide written confirmation for the affected property owners that the recommendations in the Noise and Vibration Analysis and letter can and will be implemented or alternatively that a revised Noise Report be completed and the recommendations implemented.

### ***Proximity to Transit Terminal***

The proximity to transit and to the new transit terminal is a unique feature for the proposed development. The building has been designed so that the residential units start at the 3<sup>rd</sup> floor thus being above at-grade street noises. A noise study has been completed which indicates that there will not be an unacceptable impact

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on the residential units as a result of buses or trains. The proximity to the transit terminal will give residents of the building choices with respect to the mode of transportation they use and, therefore, they can be less dependent on automobile trips. Overall, locating near the transit terminal is an asset for the proposed development and living Downtown.

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**Attachment 7 – Peer Review Architect Report from Ralph Giannone**

ARCHITECTURAL PEER REVIEW REPORT  
148 – 152 MACDONNELL STREET  
GUELPH, ONTARIO

Prepared for: City of Guelph

Giannone Petricone Associates Inc. Architects  
April 4, 2012

**Giannone Petricone Associates**

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## **Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)**

**Giannone Petricone Associates**

**Giannone Petricone Associates Inc. Architects  
Peer Review Report – 148-152 MacDonnell Street, Guelph, ON  
First Review: March 5, 2012**

The firm of Giannone Petricone Associates was asked by the City of Guelph to provide services in the form of Peer Review Architect for a new mixed-use residential condominium building located at 148-152 MacDonnell Street, Guelph, Ontario.

In initial discussions with planning staff it was understood that the site was of utmost importance to the future development of downtown Guelph, both in terms of its proximity to downtown as well as being seen as a positive catalyst for future development in the downtown area.

It was further understood that much discussion had taken place with the applicant, the Tricor Group, and as a result a much improved proposal was prepared. Our firm was then retained to act as a Peer Review for this proposal.

The following documents have been provided for our review:

1. City of Guelph Council Report dated November 7, 2011
2. Urban Design Brief prepared by Stantec Consulting Ltd. dated February 2012 and stamped received by City of Guelph on February 8, 2012
3. Planning Justification Report for 148-152 MacDonnell Street, Guelph, Ontario dated February 2012 and stamped received by City of Guelph on February 21, 2012.

These background documents were reviewed by myself and along with background discussions and clarifications became the basis for the urban design peer review. Further to this, in the first meeting with staff, further clarification of zoning and urban design principles were provided in order to assess this application.

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## Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)

Giannone Petricone Associates Inc. Architects  
Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

First Review: March 5, 2012

The following documents were provided to the City by the applicant for review. These comprised drawings and renderings for initial peer review and are dated February 13, 2012 and stamped received by City of Guelph on February 17, 2012.

Architectural Drawings: A100-A103; A203-204; A216-A219; A401-A404; L400; SP1; L-430; S1.1-S1.11; S2.0-S2.8; S3.0-S3.1; proposed 3<sup>rd</sup> floor amenity drawing sketch; series of coloured 3-dimensional renderings and 2-dimensional elevations.

### First Review

A meeting was held with City of Guelph staff on March 5, 2012. As stated above, this meeting allowed for a discussion of the regulatory background documents in relation to this application as well as a discussion around the changes and progress that the applicant had made prior to this first review. As well, many questions of clarification were dealt with during our meeting. Most importantly a site walk with staff provided clear understanding of the surrounding context's specific grade issues. It was agreed that this site is very prominent and an important entry point to downtown Guelph. It must be stated that the documentation provided by both City staff and the applicant was very thorough and comprehensive. Further to this the applicant, his staff and his consultants provided much assistance in understanding the resultant design.

The building is understood to be an 18-storey mixed-use residential, commercial building located at the intersection of MacDonnell and Woolwich Streets in Guelph, Ontario. The building comprises a 16-storey residential tower sitting on a 2 - 2.5 storey podium which holds residential lobby/amenity, a retail commercial component and a below and above grade parking structure.

The following commentary results from review of all particular documents provided (listed above) and as a result of discussion with staff, applicant and a thorough site visit.

-2-

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## **Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)**

Giannone Petricone Associates Inc. Architects

Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

First Review: March 5, 2012

### **1. Grade Relationships**

1.1 The grade related experience is tantamount to the success of the building's relationship to downtown Guelph. Much discussion was had regarding both reducing the enclosing façade of the parking structure especially along MacDonnell Street. This included the addition of active uses such as more amenity space along the frontage and the reduction of the parking at grade. As well, enhanced landscaping would assist in mitigating the presence of the parking structure. It was appreciated that the parking structure was clad in the same material and articulated as the rest of the podium.

1.2 The site has significant grading issues and will require very careful design solution to mitigate the existing grades with the new building. This was very evident at the corner intersection. Much work was needed to improve the "public" experience at the intersection of MacDonnell and Woolwich Streets. An improved landscape solution was requested that would result in a proper public/private relationship at this important corner. As well, the public pedestrian sidewalk experience along Woolwich and MacDonnell needed to be improved both in terms of width as well as in terms of the perception of the eventual built form of the proposed building and its street-fronting relationships of building corners and retaining walls.

### **2. Functional Servicing**

2.1 The applicant was asked to readdress the garbage and loading relationship which results in an unacceptable loading area along the Woolwich frontage. A suggestion was made to shift the loading area to the north side of the building. As well, it was felt that the design should better reduce impact of functional servicing on the public realm. This would require minimizing impact of garage entries, turning radii and fire exits.

### **3. Building Design**

3.1 Massing: It was understood that much effort was made regarding the building massing prior to this submission. This work revolved around minimizing the footprint (floorplate) size of the point tower. It is our opinion that the general

-3-



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## Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)

Giannone Petricone Associates Inc. Architects

Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

First Review: March 5, 2012

approval of point towers and base strategy was well executed. The size of the building shaft was mitigated by the vertical articulation of the building resulting in a more slender proportion.

The proportion of base to tower was also well executed with the base being properly scaled to the context of downtown Guelph.

Concern was raised with regard to the top of the building. The penthouse and mechanical spaces resulted in an overcomplicated and over scaled building mass at the top of the building. This was evident in the distant view renderings of the building. Provided by the applicant as well, some work needed to be done in relation to the maximum height of the building with respect to the height of the historic church.

- 3.2 Building Architectural Articulation: Much attention was given to comments on the pedestrian level experience. As mentioned earlier in this report, the ambition is to create as much activity as possible at grade. To that end, the request was made to extend the lobby amenity space along MacDonnell as much as possible. One additional bay was discussed which would reduce the parking at grade and extend the lobby along MacDonnell. As well the landscaping should be such as to create a positive flow from the sidewalk to the building at grade functions - whether building entrance or retail uses. The ambition is to create much more interaction between exterior and interior uses which will enliven the streetscape experience - by day and night.

It was felt that the materiality at grade be more “humane” in scale. The request was to incorporate stone masonry in more than just piers and to reduce the large expanses of precast concrete at the base.

Along with the discussion of materiality at the base, the request was made to see samples of the exterior materials to best understand both their colour and texture.

-4-

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## **Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)**

Giannone Petricone Associates Inc. Architects  
Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

First Review: March 5, 2012

The general approach of a strong vertical architectural expression was appreciated. This was particularly successful on the east and west facades. Small changes were requested at the balcony edges to replace freestanding columns with engaged piers at the building face. It was felt that this would create a stronger, simpler silhouette for these two facades.

Concern was raised with the south and north facades. It was felt that these two facades created disharmony with the more successful east and west sides, which were symmetrical in nature. It was understood that the attempt was to create an asymmetrical composition. This however was felt to be too timid.

It was requested of the applicant to reconsider this approach. As well, the offset balcony edges on the east and west facades though understood given the structural system, required rethinking.

Again, as discussed earlier, the mechanical penthouse required reconsideration. The proposal presented a very large, over-scaled mass at the top of the building. Once again the applicant offered to reconsider this element.

All in all it is our opinion that the general direction of the building design is positive and it was felt that the design was moving in a positive direction.

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## Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)

**Giannone Petricone Associates**

**Giannone Petricone Associates Inc. Architects**  
**Peer Review Report – 148-152 MacDonnell Street, Guelph, ON**  
**Second Review: March 26, 2012**

### **Second Review**

It was acknowledged that the applicant made significant attempts to incorporate many of the comments raised in the initial first review.

The garbage/loading area had been shifted away from the front of the east façade to an area between the north wall and the existing car wash. This is seen as a positive resolution. A request was made to coordinate curb cuts and radii at the intersection with respect to the existing condition along Woolwich Street.

