COUNCIL PLANNING AGENDA



Council Chambers, City Hall, 1 Carden Street

DATE Monday, June 13, 2016 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 Reflection Disclosure of Pecuniary Interest and General Nature Thereof

PRESENTATION

a) None

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

Application	Staff Presentation	Applicant or Designate	Delegations (maximum of 10 minutes)	Staff Summary
1131 Gordon Street Proposed Zoning By-law Amendment (File: ZC1609) Ward 6	Katie Nasswetter, Senior Development Planner	Astrid Clos	Les Schmidt	

CONSENT AGENDA

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

COUNCIL CONSENT AGENDA				
ITEM	CITY PRESENTATION	DELEGATIONS (maximum of 5 minutes)	TO BE EXTRACTED	
CON-2016.27 325 Gordon Street Proposed Zoning By-law Amendment (File: ZC1516) - Ward 5				

CON-2016.28 55 and 75 Cityview Drive North - Proposed Modification to Draft Plan of Subdivision 23T-12501 and Zoning By- law Amendment (File:		
ZC1512) – Ward 1		
CON-2016.29 Blocks 221-223, Registered Plan 61M18 (Silurian Drive/ Starwood Drive) Proposed Zoning By-law Amendment (File: ZC1513) – Ward 1		
CON-2016.30 Proposed Demolition of Residential Building at 305		
Niska Road – Ward 6		
CON-2016.31 42 Carden Street – Brownfield Environmental Study Grant		
CON-2016.32 District Energy Materials from Previous Council Meetings	Pankaj Sardana, GMHI Chief Financial Officer and CEO Envida and GHESI	✓
CON-2016.33 CAO By-law		

BY-LAWS

Resolution – Adoption of By-laws (Councillor Piper)

MAYOR'S ANNOUNCEMENTS

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

NOTICE OF MOTION

ADJOURNMENT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE June 13, 2016

SUBJECT Statutory Public Meeting Report

1131 Gordon Street

Proposed Zoning By-law Amendment

(File: ZC1609)

Ward 6

REPORT NUMBER 16-45

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Zoning By-law amendment to permit a 16 unit stacked townhouse development on the property municipally known as 1131 Gordon Street. This report has been prepared in conjunction with the Statutory Public Meeting for this application.

Location: 1131 Gordon Street

KEY FINDINGS

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

ACTION REQUIRED

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

RECOMMENDATION

1. That Report 16-45 regarding a proposed Zoning By-law amendment application (File: ZC1609) by Astrid J. Clos Planning Consultants on behalf of 1876698 Ontario Inc. to permit a stacked townhouse development on the property municipally known as 1131 Gordon Street and legally described as Part of Lots 4 & 5, Concession 7 (Geographic Township of Puslinch), City of Guelph, from Infrastructure, Development and Enterprise dated June 13, 2016, be received.



BACKGROUND

An application to amend the Zoning By-law has been received for the property municipally known as 1131 Gordon Street from Astrid J. Clos Planning Consultants on behalf of 1876698 Ontario Inc. The application is a request to rezone the site from the current R.1B (Residential Single Detached) Zone to a new specialized R.3A-?? (Specialized Cluster Townhouse) Zone to permit the development of 16 stacked townhouse units. The application was received on March 29, 2016 and deemed complete on April 28, 2016.

Location

The subject property is approximately 0.184 hectares in size and located on the west side of Gordon Street, just south of the intersection of Gordon Street and Hart's Lane (see Attachment 1). The site contains a single detached dwelling that is proposed to be demolished.

Surrounding land uses include:

- Single detached dwellings to the north and west along Hart's Lane West and across Gordon Street to the east.
- Cluster townhouses to the south along Gordon Street.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation for the site is "General Residential" as illustrated in Attachment 2. Lands designated 'General Residential' are meant to accommodate all forms of residential development, though the general character of development is meant to be low-rise forms of housing. Multiple unit residential buildings, including stacked townhouses as proposed here, may be permitted subject to meeting the specific criteria outlined in policy 7.2.7. The 'General Residential' designation policies are included in Attachment 2.

Official Plan Amendment 48 Designations and Policies

Official Plan Amendment 48 is a comprehensive five-year update to the City's Official Plan that is currently under appeal to the Ontario Municipal Board (OMB). In OPA 48, as shown in Attachment 3, the property is designated as Medium Density Residential, which permits multiple unit residential buildings, including townhouses and has a density range of 35 to 100 units per hectare.

Existing Zoning

The subject property is zoned R.1B (Residential Single Detached) Zone, as illustrated in Attachment 4. This zone permits single detached dwellings along with other residential and accessory uses such as an accessory apartment, bed and breakfast establishment, day care centre, group home. Details of the current zoning are included in Attachment 4.



REPORT

Description of Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law amendment is to rezone the subject site from the current R.1B (Residential Single Detached) Zone to a specialized R.3A-?? (Specialized Cluster Townhouse) Zone to permit the development of 16 stacked townhouse units. The following specialized regulations are being requested through the proposed Zoning By-law amendment application:

- To permit a minimum lot area per dwelling unit of 115 m², where the standard regulation requires 150 m²;
- To permit a minimum front yard of 4.5 metres where 6 metres is required;
- To permit at grade minimum private amenity area to be setback 2.5 metres from the property line, where 3 metres is required;
- To permit a maximum of 16 dwelling units in a row, when the standard regulation permits 12;
- To permit a maximum site density of 87 units per hectare where 60 units per hectare are permitted in the standard zone.

Proposed Development

The proposed development would create 16 stacked townhouse units in a three storey high building facing a private driveway on the north side of the site, with one access onto Gordon Street. Each unit is proposed to have one garage parking space and 4 visitor parking spaces are provided at the rear of the building. The proposed site plan and building elevations are shown in Attachment 5.

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Review of the proposed zoning;
- Demolition of the existing dwelling;
- Review of the proposed site and building design:
- Review of traffic, parking and servicing;
- Confirm support for the Community Energy Initiative; and
- Address all comments and issues raised during the review of the application.

Once the proposed amendment is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN

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



FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

The Complete Application and Public Meeting Notice was mailed on May 12, 2016 to local boards and agencies, City service areas and property owners with 120 metres of the subject site. The Notice of Public Meeting was advertised in the Guelph Tribune on April 19, 2016. Notice of the application has also been provided by signage on the site.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Existing Official Plan Land Use Designations and Policies

Attachment 3 - Official Plan Amendment #48 Land Use Designations

Attachment 4 - Existing and Proposed Zoning and Details

Attachment 5 - Proposed Development Concept and Building Elevations

Report Author

Katie Nasswetter Senior Development Planner

Sylvia Kirkwood

Manager of Development Planning

Approved By

Todd Salter

General Manager

Planning, Urban Design and

Building Services

519.822.1260, ext. 2395

todd.salter@guelph.ca

Recommended By

Scott Stewart, C.E.T.

Deputy CAO

Approved By

Infrastructure, Development and Enterprise

519.822.1260, ext. 3445

scott.stewart@guelph.ca



Attachment 1



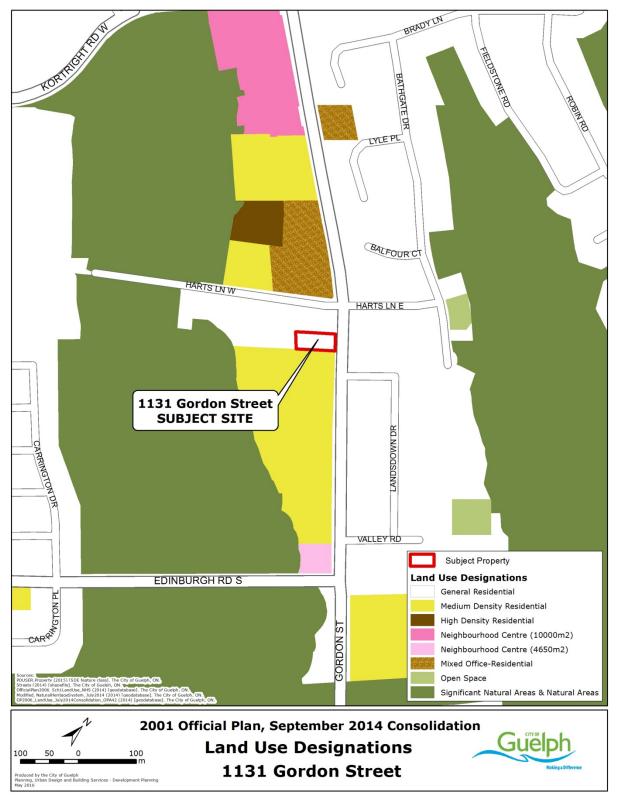


2012 Orthophoto 1131 Gordon Street





Attachment 2 Eviating Official Diam Land Lies Designations and Delision





Attachment 2 (continued) Existing Official Plan Land Use Designations and Policies

'General Residential' Land Use Designation

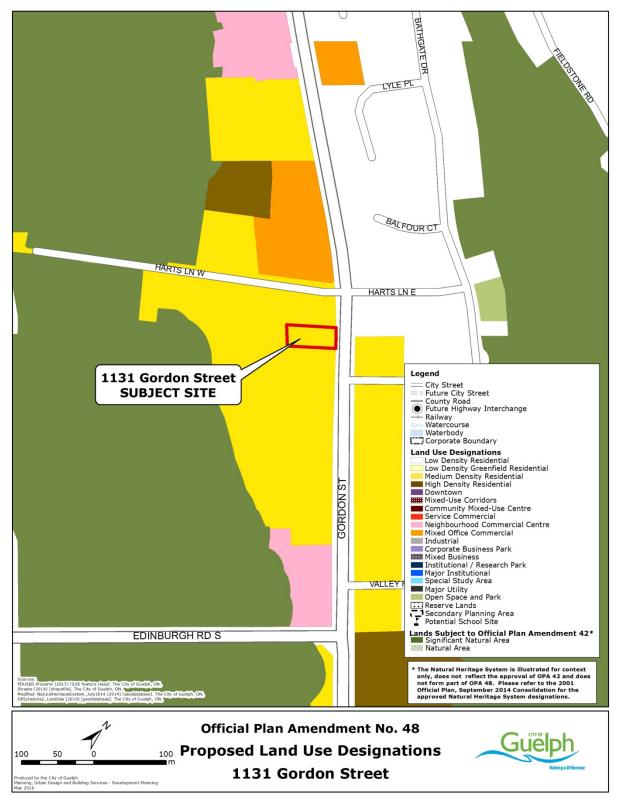
- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential development shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. Multiple unit residential buildings will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, lodging houses, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density* of *development* shall not exceed 100 units per hectare (40 units/acre).
- 1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parametres outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
 - a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.



- 7.2.7 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a development proposal for multiple unit housing:
 - a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
 - b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
 - c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
 - d) That adequate municipal *infrastructure*, services and amenity areas for the residents can be provided.

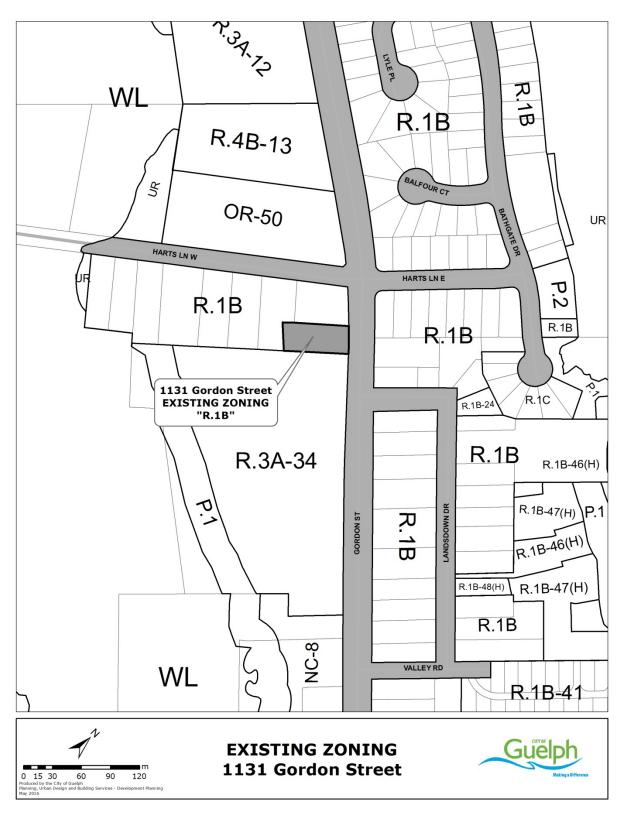


Attachment 3
Official Plan Amendment #48 Land Use Designations





Attachment 4





Attachment 4 (continued) Existing Zoning Details

5.1 RESIDENTIAL SINGLE DETACHED (R.1) **ZONES**)

5.1.1 PERMITTED *USES*

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

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

5.1.2 REGULATIONS

Within the Residential 1 (R.1) **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 listed in Table 5.1.2, and the following:

- 5.1.2.1 Despite Row 7 of Table 5.1.2, where a *Garage, Carport* or *Parking Space* is not provided in accordance with Section 4.13.2.1, one *Side Yard* shall have a minimum dimension of 3 metres.
- 5.1.2.2 Despite any required **Side Yard** on a residential **Lot**, **Carports** shall be permitted provided that no part of such **Carport** is located closer than 0.6 metres to any **Side Lot Line**.
- In the event that there is a transformer easement on a particular **Lot**, portions of the **Single Detached Dwelling** may be required to be **Setback** further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.
- 5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.
- 5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum *Lot Frontage* for a *Corner Lot* in a R.1D *Zone* shall be 12 metres.
- 5.1.2.6 Despite Row 4 of Table 5.1.2, the *Lots* located within Defined Area Map Number 66 of Schedule "A" of this *By-law* shall have a minimum *Lot Frontage* of the average *Lot Frontage* established by the existing



Attachment 4 (continued) Existing Zoning Details

Lots within the same City Block Face, but in no case less than 9 metres. Nothing in this section shall require the minimum Lot Frontage to be greater than the minimum Lot Frontage established in Table 5.1.2. Where the average Lot Frontage of the existing Lots on the Block Face cannot be determined, the minimum Lot Frontage shall be as indicated in Table 5.1.2.

- 5.1.2.7 Despite Row 6 of Table 5.1.2, the minimum *Front* or *Exterior Side Yard* for dwellings located within Defined Area Map Number 66 of Schedule "A" of this *By-law*, shall be:
 - i) The minimum Front Yard or Exterior Side Yard shall be 6 metres or the average of the Setbacks of the adjacent properties. Where the offstreet Parking Space is located within a Garage or Carport, the Setback for the Garage or Carport shall be a minimum of 6 metres from the Street Line.
 - ii) In accordance with Section 4.6 and 5.1.2.3; and
 - iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.

Where a road widening is required in accordance with Section 4.24, the calculation of the required *Front* or *Exterior Side Yard* shall be as set out in Section 5.1.2.7, provided that the required *Front* or *Exterior Side Yard* is not less than the new *Street Line* established by the required road widening.

- 5.1.2.8 Despite Row 7 of Table 5.1.2, properties **Zoned** R.1B or R.1C with **Buildings** over 2 **Storeys** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Side Yard** requirement of 1.5 metres.
- 5.1.2.9 Deleted.
- 5.1.2.10 Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a *Building* has a one *Storey* portion and a 1.5 to 2 *Storey* portion, the required *Side Yard* shall be 1.5m from the *Side Lot Line* to the foundation wall of the 1 *Storey* portion and 2.4m from the *Side Lot Line* to the wall of the 1.5 to 2 *Storey* portion.
- 5.1.2.11 Where *Lots* have less than 12 metres of *Frontage*, the *Garage* is limited to a maximum of 55% of the *Lot* width (as measured at the *Front Yard Setback*).



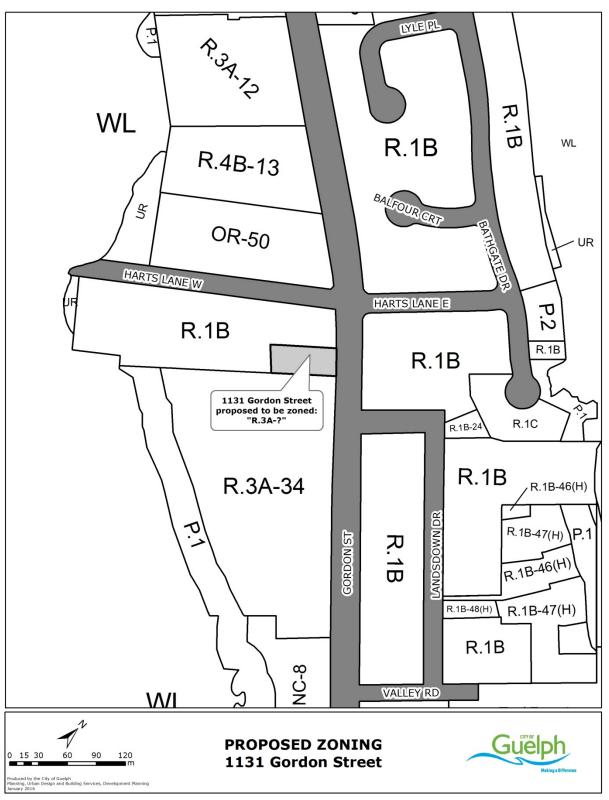
Attachment 4 (continued) Existing Zoning Details

15378, 17187, 18116, 19063, 19691 TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

5378, 17 1	187, 18116, 19063, 19691 TAE Residential Type	BLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES SINGLE-DETACHED DWELLINGS			
2	Zones	R.1A	R.1B	R.1C	R.1D
3	Minimum <i>Lot Area</i>	555 m ²	460 m ²	370 m ²	275 m ²
4	Minimum Lot Frontage	18 metres and in accordance with Section 5.1.2.6.	15 metres and in accordance with Section 5.1.2.6.	12 metres and in accordance with Section 5.1.2.6.	9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.
5	Maximum Building Height	3 <i>Storeys</i> and in accordance with Section 4.18.			
6	Minimum <i>Front Yard</i>	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
6а	Minimum <i>Exterior Side</i> <i>Yard</i>	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
7	Minimum Side Yard 1 to 2 Storeys Over 2 Storeys	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	1.2 metres 1.2 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.
8	Minimum <i>Rear Yard</i>	7.5 metres or 20% of the <i>Lot Depth</i> , whichever is less and in accordance with Section 5.1.2.4.			
9	Accessory Buildings or Structures	In accordance with Section 4.5.			
10	Fences	In accordance with Section 4.20.			
11	Off-Street Parking	In accordance with Section 4.13.			
12	Minimum <i>Landscaped Open Space</i>	The <i>Front Yard</i> on any <i>Lot</i> , excepting the <i>Driveway (Residential)</i> shall be landscaped and no parking shall be permitted within this <i>Landscaped Open Space</i> . Despite the definition of <i>Landscaped Open Space</i> , a minimum area of 0.5 metres between the <i>Driveway (Residential)</i> and nearest <i>Lot Line</i> must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.			
13	Garbage, Refuse and Storage	In accordance with Section 4.9.			
14	Garages	For those <i>Lots</i> located within the boundaries indicated on Defined Area Map Number 66, attached <i>Garages</i> shall not project beyond the main front wall of the <i>Building</i> . Where a roofed porch is provided, the <i>Garage</i> may be located ahead of the front wall of the dwelling (enclosing <i>Habitable Floor Space</i> on the first floor) equal to the projection of the porch to a maximum of 2 metres.			



Attachment 4 (continued) Proposed Zoning and Details





Attachment 4 (continued) Proposed Zoning Details

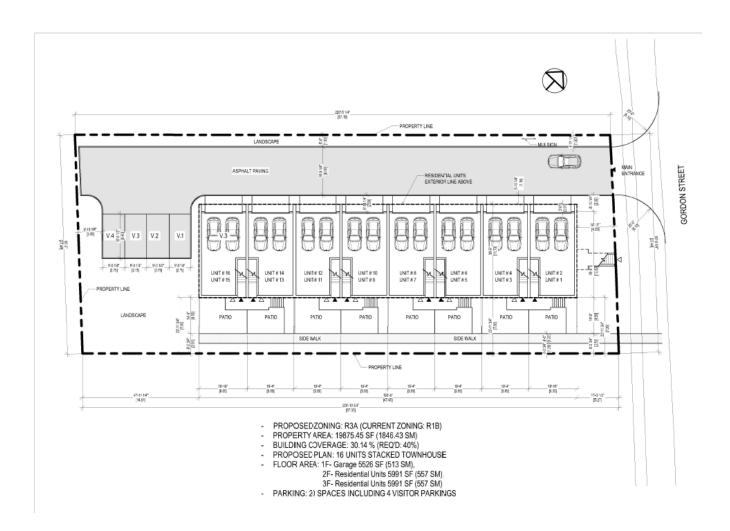
Specialized R.3A-? (Cluster Townhouse) Zone

Specialized Regulations

- To permit a minimum lot area per dwelling unit of 115 m², where the standard regulation requires 150 m²;
- To permit a minimum front yard of 4.5 metres where 6 metres is required;
- To permit at grade minimum private amenity area to be setback 2.5 metres from the property line, where 3 metres is required;
- To permit a maximum of 16 dwelling units in a row, when the standard regulation permits 12;
- To permit a maximum site density of 87 units per hectare where 60 units per hectare are permitted in the standard zone.



Attachment 5 Conceptual Development Plan

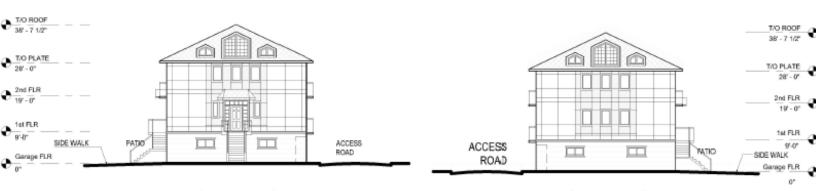




Attachment 5 (continued) Proposed Building Elevations



NORTH ELEVATION



EAST ELEVATION (View from Gordon Street)

WEST ELEVATION (View from Rear Yard)



SOUTH ELEVATION

CONSENT AGENDA

Monday, June 13, 2016

His Worship the Mayor and Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A REPORTS FROM ADMINISTRATIVE STAFF

REPORT		DIRECTION
CON-2016.27	325 GORDON STREET - PROPOSED ZONING BY-	Approve

LAW AMENDMENT (FILE: ZC1516) - WARD 5

- 1. That the application submitted by Webb Planning Consultants on behalf of the Roman Catholic Episcopal Corporation Diocese of Hamilton for approval of a Zoning By-law Amendment to change the zoning from the "Residential Single Detached" (R.1B) Zone to the specialized "Institutional Educational, Spiritual and Other Services" (I.1-16) Zone to permit a religious establishment on the lands municipally known as 325 Gordon Street, legally described as Lot 1 and 2, Registered Plan 308, City of Guelph be approved in accordance with the conditions and zoning regulations contained in Attachment 3 of Infrastructure, Development and Enterprise Report 16-35 dated June 13, 2016.
- 2. 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 the lands municipally known as 325 Gordon Street as set out in Infrastructure, Development and Enterprise Report 16-14 dated February 8, 2016.

CON-2016.28

55 AND 75 CITYVIEW DRIVE NORTH - PROPOSED MODIFICATION TO DRAFT PLAN OF SUBDIVISION 23T-12501 AND ZONING BY-LAW AMENDMENT (FILE: ZC1512) - WARD 1

Approve

- 1. That the application from GSP Group Inc. to approve a modified Draft Plan of Residential Subdivision with 243 to 323 residential units, consisting of 127 single detached dwellings, 21 on-street townhouse units, and 95-175 multiple residential dwellings, as shown on Attachment 7, applying to property municipally known as 55 and 75 Cityview Drive North and legally described as Parts of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, be approved for a three (3) year period in accordance with Attachment 2 of the Infrastructure, Development and Enterprise Report 16-37 dated June 13, 2016.
- 2. That the application by GSP Group Inc. for approval of a Zoning By-law Amendment from the R.3A-57 (Specialized Cluster Townhouse) Zone to the R.3B (On-Street Townhouse) Zone, R.1D-47 (Specialized Residential Single Detached) Zone to the R.3B (On-Street Townhouse) Zone, the R.3B (On-Street Townhouse) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone, R.2 (Residential Semi-Detached/Duplex) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone, the R.1C-27 (Specialized Residential Single Detached) Zone to the R.1D-47 (Specialized Residential Single Detached Residential) Zone and modifications to the zoning regulations of the R.3A-57 Zone and R.4A-48 Zone to implement a residential Draft Plan of Subdivision, be approved, in accordance with Attachment 2 of the Infrastructure, Development and Enterprise Report 16-37, dated June 13, 2016.
- 3. 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 55 and 75 Cityview Drive North.

CON-2016.29 BLOCKS 221-223, REGISTERED PLAN 61M-18 (SILURIAN DRIVE/STARWOOD DRIVE) PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1513) WARD 1

Approve

1. That the application by GSP Group Inc. for a Zoning By-law Amendment to rezone Future Development Blocks 221, 222 and 223 within Registered Plan 61M-18 from the UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to facilitate the development of nine (9) single detached dwellings and

two (2) semi-detached dwellings in consolidation with adjoining blocks within Draft Plan of Subdivision 23T-12501, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 16-38, dated June 13, 2016.

CON-2016.30 PROPOSED DEMOLITION OF RESIDENTIAL BUILDING AT 305 NISKA ROAD - WARD 6

Approve

- That Report 16-39 regarding the proposed demolition of one (1) single detached dwelling at 305 Niska Road, legally described as Con 6 Pt. Lots 12 to 15, Division G Con. 5 Pt. Lot 9, Pt. Road Allow; City of Guelph, from Infrastructure, Development and Enterprise dated June 13th, 2016, is received.
- 2. That the proposed demolition of one (1) detached dwelling at 305 Niska Road be approved.
- 3. That the applicant be requested to contact the Plant Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.
- 4. The applicant is advised to erect tree protection fencing at one (1) metre from the dripline of any existing trees to be retained on the property which may be impacted by demolition.

CON-2016.31 42 CARDEN STREET BROWNFIELD ENVIRONMENTAL STUDY GRANT

Approve

- 1. That Report 16-46 regarding 42 Carden Street, dated June 13, 2016 be received.
- 2. That the Environmental Study Grant application made by 10 Carden and applying to 42 Carden Street be approved.
- 3. That staff be directed to consider the issue of timing of work and City approvals for the environmental study grant programs through the Brownfield Redevelopment CIP review scheduled for 2017.

CON-2016.32 DISTRICT ENERGY MATERIALS FROM PREVIOUS COUNCIL MEETINGS

Receive

That the report, "District Energy Materials from Previous Council Meetings", CAO-LR-1612, dated June 13, 2016 be received.

CON-2016.33 CAO BY-LAW

(referred from May 16, 2016 meeting)

Material to be provided at a later date.

Attach.



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE June 13, 2016

SUBJECT Decision Report

325 Gordon Street

Proposed Zoning By-law Amendment

(File: ZC1516)

Ward 5

REPORT NUMBER 16-35

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve an application to amend the Zoning By-law to permit a religious establishment on the property municipally known as 325 Gordon Street. The religious establishment (Newman Centre Guelph) is proposed to be located within the existing house on the subject lands.

Location: 325 Gordon Street

KEY FINDINGS

Planning staff support the proposed Zoning By-law Amendment subject to the regulations and conditions set out in Attachment 3.

FINANCIAL IMPLICATIONS

Estimated Development Charges: As a proposed religious establishment, the proposal would be exempt from development charges.

Estimated Annual Tax Levy: As a proposed religious establishment, the property would be tax exempt.

ACTION REQUIRED

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

RECOMMENDATION

1. That the application submitted by Webb Planning Consultants on behalf of the Roman Catholic Episcopal Corporation Diocese of Hamilton for approval of a Zoning By-law Amendment to change the zoning from the "Residential



Single Detached" (R.1B) Zone to the specialized "Institutional – Educational, Spiritual and Other Services" (I.1-16) Zone to permit a religious establishment on the lands municipally known as 325 Gordon Street, legally described as Lot 1 and 2, Registered Plan 308, City of Guelph be approved in accordance with the conditions and zoning regulations contained in Attachment 3 of Infrastructure, Development and Enterprise Report 16-35 dated June 13, 2016.

2. 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 the lands municipally known as 325 Gordon Street as set out in Infrastructure, Development and Enterprise Report 16-14 dated February 8, 2016.

BACKGROUND

An application to amend the Zoning By-law was received for the property municipally known as 325-329 Gordon Street from James Webb Planning Consultants Inc. on behalf of The Roman Catholic Episcopal Corporation Diocese of Hamilton. The application is seeking to change the zoning on the northern half of the subject property only (portion addressed as 325 Gordon Street) from the current Residential Single Detached (R.1B) Zone to a Specialized Institutional: Educational, Spiritual, and Other Services (I.1-16) Zone (See Proposed Site Plan and Elevations in Attachment 10).

The property contains two (2) existing houses – one on the subject lands at 325 Gordon Street and a second at 329 Gordon Street. The house on the subject lands at 325 Gordon Street is currently vacant, while the existing house at 329 Gordon Street is currently occupied and is being used as a Group Home. The two houses are each approximately 125 years old.

The Zoning By-law Amendment application (ZC1516) was received on December 14, 2015, and deemed to be complete pursuant to Section 34(10.4) of the *Planning Act* on January 20, 2016. The statutory public meeting for the application was held before City Council on March 7, 2016. At the Public Meeting, report 16-14 from Infrastructure, Development and Enterprise provided background information related to the proposed zoning by-law amendment.

The applicant has indicated that the intention of the Zoning By-law Amendment is to permit a religious establishment within the existing residential dwelling at 325 Gordon Street, on the northern portion of the property. Specifically, the Catholic Diocese of Hamilton is proposing to establish the 'Newman Centre Guelph' in the existing house, which is a chaplaincy for students, faculty and staff of the University of Guelph. Newman Centres are found throughout the world as Catholic ministry centres for nearby universities.



In order for the applicant to undertake several small-scale interior renovations as an interim measure, a minor variance (File A-9/16) was approved by the Committee of Adjustment (Committee) on February 11, 2016 to permit an office use within the existing building. No members of the public spoke in favour or opposition to the minor variance at this Committee meeting. As a result of the Committee's decision, some building permits have been issued by the City for minor renovations to occur while the Zoning By-law Amendment application was being reviewed and processed.

Location and Context

The subject property (325-329 Gordon Street) has a total site area of 0.45 hectares (1.1 acres), and is 50.8 metres (166.6 feet) in width, and 94.5 metres (310 feet) in width and in depth, and is legally described as Lot 1 and 2, Registered Plan 308, City of Guelph. The northern portion of the subject property, 325 Gordon Street, which is the portion proposed to be rezoned, has a total site area of 0.2 hectares (0.5 acres), and is 50.8 metres (166.6 feet) in width and 41 metres (134.5 feet) in depth.

The subject property is within a block bound by Dean Avenue to the north, Gordon Street to the east, University Avenue West to the south and Crawford Street to the west (See Location Map in Attachment 1). The subject property is within a predominantly residential neighbourhood commonly known as the 'Old University Neighbourhood', and is surrounded on all sides by single detached dwellings.

The subject property is located within the Brooklyn and College Hill Heritage Conservation District, designated under Part V of the Ontario *Heritage Act* through By-law (2014)-19812. The heritage conservation district boundary is shown in Attachment 6. More details on the applicable cultural heritage policies, particularly Heritage Guelph's involvement and the required heritage permit are provided in Attachment 11 to this report.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject property is "General Residential", which permits a range of housing types including single, semi-detached residential dwellings and multiple unit residential buildings. Further, a variety of small-scale institutional uses may be permitted within the "General Residential" designation, such as churches, schools, and day care centres, provided hey satisfy specific criteria identified in Section 7.2.27 of the Official Plan. The land use designation and relevant policies are included in Attachment 4. The Natural Heritage System policies within the Official Plan do not identify any designated Significant Natural Areas on or immediately adjacent to the site.

Official Plan Amendment No. 48: Land Use Designations and Policies

On June 5, 2012, the City adopted Official Plan Amendment #48 (OPA 48), a comprehensive update to its Official Plan. Official Plan Amendment 48 (currently under appeal) proposes to designate the subject site as "Low Density Residential".



OPA 48 permits non-residential uses such as places of worship on lands within the residential designations of the plan. Although the application is being processed under the 2001 Official Plan, Staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations and relevant policies contained in OPA 48 are included in Attachment 5.

Existing Zoning

The north portion of the subject property (325 Gordon Street) is within the Residential Single Detached (R.1B) Zone. The R.1B zone permits single detached dwellings along with other residential and accessory uses such as an accessory apartment, bed and breakfast establishment, day care centre, group home, type 1 lodging house and home occupations. Each of the additional residential uses to single detached dwellings and accessory uses are permitted subject to properties meeting related provisions in Section 4 of the Zoning By-law.

The south portion of the subject property (329 Gordon Street) is within the Institutional: Educational, Spiritual, and Other Services (I.1) Zone. The I.1 Zoning permits an art gallery, day care centre, group home, library, museum, outdoor sportsfield facilities, religious establishment, and a school.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant is requesting to rezone the northern portion of subject property (325 Gordon Street) from the R.1B (Residential Single Detached) Zone to a Specialized Institutional: Educational, Spiritual, and Other Services (I.1-16) Zone.

Upon further discussion with the applicant following the public meeting on March 7, 2016, the range of permitted institutional uses in the parent I.1 zone is proposed to be limited in the specialized I.1-16 Zone to a religious establishment and associated accessory uses as set out in Section 8.1.1.1 of the Zoning By-law. In addition, the applicant has requested that a 'school' be added as an accessory use in the specialized I.1-16 zoning. In this case, any school on the subject lands would be subordinate, incidental and exlusively devoted to the religious establishment as the primary use. As an accessory use, a school would not be permitted as a separate land use.

The applicant has requested to develop the property as a religious establishment in accordance with the regulations of the standard I.1 Zone, with a specialized provision for a reduced off-street parking ratio. For the proposed religious establishment with 75 seats, a total of 15 off-street parking spaces would be required (1 parking space per 5 seats in a hall or auditorium involving the assembly of persons). However, the applicant has requested to provided a minimum of 13 off-street parking spaces on the property for the religious establishment.



The existing and proposed zoning details are provided in Attachments 7 and 8 respectively.