A new landscape sketch was presented by staff during the meeting which was felt to be a successful improvement to the MacDonnell/Woolwich intersection. The concept which also attempts to tighten the existing corner radii creates an elegant balance of steps and planters that together create a harmonious resolution for both pedestrians and the eventual restaurant/café patio.

The applicant presented a series of perspectival renderings along with rendered elevations which represented many of the requests made during initial first review.

Most successful was the enlargement of the lobby to reduce the extent of parking structure at grade. A discussion was had regarding the remaining two bays of parking along MacDonnell. A suggestion was to have these two bays' façade run parallel to MacDonnell with a small setback of landscaping. The applicant was concerned with the potential loss of parking and complexity it may cause but offered to consider the request.

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## **Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)**

Giannone Petricone Associates Inc. Architects

Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

Second Review: March 26, 2012

Again, much attention was paid to the base articulation. It is my opinion that the base should be of a stone masonry, much like many buildings found in downtown Guelph. The precast, though meant to tie in with the rest of the building did not offer that intimate “humane” scale that was needed along the streetscape.

As well, it was felt that the fixed canopies were in conflict with the “ordered” base and that they should only be placed above the residential entry. It was felt that the restaurant/café would not prefer them and would rather incorporate fabric awning structures, whether fixed or preferably retractable.

The north and west base podium elevations seem stark and/or unfinished. It was requested that given the potential exposure that these facades will have to the public realm that they incorporate similar detailing as is done on the other facades.

A request was made to remove the recessed area at the base of the east elevation which originally incorporated the garbage access. The intent was to allow the base to come out to align with either side of this recess and present a more street related relationship.

Two major areas identified in the first review resulted in further discussion. These areas were the north and south tower elevations and the mechanical penthouse articulation.

The prior request to look at the north and south elevation revolved around the notion of symmetry versus asymmetry approaches. The applicant chose to attempt an asymmetrical approach. The result proposes a strong vertical element in a contrasting colour. It is my opinion that the building is now presenting competing visions. This was most evident in some of the perspective renderings. It was felt that there is almost two different building approaches visible - the east and west facades which are quite symmetrical in nature was felt to be most successful. It was my opinion that a similar strategy should be employed on the north and south facades (with minimal resultant changes to the plan) the elevation can be altered and simplified to create a more harmonious building presence.

-2-

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## **Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)**

Giannone Petricone Associates Inc. Architects

Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

Second Review: March 26, 2012

The top of the building as well, attempted to reflect the commentary made in the first review. Again much progress was made and appreciated. Similar to much of the commentary previous, a stronger, clear and simple articulation was requested. Sketch overlays were provided which spoke to a simpler resolution and clear articulation of cornices.

-3-

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## **Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)**

**Giannone Petricone Associates**

**Giannone Petricone Associates Inc. Architects**  
**Peer Review Report – 148-152 MacDonnell Street, Guelph, ON**  
**Third Review: April 1, 2012**

### **Third Review**

A revised drawing package was received March 30, 2012 for our review. As well the revised drawings incorporating the requested changes, the package also included a servicing drawing and more definitive grading and landscape plans.

The streetscape landscaping at the MacDonnell / Woolwich intersection has improved and reflects much of that discussed in the previous meeting. The drawing expresses the intermediate landing at the intersection of MacDonnell and Woolwich as coloured/patterned concrete. It is my opinion that this should be similar decorative paving as the corner apron and the terrace above.

In our prior review it was requested of the applicant to review the potential of the streetwall along MacDonnell from gridlines 1 to 5 to run parallel to the streetline with a 6-8 foot landscaped setback. It was understood that this would be difficult due to construction cost and loss of parking. It is my opinion that our request should still be examined and that clarification of the loss of parking be requested.

The base relationship has improved as well. The addition of stone masonry at the base will create a proper pedestrian scaled articulation to the street and with the selection of appropriate stone will create a complimentary addition to the existing stone architecture found in downtown Guelph.

The fixed canopy has been reduced. A small change here which would further reduce the canopy to gridline 11 would be all that is needed.

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## Attachment 7 – Peer Review Architect Report from Ralph Giannone (cont'd)

Giannone Petricone Associates Inc. Architects  
Peer Review Report – 148-152 MacDonnell Street, Guelph, ON

Third Review: April 1, 2012

The recessed area along the Woolwich façade has been removed and been brought out to gridline 16. This improves the base condition along the street edge.

The north and south facades have been revised to reflect the requested changes. Again, it is our opinion that this strategy will result in a more harmonious building design.

It was appreciated that these changes were rushed and that not all drawings were coordinated and that the design will still need to be refined and developed. Notwithstanding this, the south elevation will need further refinement. The two vertical masses need to be symmetrical in plan. Presently they are not the same dimension and will result in an uncomfortable, unresolved solution. It is my opinion that this can be easily improved and should be modified.

As well the recessed corner window at gridline 5-C is appreciated. It is my opinion that the north face of this corner should be similar to its west face so as to create more contrast with the (eventual) symmetrical façade further along gridline "C".

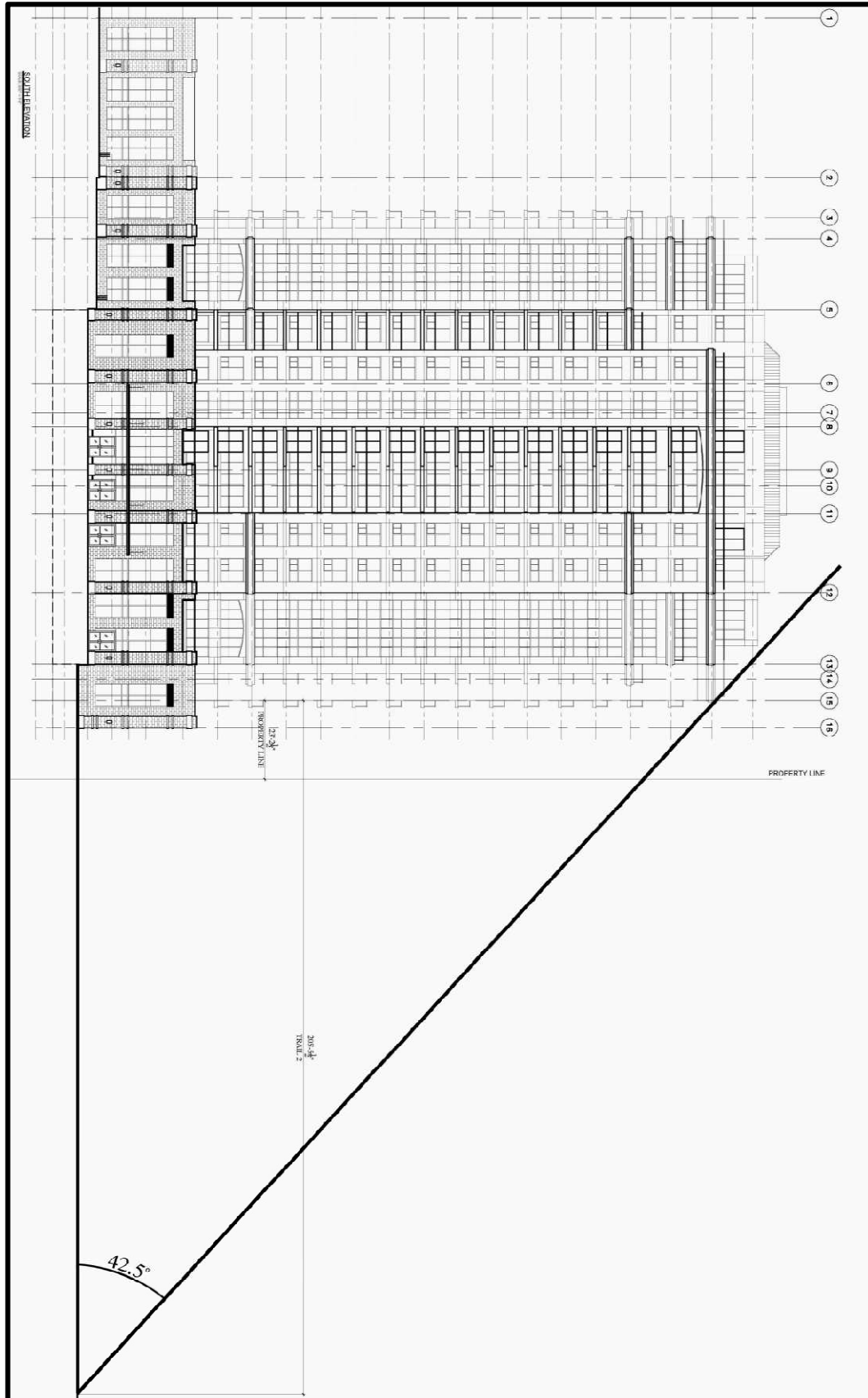
As well the balcony adjacent to gridline 5 will need to be reconsidered. The thin wall at gridline 5 is not acceptable and should be similar to the pier approach so successful elsewhere in the design. The balcony should recess slightly from the façade plane at gridline "O".

As well it is assumed that the applicant did not have enough time to resolve the mechanical penthouse and is in need of further refinement; however I feel that a solution can be reached.

As I stated in my first review, I believe that this building will be a positive addition to downtown Guelph.

-2-

## Attachment 8 – Riverside Trail Angular Plane Analysis





## Attachment 9 – Shadow Study



Shadow Study, 150 MacDonell Street, Guelph

page 2 of 19

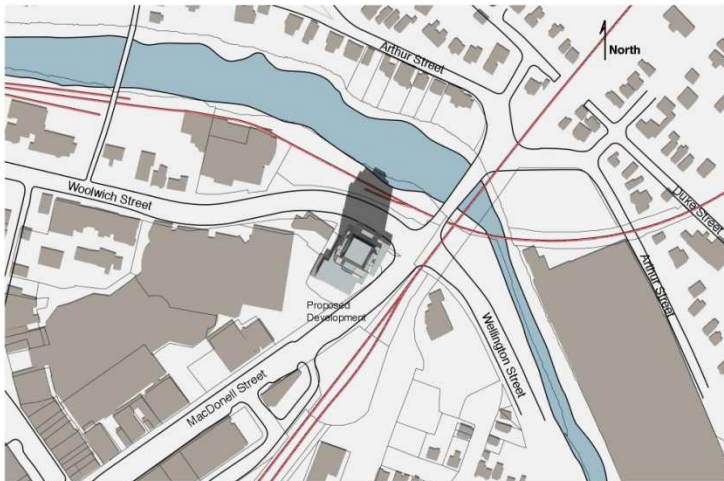
10:00 AM Mar. 21



Shadow Study, 150 MacDonell Street, Guelph

page 3 of 19

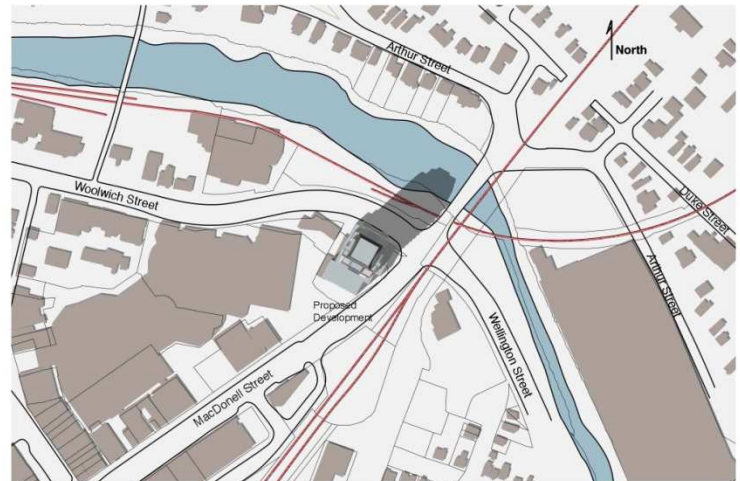
12:00 PM Mar. 21



Shadow Study, 150 MacDonell Street, Guelph

page 4 of 19

2:00 PM Mar. 21



Shadow Study, 150 MacDonell Street, Guelph

page 5 of 19

4:00 PM Mar. 21



Shadow Study, 150 MacDonell Street, Guelph

page 6 of 19

6:00 PM Mar. 21



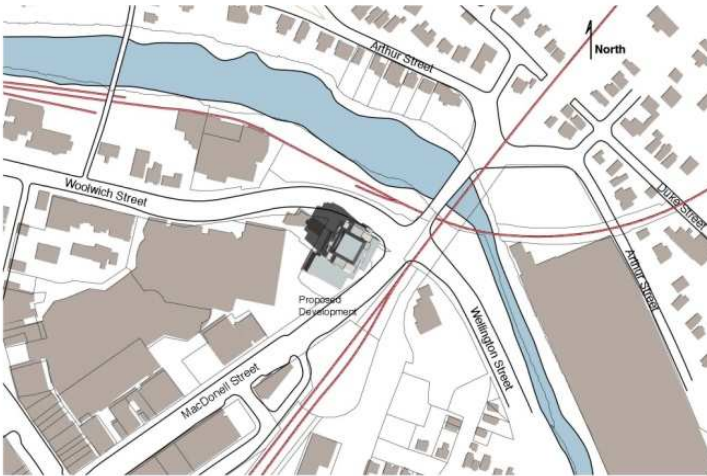
Shadow Study, 150 MacDonell Street, Guelph

page 7 of 19

10:00 AM Jun. 21



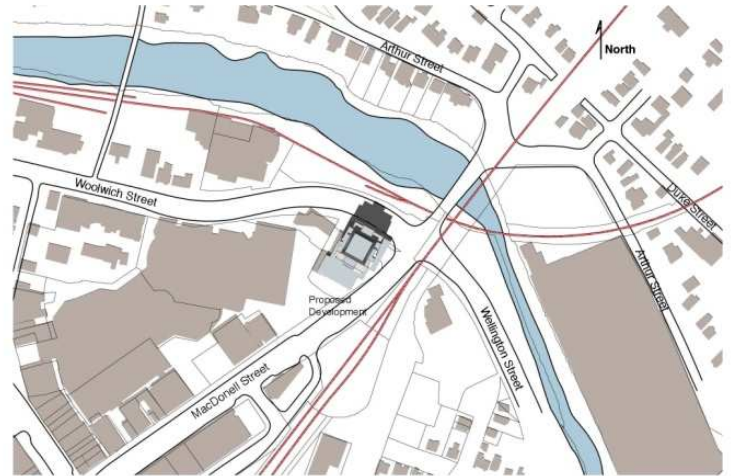
## Attachment 9 – Shadow Study (cont'd)



Shadow Study, 150 MacDonell Street, Guelph

page 8 of 19

12:00 PM Jun. 21



Shadow Study, 150 MacDonell Street, Guelph

page 9 of 19

2:00 PM Jun. 21



Shadow Study, 150 MacDonell Street, Guelph

page 10 of 19

4:00 PM Jun. 21



Shadow Study, 150 MacDonell Street, Guelph

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6:00 PM Jun. 21



Shadow Study, 150 MacDonell Street, Guelph

page 12 of 19

10:00 AM Sep. 21



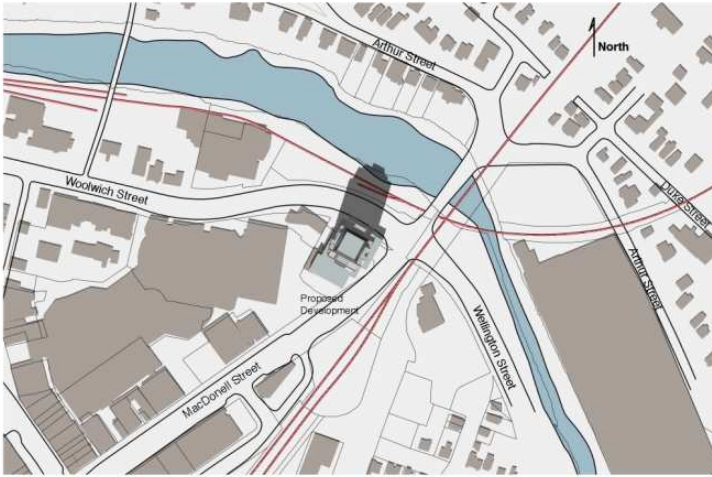
Shadow Study, 150 MacDonell Street, Guelph

page 13 of 19

12:00 PM Sep. 21



## Attachment 9 – Shadow Study (cont'd)



Shadow Study, 150 MacDonell Street, Guelph page 14 of 19

2:00 PM Sep. 21



Shadow Study, 150 MacDonell Street, Guelph page 15 of 19

4:00 PM Sep. 21



Shadow Study, 150 MacDonell Street, Guelph page 16 of 19

6:00 PM Sep. 21



Shadow Study, 150 MacDonell Street, Guelph page 17 of 19

10:00 AM Dec. 21



Shadow Study, 150 MacDonell Street, Guelph page 4 of 8

12:00 PM Dec. 21



Shadow Study, 150 MacDonell Street, Guelph page 5 of 8

1:00 PM Dec. 21



## Attachment 9 – Shadow Study (cont'd)



Shadow Study, 150 MacDonell Street, Guelph

page 6 of 8

2:00 PM Dec. 21



Shadow Study, 150 MacDonell Street, Guelph

page 7 of 8

3:00 PM Dec. 21



The sun altitude at this time is 6° above the horizon. At this angle a 10 foot high post would cast a shadow 95 feet long.