Proposed Development Concept

The applicant's most current development concept (March-April 2016) is shown in Attachment 10. The proposed development is for a 329 square metre (3,541 square foot) Religious Establishment as an adaptive reuse within the existing house at 325 Gordon Street. A small 13 square metre (140 square foot) addition for a vestibule is proposed to the south of the building. This gross floor area determination does not include the basement of the house.

The Roman Catholic Episcopal Corporation of the Diocese of Hamilton (the Diocese) is proposing to renovate the existing house at 325 Gordon Street into the 'Newman Centre Guelph' – a Religious Establishment intended to serve as a chaplaincy centre for students, faculty and staff of the University of Guelph. The Diocese has indicated to Planning staff that the same house on the subject property was previously used for this identical purpose during the 1970s, prior to being converted under their ownership to a Group Home. The Group Home existed in the house at 325 Gordon Street until 2014 and is now vacant. The applicant has indicated in a professional Planning Brief that "the intent is to create the (Newman) Centre as a 'satellite church' to make it more convenient for students, staff and faculty to attend Mass and related activities," (Webb Planning Consultants Inc., 2015).

The subject property is within the Brooklyn and College Hill Heritage Conservation District, and is designated under Part V of the Ontario *Heritage Act* through By-law (2014)-19812. Heritage Guelph considered the proposal to convert the existing dwelling to a religious establishment at their meeting on March 14, 2016. At this meeting, Heritage Guelph passed a resolution confirming they had no objection to the Zoning By-law Amendment. Heritage Guelph passed a second resolution at this meeting confirming they had no concerns with the approval of a heritage permit for the future construction of an accessibility ramp to the south entrance and expansion to the existing parking area as shown on the development concept in Attachment 10 to this report.

Minor Application Modifications

Following the Public Meeting on March 7, 2016, Planning staff had further discussions with the applicant on the scope of land uses proposed for the site. Staff also further reviewed the placement and number of off-street parking spaces with the applicant.

On April 7, 2016, in response to public concerns regarding the scope of institutional uses permitted in the I.1 Zone, the applicant formally requested to reduce the range of permitted uses for the subject site to just a Religious Establishment with associated accessory uses. For the accessory uses permitted, in addition to those permitted in Section 8.1.1.1 of the Zoning By-law for the I.1 Zone, the applicant requested the addition of a school as an accessory use that would be associated with the Religious Establishment. With this land use modification, all other



permitted uses in Section 8.1.1 of the Zoning By-law would be removed from the initial proposed zoning and not permitted on the subject lands.

The applicant submitted a site plan (File SP15C065) to the City's Site Plan Review Committee (SPRC) on December 18, 2015. Through review of this site plan, the SPRC identified several modifications to the proposed off-street parking layout, particularly to provide proper accessible parking in accordance with the City's Facility Accessibility Design Manual (FADM) and to provide proper tree protection of existing mature trees along the western property line. As shown on the May 2016 draft site plan (Attachment 10), the applicant is proposing to provide 16 off-street parking spaces for the Newman Centre allocated among both 325 Gordon Street and 329 Gordon Street. An additional off-street parking space at 329 Gordon Street will remain for the existing group home. The Zoning By-law requires a minimum of 15 off-street parking spaces for a religious establishment with 75 seats, and one (1) parking space for a group home. To allow for flexibility in final design of the site, the applicant is requesting a specialized provision in the I.1-16 zoning to permit a minimum of 13 parking spaces for the religious establishment at 325 Gordon Street.

The modified specialized provisions can be found in the proposed I.1-16 zoning in Attachment 8.

Supporting Documents

The Zoning By-law Amendment application is supported by the following:

- Covering Letter, Prepared by Webb Planning Consultants, December 2015;
- Planning Brief, Prepared by Webb Planning Consultants, December 2015;
- Site Plan, Prepared by Lintack Architects, December 2015; modified May 2016;
- Elevations, Prepared by Lintack Architects, December 2015; modified May 2016; and
- Tree Conservation Plan, Prepared by O'Connor Mokrycke Consultants, December 2015; *modified April 2016*.

Staff Review and Planning Analysis

The staff review and planning analysis for these applications is provided in Attachment 11. Planning staff's analysis addresses the issues and questions that were raised during the public review of the application, including any issues raised by Council at the statutory Public Meeting held on March 7, 2016. The staff review and planning analysis addresses the following:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of how the application conforms to the applicable Official Plan "General Residential" land use designation and all associated policies, including any related amendments;



- Review of the proposed zoning and proposed specialized regulations;
- Review of applicable Cultural Heritage considerations;
- Review of the proposed site design and building elevations;
- Review of Environmental and natural heritage considerations;
- Confirm support for the Community Energy Initiative (CEI); and
- Questions and issues raised by Council at the March 7, 2016 Public Meeting including the range of permitted institutional land uses, retention of residential land uses in the area, parking, tree preservation, lighting and signage.

Planning Staff Recommendation

Planning staff are satisfied that the Zoning By-law Amendment application is consistent with the 2014 Provincial Policy Statement (PPS) and conforms to the *Growth Plan for the Greater Golden Horseshoe*. In addition, the application to amend the Zoning By-law conforms to the objectives and policies of the Official Plan. Planning staff recommend that Council approve the application to amend the Zoning By-law subject to the conditions and zoning regulations outlined in Attachment 3.

Community Energy Initiative

The proposed development will contribute towards implementing the Community Energy Initiative (CEI) in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The proposed development represents an adaptive reuse of a former residential property and will be integrated with the surrounding residential land uses. The Diocese of Hamilton has made a commitment to implement specific CEI measures, as outlined in their letter to staff in Attachment 12.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

As the subject lands will be used for a religious establishment, Finance staff have confirmed that the north portion of the property will be tax exempt. The loss of residential taxes is \$6,295 (2015 Rates).

In addition, Finance staff have also confirmed that the development of the house into a proposed religious establishment will also be exempt from the payment of Development Charges.

DEPARTMENTAL CONSULTATION

Comments received from Agencies and City Departments during the review of the application as well as associated recommended conditions are included as well as



summarized in Attachment 13.

COMMUNICATIONS

Key dates for the public process regarding the planning applications are included in Attachment 14.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 - Orthophoto

Attachment 3 - Recommended Zoning Regulations and Conditions

Attachment 4 - Existing Official Plan Land Use Designations and Policies

Attachment 5 - Official Plan Amendment No. 48 Land Use Designations and Policies

Attachment 6 - Brooklyn and College Hill Heritage Conservation District Map

Attachment 7 - Existing Zoning and Details

Attachment 8 - Proposed Zoning and Details

Attachment 9 - Zoning By-law Amendment Application Revision - Applicant's Email

Attachment 10 - Proposed Site Plan and Elevations

Attachment 11 - Staff Review and Planning Analysis

Attachment 12 - Community Energy Initiative Commitment

Attachment 13 - Agency and City Department Comments

Attachment 14 - Public Notification Summary

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Infrastructure, Development and

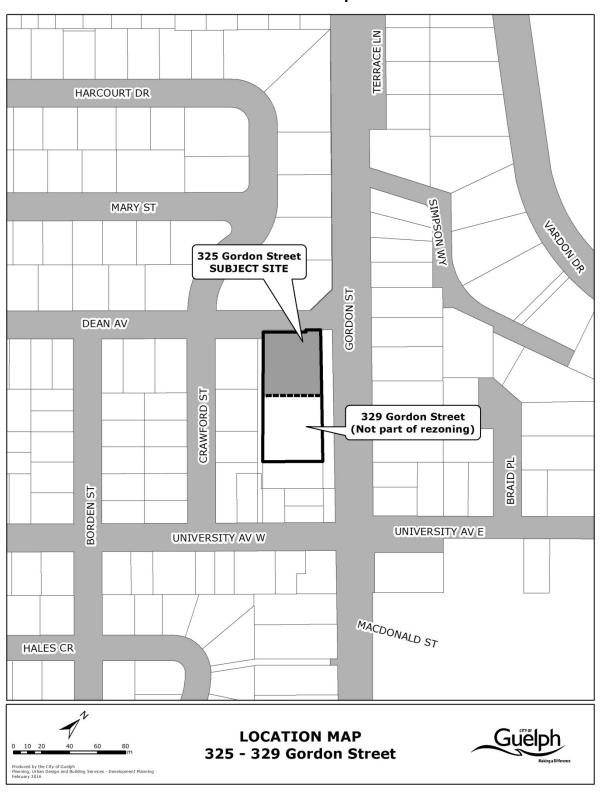
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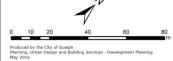
Attachment 1 Location Map





Attachment 2 Orthophoto





325 & 329 Gordon Street





Attachment 3 Recommended Conditions and Zoning Regulations

PART A: PROPOSED CONDITIONS:

The following conditions are provided as information to Council and will be imposed through a site plan control agreement, to be completed and entered into prior to the issuance of site plan approval and registered on title to the subject lands.

- 1. That 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 the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
- 2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the owner.
- 3. Prior to the site plan approval or prior to any construction or grading on the lands, the Consultant shall certify that all properties to be developed and/or conveyed to the City pose no risks to public health and safety and to the environment and can be developed for proposed uses.
- 4. Prior to site plan approval and prior to the City accepting any real property interests if required, if contamination is found, the applicant shall:
 - i. Submit all environmental assessment reports prepared in accordance with O. Reg. 153/04 or CSA Z768-00 standard, describing the current conditions of the land to be developed and/or conveyed to the City to the satisfaction of the City; and
 - ii. Complete any necessary remediation/risk assessment work and submit certification from a Qualified Person (QP) that the lands to be developed and/or conveyed to the City meet the applicable standard(s) of the intended land use.
- 5. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. a stormwater management report and plans certified by a Professional Engineer in accordance ith 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 to be submitted;
 - ii. a geotechnical report certified by a Professional Engineer that analyzes



Attachment 3 (continued) Recommended Conditions and Zoning Regulations

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 grading, drainage and servicing plan prepared by a Professional Engineer for the site;
- iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
- 6. The Owner 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 5 i) to 5 iv) inclusive.
- 7. The Owner shall be responsible for the actual cost of removing the existing 19mm water lateral that connects to the existing building, satisfactory to the Plumbing Inspector. Furthermore, 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 the removal of the existing 19mm water lateral on Gordon Street.
- 8. The Owner shall be responsible to pay for the actual cost of the new water service lateral required for the development of the property. Furthermore, 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 the construction of the new water service lateral from Dean Avenue.
- 9. The Owner shall pay to the City the actual cost of the construction of the new driveway entrance and required curb cut and/or curb fill. Furthermore, 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 the construction of the new driveway entrance and required curb cut and/or curb fill.
- 10. 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 General Manager/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 built as it was approved by the City and that it is functioning properly.
- 11. The Owner shall ensure that a proper long-term maintenance plan/program is implemented for the permeable paver parking lot.



Attachment 3 (continued) Recommended Conditions and Zoning Regulations

- 12. That the Owner will ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
- 13. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
- 14. That prior to site plan approval and prior to any construction or grading on the lands, the owner shall enter into a Site Plan Control Agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the recommendations noted above and to develop the site in accordance with the approved plans.

AND

PART B: ZONING REGULATIONS

The property affected by Zoning By-law Amendment No. ZC1516 is municipally known as 325-329 Gordon Street, and is legally described as Lot 1 and 2, Registered Plan 308, City of Guelph.

That the Zoning By-law Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law (1995)-14864, as amended, to transfer the subject lands from the "Residential Single Detached" (R.1B) Zone to the following:

PROPOSED ZONING – "Specialized Institutional – Educational, Spiritual and Other Services Zone" (I.1-16)

Permitted Uses

- Religious Establishment
- Accessory Uses in accordance with Section 8.1.1.1
 - o In addition to the permitted accessory uses in Section 8.1.1.1 of Zoning By-law (1995)-14864, a School shall also be permitted as an accessory use to a Religious Establishment.

Proposed Zoning Regulations

In accordance with Section 4 (General Provisions) and Section 8.2 and Table 8.2, Institutional – Educational, Spiritual and Other Services (I.1) Zone regulations of



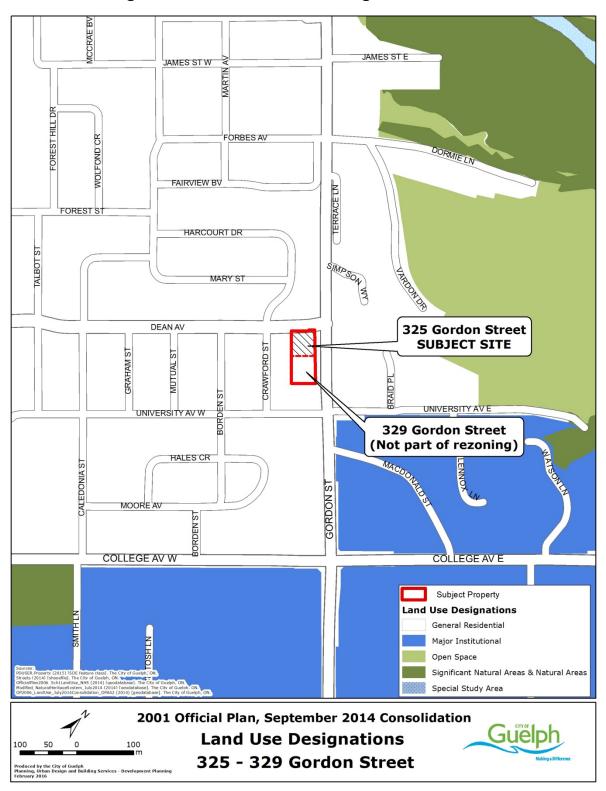
Attachment 3 (continued) Recommended Conditions and Zoning Regulations

Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:

- Off-street parking:
 - o Despite Section 4.13.4.4 of the Zoning By-law, for a Religious Establishment, a minimum of 13 spaces or 1 space for every 5.75 seats within a hall, auditorium or similar Use involving the assembly of persons shall be provided, whichever is greater.



Attachment 4 Existing Official Plan Land Use Designations and Policies





Attachment 4 (continued) Existing Official Plan Land Use Designations and Policies

Non-Residential Uses in Residential Areas

- 7.2.26 Within designations of this Plan permitting residential uses, a variety of smallscale institutional uses may be permitted that are complementary to, and serve the needs of residential neighbourhoods. Such non-residential uses include: schools, churches, day care centres, municipal parklands and recreational facilities. In addition, convenience commercial uses that provide goods and services primarily to the residents in the surrounding neighbourhood may also be permitted. These convenience uses will be limited by the Plan to a maximum gross leasable floor area of 300 square metres (3,200 square feet) on a property.
- 1. A number of potential school sites have been identified by the Upper Grand District School Board and the Wellington Catholic District School Board and are outlined by symbols on Schedule 1. These symbols shall be considered in accordance with the following:
 - a) The symbols used to identify potential school sites do not represent a specific land use designation or location;
 - b) Minor shifts in location may occur without amendment to this Plan in accordance with policy 9.2.3;
 - c) The symbols do not represent a commitment by a local School Board to construct a school facility. The actual construction of a school is subject to capital funding approvals by the School Boards.
 - d) The determination of whether a school site is required, its exact location and land area shall be determined as part of the City's draft plan of subdivision approval process; and
 - e) Where it is determined that a school is not required, the underlying land use designation will apply, without amendment to this Plan.
- 7.2.27 Non-residential uses shall be developed in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood.
- 1. In addition to implementing the objectives and policies of subsection 3.6, Urban Design, non-residential uses shall:
 - a) Be located on an arterial or collector road;
 - b) Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;
 - c) Have adequate landscaping and screening to promote compatibility with adjacent activities;



Attachment 4 (continued) Existing Official Plan Land Use Designations and Policies

- d) Have sufficient off-street parking, circulation and access points; and
- e) Have adequate municipal services.

'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses, coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density* of *development* shall not exceed 100 units per hectare (40 units/acre).
 - 1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parametres outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
 - a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;

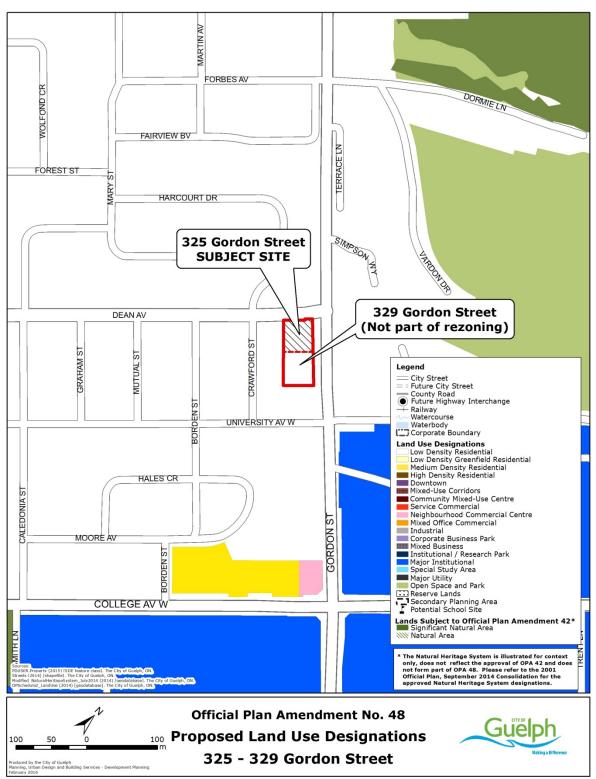


Attachment 4 (continued) Existing Official Plan Land Use Designations and Policies

- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7



Attachment 5 Official Plan Amendment #48 Land Use Designations and Policies





Attachment 5 (continued) Official Plan Amendment #48 Land Use Designations and Policies

9.3.1.2 Non-Residential Uses in Residential Designations

- 1. Within the residential designations of this Plan, a variety of small-scale non-residential uses may be permitted that are complementary to and serve the needs of residential neighbourhoods. Such non-residential uses include:
 - i) schools;
 - ii) places of worship;
 - iii) child care centres;
 - iv) municipal open space, parks, trails and recreation facilities; and
 - v) convenience commercial uses limited to a maximum gross floor area of 400 square metres on a property.
- 2. Non-residential uses shall be developed in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood.
- 3. In addition to the Urban Design policies of this Plan, nonresidential uses shall:
 - i) be located on an arterial or collector road;
 - ii) be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;
 - iii) have adequate landscaping and screening to promote compatibility with adjacent activities;
 - iv) have sufficient off-street parking, circulation and access points; and
 - v) have adequate municipal services.