Shadow Study, 150 MacDonell Street, Guelph

page 8 of 8

4:00 PM Dec. 21

## Attachment 10 – Architect's Wind Letter



**Stantec**

**Stantec Consulting Ltd.**  
49 Frederick Street  
Kitchener ON N2H 6M7  
Tel: (519) 579-4410  
Fax: (519) 579-6733

March 22, 2012  
File: 1603-11220.200

Stantec Consulting Ltd.  
49 Frederick Street  
Kitchener ON N2H 6M7  
Ph: (519) 575-4133  
Cell: (226) 808-3743  
Krista.Walkey@stantec.com

**Attention: Ms. Krista Walkey, BA, MCIP RPP, Senior Planner**

Dear Ms. Walkey:

**Reference: Architect Wind Letter K**

The building design responds well to the north-west prevailing winds, by architectural design and the response to the urban context. Flanked to the west by the nine-storey insurance building and the parking structure for the Guelph Storm Arena, the building's access to the commercial spaces are oriented from the east and south on Woolwich and Macdonell Streets.

The commercial podium extends north, south and to the west providing distance between the streetscape and the tower. This wind friendly design element effectively deflects down washed wind from the tower from the pedestrian levels. This orientation is an important feature with regard to the impact and effect of wind to the users of the building and the public areas at grade. The proposed landscape plan will help to diffuse and/or deflect wind flowing through the area, effectively mitigating wind at the lobby entrances with the orientation and conformation of the subject buildings and the windward terrain. The placement and location of commercial activity provides a pleasant micro climate and animated street scape reinforcing the goals of good urban design.

Mitigation of pedestrian level winds is well understood and has been effectively applied through podium design, whereby the tower component is set back from the podium, creating a stepped condition. Canopies, overhangs and balconies are other design features employed to improve anticipated wind conditions.

The third floor amenities will be subject to wind; however, the proposed landscape plan for the amenity space, which includes fencing, plantings, and canopies, which effectively mitigate wind, the amenities space will realize generally comfortable conditions during the summer months.

The Development's angular façades will allow much of the impending wind climate opportunity to flow over and around, as opposed to down the buildings, reducing the potential effects of downwash, attributable to the proposed, at the pedestrian level.

Further to the east, the Speed River separates the future development of the existing industrial lands. To the south, the tower is well set back from the neighboring future development across Macdonnell Street, also it is properly sited within the draft secondary policy plan.

## Attachment 10 – Architect's Wind Letter (cont'd)

### **Stantec**

March 22, 2012  
Ms. Krista Walkey, BA, MCIP RPP, Senior Planner  
Page 2 of 2

**Reference: Architect Wind Letter K**

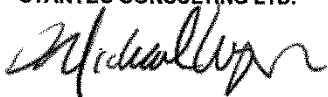
The proposed development employs wind mitigative design features that include:

- podiums
- angular facades
- canopies
- balconies
- terraces
- stepped building façades
- landscaping

Should you have any questions or require clarification, please do not hesitate to contact the office.

Respectfully,

**STANTEC CONSULTING LTD.**



Michael Wilson, B Arch., OAA, AIA  
Architect  
Tel: (519) 575-4128  
Fax: (519) 579-8896  
Michael.Wilson@stantec.com

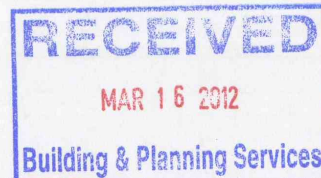
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## Attachment 11 – Community Energy Initiative Commitment

### Community Energy Initiative

#### Sustainable Sites – Entire Property



Urban Development	A dense and well utilized site in the downtown core to help contain urban sprawl. It involves clean-up of an existing brownfield site.
Urban Development Erosion and sedimentation control	A comprehensive erosion and sedimentation control plan will be in effect throughout the development of this site, improving upon the existing conditions. The stormwater management plan incorporates principles of Low Impact Development.
Existing and Proposed Trees	New trees on site and in the public right of way will contribute to the "greening" of the core and add to the overall rejuvenation of the urban forest.
Site Lighting	Site lighting will be designed to direct to the ground and not to the sky.
Alternative Transportation	The site is adjacent to the proposed transit hub, adjacent to pedestrian and cycling networks and has provided on site bicycle storage. Future residents will have many active transportation choices and it is well served by nearby retail and service uses within walking distance.
Landscape and Exterior Design	A significant improvement in the amount of landscaped open space is provided as well as a roof top amenity and green roof area
Exterior Design	Through responsible building design, mixes of building materials have been selected to decrease the heat island effect and be energy efficient. Through the use of precast exterior wall panels further consisting of interior steel studs with polyurethane insulation at all locations that are not glazed provide a well-insulated façade. By increasing the glazing amount to 80%, the heating load would be increased by 50% and the cooling load increased by 30%. Through the use of traditional methods, the building design maintains a responsible balance of ascetics and energy efficiency.
Building Sustainability	The building design, materials and equipment have been selected and will be incorporated such that the building is sustainable in the long term. Sections of window walls will be designed in compartments to reduce the overall large expansion and contraction properties attributed with glass and aluminum. The use of precast exterior wall panels and coating provides large life cycle façade with minimal fading or delamination as found in other materials. High quality protective membranes and coatings (parking garage traffic membranes, exterior wall coating, roof membranes, landscaped roof area membrane and landscape protection sheets, foundation waterproofing, redundant caulking systems

## Attachment 11 – Community Energy Initiative Commitment (cont'd)

	for all precast panels etc.) will be selected to endeavor long term climatic impacts. Temporary construction sealants will be applied during construction to avoid water penetrations at finishing stages to avoid any temporary water damage or mold exposure.
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### Water Efficiency

Water Efficient Landscaping	Drought resistant landscape material has been specified as much as possible
Stormwater Management	A significant reduction to storm water runoff will be attributed to the redevelopment of the parcel. The pre-development had 90% percent impervious layer, the post development is proposing 68% percent impervious. This is significant for a downtown urban site as the zoning requirement is 0% landscaped. The stormwater management approach incorporates Low Impact Development principles and provides quality control treatment improving upon the existing conditions. Site remediation of the brownfield will improve upon the existing conditions.
Reduced Water Consumption	Low flow faucets; toilets and showerheads will be incorporated throughout the units to reduce water consumption.

### Energy and Atmosphere

Design Features – Mechanical Systems	The buildings HVAC system is centralized, individual controls will be provided in units for heating, cooling and lighting. Consideration of district heating, domestic hot water supply and cooling is being considered and the building is being designed to accommodate it. . Should district energy not be selected, the use of condensing boilers will be installed .Heat recovery ventilators are provided in every unit. Variable speed pumps for heating and cooling will be incorporated with integrated building controls. Elevator maybe designed as a machine room less elevator, thus reducing the required motor size and reducing the electrical consumptions. Further O&M investigation required to satisfy use.
Design Features – Electrical	Energy efficient lighting will be utilized throughout the building, high efficiency florescent lighting will be utilized in most common area's (parking garage, corridors and stairs) which require 100% illumination at all time. Natural light is accommodated in all units and common areas to reduce the need for electrical consumption. Energy efficient appliance will be the standard inclusion for all suites.
Electrical Metering and Controls	Utilities will be separately metered for individual units making residents aware of energy consumption. The building manager will be responsible for common areas and to monitor and reduce energy consumption. Commercial area to be separately



## Attachment 11 – Community Energy Initiative Commitment (cont'd)

	metered for electrical and natural gas.
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### **Materials and Resources**

Regional Materials	The vast majority of materials are available locally (800km radius as defined in LEED standard), limiting environmental impact of source supply transportation.
Low Emitting Materials	Low VOC materials will be used where possible, including, membranes, soy based polyurethane insulation, paints, carpets etc.
Collection of Recyclables	Collection of recyclables will be in accordance with City by-laws. The use of a tri-sorter garbage chute is being investigated.
Building Materials	High recycled content material to be specified where possible. Renewable finishes (such as flooring) will be offered as choices to purchasers of residential units.
Construction Waste Management	A construction waste diversion program will be in effect during the construction period. On-site concrete washing out will not be done on-site, back washing of the concrete truck will be done at the batching plant.

### **Indoor Environment Quality**

System Controllability	Each unit will have access to individual controls for heating, cooling, lighting and ventilation.
Natural Ventilation	Operable windows are provided for every unit and individual balcony or terrace space.
Low VOC emitting Materials	Low VOC materials will be utilized where possible.
Natural Light	The building provides natural light to all regularly utilized spaces, other than the below grade parking garage.