9.3.2 Low Density Residential

This designation applies to residential areas within the *built-up area* of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.



Attachment 5 (continued) Official Plan Amendment #48 Land Use Designations and Policies

Permitted Uses

- 1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) detached, semi-detached and duplex dwellings; and
 - ii) multiple unit residential buildings, such as townhouses and apartments.

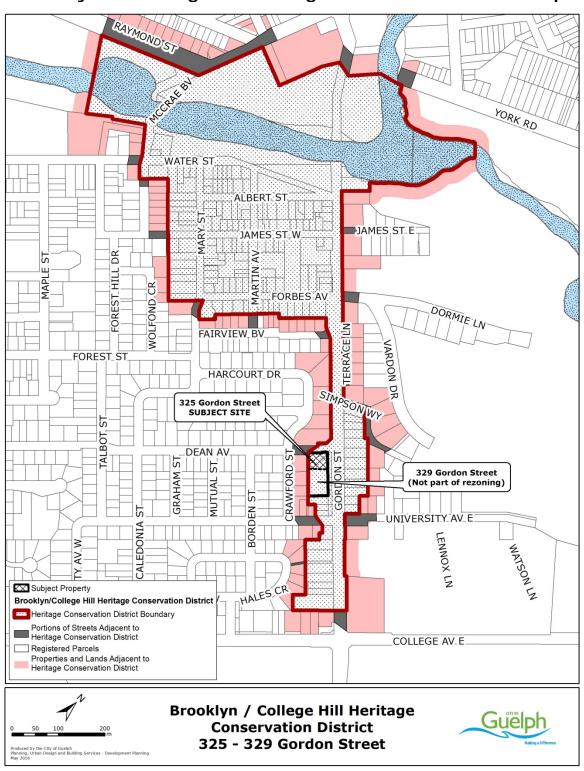
Height and Density

The *built-up* area is intended to provide for *development* that is *compatible* with existing neighbourhoods while also accommodating appropriate *intensification* to meet the overall *intensification* target for the *built-up* area as set out in Chapter 3. The following height and density policies apply within this designation:

- 2. The maximum height shall be three (3) storeys.
- 3. The maximum *net density* is 35 units per hectare and not less than a minimum *net density* of 15 units per hectare.
- 4. Notwithstanding policies 9.3.2.2 and 9.3.2.3, increased height and density may be permitted for *development* proposals on arterial and collector roads without an amendment to this Plan up to a maximum height of six (6) storeys and a maximum *net density* of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

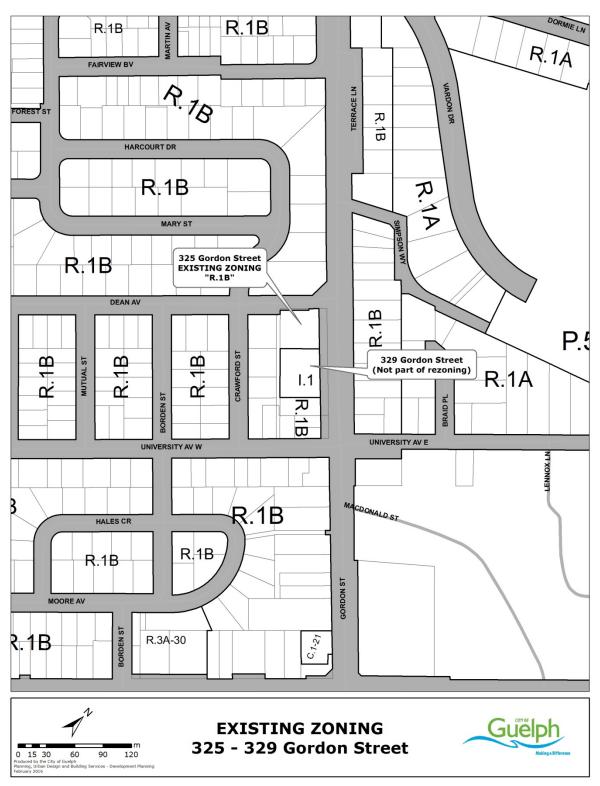


Attachment 6 Brooklyn and College Hill Heritage Conservation District Map





Attachment 7 Existing Zoning and Details





Attachment 7 (continued) Existing Zoning and Details

5.1 RESIDENTIAL SINGLE DETACHED (R.1) **ZONES**

5.1.1 PERMITTED *USES*

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

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

5.1.2 REGULATIONS

Within the Residential 1 (R.1) **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 listed in Table 5.1.2, and the following:

¹⁵³⁷⁸ 5.1.2.1

Despite Row 7 of Table 5.1.2, where a *Garage, Carport* or *Parking Space* is not provided in accordance with Section 4.13.2.1, one *Side Yard* shall have a minimum dimension of 3 metres.

¹⁵⁰⁰⁶ 5.1.2.2

Despite any required **Side Yard** on a residential **Lot**, **Carports** shall be permitted provided that no part of such **Carport** is located closer than 0.6 metres to any **Side Lot Line**.

5.1.2.3

In the event that there is a transformer easement on a particular *Lot*, portions of the *Single Detached Dwelling* may be required to be *Setback* further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.

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iii)



Attachment 7 (continued) Existing Zoning and Details

5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, Buildings or Structures located on *Through Lots* shall have a *Setback* the same as the nearest adjacent *Main Building* and in accordance with Section 4.24. 5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum **Lot Frontage** for a Corner Lot in a R.1D Zone shall be 12 metres. 15006 Despite Row 4 of Table 5.1.2, the Lots located within Defined 5.1.2.6 Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum Lot Frontage of the average Lot Frontage established by the existing Lots within the same City Block Face, but in no case less than 9 metres. Nothing in this section shall require the minimum *Lot Frontage* to be greater than the minimum Lot Frontage established in Table 5.1.2. Where the average Lot Frontage of the existing Lots on the Block Face cannot be determined, the minimum Lot Frontage shall be as indicated in Table 5.1.2. 15006 Despite Row 6 of Table 5.1.2, the minimum *Front* or *Exterior* 5.1.2.7 Side Yard for dwellings located within Defined Area Map Number 66 of Schedule "A" of this By-law, shall be: 15006 The minimum Front Yard or Exterior Side Yard shall be 6 i) metres or the average of the **Setbacks** of the adjacent 15378 properties. Where the off-street *Parking Space* is located within a Garage or Carport, the Setback for the Garage or Carport 17187 shall be a minimum of 6 metres from the Street Line. 19691 ii) In accordance with Section 4.6 and 5.1.2.3: and

Where a road widening is required in accordance with Section 4.24, the calculation of the required *Front* or *Exterior Side Yard* shall be as set out in Section 5.1.2.7, provided that the required *Front* or *Exterior Side Yard* is not less than the new *Street Line* established by the required road widening.

In accordance with the Ontario Building Code, as amended from

time to time or any successor thereof, regulations for above

ground electrical conductor clearances to Buildings.



Attachment 7 (continued) Existing Zoning and Details

15006	5.1.2.8	Despite Row 7 of Table 5.1.2, properties Zoned R.1B or R.1C with
		Buildings over 2 Storeys located within Defined Area Map Number
		66 of Schedule "A" of this By-law shall have a minimum Side Yard requirement of 1.5 metres.
15006	5.1.2.9	Deleted.
15692	5.1.2.10	Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a Building has a one Storey portion and a 1.5 to 2 Storey portion, the required Side Yard shall be 1.5m from the Side Lot Line to the foundation wall of the 1 Storey portion and 2.4m from the Side Lot Line to the wall of the 1.5 to 2 Storey portion.
17187 18116	5.1.2.11	Where Lots have less than 12 metres of Frontage , the Garage is limited to a maximum of 55% of the Lot width (as measured at the Front Yard Setback).



Attachment 7 (continued) Existing Zoning and Details

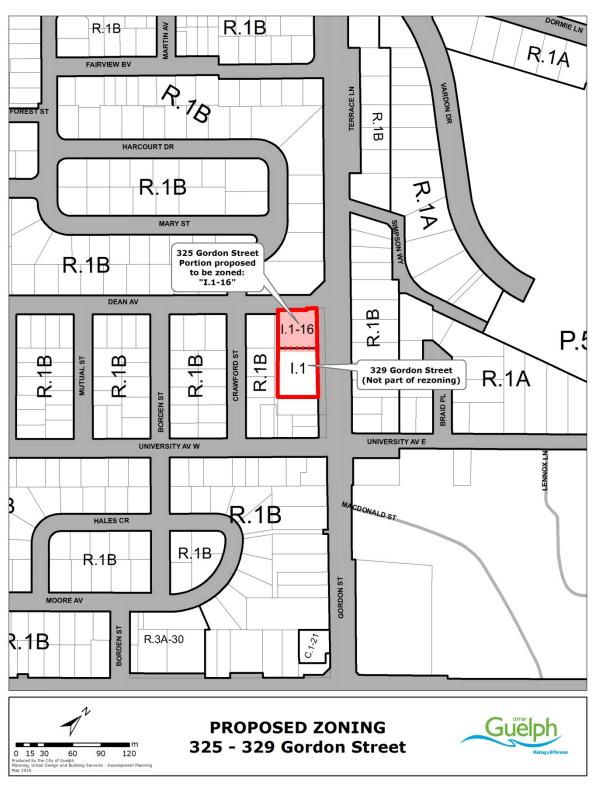
15006, 15378, 17187, 18116, 19063, 19691

TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

1	Residential Type SINGLE-DETACHED DWELLINGS				
2	Zones	R.1A	R.1B	R.1C	R.1D
3	Minimum <i>Lot Area</i>	555 m ²	460 m ²	370 m ²	275 m ²
4	Minimum <i>Lot Frontage</i>	18 metres and in accordance with Section 5.1.2.6.	15 metres and in accordance with Section 5.1.2.6.	12 metres and in accordance with Section 5.1.2.6.	9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.
5	Maximum <i>Building Height</i>	3 Storeys and in accorda	ance with Section	4.18.	
6	Minimum <i>Front Yard</i>	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
6a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
7	Minimum Side Yard 1 to 2 Storeys Over 2 Storeys	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	1.2 metres 1.2 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.
8	Minimum <i>Rear Yard</i>	7.5 metres or 20% of the <i>Lot Depth</i> , whichever is less and in accordance with Section 5.1.2.4.			
9	Accessory Buildings or Structures	In accordance with Section 4.5.			
10	Fences	In accordance with Section 4.20.			
11	Off-Street Parking	In accordance with Section 4.13.			
12	Minimum <i>Landscaped Open Space</i>	The <i>Front Yard</i> on any <i>Lot</i> , excepting the <i>Driveway (Residential)</i> shall be landscaped and no parking shall be permitted within this <i>Landscaped Open Space</i> . Despite the definition of <i>Landscaped Open Space</i> , a minimum area of 0.5 metres between the <i>Driveway (Residential)</i> and nearest <i>Lot Line</i> must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.			
13	Garbage, Refuse and Storage	In accordance with Section 4.9.			
14	Garages	For those <i>Lots</i> located within the boundaries indicated on Defined Area Map Number 66, attached <i>Garages</i> shall not project beyond the main front wall of the <i>Building</i> . Where a roofed porch is provided, the <i>Garage</i> may be located ahead of the front wall of the dwelling (enclosing <i>Habitable Floor Space</i> on the first floor) equal to the projection of the porch to a maximum of 2 metres.			



Attachment 8 Proposed Zoning and Details





Attachment 8 (continued) Proposed Zoning and Details

<u>PROPOSED ZONING</u> – Specialized Institutional – Educational, Spiritual and Other Services Zone (I.1-16)

Permitted Uses

- Religious Establishment
- Accessory Uses in accordance with Section 8.1.1.1
 - o In addition to the permitted accessory uses in Section 8.1.1.1 of Zoning By-law (1995)-14864, a School shall also be permitted as an accessory use to a Religious Establishment.

For Reference (From Parent I.1 Zone):

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

The following specialized provision is being requested by the applicant or recommended by Staff:

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

- Off-street parking:
 - o Despite Section 4.13.4.4 of the Zoning By-law, for a Religious Establishment, a minimum of 13 spaces or 1 space for every 5.75 seats within a hall, auditorium or similar Use involving the assembly of persons shall be provided, whichever is greater.



Attachment 8 (continued) Proposed Zoning and Details

For Reference (From Parent I.1 Zone):

TABLE 8.2 - REGULATIONS GOVERNING INSTITUTIONAL (I) ZONES

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



Attachment 9 Zoning By-law Amendment Application Revision – Applicant's Email

Michael Witmer

From: James Webb <jwebb@webbplanning.ca>

 Sent:
 April 7, 2016 2:17 PM

 To:
 Michael Witmer

Cc: Rev. Mark Morley; Rick Lintack; 'Jim Tarbutt'
Subject: Newman Centre, 325 Gordon Street, Guelph

Hi Michael,

Further to our conversation this morning I am writing to confirm our agreement to scope of the range of permitted uses being sought through this zone change application.

After reviewing with father Mark, we are in agreement that the permitted uses under the proposed I1 Zoning can be tailored on a site specific basis to include only the intended use (Religious Establishment) plus the Accessory Uses as detailed by Section 8.1.1.1 of the Zoning By-law, the only modification being to add "school" as an additional specified Accessory Use.

Also, we briefly discussed the issue of signage and Father Mark confirmed he wishes to proceed with the proposal that he presented to you earlier this week wherein a sign would be attached to the existing retaining wall facing Gordon Street. We understand that the staff person that will review the specifics of the sign is currently out of the office but will hopefully be in position to provide comments for next week's Site Plan Review Committee meeting.

Can you please send me a quick reply to this email to confirm receipt and agreement to modify the scope of permitted uses.

Thank you,

James Webb, MCIP, RPP

WEBB Planning Consultants Inc.

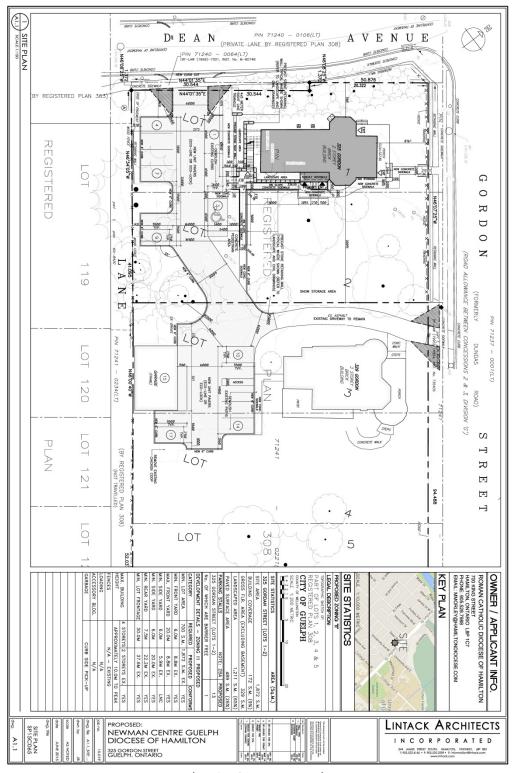
244 James Street South Hamilton ON L8P 3B3 Ph: (905) 527-7526 Fx: (905) 527-7527 Cl: (905) 719-9860

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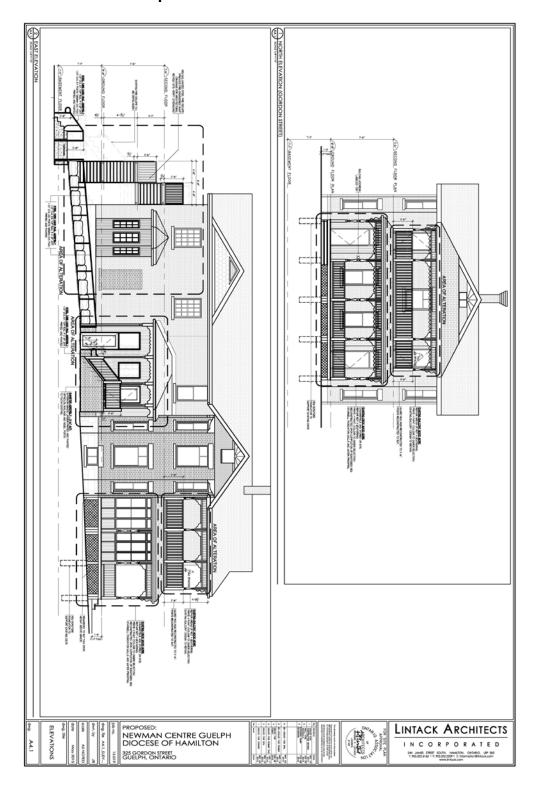
Attachment 10 Proposed Site Plan and Elevations



(Revised May 5, 2016)

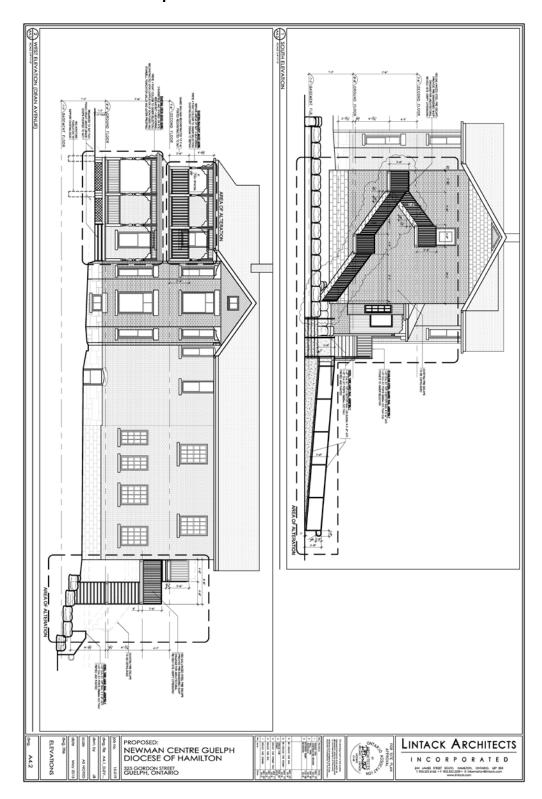


Attachment 10 (continued) Proposed Site Plan and Elevations





Attachment 10 (continued) Proposed Site Plan and Elevations





Attachment 10 (continued) Proposed Site Plan and Elevations

Possible Signage Design



<u>Example only</u> to indicate scale and design – note that sign would not be permitted on City-owned retaining wall along Gordon Street. All signage would have to comply with City's sign by-law and receive a separate sign permit.



Attachment 11 Staff Review and Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and is issued under the authority of Section 3 of the *Planning Act*. In general, the PPS promotes efficient use of land and development patterns and addresses matters of provincial interest in land use planning. As per section 4.2, all planning decisions shall be consistent with the PPS. Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of residential, employment and institutional, including places of worship, to meet long term needs [1.1.1 a), b)]. Development is to avoid creating environmental concerns [1.1.1 c)]. Also, development must be cost-effective, ensuring the necessary infrastructure is in place to meet the projected needs [1.1.1 e), g)]. Development must also improve accessibility for persons with disabilities by removing barriers that restrict their full participation in society [1.1.1 f)].

Policy 1.1.3 requires development in settlement areas to use land and resources wisely, considering opportunities for intensification and redevelopment. The regeneration of settlement areas is promoted [1.1.3.1]. Specifically, the densities and mix of land uses in a settlement area are to be appropriate for and efficiently utilize the infrastructure and public service facilities that are planned or available. Redevelopment opportunities are to be in appropriate locations within settlement areas where it can be appropriately accommodated, taking into account existing building stock [1.1.3.2 a), b), 1.1.3.3].

With the proposed Zoning By-law Amendment, the addition of the remainder of the property (north portion) as institutional zoned lands for the accommodation of a small scale religious establishment will be furthering the City's mix and range of institutional uses to meet long term needs, as encouraged in Section 1.3.1 of the PPS. The religious establishment will be within close proximity to the University of Guelph and its faculty and students, to whom it is intended to serve.

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. The proposed redevelopment of the existing house into a religious establishment will be on full municipal services, and Engineering staff have confirmed that capacity is available to service the proposed development [1.6.6.2] (See Engineering staff comments in Attachment 13).



The subject property is designated under Part V of the Ontario *Heritage Act* through its inclusion within the boundaries of the Brooklyn and College Hill Heritage Conservation District. The property, including the existing house is therefore considered to be a significant built heritage resource as per Policy 2.6.1. As per this policy, significant built heritage resources are to be conserved.

To summarize the above, the proposed redevelopment of 325 Gordon Street from residential uses into a religious establishment supports the efficient development of the land while conserving a significant bult heritage resource. The necessary infrastructure is in place to support the redevelopment such as full municipal services as well as existing road and pedestrian access. The proposed religious establishment will be located at the intersection of an arterial road and collector road. The rezoning will add a small scale institutional use to a predominantly residential neighbourhood and will contribute to providing an appropriate range and mix of uses to meet long term needs of the immediate area. The redevelopment of the subject lands will regenerate an existing designated heritage structure making it fully accessible to persons with disabilities, while taking into account existing building stock and surrounding built environment.

In Planning staff's opinion, the proposed Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement. As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.7], a more detailed review on how the proposed Zoning By-law Amendments is consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined below in this analysis.

Places to Grow: Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (the Growth Plan) issued under the Places to Grow Act contains policies to direct development to settlement areas. The Growth Plan builds on other provincial policies and initiatives, and aims to plan and build compact, vibrant and complete communities that are transit supportive. The subject lands are within the City of Guelph settlement area and are designated and available in the City's Official Plan for urban development.

The subject property is located within the Built-up Area of the City. Built-up Areas are lands that are within the Built Boundary, which is all land that was identified by the province as being within the developed urban area of Guelph as of June 2006 (time the Growth Plan initially came into effect). A significant portion of new growth is to be directed and accommodated for within the Built-up Area.

The proposed religious establishment on the subject lands will support creating a compact urban form and complete community within the Built-up Area [2.2.2.1 h)]. The Growth Plan encourages the creation of a compact built form in the Built-up Area, through encouraging the efficient use of land and planning for a mix of land uses such as residential, workplace and institutional within the same neighbourhood.



The rezoning and adaptive reuse of the subject lands from residential to institutional will contribute towards the diversification of land uses in the surrounding area. Overall, the proposed redevelopment will help contribute to creating a complete community in providing existing and future residents and people working within the City, primary the University of Guelph with a small scale place of worship within walking distance. The proposed Zoning By-law Amendment conforms to the *Growth Plan for the Greater Golden Horseshoe*.

Official Plan (September 2014 Consolidation)

The property subject to the Zoning By-law Amendment application is currently designated as "General Residential" in the Official Plan (See Attachment 4). The subject lands are also within the Built-up Area of the City as established by the Growth Plan and recongized in the Official Plan on Schedule 1B.

The "General Residential" land use designation permits a range of housing types including single, semi-detached residential dwellings and multiple unit residential buildings. The net density of residential developments within the "General Residential" designation is not to exceed 100 units per hectare.

A variety of small-scale institutional uses may also be permitted within the "General Residential" designation, such as churches, schools, and day care centres [7.2.26]. Non-residential uses such as churches are to be developed in a matter to be compatible with adjoining residential properties as well as the amenities of the surrounding residential neighbourhood [7.2.27].

Section 7.2.27.1 of the Official Plan has several criteria that non-residential uses within the "General Residential" designation must meet. Section 7.2.28 of the Official Plan requires these criteria to be used to assess the merits of rezoning applications for new non-residential ues on properties that are not currently zoned to permit the proposed activities. These criteria are as follows:

a) Be located on an arterial or collector road.

Staff Comment: The subject property is located on the corner of Gordon Street and Dean Avenue. Schedule 9A of the Official Plan designates Gordon Street as a 2 lane arterial road, and Dean Avenue as a 2 lane collector road. The proposal therefore satisfies this criteria.

b) Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties.

Staff Comment: The religious establishment proposed for the subject lands is an adaptive reuse and redevelopment of an existing house that is a significant heritage resource. Minor exterior modifications are proposed such as the addition of a vestibule entrance to the south, and expansion of an existing parking lot to the west. The site design (see Attachment 10) will use



the existing driveway entrance to Dean Avenue. As the property is situated on the corner of Dean Avenue and Gordon Street, most vehicular traffic will use the existing driveway to Dean Avenue and travel east towards Gordon Street as the nearest arterial road without travelling through the Old University Neighbourhood. Most pedestrian traffic will also utilize an existing staircase to a sidewalk along Gordon Street that will lead to the front door of the Newman Centre.

Mature trees along the western property line to an adjacent single detached dwelling at 10 Dean Avenue are proposed to be preserved and protected. The applicant has committed to preserving these trees through a Tree Preservation Plan submitted with the Zoning By-law Amendment and is subsequently being reviewed through the site plan approval process. No new lighting for the parking lot is proposed. The applicant has indicated to staff that no signage for the Newman Centre is proposed at this time, and any signage that may be added at a later date will be low-profile, unlit and integrate with the surrounding low-rise residential properties (see conceptual sign in Attachment 10). In Planning staff's opinion, the proposal satisfies this criteria.

c) Have adequate landscaping and screening to promote compatibility with adjacent activities.

Staff Comment: As indicated above, mature trees along the western property line are proposed to be retained and preserved. The subject property is greater than 0.2 hectares, and as such is regulated by the City's Private Tree By-law (By-law (2010)-19058), and as such, the applicant was required to submit a Tree Preservation Plan demonstrating ongoing efforts to preserve and retain these trees through construction to occupancy of the proposed Newman Centre. These existing trees act as a naturalized buffer and provide visual screening to the adjacent single detached dwellings on Dean Avenue and Crawford Street. Through the site plan application, the applicant has submitted a landscaping plan that will add new additional landscaping around the existing building and proposed expanded parking lot. Staff with the SPRC are continuing to review the landscaping plans submitted with the site plan application, and will ensure adequate landscaping and screening is incorporated into the final design of the site to ensure compatibility with the surrounding low-rise residential land uses. Therefore, the proposal satisfies this criteria.

d) Have sufficient off-street parking, circulation and access points.

Staff Comment: The religious establishment is proposing to provide 13 off-street parking spaces. Although this is two (2) parking spaces less than what the Zoning By-law requires for a religious establishment with 75 seats in assembly halls, Planning staff are of the opinion that due to the unique



nature of the proposed establishment that sufficient off-street parking is being provided.

The Newman Centre is not proposed to operate or function as a traditional church that is open to the general public. The Newman Centre is proposed as a place of worship for students, faculty and staff of the University of Guelph. The subject property is located approximately half a kilometre directly north of the University of Guelph campus, which is within walking distance along Gordon Street.

The proposed religious establishment will also utilize existing points of vehicular access of Dean Avenue and pedestrian access from Gordon Street and Dean Avenue. The interior vehicular circulation of the subject lands at 325 Gordon Street will also be internally connected to 329 Gordon Street (on the same property), which currently has a house being used as a Group Home with an additional existing driveway to Gordon Street. In Planning staff's opinion, the proposed conversion of the existing house at 325 Gordon Street to a small scale religious establishment satisfies this criteria.

e) Have adequate municipal services.

Staff Comment: Engineering staff have confirmed that the house's adaptive reuse an redevelopment into a religious establishment has adequate existing municipal services (see Engineering's comment memo in Attachment 13). Planning staff are therefore satisfied that this criteria is met.

The Official Plan requires the physical character of existing and established low density residential neighbourhoods to be respected wherever possible [7.2.33]. The adaptive reuse of the subject lands and redevelopment of the existing house into a religious establishment meets this policy. The subject property's designation under Part V of the Ontario *Heritage Act* further ensures the integration of the proposed Newman Centre into the Old University Neighbourhood, and that the property's established built form will be preserved. The existing house and surrounding open space on the property will be renovated and restored according to policies and design criteria in the Brooklyn and College Hill Heritage Conservation District Plan. Heritage Guelph has reviewed the rezoning and renovation plans and has expressed no objections. Resolutions passed by Heritage Guelph on the proposed development will be discussed later in this report.

The proposed redevelopment meets several of the major goals of the Official Plan set out in Section 2.3. This includes ensuring that development within established areas of the City is sympathetic and compatible with the built form of existing land uses, that development enhances the visual qualities of the City and protects heritage resources and unique character of the urban environment, and that zoning contributes to establishing complementary and compatible land uses that are well integrated with adjacent lands.



The City's Urban Form Policies in Section 3.3 of the Official Plan promote a compact urban form and the gradual expansion of urban development. Specifically, Policy 3.3.1 e) promotes a mix of land uses across the City in appropriate locations to provide residents the opportunity to live, learn, work, gather and worship in close proximity. Establishing the Newman Centre in the existing house on the subject lands will allow for an appropriate integration of the institutional use within the existing built form of the community, and allow residents – specifically students and faculty of the University of Guelph to live, learn, work, gather and worship in close proximity.

Growth Management Strategy

Section 2.4 of the Official Plan has policies regarding the City's Growth Management Strategy. These policies collectively aim to build a compact, vibrant and complete community by directing growth to locations within the designated Built-up Area of the City.

The Zoning By-law Amendment would be classified as *redevelopment* under the definition in the Official Plan. Redevelopment is defined in the Official Plan as "a form of development involving...the rehabilitation and renewal of existing buildings and structures,". Generally within the Built-up Area, vacant or underutilized lots, greyfields and brownfields will be revitalized through the promotion of infill development, redevelopment and expansions or conversions of existing buildings [2.4.5.1 c)].

Cultural Heritage

The subject property is located within the Brooklyn and College Hill Heritage Conservation District (see Attachment 6). As such, the buildings and landscape on the property are designated under Part V of the Ontario *Heritage Act*. To recognize renovations required to convert the house from a group home to a religious establishment, the Diocese applied for a major heritage permit (HP 16-0002) for a new exterior accessibility ramp to the south rear entrance of the building. Further, a small vestibule addition and reconfiguration of approximately 13 square metres (140 square feet) is proposed at this side entrance with the ramp to make the building fully accessible to persons with disabilities. The details of this modification are included in the major heritage permit application.

Heritage Guelph considered the proposed redevelopment of the existing house at 325 Gordon Street and the major heritage permit application at their regular meeting on March 14, 2016. At this meeting, the contractor hired by the Diocese (Mr. Jim Tarbutt – Tarbutt Construction) provided details on the proposed redevelopment, and the City's Senior Heritage Planner (Mr. Stephen Robinson) provided details on the heritage permit. Mr. Robinson indicated to Heritage Guelph at this meeting that in his opinion, the proposed modifications to the building do not negatively impact the surrounding cultural heritage landscape and that no trees will be affected. Mr. Tarbutt added that the porch facing Gordon Street will be



rebuilt as similar to the original porch (i.e. railings and columns), and will be fully accessible.

At this meeting, Heritage Guelph passed a resolution that they had no objection to Zoning By-law Amendment ZC1516, and a second resolution that they had no objection to the approval of a major heritage permit to permit the construction of an exterior access ramp to the south rear entrance of the building and the expansion of the parking area off Dean Avenue. In their second resolution, they also gave authority for any further revisions that are minor in nature to be approved by the City's Senior Heritage Planner. Since this time, minor modifications have been made during the site plan application to the parking layout and accessibility ramp configuration. The City's Senior Heritage Planner continues to be involved in the review of the proposed redevelopment, specifically through the Site Plan Review Committee, and has expressed no major concerns since Heritage Guelph's March 14, 2016 meeting. The most current proposed site plan and elevations can be found in Attachment 10 to this report.

Following Heritage Guelph's meeting on March 14, 2016, the General Manager of Planning, Urban Design and Building Services approved Heritage Permit No. HP 16-0002 on April 29, 2016.

There were questions at the statutory public meeting regarding impacts and plans for the historic carriage house on the portion of the property addressed as 329 Gordon Street. The applicant has confirmed that the carriage house is to remain asis and will not be impacted by the proposed redevelopment of 325 Gordon Street. Other than using the existing surface parking lot at 329 Gordon Street to provide some additional off-street parking for the Newman Centre, the Diocese has confirmed that they have no plans for 329 Gordon Street at the present time, and it will remain being used as a Group Home.

Overall, the Zoning By-law Amendment application to change the zoning from Residential Single Detached (R.1B) to a specialized Institutional – Educational, Spiritual and Other Uses (I.1-16) zone on the northern portion of the property conforms to the Official Plan.

Official Plan Amendment #48

On June 5, 2012, the City adopted Official Plan Amendment No. 48 (OPA 48), a comprehensive update to the Official Plan. OPA 48 is currently under appeal and not yet in effect. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial *Growth Plan for the Greater Golden Horseshoe*.

OPA 48 proposes to designate the subject lands as "Low Density Residential" which applies to lands within the Built-Up Area of the City. Non-residential uses such as places of worship are permitted in the residential land use designations of OPA 48 provided they meet the same set of criteria in the current Official Plan and



discussed earlier in this report [Section 9.3.1.2]. In Planning staff's opinion, this set of criteria is satisfied by the proposed redevelopment of the subject lands into a religious establishment within the existing house.

In addition, OPA 48 encourages the distribution of institutional uses in appropriate locations within residential areas. As the proposed religious establishment as an institutional use has regard for OPA 48 Policy 9.3.1.2, Planning staff are of the opinion that the use is in an appropriate location.