### **Innovation and Design Process**

Sustainable Consultants	The building and units will be designed and developed with input from accredited sustainable consultants (i.e. LEED, Energy Auditors, etc.). Building will be constructed to the SB10 of the Ontario Building Code, energy modeling will be completed and applied to the building design to exceed the requirements of SB10 and base building requirements of the National Research Council.
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## Attachment 12 – Circulation Comments

<b><u>RESPONDENT</u></b>	<b><u>NO OBJECTION OR COMMENT</u></b>	<b><u>CONDITIONAL SUPPORT</u></b>	<b><u>ISSUES/CONCERNS</u></b>
Planning		✓	Subject to conditions in Schedule 2
Engineering		✓	See attached correspondence Subject to conditions in Schedule 2
Park Planning & Development		✓	Subject to cash-in-lieu of parkland being required in accordance with By-law (1989)-13410 or any successor thereof – see attached correspondence
Zoning	✓		
Environmental Advisory Committee (EAC)			See attached correspondence
River Systems Advisory Committee (RSAC)			See attached correspondence
Guelph Fire	✓		
Guelph Police	✓		
Guelph Hydro	✓		
Grand River Conservation Authority		✓	See attached correspondence
Union Gas	✓		
Upper Grand District School Board		✓	No objection. Development charges required.
CN Rail			See attached correspondence

## Attachment 12 – Circulation Comments (cont'd)

### Engineering Comments

# MEMO



FILE: 16.131.001

TO: Stacey Laughlin, Senior Development Planner  
FROM: Development Engineering  
DEPARTMENT: Engineering Services  
DATE: March 30, 2012  
SUBJECT: 148-152 Macdonell Street/16 Priory Street – Official Plan and Zoning By-law Amendment – (OP1104/ZC1114)

The application is for an Official Plan Amendment and a Zoning By-Law Amendment for the subject properties. Engineering Services have reviewed the Traffic Impact Study, and the Functional Servicing and the Stormwater Management Report, and the Environmental Impact Statement submitted in support of this application. We provide the following comments:

#### 1 (a) Road Infrastructure

The subject property is situated on the north-westerly corner of the intersection of Macdonell Street and Woolwich Street. Macdonell Street is a four (4) lane arterial road with a centre turning lane, grassed boulevards and sidewalk and curb and gutter on both sides of the street and Woolwich Street is a four (4) lane arterial road with a centre turning lane, grassed boulevards and curb and gutter on both sides of the street. No further road widenings are required from the property along Macdonell Street or Woolwich Street.

#### 1 (b) Traffic Study: Access and Parking

The concept plan shows two access driveways to serve two separate parking garages in the subject site.

Access off Macdonell St: The southerly driveway would provide an indirect connection between the above grade parking garage and Macdonell St via the East Parkade entrance. Future site plan should address design and operational issues due to shared use of the East Parkade entrance.

Access off Woolwich St: This driveway is located approximately 45m north of Macdonell Street and provides a direct access to the under grade parking garage from Woolwich St. The design of this driveway should take into account the existing driveway of the car wash immediately north of the subject site. This access will be limited to right-in-right-out only, with the centre median on Woolwich Street extended across this driveway.

#### 2. Municipal Services

Closing and conveying Priory Street will require the relocation of the existing 300mm sanitary sewer, 600mm storm sewer, 200mm watermain, service laterals and the private utilities. The developer will be responsible for all the costs associated with the removal and relocation of the existing municipal services, private utilities and service laterals from Priory Street and the construction of the following replacement services on Woolwich Street:

**Engineering Services**  
Planning & Building, Engineering and Environment

T 519-837-5604  
F 519-822-6194  
[engineering@guelph.ca](mailto:engineering@guelph.ca)

# MEMO



- 200mm water main;
- 450mm sanitary sewer; and,
- 300mm and 600mm storm sewers.

The following services are currently present on Macdonell Street:

- 150mm water main;
- 600mm storm sewer approximately 1.52m deep.

The City's Water and Wastewater Servicing Master Plan provides typical fire flow requirements for various land use categories based on Ministry of the Environment or the Fire Underwriters Survey guidance documents. For the City's downtown core, the City's water model uses 200 L/s (12,000L/min) fire flow plus maximum day demand with a minimum pressure of 20 psi as design criteria for the downtown system as a whole, recognizing that individual and groups of buildings will have their own specific fire flow requirements which may be lower or higher than the City's design criteria used in the water model depending building footprint area, number of storeys, type of construction, etc.

The maximum fire flow currently available at the Property is 183 L/s at 20 psi, and according to Stantec's *Functional Servicing and Stormwater Management Report* (October 2011), meets the minimum required fire flow of 150 L/s required by the Ontario Building Code. The existing 150 mm watermain on Macdonell Street and proposed 200 mm replacement watermain on Woolwich Street are adequate to meet the site specific fire flow requirement of the proposed 18-storey redevelopment.

However, the future redevelopment of nearby Tricar-owned redevelopment site located at 150 Wellington Street will trigger the need to upsize the existing 150 mm watermain on Macdonell Street as well as the existing 100 mm watermain along the frontage of the 150 Wellington Street site.

As such, the installation of a 300 mm watermain on Macdonell Street will be undertaken as part of the Priory Street infrastructure relocation works, and will be included in the cost-sharing of the relocation works.

The developer will be responsible to pay for the cost of any service laterals required for the development of the property.

### 3. Storm Water Management

Stormwater management will be further examined and comments provided once the SWM design has been finalized and submitted for site plan review. The cost of all the stormwater management works and quality controls will be the responsibility of the developer. A site servicing plan will have to be submitted for review and approval as part of the site plan application. A grading and drainage plan will also have to be submitted for review and approval as part of the site plan application.

**Engineering Services**  
Planning & Building, Engineering and Environment

T 519-837-5604  
F 519-822-6194  
[engineering@guelph.ca](mailto:engineering@guelph.ca)

# MEMO



## 4. Roadworks and Services Relocation

The relocation of services, the installation of new watermain on Macdonell Street, the service connections to the subject property and related roadworks will be undertaken by the City under a Municipal Services Relocation Agreement entered into between the City and the developer, prior to site plan approval. The Municipal Services Relocation Agreement will include the respective cost share of the developer and the City.

## 5. Environmental

As part of the zone change application, the owner has submitted Phase 1 and 2 Environmental Site Assessment (ESA) reports prepared in accordance with the Records of Site Condition regulation (O. Reg. 153/04 as amended) describing the current conditions of the property.

The City understands that the property is contaminated as a result of historic land uses and that site remediation will be required prior to redevelopment. Since the use of the property is changing to a more sensitive land use (residential) and historically contained commercial activities, including an automobile repair garage and foundry supply company, the mandatory Record of Site Condition filing provisions of O. Reg. 153/04 apply.

Before proceeding with site remediation work, the owner must submit to the City a Remedial Work Plan indicating, remediation schedule and cost estimates, traffic management plan, and site management plan until the redevelopment of the site. The Work Plan must be approved by the City prior to commencement of remedial work.

Following the completion of remedial works and prior to issuance of any building permit for the property, the owner shall complete the following:

- a) File a Record of Site Condition (RSC) on the Ministry of the Environment (MOE) Environmental Site Registry for the property including certification by a Qualified Person as defined by O.Reg. 153/04 that the environmental condition of the property meets the appropriate MOE Site Condition Standards for the intended land use; and,
- b) Submit the MOE acknowledgment letter for the RSC to the satisfaction of the City.

The City is concerned the contamination beneath the property may have migrated onto adjacent City land to the west (East Parkade). The owner shall complete a Phase 2 ESA to confirm the presence and extent contamination from the property beneath the City lands. If contamination from the property is present on City lands, the Owner shall prepare a Remedial Work Plan, to the satisfaction of the City, and implement said approved plan to address the contamination. This matter will be addressed in the Tax Increment Based Grant Agreement that the developer will be entering into with the City.

## 6. Recommended conditions of Approval

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

**Engineering Services**  
Planning & Building, Engineering and Environment

T 519-837-5604  
F 519-822-6194  
[engineering@guelph.ca](mailto:engineering@guelph.ca)

# MEMO



1. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to Site Plan approval, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
2. 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.
3. Prior to site plan approval, the Developer shall update and finalize as required by the City, any or all of the following studies, plans and reports to the satisfaction of the General Manager/City Engineer:-
  - i) a traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads including recommendations with detailed cost estimates of the works recommended on the municipal roadways;
  - 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 servicing and 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.
4. The Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 3 i) to 3 iv) inclusive.
5. Following the completion of site remedial works, the owner shall submit all environmental documentation related to the remediation including, but not limited to, remediation activities summary and monitoring reports prepared in accordance with the Records of Site Condition regulation (O. Reg. 153/04 as amended) describing the current conditions of the property known municipally as 148-152 Macdonell Street to the satisfaction of the City.