Overall, the Zoning By-law Amendment to permit a religious establishment the proposed development has regard for and generally conforms to the goals and objectives of OPA 48.

Review of Proposed Zoning

The application is a request to rezone the property from the current R.1B (Residential Single Detached 'B') Zone to a specialized I.1-16 (Institutional – Educational, Spiritual and Other Services) Zone. The applicant has requested a specialized provision for reduced off-street parking apply along with narrowing the range of permitted institutional uses to a religious establishment and associated accessory uses including a school exclusively devoted to a religious establishment. Details on the proposed Zoning can be found in Attachment 8.

Range of Institutional Uses Permitted

The proposed reduction in the range and scope of permitted institutional uses on the subject lands is in response to concerns raised in letters received from area residents and by members of Council at the statutory public meeting in March 2016. Speficially, several concerns were raised with the potential of other more intensive institutional uses than a small scale religious establishment potentially being established on the subject lands in the future. The City's Zoning Administrator also expressed similar concerns with the subject lands being able to support a full range of institutional uses such as sports fields (see comments in Attachment 13). Although the intention of the Zoning By-law Amendment application is to change the zoning on the northern portion of the property (addressed as 325 Gordon Street) to permit a religious establishment, the initial application received from the applicant would also permit several other institutional uses within the parent I.1 zone such as outdoor sportsfield facilities, a library, a museum and a school. The applicant has confirmed to staff that they have no intentions of establishing any other institutional uses on the subject lands other than a religious establishment with a school as an accessory use to the church. A formal request was made to Planning staff on April 7, 2016 to limit the range of permitted institutional uses to a religious establishment plus accessory uses as detailed in Section 8.1.1.1 of the Zoning By-law (See Attachment 9).

Despite the applicant also not having intentions of establishing a traiditional school on the subject property, they have requested that a school be included as a permitted accessory use as the Newman Centre would from time to time be providing small classes and instruction to parishoners in association with the



Catholic faith. A school as an accessory use on the subject lands would not be functioning separate or independent to the Newman Centre. It would adhere to the Zoning provisions on accessory uses to be subordinate, incidental and exclusively devoted to the subject land's primary use as a religious establishment.

Considering the above, it is important to note that the southern portion of the subject property (addressed as 329 Gordon Street) is currently zoned I.1 (Institutional – Educational, Spiritual and Other Services) with no specialized provisions or restrictions. Therefore, the full range of institutional uses as set out in Section 8.1.1 of the Zoning By-law is currently permitted and will continue to exist on the southern portion of the property. The property owner has confirmed that they have no plans to redevelop or change the current uses at 329 Gordon Street at the present time. The split institutional zoning is shown on the proposed zoning map in Attachment 7 to this report.

Finally, the Zoning Administrator provided comments (see Attachment 13) regarding the house on the subject land's previous use as a Group Home. As part of the proposed redevelopment of the house into a religious establishment, the former Group Home has ceased to be continuously licensed and exist. The house at 325 Gordon Street has been vacant since 2014. As per Table 4.25, Row 3 of the Zoning By-law, Group Homes must have a separation distance of 100 metres between other buildings being used as Group Homes or Lodging Houses. The Zoning Administrator has indicated that there are three (3) houses within 100 metres of the subject lands with historic lodging houses. Therefore, as a Group Home is being removed from the proposed I.1-16 Zone, the applicant would not be permitted to re-establish a Group Home on the subject lands.

Planning staff are supportive of the specialized Zoning to limit the range and scope of permitted uses to a religious establishment and accessory uses including a school. Such provisions will ensure the intended use of the property remains as a religious establishment, and that the range of institutional uses remains small scale and compatible with the surrounding residential neighbourhood.

Off-street Parking Reduction

The Newman Centre within the existing house is proposed to be a total of 329 square metres (3,541 square feet). Based on current floor plans submitted to staff, the Newman Centre is proposed to have a total of 75 seats within areas proposed to be used as a hall, auditorium or other areas involving the assembly of persons. These seats are within the chapel on the main floor (40 seats) and a large meeting room on the second floor (35 seats). For religious establishments, Section 4.13.4.4 of the Zoning By-law requires one (1) off-street parking space per five (5) seats or one (1) off-street parking space per ten (10) square metres of gross floor area (GFA) of areas used as a hall, auditorium or other areas involving the assembly of persons, whichever is greater. For the proposed religious establishment, staff have determined that the parking calculation on a per seat basis is the greater of the two



(2) requirements. Therefore, for 75 seats, a total of 15 off-street parking spaces is required.

Based on the latest site plan drawing received from the applicant in May 2016 (Attachment 10), the applicant is proposing to provide a total of 16 off-street parking spaces for the Newman Centre allocated among both 325 Gordon Street and 329 Gordon Street. In particular, nine (9) off-street parking spaces will be provided for the Newman Centre at 325 Gordon Street, and an additional seven (7) parking spaces for the Newman Centre will be provided at 329 Gordon Street. An additional off-street parking space at 329 Gordon Street will remain for the existing group home on this portion of the property. The Zoning By-law requires a minimum of 15 off-street parking spaces for a religious establishment with 75 seats, and one (1) parking space for a group home. Although the Zoning By-law Amendment will only apply to the portion of the property addressed as 325 Gordon Street, the applicant has been able to provide additional parking for the Newman Centre at 329 Gordon Street, which is also on the same registered property (See map in Attachment 1).

To allow for flexibility in final design of the site, the applicant is requesting a specialized provision in the I.1-16 zoning to permit a minimum of 13 parking spaces for the religious establishment at 325 Gordon Street. This is two (2) spaces less than what is required as per Section 4.13.4.4 of the Zoning By-law. Planning staff are supportive of this minor reduction as the religious facility is small scale and not open to the general public. The Newman Centre is a religious establishment and chaplaincy that is intended for students, faculty and staff of the University of Guelph. The University of Guelph is approximately 500 metres to the south of the subject lands travelling directly on Gordon Street, which is within walking distance of the of the property. Further, Gordon Street directly in front of the subject lands is serviced by four (4) Guelph Transit bus routes. Therefore, Planning staff feel that reducing the minimum off-street parking requirements to 13 in the specialized I.1-16 zoning is a sufficient amount to support the religious establishment, and will satisfy Policy 8.2.35 of the Official Plan which requires adequate off-street parking facilities to meet parking demands generated by various land uses.

In response to other concerns and questions raised by Council during the statutory public meeting, staff offer the following comments and responses:

Financial Implications – Taxation and Development Charges

Finance staff have confirmed that if the subject lands were to be redeveloped into a religious establishment, they will be exempt from paying property taxes. The loss of a residential use results in a loss of \$6,295 (2015 rates) in taxes a year.

Finance and Building staff have also confirmed that as per the City's Development Charges By-law (2009)-18729, because the land and building at 325 Gordon Street will be used as a place of worship, development charges will not be imposed.



Lighting

The applicant has confirmed that no new lighting will be installed for the parking lot of the property. No parking lot light fixtures are shown on any of the site plan drawings submitted with file SP15C065. New fixtures may be added as part of the renovation of the house at 325 Gordon Street for the safety and security of users at night, however, these are not anticpated to have any adverse impacts on surrounding properties. Any new lighting fixtures that may be added on the existing house will need to be idendified on the building elevations through site plan approval, along with appropriate photometric plans demonstrating no light trespass on adjacent properties.

Signage

The applicant has indicated that no signage is proposed at the present time and for when the Newman Centre is proposed to initially open. However, in recent discussions regarding a the design of a possible sign, the applicant provided staff with a conceptual drawing of what a sign may look like (see Attachment 10). This conceptual drawing shows a bronze plaque indicating the municipal address and 'Newman Centre' as the name of the religious establishment, with the plaque mounted to the City-owned retaining wall along Gordon Street. Staff indicated to the applicant that a private sign on the City-owned retaining wall would not be supported, and the proposal to add the sign at the present time was subsequently withdrawn. However, the applicant indicated that they may add a sign of a similar size and design on the house wall or front lawn at a later date. Staff noted that any sign would need to comply with the City's sign by-law as well as the policies of the Brooklyn and College Hill Heritage Conservation District if and when it is added.

Commercial Development Encroachment

Concerns were raised regarding the encroachment of commercial related uses off Gordon Street into the surrounding established residential neighbourhoods. As per Section 7.2.26 of the Official Plan, some non-residential uses such as small scale institutional uses are permitted on lands having a residential land use designation, provided they meet a specific set of criteria mainly regarding compatibility. For the redevelopment of the subject lands, an evaluation to this criteria in Section 7.2.27.1 was provided earlier in this analysis. Staff are of the opinion that the development proposal to rezone the subject lands to permit a religious establishment in the existing house is consistent with the Official Plan. It should also be noted that previous to the existing house being used as a Group Home, it was formerly housed a similar Newman Centre religious establishment during the 1970s. The subject lands were purchased by the Catholic Diocese in 1966 and have remained in their ownership since this time.

For any future development proposal for non-residential uses off Gordon Street on lands within a residential land use designation, Planning staff will provide a similar analysis and recommendation on a case-by-case basis.



Tree Preservation

The applicant has submitted a Tree Preservation (Conservation) Plan prepared by a Landscape Architect as part of the Zoning By-law Amendment application. This plan shows all the existing trees along the western property line will be protected and preserved. According to the Tree Preservation Plan, these trees along the westerly property line include Norway Spruce, Norway Maple and Manitoba Maple. As per the Tree Preservation Plan, up to three (3) trees are proposed to be removed, two (2) of which are dead or nearly dead, and the third being an apple tree labelled for a possible removal. In addition, the white cedar hedge at the Gordon Street property line is also proposed to be removed as it is thinning and in poor health. None of the trees proposed for removal in the Tree Preservation Plan are along the westerly property line with the adjacent residential dwellings.

As the subject property is collectively greater than 0.2 hectares, it is regulated by the City's Private Tree Protection By-law (By-law No. (2010)-19058). Any trees proposed for removal must receive a permit and be appropriately compensated for. However, trees that are professionally assessed to be dead are exempt from the Tree By-law and can be removed.



Attachment 12 Community Energy Initiative Commitment



DIOCESE OF HAMILTON

700 King Street West, Hamilton, Ontario, Canada L8P 1C7

Attn: Mr. Michael Witmer City of Guelph 1 Carden Street Guelph, ON N1H 3A1

Dear Michael,

RE: 325 Gordon Street Guelph, ON

The following is a list of features in the renovation of the building in compliance with the City's Community Energy Initiative (CEI):

- Foam sprayed insulation to the existing perimeter walls has a R-20 value which has been improved from no insulation.
- The attic has had new blown in insulation with a R-50 value. The existing was approximately a R-10 value.
- New windows have been installed that have thermal glazed units, insulated frames and sealed to the structure. The existing windows were single pane, no insulation or seals.
- Mechanical systems include;
 - Gas furnaces (2) condensing natural gas furnaces, variable speed ECM fans, two stage condensing gas burners, two stage inducer fans, AFUE utilizations of up to 96.7% gas efficiency.
 - b) Direct vent sealed combustion gas systems.
 - Freon R-410z split direct expansion scroll compressor cooling systems (2), SEER 15.2, low sound power level condensing fans.
 - Heat Recovery ventilator with MERV 13 filters, 77.1% efficient enthalpy heat wheel, EBM Papst ECM fans.
 - e) Programmable controls for 7 day capability.
 - f) Low flow water efficient plumbing fixtures.
 - g) High efficiency condensing gas water heater with direct venting.
 - h) Tempered water mixing valves on each plumbing fixture.
- 5. Interior and exterior lighting will be energy efficient LED lighting.

Regards,

Reverend Mark Morley

Chaplain, Newman Centre Guelph

www.hamiltondiocese.com

(905) 528-7988



Attachment 13 Agency and City Department Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning	√		
Engineering*		√	Subject to conditions in Attachment
Parks Planning*	√		
Environmental Planning	√		
Zoning*		√	Reducing the scope of permitted institutional uses; discontinuation of Group Home with respect to separation distance
Guelph Hydro	√		•
Upper Grand District School Board*	√		
Wellington Catholic District School Board	√		
Guelph Police Service	\checkmark		
Guelph Fire	\checkmark		
Grand River Conservation Authority (GRCA)	√		
Guelph Wellington Development Association (GWDA)*	√		
Union Gas Ltd.			

^{*} letters attached



Attachment 13 (continued) Agency and City Department Comments

MEMO



FILE: 16.131.001

TO: Michael Witmer, Development Planner II

FROM: Julius J. Bodai, C.E.T.

DEPARTMENT: Infrastructure, Development and Environmental Engineering

DATE: May 19, 2016

SUBJECT: 325-329 Gordon Street – Zoning By-law Amendment Application (ZC1516)

The application is to amend the City's Zoning By-law to rezone the northerly portion of the subject property (325 Gordon Street) from the current R.1B (Single Detached Residential) Zone to the I.1-? (Specialized Institutional: Educational, Spiritual, and Other Services) Zone, while 329 Gordon Street (remainder of the subject property) will retain existing I.1 Zoning. The specialized I.1-? (Specialized Institutional: Educational, Spiritual, and Other Services) Zone would permit the development of a Religious Establishment in the existing dwelling at 325 Gordon Street; to establish the "Newman Centre Guelph" - a Religious Establishment to serve as a chaplaincy centre for students, faculty and staff of the University of Guelph; to permit other institutional uses in addition to a Religious Establishment. The applicant has also requested that a specialized maximum parking requirement of 15 off-street parking spaces apply for the re-use of the existing house at 325 Gordon Street as a Religious Establishment. The subject property (325-329 Gordon Street) consists of a total area of 0.45 hectares (1.1 acres) and the northern portion of the subject property, municipally known as 325 Gordon Street, has a total site area of 0.2 hectares (0.5 acres) and is located within a block bound by Dean Avenue to the north, Gordon Street to the east, University Avenue West to the south and Crawford Street to the west, and is predominantly residential neighbourhood, and is surrounded on all sides by single detached dwellings. The subject land municipally known as 325 Gordon Street is legally described as Part of Lots 1, 2, 3, 4 and 5, Registered Plan 308, City of Guelph, County of Wellington.

The comments below are in response to the review of the following plans & report:

- Covering Letter, (prepared by Webb Planning Consultants, December 2015);
- Stormwater Management Report/Study (prepared by Cole Engineering Group Ltd., March 2016);
- Site Plan (prepared by Lintack Architects Incorporated, December 2015);

1. Road Infrastructure, Transportation, Access and Parking:

Gordon Street fronting the subject property is designated as a two (2) lane arterial road with asphalt pavement, bicycle lanes, grassed boulevard, concrete sidewalks and curb and gutter on both sides of the street. The width of the right-of-way along Gordon Street is 23.00-metres (75.46 feet); and no further road widening will be required from the subject property.

There is an existing full movement single driveway on Gordon Street which is located approximately 50.0-metres (364.04 feet) south of the intersection of Gordon Street and Dean Avenue also provides access to the new parking lot on the subject property through the adjacent property known municipally as 329 Gordon Street.

Dean Avenue adjacent to the subject property is designated as a two (2) lane local road with asphalt pavement, grassed boulevard, concrete sidewalk on the south side of the street with curb and gutter on both sides of the street.

Infrastructure, Development & Environmental Engineering
Engineering and Capital Infrastructure Services

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Attachment 13 (continued) Agency and City Department Comments

MEMO



The proposed driveway for the new parking lot would be a single full movement driveway on Dean Avenue which will be located approximately 38.0-metres (124.67 feet) west of the intersection of Gordon Street and Dean Avenue.

Transportation Services Staff have reviewed this application for the proposed parking lot and use on the property and advised that due to the anticipated low volumes of site generated traffic and the interference between the site trips and through traffic along Dean Avenue and Gordon Street is negligible; thereby, a formal Traffic Impact Study will not be warranted.

2. Municipal Services:

Gordon Street

Existing services within the right-of-way along Gordon Street are as follows:

- 375mm diameter pvc storm sewer approximately 2.50m in depth;
- 150mm diameter plastic watermain approximately 2.00m in depth.

According to our service records the existing building is serviced by a 19mm water service lateral (May 28, 1996). The Owner will be responsible for the actual cost of removing the existing 19mm water lateral that connects to the existing building, satisfactory to the Plumbing Inspector. Furthermore, 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 the removal of the existing 19mm water lateral on Gordon Street.

Dean Avenue

Existing services within the right-of-way along Dean Avenue are as follows:

- 100mm diameter watermain;
- 200mm diameter sanitary sewer approximately 2.59m in depth located approximately 3.05m west of the subject property.

The Owner will be responsible to pay for the actual cost of the new water service lateral required for the development of the property. Furthermore, 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 the construction of the new water service lateral from Dean Avenue.

Unstravelled I and

Existing services within the right-of-way along the Un-travelled Lane are as follows:

• 200mm diameter sanitary sewer approximately 2.44m in depth located behind the subject property.

According to our service records the existing building is serviced by a 127mm and 100mm sanitary sewer lateral (October 30, 1987 and April 28, 1988) from the existing 200mm diameter sanitary sewer main on the un-travelled Lane behind the subject property.

3. Storm Water Management:

On March 16, 2016 a Stormwater Management Report was submitted by Cole Engineering Group Ltd. which will address the stormwater management design requirements for the site. The pre-development drainage area drains by overland flow towards the south west corner of the site towards the property limit. The site does not have a positive storm outlet under existing conditions; therefore, the StormWater Management system must be designed to provide

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Attachment 13 (continued) Agency and City Department Comments

MEMO



storage on-site for twice the five year design storm runoff volume. The stormwater runoff will be retained on-site via an infiltration basin underneath the proposed permeable pavement [considered Low Impact Development, LID] parking lot as per the City SWM criteria. Runoff from the site will flow overland to the infiltration basin underneath the permeable pavement parking lot. Stormwater quantity control and water quality will be required for the subject property.

The cost of all the storm water management works and quality controls will be the responsibility of the Owner. A grading, erosion/sedimentation control and servicing plan will also have to be submitted for review and approval as part of the site plan application. Stormwater management will be further examined and comments will be provided once the SWM design has been finalized and submitted for site plan review.

The Owner shall ensure that a proper long-term maintenance plan/program is implemented for the permeable paver parking lot.

4. Environmental:

The Owner shall submit a Phase 1 Environmental Site Assessment in accordance with O. Reg. 153/04 or CSA Z768-00 standard, describing the current conditions of the subject property to the satisfaction of the City. If contamination is found, the consultant will determine its nature and indicate any necessary measures to manage the contamination at the owner's expense.

The Owner will also be required to ensure that all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned prior to site grading and servicing in accordance with current MOE regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer.

5. Staff Recommendations:

The following conditions are provided as information to Council and will be imposed through site plan approval unless noted otherwise.

- 1. That 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 the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
- The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the owner.
- 3. Prior to the site plan approval or prior to any construction or grading on the lands, the Consultant shall certify that all properties to be developed and/or conveyed to the City pose no risks to public health and safety and to the environment and can be developed for proposed uses.
- 4. Prior to site plan approval and prior to the City accepting any real property interests if required, if contamination is found, the applicant shall:
 - Submit all environmental assessment reports prepared in accordance with O. Reg. 153/04 or CSA

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Attachment 13 (continued) Agency and City Department Comments

MEMO



Z768-00 standard, describing the current conditions of the land to be developed and/or conveyed to the City to the satisfaction of the City; and

- ii. Complete any necessary remediation/risk assessment work and submit certification from a Qualified Person (QP) that the lands to be developed and/or conveyed to the City meet the applicable standard(s) of the intended land use.
- 5. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. a stormwater management report and plans certified by a Professional Engineer in accordance ith 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 to be submitted;
 - ii. a geotechnical report certified by a Professional Engineer that analyzes 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 grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
- The Owner 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 5 i) to 5 iv) inclusive.
- 7. The Owner shall be responsible for the actual cost of removing the existing 19mm water lateral that connects to the existing building, satisfactory to the Plumbing Inspector. Furthermore, 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 the removal of the existing 19mm water lateral on Gordon Street.
- 8. The Owner shall be responsible to pay for the actual cost of the new water service lateral required for the development of the property. Furthermore, 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 the construction of the new water service lateral from Dean Avenue.
- 9. The Owner shall pay to the City the actual cost of the construction of the new driveway entrance and required curb cut and/or curb fill. Furthermore, 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 the construction of the new driveway entrance and required curb cut and/or curb fill.

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Attachment 13 (continued) **Agency and City Department Comments**

MEMO



- 10. 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 General Manager/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 built as it was approved by the City and that it is functioning properly.
- 11. The Owner shall ensure that a proper long-term maintenance plan/program is implemented for the permeable paver parking lot.
- 12. That the Owner will ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
- 13. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
- 14. That prior to site plan approval and prior to any construction or grading on the lands, the owner shall enter into a Site Plan Control Agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the recommendations noted above and to develop the site in accordance with the approved plans.

Terry Gayman, P. Eng.

Manager, Infrastructure, Development &

Environmental Engineering

Allister McILveen

Manager, Transportation Services

Julius J. Bodai, c.e.t.

Engineering Technologist III

Infrastructure, Development & Environmental Engineering

Engineering and Capital Infrastructure Services

T 519-837-5604 F 519-822-6194 engineering@guelph.ca



Attachment 13 (continued) Agency and City Department Comments

INTERNAL MEMO



DATE April 15, 2016

TO Michael Witmer

FROM Helen White

DIVISION Parks and Recreation
DEPARTMENT Public Services

SUBJECT 325 Gordon Street - Proposed Zoning By-Law Amendment

ZC1516

Park Planning has reviewed the Notice of Complete Application and Public Meeting (dated February 4, 2016) and plans (dated December 2015) and offers the following comments:

Further to the above information, it is our understanding that the applicant is now in agreement that the permitted uses under the proposed I.1-? Zoning can be tailored on a site specific basis to include only the intended use (Religious Establishment) plus the Accessory Uses as detailed by Section 8.1.1.1 of the Zoning By-law, the only modification being to add "school" as an additional specified Accessory Use.

Based on this current information, Park Planning has no comments on this application.

Regards,

Helen White, OALA, CSLA

Park Planner

Parks and Recreation

Community and Social Services

Location: City Hall

T 519-822-1260 x 2298 F 519-763-9240 E helen.white@guelph.ca

C Janet Sperling



Attachment 13 (continued) Agency and City Department Comments

INTERNAL MEMO



DATE March 1, 2015

TO Michael Witmer

FROM Pat Sheehy
DIVISION Building Services

DEPARTMENT Infrastructure, Development and Enterprise

SUBJECT Building Services comments- 325 Gordon Street

Building Services has reviewed the proposed amendments to the Zoning By-law for the subject property.

- The applicant is requesting a change from an R.1B Single Detached Residential zone to the specialized Institutional zone. The proposal is to allow for a religious establishment on the subject property
- · The list of uses for the specialized institutional zone offers some flexibility in uses.

Building Services has some concerns with the following issues:

- The list of permitted uses includes Group Home. A group home use was previously recognized at this property, but has vacated and ceased to be licensed. A group home requires a spacial separation of 100 metres between other group homes and lodging houses. At present, this use would only be permitted by a special regulation in the Zoning or a later Committee of Adjustment application due to historic lodging houses along this corridor (3 are within 100 metres).
- 2. Typically, outdoor sportsfields are permitted in the I.1 zones to support schools and religious establishments on large parcels of land. Due to the limited size of the subject property, should this use be permitted?
- 3. Regulations for the I.1 can be reviewed during the site plan approval process.

Thanks Pat



Attachment 13 (continued) Agency and City Department Comments



UPPER GRAND DISTRICT SCHOOL BOARD 500 Victoria Road North, Guelph, Ontario N1E 6K2 Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers Director of Education

March 1, 2016

PLN: 16-11 File Code: R14 Sent by: mail & email

Michael Witmer
Planning, Urban Design and Building Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. Witmer;

Re: ZC1516

325 Gordon Street, City of Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above noted application for a zoning by-law amendment to rezone the subject property from a Residential Single Detached Zone to a specialized Institutional: Educational, Spiritual and Other Services Zone.

Please be advised that the Planning Department has <u>no objection</u> to the application.

Should you require additional information, please feel free to contact me at (519) 822-4420 ext. 863.

Sincerely,

Emily Bumbaco Planning Technician



Attachment 13 (continued) Agency and City Department Comments



APR 14 2016
BUILDING

March 22, 2016

Mr. Michael Witmer
Development Planner
Planning Services
Planning, Urban Design and Building Services
City of Guelph
1 Carden Street
GUELPH, Ontario
N1H 3A1

Dear Mr. Witmer:

Re: 325 Gordon Street - Proposed Zoning By-law Amendment (File # ZC1516)

The Guelph and Wellington Development Association is in receipt of the Notice of Complete Application and Public Meeting Notice dated February 4th, 2016 for the above-noted proposal.

The proposed application will result in the adaptive re-use of the existing building located on this property. It will re-establish 325 Gordon Street as the home for the Newman Centre Guelph which is intended to serve as a chaplaincy center for Catholic students, faculty and staff of the University of Guelph.

Under previous Zoning By-laws, religious establishments were recognized as a permitted use within single detached residential zones. The current Official Plan also recognizes this use as a compatible use within residential areas. The proposal meets the evaluation criteria set out in the Official Plan to assess the merits of a rezoning application where non-residential uses are proposed on properties not zoned to permit these uses.

The Guelph and Wellington Development Association supports this application.

Yours truly

Carson Reid President

GUELPH AND WELLINGTON DEVELOPMENT ASSOCIATION • BOX 964 • GUELPH, ONTARIO N1H 6N1 TEL: 519-822-8511 FAX: 519-837-3922



Attachment 14 Public Notification Summary

December 14, 2015 Application received by the City of Guelph

January 20, 2016 Application deemed 'complete'

February 4, 2016 Notice of Complete Application and Public Meeting mailed

to prescribed Agencies and surrounding property owners within 120 metres; application materials made available

for public review

February 11, 2016 Public Meeting Notice advertised in the *Guelph Tribune*

March 7, 2016 Statutory Public Meeting of City Council

May 31, 2016 Notice of Decision Meeting sent to parties that

commented on applications or requested notice

June 13, 2016 City Council meeting to consider staff recommendation



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE June 13, 2016

SUBJECT Decision Report

55 and 75 Cityview Drive North - Proposed Modification to Draft Plan of Subdivision 23T-12501 and Zoning By-

law Amendment (File: ZC1512)

Ward 1

REPORT NUMBER 16-37

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve modifications to approved Draft Plan of Subdivision 23T-12501 and associated Zoning By-law Amendment to permit a residential subdivision with a range of 243-323 units at 55 and 75 Cityview Drive North.

Location: 55 and 75 Cityview Drive North

KEY FINDINGS

Planning staff support the proposed modifications to Draft Plan of Subdivision 23T-12501 and associated Zoning By-law Amendment subject to the draft plan of subdivision conditions and zoning regulations in Attachment 2.

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$3,748,696 to \$4,583,821

Estimated Annual Taxes Once Developed: \$1,279,762 to \$1,467,112

ACTION REQUIRED

Council is being asked to approve the modifications to Draft Plan of Subdivision 23T-12501 and Zoning By-law Amendment for the subject lands.

RECOMMENDATION

1. That the application from GSP Group Inc. to approve a modified Draft Plan of Residential Subdivision with 243 to 323 residential units, consisting of 127 single detached dwellings, 21 on-street townhouse units, and 95-175 multiple residential dwellings, as shown on Attachment 7, applying to property municipally known as 55 and 75 Cityview Drive North and legally described as Parts of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, be approved for a three (3) year period in



accordance with Attachment 2 of the Infrastructure, Development and Enterprise Report 16-37 dated June 13, 2016.

- 2. That the application by GSP Group Inc. for approval of a Zoning By-law Amendment from the R.3A-57 (Specialized Cluster Townhouse) Zone to the R.3B (On-Street Townhouse) Zone, R.1D-47 (Specialized Residential Single Detached) Zone to the R.3B (On-Street Townhouse) Zone, the R.3B (On-Street Townhouse) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone, R.2 (Residential Semi-Detached/Duplex) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone to the R.1D-47 (Specialized Residential Single Detached Residential) Zone and modifications to the zoning regulations of the R.3A-57 Zone and R.4A-48 Zone to implement a residential Draft Plan of Subdivision, be approved, in accordance with Attachment 2 of the Infrastructure, Development and Enterprise Report 16-37, dated June 13, 2016.
- 3. 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 55 and 75 Cityview Drive North.

BACKGROUND

An application to modify approved Draft Plan of Subdivision 23T-12501 and an associated application to amend the Zoning By-law was received for the property municipally known as 55 and 75 Cityview Drive from GSP Group Inc. The purpose of the applications is to permit minor modifications to the block and lot layout within the approved draft plan and to implement the associated zoning changes. The current applications were received by the City on October 5, 2015 and deemed complete on November 4, 2015.

Draft Plan of Subdivision 23T-12501 and associated Zoning By-law Amendment ZC1202 were approved by City Council on February 9, 2015. The Zoning By-law was appealed to the Ontario Municipal Board (OMB). On June 24, 2015 the OMB approved the Zoning By-law Amendment. The draft plan, as shown in Attachment 5, includes a total of 249 to 324 residential units, consisting of 103 single detached dwellings, 28 semi-detached dwellings, 14 on-street townhouse units, and 105-180 multiple residential dwellings. The associated approved Zoning By-law applied various zoning categories for the lots and blocks to implement the draft plan, which are shown in Attachment 5.

The statutory Public Meeting was held on February 8, 2016. At this meeting, Council received staff report 16-05 that provided background information related to the proposed applications.



Location

The subject property is approximately 15.21 hectares in size and located on the east side of Cityview Drive, north of York Road and west of the intersection of Starwood Drive and Watson Parkway North (see Location Map in Attachment 1).

Adjacent land uses include:

- existing residential development to the west;
- an elementary school and existing residential development to the north;
- Provincially significant wetlands and vacant lands part of the Starwood/Watson Mixed Use Node to the east; and
- vacant lands subject to a separate draft plan of subdivision application (23T-12502) to the south.

Existing Official Plan Land Use Designations and Policies

The subject lands are designated "General Residential" and "Open Space" in Schedule 1 of the Official Plan. The "Mixed Use" Node land use designation applies to the southeasterly portion of the subject site, which would not be developed due to identified environmental constraints.

The "General Residential" land use designation permits all forms of residential development, including multiple unit residential buildings subject to the satisfaction of specific development criteria. The Official Plan land use designations and related policies are included in Attachment 3.

Official Plan Amendment 42 (OPA 42), the City's new Natural Heritage System, identifies portions of the Clythe Creek Provincially Significant Wetland Complex as 'Significant Natural Areas' on the subject lands. The "Natural Areas" identified on the subject property include the wooded easterly area as 'cultural woodlands' and a small valleyland feature as 'other valley lands'. OPA 42 came into effect on June 4, 2014. While approved Draft Plan of Subdivision 23T-12501 was processed prior to OPA 42 coming into effect, this new application is subject to the land use designations and policies established under OPA 42.

Official Plan Amendment 48 Land Use Designations and Policies

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan, designates the subject site "Low Density Greenfield Residential". This designation permits residential development at a density between 20 to 60 units per hectare. Other portions of the site are designated Significant Natural Area, Natural Area, Open Space and Park and Community Mixed Use Centre.

Although the application is being processed under the 2001 Official Plan, staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations contained in Official Plan Amendment 48 are shown in Attachment 4.



Existing Zoning

The existing zoning of the subject property that was applied through the OMB approval of the zoning by-law amendment in association with approved Draft Plan of Subdivision 23T-12501. The details of the existing zoning are included in Attachment 6.

REPORT

Description of Proposed Modification to Draft Plan 23T-12501 and Associated Zoning By-law Amendment

The applicant is requesting to modify Draft Plan of Subdivision 23T-12501 to permit revisions to the block and lot layout within the plan. These proposed modifications will still maintain the same road pattern and limits of development that were established through the original draft plan approval. The total number of residential dwelling units in the modified draft plan proposed is between 243-323 units, while the earlier approved draft plan contained a range of 249-324 dwelling units. The modified draft plan proposed is included in Attachment 7. The modifications generally include the following:

- an increase in the number of single detached dwellings and corresponding reduction in semi-detached lots;
- a reduction in the size of the multiple residential block on the east side of Hallock Drive (Block 130) with the incorporation of on-street townhouses fronting on the south side of Hallock Drive; and
- a reduction in the size of Park Block 133 from 0.51 ha to 0.47 ha to accommodate slightly deeper single detached lots along the southerly frontage of MacAuley Street.

The applicant is requesting the zoning by-law amendment to reflect and implement the proposed modifications to the draft plan of subdivision. Proposed revisions to the zoning regulations of the R.3A-57 and R.4A-48 Zones are also proposed to address site specific development regulations within the multiple unit residential blocks and to add cluster townhouses as a permitted use within the R.4A-48 Zone. The proposed zoning schedule and associated details of the zoning regulations are provided in Attachment 8.

Staff Review/Planning Analysis

The staff review and planning analysis of these applications addresses all relevant planning considerations, including the issues that were raised by Council at the statutory Public Meeting held February 8, 2016 and other issues raised through review of the applications. The issues generally include:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the Official Plan; including any Official Plan Amendments;
- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control); and



Review of the proposed zoning.

Planning Staff Recommendation

Planning staff are satisfied that the proposed modifications to the Draft Plan of Subdivision and associated Zoning By-law Amendment applications are consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe*. The draft plan continues to accommodate an appropriate range and mix of housing to serve future growth at densities which will use land and infrastructure efficiently. The proposed development maintains the limits of development that were established through the original draft plan approval and will continue to have no negative impacts on the adjacent natural features or its ecological functions. There is no development proposed within the established 30 metre buffer to the Clythe Creek Provincially Significant Wetland Complex.

The subject site is located within the "Designated Greenfield Areas" under the "Places to Grow" legislation and proposes development at a density consistent with the originally approved draft plan at a range of approximately 61 to 69 persons and jobs per hectare. This will contribute towards meeting the Growth Plan's Greenfield density requirement of 50 persons and jobs per hectare.

The proposed modifications to the draft plan of subdivision and zoning by-law amendment application conform to the objectives and policies of the Official Plan. The draft plan will still provide a range of housing types to meet a variety of housing needs in conformity with the corresponding "General Residential" Official Plan designation. The multiple unit residential blocks within the westerly portion of the plan continue to meet the development criteria set out in Section 7.2.7 of the Official Plan with respect to building form compatibility, traffic accommodation and local amenity and municipal service availability.