**Engineering Services**  
Planning & Building, Engineering and Environment

T 519-837-5604  
F 519-822-6194  
[engineering@guelph.ca](mailto:engineering@guelph.ca)

# MEMO



6. Prior to issuance of any building permit for the property, the owner shall complete the following:
  - a) File a Record of Site Condition (RSC) on the Ministry of the Environment (MOE) Environmental Site Registry for the property including certification by a Qualified Person as defined by O.Reg. 153/04 that the environmental condition of the property meets the appropriate MOE Site Condition Standards for the intended land use; and,
  - b) Submit the MOE acknowledgment letter for the RSC to the satisfaction of the City.
7. The owner shall complete a Phase 2 ESA to confirm the presence and extent of contamination from the property beneath the adjacent City lands. If contamination from the property is present on City lands, the Owner shall prepare a Remedial Work Plan, to the satisfaction of the City, and implement said approved plan to address the contamination.
8. The Developer agrees to enter into a Municipal Services Relocation Agreement with the City and pay for the developer's share of the cost of relocation of services from Priory Street, the installation of new watermain on Macdonell Street, the service connections to the subject property and related roadworks on Woolwich Street and Macdonell Street, based on the design and cost estimates prepared by the City.
9. That 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.
10. Prior to site plan approval, the Developer shall enter into an Encroachment Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary encroachments upon the road allowances (such as planters, retaining walls and interlocking pavers) within the same. The developer shall replace and restore at his own cost all surface features including curb and gutter, sidewalks and boulevards and any underground services within the road allowance that may have been removed or damaged during site development.
11. Prior to site plan approval, the Developer shall enter into a Maintenance Agreement with the City, satisfactory to the General Manager/City Engineer and the City Solicitor, for the necessary maintenance requirements for any approved improvements (such as planters, retaining walls and interlocking pavers) within the same.
12. That 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 the development of the lands.

**Engineering Services**  
Planning & Building, Engineering and Environment

T 519-837-5604  
F 519-822-6194  
[engineering@guelph.ca](mailto:engineering@guelph.ca)

# MEMO



13. 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 the development of the lands.
14. 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.
15. 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.

---

**Rajan Philips, P. Eng.**  
Manager, Transportation and Development Engineering

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**Julius J. Bodai, C.E.T.**  
Engineering Technologist II



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**Attachment 12 – Circulation Comments (cont'd)**  
**Park Planning & Development**

**INTERNAL  
MEMO**



DATE January 27, 2012  
TO **Stacey Laughlin**  
FROM Jyoti Pathak  
DIVISION Parks Planning and Development  
DEPARTMENT Park Maintenance and Development  
SERVICE AREA Operations and Transit Services  
**SUBJECT OP1104 & ZC1114 - 148-152 MacDonell Street (Tricar)**

---

Parks Planning and Development has reviewed the proposed Official Plan Amendment and Zoning Bylaw Amendment application dated December 12, 2011 for 148-152 MacDonell Street (Tricar) and offers the following comments:

**Zoning Bylaw Amendment:**

The proposed mixed use development at 148-152 MacDonell Street (Tricar) will be treated as a residential development for calculation of cash-in-lieu of parkland dedication purpose and this should be indicated in the additional site specific policies/ regulations to the existing Central Business District designation.

**Parkland Dedication:**

**Cash-in-lieu of Parkland Dedication** is recommended for this development.

The developer shall be responsible for cash-in-lieu of parkland dedication payment for the proposed residential development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, just prior to the issuance of building permits.

**Property Demarcation:**

Parking & Traffic Division of Operations and Transit Services is responsible for the maintenance of the parking structure at 146 MacDonell Street adjacent to the subject property and would like to have an opportunity to comment on the selection of Property Demarcation during future site plan review process.

Regards,

**Jyoti Pathak**  
Parks Planner

File # T:\ParksPlanning\Park Planning\PLANNING\EAST DISTRICT\Zoning By-Law & Official Plan Amendments

---

## **Attachment 12 – Circulation Comments (cont'd)**

### **Environmental Advisory Committee (November 9, 2011)**

“That the Environmental Advisory Committee support the Scoped Environmental Impact Study prepared by Stantec Consultants subject to the following:

- That the implementation of the recommendations outlined in section 8.3 of the Report be implemented;
- That through the Site Plan (detailed design), City Staff will review proposed measures of mitigating avian wildlife interference, particularly those identified to deal with building strikes and ensure proposed mitigation measures are appropriate;
- That any potential LID measures that can potentially be utilized on site are identified;
- That any concerns identified by City Engineering are addressed;
- That any required work to trees identified within the road allowance are approved and conducted by City of Guelph forces, and
- That landscaping/tree planting on site should consist of native species wherever feasible.”

---

### **River Systems Advisory Committee (March 21, 2012) Resolution (Meeting Minutes not yet Adopted)**

“THAT the following issues have been addressed to the satisfaction of the Committee:

- Built Form Disposition: Principle 18;
- Focus and Feature on the River: Objectives 9 and 11;
- Directional Lighting in the Parking Structure: Objective 7;
- That the commercial patio be relocated to the riverside;

AND THAT the River Systems Advisory Committee recommends reconsideration of:

- Massing – Principles 13, 14 and 15;
- Built Form Height and Angular Plane: Principle 16;

AND THAT the building height be reduced to consider a 40° angular plane applied to the riverside trail.”

## Attachment 12 – Circulation Comments (cont'd)

### GRCA Comments

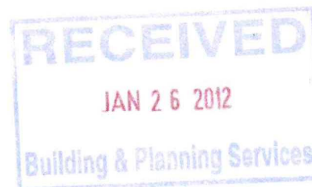


400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: [www.grandriver.ca](http://www.grandriver.ca)

January 23, 2012

Stacey Laughlin  
Planning & Building, Engineering & Environment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1



Dear Ms. Laughlin,

**RE: Proposed Official Plan Amendment (File No. OP1104)**  
**Proposed Zoning By-law Amendment (File No. ZC1114)**  
**148-152 Macdonell Street**  
**Stantec Consulting Limited**

The Grand River Conservation Authority (GRCA) has reviewed the Scoped Environmental Impact Study prepared by Stantec Consulting Ltd. (dated October 5, 2011) and the Functional Servicing and Stormwater Management Report prepared by Stantec Consulting Ltd. (dated October 2011). The GRCA does not object to the proposed official plan amendment and zoning by-law amendment as provided in the circulated material.

#### Resource Issues

Information currently available at this office indicates that the subject property contains floodplain and the regulated allowance associated with the Speed River. The floodplain at this location is identified as Two Zone and is comprised of floodway and flood fringe. Please be advised that the regulatory flood elevation for this property is 319.95 metres.

#### Stormwater Management

We are in agreement with the statements made regarding quantity and quality control for stormwater management on the site. Given that the stormwater management strategy has flows directed to the existing storm sewers, we hereby defer review of stormwater management to the City of Guelph.

#### Environmental Analysis

We are satisfied with the information provided in the Scoped Environmental Impact Study.

We will provide additional review and comments at the detailed design stage through our permit process.

N:\Watershed Resources Planning\Resource Planning\WELLINGTON\GUELPH\2011\OPA\OP1104 and ZC1114 148-152 MacDonell St.docx

Page 1 of 2



ISO 14001 Registered

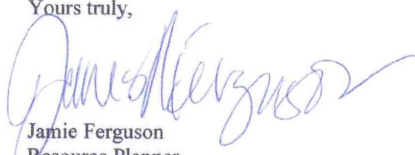


GRCA - Jan. 23/12

We wish to acknowledge receipt of the applicant's cheque in the amount of \$380.00 for the review of this application.

We trust these comments are of assistance. Should you have any further questions, please contact me at 519-621-2763 ext. 2238.

Yours truly,



Jamie Ferguson  
Resource Planner  
Grand River Conservation Authority

Encl. (1)

cc. Chris Powell, Stantec Consulting Ltd. – Guelph Office  
Peter Fitzgerald, Stantec Consulting Ltd. – Kitchener Officer  
The Tricar Group, 3800 Colonel Talbot Road, London, ON N6P 1H5

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## Attachment 12 – Circulation Comments (cont'd)

### CN Rail Comments

**Stacey Laughlin**

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**From:** Vaille Laur  
**Sent:** January 31, 2012 3:40 PM  
**To:** Stacey Laughlin  
**Subject:** FW: OP1104 & ZC1114, 148-152 Macdonell Street, Guelph  
**Attachments:** Transfer of Easement - Corridor version.doc

fyi

---

**From:** [nick.coleman@cn.ca](mailto:nick.coleman@cn.ca) [<mailto:nick.coleman@cn.ca>]  
**Posted At:** January 27, 2012 1:59 PM  
**Posted To:** Planning Division Emails  
**Conversation:** OP1104 & ZC1114, 148-152 Macdonell Street, Guelph  
**Subject:** OP1104 & ZC1114, 148-152 Macdonell Street, Guelph

Stacey, we have reviewed the site plan and Preliminary Noise Report and find them satisfactory. A subsequent noise report is anticipated once final building details are known, that will facilitate specifications for upgraded windows.

As the development though in proximity to CN, does not abut, and is separated by an existing municipal road, it is not practical to insist on a safety berm, though it is noted a raised planter is planned for the outdoor cafe, presumably to provide some localised visual screening.

Chain link fencing is equally not appropriate.

Since there will be no berms, barriers or fences to maintain, CN's normal agreement will not be required, however the warning noted in the noise report should be included in the development agreement and condo declaration etc. In addition, as the proposal is within 300 metres of the railway right-of-way, CN is requesting the attached easement be registered on title in favour of the railway to help forestall the future potential for noise complaints.

Regards,  
Nick

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### **Attachment 13 – Public Notification Summary**

October 5, 2011	Official Plan and Zoning By-law Amendment Applications received by the City of Guelph
December 7, 2011	Applications deemed to be complete
December 9, 2011	Notice of Complete Applications mailed to prescribed agencies and surrounding property owners within 120 metres of the subject site
February 9, 2012	Notice of Public Meeting advertised in the Guelph Tribune for the Statutory Public Meeting
February 13, 2012	Notice of Public Meeting mailed to surrounding property owners within 120 metres of the subject site for the Statutory Public Meeting
March 5, 2012	Statutory Public Meeting for the Official Plan and Zoning By-law Amendment Applications
April 16, 2012	Notice of Decision Meeting mailed to persons providing comments or attendees at the public meeting who signed in and requested further notice
May 7, 2012	City Council Meeting to consider staff recommendation

# COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE May 7, 2012

**SUBJECT Victoria Road South Reconstruction  
Contract No. 2-1207**

REPORT NUMBER

## SUMMARY

### **Purpose of Report:**

For Council to accept the tender from Capital Paving Inc., Guelph and authorize the Mayor and Clerk to sign the agreement for Contract 2-1207 for Victoria Road South Reconstruction between Arkell Road and MacAlister Boulevard.

### **Council Action:**

For Council to accept the tender from Capital Paving Inc., Guelph and authorize the Mayor and Clerk to sign the agreement for Contract 2-1207 for Victoria Road South Reconstruction between Arkell Road and MacAlister Boulevard for a total tendered price of \$4,584,928.46.

## RECOMMENDATION

"THAT the tender from Capital Paving Inc., Guelph be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1207 for Victoria Road South Reconstruction between Arkell Road and MacAlister Boulevard for a total tendered price of \$4,584,928.46 with actual payment to be made in accordance with the terms of the contract."

## BACKGROUND

The contract work entails the reconstruction of Victoria Road South between Arkell Road and MacAlister Boulevard including installation of storm sewer, curb & gutter, sidewalk on the west side, street lighting, bike lanes and traffic signals. Victoria Road South will be widened to 3 traffic lanes including a centre turning lane. The design was completed in accordance with the approved Schedule 'C' Class EA study that was completed by the City in 2005.

---

To facilitate reconstruction, Victoria Road will need to be closed to through traffic for approximately 6 months. The closure is required to ensure the travelling public and the construction personnel on the project are protected safely. Due to the depth of the sewer installation and the width of the existing two-lane road, safety measures are not feasible in the road open scenario. Access to abutting properties and businesses will be maintained throughout the duration of the reconstruction. Through traffic will be detoured along Arkell Road, Gordon Street and Stone Road East. Council was informed of the required closure in an Information Report released on March 8, 2012.

## **REPORT**

Tenders for the above mentioned project were received on April 19, 2012 as follows (prices include allowances and 13% HST):

1)	Capital Paving Inc.,	Guelph	\$4,584,928.46
2)	Network Sewer & Watermain Ltd.,	Cambridge	\$4,618,297.01
3)	Sierra Construction (Woodstock) Ltd.	Woodstock	\$4,716,888.71
4)	Drexler Construction Ltd.,	Guelph	\$4,922,300.00
5)	Cox Construction Ltd.,	Guelph	\$5,800,544.78

The tenders were checked for legal and arithmetic accuracy. All tenders were found to be arithmetically correct and in conformance with the tendering requirements.

Capital Paving Inc., Guelph has successfully completed previous reconstruction contracts for the City. We therefore recommend that the contract be awarded to this firm.

## **CORPORATE STRATEGIC PLAN**

This project supports:

- Goal #1: "An attractive, well-functioning and sustainable city."

## **FINANCIAL IMPLICATIONS**

Funding for this project will be from the approved Capital budget as set out in the attached Budget and Financial Schedule.

## **DEPARTMENTAL CONSULTATION**

N/A

## **COMMUNICATIONS**

A Public Open House was held for this project at Victoria Golf Club West to communicate project specifics, proposed construction methodologies and to obtain input from the public and businesses. The Open House was held on April 14, 2011 and was attended by approximately 40 members of the public. The project was well received and attendees generally supported and acknowledged the need for the project and improvements to this section of Victoria Road South. No concerns were expressed by Open House attendees on the proposed road closure.



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A Notice of Construction will be forwarded to the residents and businesses in the project area and a second Public Open House will be held prior to the start of construction. The notice will be published in the City Page of the Guelph Tribune and on [guelph.ca](http://guelph.ca). The Notice will include contact information for the project including the City's representative, Contractor's representative and the City's on-site construction inspector.

## **ATTACHMENTS**

Appendix A - Budget and Financial Schedule

### **Prepared By:**

Brad Hamilton, P.Eng.  
Project Engineer  
(519) 822-1260, ext. 2319  
[brad.hamilton@guelph.ca](mailto:brad.hamilton@guelph.ca)



---

### **Recommended By:**

Richard Henry, P.Eng.  
General Manager/City Engineer  
(519) 822-1260, ext. 2248  
[richard.henry@guelph.ca](mailto:richard.henry@guelph.ca)



---

### **Recommended By:**

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
(519) 822-1260, ext. 2237  
[janet.laird@guelph.ca](mailto:janet.laird@guelph.ca)

**Budget and Financing Schedule**

JDE Project number: RD0078\_WS0056\_WS0100\_WD0014  
 Project name: **Victoria Road South Reconstruction**  
 Contract #  
 Prepared by: Andrew Pike  
 Date: April 20, 2012

	Total Cost	External Financing			Internal Financing		
		Developer Contributions	Dev't Charges	Gas Tax	Current Revenues	City Reserves	Debt
<b>A. Budget Approval &amp; Additional Funding</b>							
RD0078 Victoria - Stone - Arkell	6,200,000	274,000	3,620,900	0	0	2,171,100	134,000
WS0056 Victoria - Old City Limit - Arkell	2,282,000	0	0	0	0	2,282,000	0
WD0014 Watermain Replacement	5,000,000	0	0	2,250,000	0	2,750,000	0
WD0005 W16 Speedvale - Watson to Westmount	400,000	0	0	0	0	400,000	0
<b>Budget Approval</b>	<b>13,882,000</b>	<b>274,000</b>	<b>3,620,900</b>	<b>2,250,000</b>	<b>0</b>	<b>7,603,100</b>	<b>134,000</b>
<b>B. Budget Requirement</b>							
Tender Price: Capital Paving Inc. (excluding HST)	4,057,459						
Less: HST	0						
Add: HST Payable (calculated at 1.76%)	71,411						
<b>City Share</b>	<b>4,128,870</b>	81,495	1,076,950	669,209	0	2,261,361	39,855
plus: Expenditures to Date - All Projects	4,936,640	97,438	1,287,644	800,132	0	2,703,772	47,652
plus: Committed Work on Existing POs & Contracts - All Projects	734,785	14,503	191,657	119,094	0	402,438	7,093
plus: Contingency- All Projects	202,873	4,004	52,916	32,882	0	111,112	1,958
plus: Other Work (Operations) - All Projects	0	0	0	0	0	0	0
plus: Future Work (Engineering) - All Projects	100,000	1,974	26,083	16,208	0	54,769	965
plus: Other Work (Waterworks) - All Projects	0	0	0	0	0	0	0
plus: Utilities Work (External)	238,514	4,708	62,213	38,658	0	130,633	2,302
plus: Other Work (External)	345,688	6,823	90,167	56,029	0	189,331	3,337
plus: HST on External Work @ 1.76%	10,282	203	2,682	1,667	0	5,631	99
plus: Future Work	3,184,349	62,852	830,587	516,121	0	1,744,052	30,738
<b>TOTAL BUDGET REQUIREMENT</b>	<b>13,882,000</b>	<b>274,000</b>	<b>3,620,900</b>	<b>2,250,000</b>	<b>0</b>	<b>7,603,100</b>	<b>134,000</b>
<b>C. Surplus / (Deficit)</b>	-0	-0	-0	-0	0	-0	-0
<b>D. Revised project budget</b>	<b>13,882,000</b>	<b>274,000</b>	<b>3,620,900</b>	<b>2,250,000</b>	<b>0</b>	<b>7,603,100</b>	<b>134,000</b>

**Note:**

GUELPH ON

APR 20 2012  
RECEIVED  
APR 24 2012

RE FILES 0P1104/2C-1114  
148-152 MACDONELL ST.

CITY CLERK'S OFFICE

DEAR MAYOR FARBRIDGE

MEMBERS OF CITY COUNCIL

MANY OF US WHO WRITE LETTERS PREFER NOT TO STAND UP IN COUNCIL CHAMBERS. BUT WE ARE JUST AS CONCERNED AS THOSE WHO DO. YOU ARE MAKING AN INCORRECT ASSUMPTION THAT THE MAJORITY OF THOSE IN ATTENDANCE ON MARCH 5TH WERE IN FAVOUR OF AN 18 STORY BUILDING ON THIS SITE. MOST OF US (ORDINARY CITIZENS) ARE APPALLED THAT NO ONE IS QUESTIONING OR CHALLENGING THE DEVELOPERS.

I WAS SITTING BESIDE THE LADY FROM STANTEC + DIRECTLY BEHIND THE 4 GENTLEMEN FROM LONDON DEVELOPER TRI-CAR. OTHERS WHO SPOKE IN FAVOUR WERE OTHER DEVELOPERS, PEOPLE FROM CO-OPERATORS, + REAL ESTATE AGENTS. I HOPE YOU PAID ATTENTION TO THE THOUGHTFUL PRESENTATIONS FROM THOSE WHO WERE OPPOSED, INCLUDING RETIRED CITY PLANNER NORM HARRISON WHO SUGGESTED 12 STORIES WOULD BE PLENTY HIGH ENOUGH AT THIS SITE. NO ONE OPPOSES A BUILDING - IT IS THE HEIGHT OF 18 STORIES PLUS 2 MORE FOR ELECTRICAL ROOM + THE ELEVATOR THAT UPSETS SO MANY OF US.

TO GO FROM 5 STORIES TO 18 (+2) IS UNBELIEVABLE. DEVELOPERS + PLANNERS COME + GO + ARE OFTEN FROM OUT OF TOWN. THOSE OF US WHO LIVE HERE WILL BE STUCK WITH YOUR DECISION. SO PLEASE THINK CAREFULLY BEFORE YOU VOTE. NO BUILDING THIS TALL SHOULD BE IN DOWNTOWN GUELPH. IRONICALLY IT IS ALMOST ON THE SPOT WHERE JOHN GALT CUT DOWN THE FIRST TREE. THE SKYLINE WILL BE ALTERED FOREVER + THE CHURCH OF OUR LADY WILL NO LONGER BE THE FOCAL POINT OF GUELPH. IS THAT THE HERITAGE YOU AS A CITY COUNCIL WANT TO LEAVE FOR FUTURE GENERATIONS OF GUELPHITES?

THERE HAVE BEEN MANY THOUGHTFUL LETTERS IN THE PAPER. I HOPE YOU HAVE BEEN READING THEM. I HOPE YOU ALSO READ THE ARTICLE BY SCOTT TRACEY AFTER YOU APPROVED \$1.75 MILLION FOR BROWNFIELD REDEVELOPMENT OF THIS SITE. HOW BAD CAN THE CONTAMINATION BE WHEN THERE WAS A DAY CARE ON THIS SITE FOR ALMOST 40 YEARS? SHOULD THE SELLER (CO-OPERATORS) + THE BUYER NOT HAVE WORKED THIS OUT THEMSELVES? WHY SHOULD MY TAXES BE INVOLVED!

YOURS TRULY

(MRS H) ELIZABETH GRAY  
Elizabeth Gray

April 27, 2012

RECEIVED  
APR 30 2012  
CITY CLERK'S OFFICE

Dear Mr. Labelle.

As a citizen of Wards 1 I would like to voice my disapproval of allowing a tower of eighteen stories on the corner of Woolwich & Macdonell. This building would overwhelm the horizon of the whole area. Once the height of 18 stories was approved, it would become the new norm. Towers are not the character or face of Guelph.

Perhaps if there was green space around the building, it would fit in to a greater degree. The Co-operators building is approximately half the height. I am not against intensification, I realize the necessity, however I think 18 stories is a mistake which will be duplicated once accomplished in one area of Guelph. Please give consideration to this precedent making by-law.

Yours truly,  
Jody Larsen

**From:** Allan Dyer  
**Sent:** March 16, 2012 10:05 AM  
**To:** Mayors Office  
**Cc:** Jim Furfaro; Bob Bell; Ian Findlay; Ireith  
**Subject:** Developments around 16 Arthur St N

Sunday, March-11-12

Madame Mayor,

We own the property at \_\_\_\_\_ and plan to live there in the near future. This area that is undergoing rapid development with the new transportation hub, Wood's development and the 148-152 Macdonell St proposal. One of our concerns is the lighting of the area. In mid-February, the lights were turned on at the transportation hub in the evening. The lighting is so bright that it has an impact on our property and the quality of our evenings. The transportation hub needs to be lit. However, does it need to be lit so brightly that it has an impact over 150 meters away? Our area is a residential area and due consideration should be shown.

I would make the following suggestions for improving the lighting in that area:

- Reduce the wattage of the lighting fixtures so that only the immediate area is lit.
- Put shields on the east side of the lights in order to shine the light down into the hub area and to reduce the amount of light that shines into the residential area. This was done at the hospital when the parking lot lights had an impact on the Elliot Building
- Turn off some or all of the lighting when the hub is not in use. It is not open at this time and therefore, energy levels could be reduced if the lights were turned off. Even when it is in use, the lights do not need to burn all night at the current levels.

After listening to the Council Meeting on 148-152 on March 5, 2012 regarding 148-152 Macdonell St proposal and the public meeting on the develop of the Wood's property earlier in the year, we have concerns that we would like to share.

1. With the increased development, will the lighting in the area be reviewed to make certain the light levels in the evening are a reasonable level for a residential area? I am thankful that the shadows on the 148-152 Macdonell Street building have been studied and that they will have a limited impact on our property. However, we have not heard of any study of the impact of evening lighting. If the transportation hub is an example of what might happen, we are very concerned.

2. Parking is tight in this area of the city. With the arena and the River Run, there are many events and parking pressure increases. With the addition of 700 units in the Wood's development and 130 units in 148-152 Macdonell St proposal, parking pressures will increase even more. I realize that parking will be provided for the residences of these developments. I am more concerned with the visitors to the residents of these building and the restrictions of on-street parking during the winter months. Although we have parking for 9 vehicles at 16 Arthur St N for 4 units, there have been times when the tension has risen to near violent levels.

If 10 percent of the residents had guests with vehicles in the Wood's and Macdonell developments, there is a potential requirement for an additional 83 visitors parking spaces in the area. Add that to the event parking for the arena and the River Run. Are there plans for these additional vehicles in these developments or will they have to use street parking? How much parking is provided for overnight guests, since street parking is very limited in the winter months? Several large residential buildings already in the area have limited guest parking.

I realize that there is a formula for calculating these numbers. Does this formula take into consideration the event parking need of the area as well.

3. After listening to the discussion regarding the 148-152 Macdonell St proposal, twelve stories is more suitable transition between the downtown area and the residential area just beyond the river.

Please forward our concerns to the appropriate departments for their response and action.

Sincerely,

Allan Dyer and Linda Reith.

Cc

Bob Bell, [bob.bell@guelph.ca](mailto:bob.bell@guelph.ca)

Jim Furfaro, [jim.furfaro@uoguelph.ca](mailto:jim.furfaro@uoguelph.ca)

Ian Findlay, [ian.findlay@guelph.ca](mailto:ian.findlay@guelph.ca)

Regards

Allan Dyer