The proposed development remains in conformity with the environmental policies of the Official Plan, including the City's Natural Heritage Strategy (NHS- Official Plan Amendment 42) that are in effect. The proposed modifications to the draft plan do not alter the limits of development and maintains consistency with the findings of the Environmental Impact Study (EIS) submitted in conjunction with the original draft plan demonstrating no negative impacts to the protected natural features or their associated ecological functions associated with the Clythe Creek Provincially Significant Wetland (PSW) at the easterly portion of the subject lands. Condition 15 in Attachment 2 will still require the owner to prepare an Environmental Implementation Report (EIR) at the detailed design stage to ensure that the recommendations of the EIS are implemented appropriately.

The modified draft plan also remains in conformity with the City's comprehensive update to its Official Plan that is currently under appeal and not yet in effect. The changes to the housing mix within the plan conforms with the "Low Density Greenfield Residential" land use designation in OPA 48 and meets the stipulated minimum and maximum density range of 20 to 60 units per hectare, with a



proposed density range between 31 units per hectare and 41 units per hectare. This is consistent with the density range included within originally approved draft plan of subdivision (23T-12501).

The proposed modifications to Draft Plan of Subdivision 23T-12501 meet the criteria set forth in Section 51(24) of the *Planning Act* that the City must consider in determining whether to allow the revised draft plan of subdivision. Overall, the subdivision will continue to implement a comprehensive public road network, trail system and servicing strategy that can incorporate surrounding lands in an orderly and efficient manner. It is noted that the conditions of draft plan approval included in Attachment 2 incorporate the same conditions that were recommended in staff report 15-03 in association with the original draft plan of subdivision (23T-12501) that was approved by Council on February 8, 2015. This includes addressing the consolidation and coordination of the future development blocks at the northerly and easterly boundary of the plan to complete the logical and planned lotting pattern in association with adjacent future development blocks. A zoning by-law amendment application (ZC1513) affecting these adjacent lands (Blocks 221-223, Registered Plan 61M-18) has been requested by the same applicant to apply uniform R.2-6 zoning in conjunction with future development blocks 137-139 of Draft Plan 23T-12501 to facilitate the completion of the planned lot fabric between the two subdivision developments. This application is being brought forward for Council's consideration at the same time through staff recommendation report 16-38.

The proposed zoning by-law amendment application is appropriate to implement the relatively minor changes to the lot and block pattern within the draft plan. Further, the proposed changes to the zoning regulations affecting the R.3A-57 Zone for multiple unit residential block (Block 130) along the east side of Hallock Drive are appropriate and will provide added flexibility for the site and unit layout within this site. The proposed reduction to the setback between buildings with windows to habitable rooms can still address privacy issues and would meet Ontario Building Code (OBC) requirements for fire separation, noting this setback is consistent with required side yard setbacks for single detached, semi-detached and on-street townhouse dwelling units. Further, the requested zoning regulation changes for the R.3A-57 Zone regarding the setbacks, size and location of private amenity areas are considered appropriate to provide added flexibility in implementing alternative site designs and unit layouts. Private amenity areas would still be able to provide adequate privacy and outdoor access to residents through these proposed revisions.

No public concerns were received through the application review process. At the February 8, 2016 Public Meeting the question was raised whether the proposed development of these lots would affect any future planned roadworks for Starwood Drive. Engineering staff have indicated that roadwork and servicing activities related to this subdivision would need to be properly coordinated with any related municipal roadwork projects planned for the area.



The revisions made to the current Zoning By-law Amendment application that were presented at the Public Meeting held on February 8, 2016 are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the *Planning Act*. Planning staff are recommending that Council approve the Draft Plan of Subdivision and Zoning By-law Amendment applications subject to the draft plan of subdivision conditions and regulations outlined in Attachment 2.

Community Energy Initiative

The proposed development will contribute towards implementing the Community Energy Initiative in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The proposed development represents development on underutilized lands and has been designed to appropriately integrate the surrounding public street system to promote connectivity, pedestrian movement and access to transit. The owner carries forward the commitment made from the original draft plan approval, as outlined in Condition 42 of Attachment 2, to construct the dwelling units to standards that promote energy efficiency.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$3,748,696 to \$4,583,821

Estimated Annual Taxes Once Developed: \$1,279,762 to \$1,467,112

DEPARTMENTAL CONSULTATION

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

COMMUNICATIONS

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

ATTACHMENTS

Attachment 1 - Location Map

Attachment 2 – Staff Recommendation – Draft Plan of Subdivision and Zoning Bylaw Amendment

Attachment 3 – Existing Official Plan Land Use Designations and Policies

Attachment 4 – Official Plan Amendment 48 Land Use Designations

Attachment 5 – Approved Draft Plan of Subdivision 23T-12501 and Details

Attachment 6 – Existing Board Approved Zoning and Details

Attachment 7 - Proposed Modifications to Draft Plan 23T-12501 and Details

Attachment 8 – Proposed Zoning and Details



Attachment 9 – Circulation Comments Attachment 10 – Public Notification Summary

Report Author

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Approvéd By

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But Youth

Recommended By Scott Stewart, C.E.T.

Deputy CAO

Approved BySylvia Kirkwood

Infrastructure, Development and Enterprise

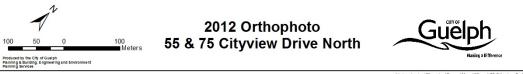
Manager of Development Planning

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Attachment 1 Location Map







Attachment 2 Staff Recommendation – Draft Plan of Subdivision Conditions and Zoning

PART A: DRAFT PLAN OF SUBDIVISION CONDITIONS

"THAT the application by GSP Group on behalf of Debrob Investments Limited for approval of a proposed Draft Plan of Residential Subdivision applying to property municipally known 55 and 75 Cityview Drive North and legally described as Part of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, BE APPROVED, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the draft plan of subdivision prepared by GSP Group., Project No. 13165.40, dated September 24, 2015 (revised March 23, 2016), 2014, as shown on Attachment 7, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

- 2. The Developer shall complete a **tree inventory**, **preservation and compensation plan**, satisfactory to the General Manager of Planning Services, in accordance with the City of Guelph By-law (2010)-19058, prior to any tree removal, grading or construction on the site
- 3. The Developer shall obtain a **site alteration permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
- 4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
- 5. The Developer agrees that no work, including, but not limited to **tree removal**, **grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a subdivision agreement with the City.
- 6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
- 7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.



- 8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
- 9. The Developer shall retain a qualified environmental inspector, satisfactory to the City, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City.
- 10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described. Prior to any grading or site alteration or execution of the subdivision agreement, the Developer shall satisfy the City with respect to managing the expected high groundwater conditions. The Developer is advised that basements and underground parking may not be permitted in this development.
- 11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the
 Environment Regulations and Guidelines to the satisfaction of the City Engineer.
 Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
- 12. The Developer shall prepare an off-site private well monitoring program to the satisfaction of the City and shall implement the program to the satisfaction of the City. The program will be used for pre-development during construction and post-development monitoring.
- 13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
- 14. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.



- 15. The Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA).
 - a. The EIR will provide details with respect to stormwater management and wetland water balance mitigation, detailed tree management plans including compensation plans, detailed habitat management plans for the invasive species removal area, detailed plans for the removal of small wetland areas including bio-salvages as appropriate, detailed landscape plans (by an accredited landscape architect), an up to date wetland limit, education and stewardship information, detailed mitigation plans to support the trail and detailed trail design, a salt management plan, a monitoring plan with identified thresholds as well as any other information to implement recommendations from the Scoped Environmental Impact Study dated August 2014. As well, the EIR will include grading, drainage and erosion and sediment control plans, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from October 8, 2014 and the Grand River Conservation Authority comments from their letter dated October 23, 2014.
 - b. The Developer shall complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.
 - c. The Developer will undertake a post-development monitoring program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning Services. The Developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning.

The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.

16. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property to be conveyed to the City 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's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.



- 17. If contamination is found, the Developer 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 conveyed to the City and the proposed remedial action plan to the satisfaction of the City;
 - 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 conveyed to the City 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 conveyed to the City
- 18. That the Developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

Conditions to be met prior to execution of subdivision agreement

- 19. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
- 20. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
- 21. With the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total cost of the design and construction of all municipal services within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City, including reconstruction of Cityview drive to an urban standard. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-desacs, sewers, stormwater management facilities, watermains and emergency accesses. This also includes the Developer paying a share of the cost of left turn lanes at the Grange/Cityview intersection and Starwood/Keating/Fleming intersection.



- 22. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
- 23. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
- 24. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City Engineer.
- 25. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
- 26. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
- 27. The **site plans for all corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
- 28. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
- 29. The Developer shall install, at no cost to the City, **chain link fencing** to demarcate private lot lines along the park blocks and walkway blocks and rear lot lines along protected Open Space/Natural Areas. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the General Manager of Parks and Recreation. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
- 30. The Developer shall be responsible for the cost of design and development of the "Basic Park Development" according to the City of Guelph's current "Specifications for Basic Parkland Development", which includes clearing, grubbing, site grading and surface drainage, topsoil, sodding, storm, water, sanitary and hydro servicing of the Park block dedicated to the City to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings for approval by the City and the administration of the construction contract up to the end of 2 year warrantee period by a full member (with seal) of the Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Basic Park Development to the satisfaction of the Deputy CAO of Public Services.



- 31. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a full member of Ontario Association of Landscape Architect (OALA) for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
- 32. The Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration in accordance with the "Environmental Implementation Report" and "Landscape Plans" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a full member of Ontario Association of Landscape Architects (OALA) for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
- 33. The Developer shall be responsible for the cost of design of the **Pedestrian/ Multi use Trail System** for the Storm Water Management & Open Space
 Blocks. This shall include obtaining any required permits, submitting drawings
 for approval, identifying the trail system, interpretative signage and trail design
 details, to the satisfaction of the Deputy CAO of Public Services and the City
 Engineer. This shall include the submission of drawings completed by a full
 member of Ontario Association of Landscape Architects (OALA) for approval to
 the satisfaction of the Deputy CAO of Public Services.
- 34. The Developer shall be responsible for the cost of design and development of the "Basic Trail Development" as per the City of Guelph's current "Specifications for Basic Trail Development", which includes rough grading and any associated infrastructure (bridges and abutments, guard and hand rails, retaining walls) and seeding to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the basic trail development to the satisfaction of the Deputy CAO of Public Services.
- 35. The Developer shall provide Parks Planning and Development with a digital file in AutoCAD DWG format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks.



- 36.The Developer shall install, at no cost to the City, chain link fencing, adjacent to **Blocks 133, 134, 135 and 140**. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the Deputy CAO of Public Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
- 37. The Developer acknowledges that the final design of Lot 21, Block 138 and the adjoining Lot B on Starwood Drive may necessitate retaining walls and/or changes to the lot and block lines that are shown on the Draft Plan of Subdivision. These proposed retaining walls and their associated infrastructure shall be located entirely on private development lands outside the Open Space Blocks to the satisfaction of the Deputy CAO of Public Services. The Developer shall be responsible for all costs associated with these retaining walls and for all costs associated with any lot and block changes.
- 38. Prior to **Basic Parkland Development acceptance by the City**, the Developer shall submit a **Geotechnical Investigations Report**, prepared by a geotechnical engineer certifying that all fill placed on the Parkland has adequate structural capacity to support play structures, swings, pathways, paved courts, sun shelter and other park elements that require footings and foundations, to the satisfaction of the Deputy CAO of Public Services. This report shall include the following information; block number, locations of boreholes, soil profile including depths of topsoil, fill etc. and top elevations of fill.
- 39. Prior to **Basic Parkland Development acceptance by the City**, the Developer shall submit a report prepared by a professional engineer certifying that the parkland grading and site servicing have been constructed in accordance with the approved **Grading**, **Drainage and Servicing Plan** and Parks Planning Specifications including property demarcation and sodding and are functioning as designed. This report shall be accompanied by as-built Grading drainage and Servicing Plan stamped by the Engineer. The Developer shall also submit the asbuilt grading, drainage and servicing plan in AutoCAD format to the satisfaction of the Deputy CAO of Public Services.
- 40. Prior to **Basic Parkland Development acceptance by the City**, the Developer shall provide a written **Topsoil Test Report** from a recognized laboratory confirming topsoil compliance with the Parks Planning specifications. The testing shall include, but is not limited to nutrient levels, organic content, heavy metals and pesticides/herbicides (such as Atrazine).
- 41. Prior to **Basic Parkland Development acceptance by the City**, the Developer shall submit a report prepared by registered Landscape Architect (full member of OALA) certifying that the landscape work and property demarcation work



have been constructed in accordance with the approved Landscape Plan and Parks Planning Specifications. This report shall be accompanied by 'As Built' Landscape Plan stamped by the registered OALA full member. The Developer shall also submit the as-built Landscape Plan in AutoCAD format to the satisfaction of the Deputy CAO of Public Services.

- 42. The Developer shall implement the recommendations contained in the **Heritage Impact Assessment** conducted for 75 Cityview Drive North, dated March 25, 2011 and address the resolution of Heritage Guelph at their meeting held June 14, 2011 by incorporating the stone gateposts into the ultimate site development of Block 122, with the site being designed so that the posts frame the main pedestrian entrance from Cityview Drive.
- 43. The Developer shall **phase the subdivision** to the satisfaction of the City. Such phasing shall conform to the current Development Priorities Plan.
- 44. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to a standard that promotes energy efficiency in order to comply with the **Community Energy Initiative**, to the satisfaction of the City in accordance with the letter attached as Attachment 11 from Infrastructure, Development and Enterprise Report 15-03 dated February 9, 2015

Conditions to be met prior to registration of the plan

- 45. The Developer shall obtain approval of the City with respect to the availability of adequate water supply and sewage treatment capacity, prior to the registration of the plan, or any part thereof.
- 46. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, to the satisfaction of the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
- 47. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria July 23, 1993".
- 48. That all easements, blocks and rights-of-way required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.



- 49. The Developer shall pay any **outstanding debts** owed to the City.
- 50. The Developer shall pay **development charges** to the City in accordance with By-law Number (2014) 19692, 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.
- 51. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall". The signs shall be resistant to weathering and vandalism.
- 52. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - a. "Purchasers and/or tenants of specified lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b. "Purchasers and/or tenants of specified lots are advised that their roof downspout and foundation drain is connected to a foundation storm service on the lot in accordance with a certified design by a Professional Engineer. Disconnection of the roof downspout is not permitted."
 - c. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - d. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".



- e. "Purchasers and/or tenants of all lots or units are advised that Street B and Keating Street will be extended at some future date when the adjacent lands are developed"
- f. "Purchasers and/or tenants of all lots or units are advised that Street D will be extended at some future date when the adjacent lands are developed".
- g. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".
- h. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into **Blocks 133, 134, 135 and 140** that abut these Blocks and Lots".
- i. "Purchasers and/or tenants of all lots or units are advised that public trails will be installed or exist abutting or in close proximity to Lots 1 through 21, Lots 103 through 111 and Lot 52 and that public access to these trails will occur between Lots 2 and 3 and in close proximity to Lot 21, Lot 52 and Lot 111".
- j. "Purchasers and/or tenants of all lots are advised that the stormwater management block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."
- k. "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
- I. "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sports fields, playgrounds, pathways and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
- m. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, storm water management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to all Lot and Block numbers." The



Developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to open space, stormwater management and park blocks".

- 53. The Developer shall place the following warning clause in all offers of purchase and sale or lease for **Part Block 138**:
 - "The driveway for Block 138 will be from Starwood Drive and it will be restricted to only right-in/right-out movements. No left turns will be permitted onto Starwood Drive from Block 138."
- 54. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.
- 55. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
- 56. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
- 57. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
- 58. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
- 59. The Developer shall ensure that the accumulated sediment in the **Valleyhaven** stormwater management pond is removed and the pond landscaping is implemented, all to the satisfaction of the City Engineer, prior to registration of the portion of the plan that drains into the Valleyhaven pond.
- 60. The Developer shall submit a **Traffic Impact Study** addendum to the satisfaction of the City Engineer and shall implement the recommendations of the Study to the satisfaction of the City Engineer.



- 61. The Developer shall provide a **servicing easement** in favour of the Upper Grand District School Board to accommodate the external overland flow from the William C. Winegard Public School site to a positive outlet.
- 62. The Developer shall obtain the **external property requirements** necessary to construct Street D to Starwood Drive to the satisfaction of the City.
- 63. The Developer acknowledges and agrees that **no development shall occur on**Part Blocks 127, 128, 129 and 130 until they are consolidated with adjacent properties to the satisfaction of the City.
- 64. The Developer shall complete the **basic trail development** prior to the registration of the first phase of the subdivision.
- 65. The Developer agrees to provide temporary signage describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of **Park Blocks 133 and 134 and Open Space blocks 135 and 140**, and entrance/exit of trails, to the satisfaction of the Deputy CAO of Public Services. The signage shall:
 - advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
 - clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
 - clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to the Developer.
 - The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the blocks by the City.

The Developer further agrees that the proposed park block, open space block(s), trails and fencing be identified on any marketing or promotional materials

- 66. The Developer shall convey **Block 135** and **Block 140** to the City as Conservation Open Space (P.1 Zone).
- 67. The Developer shall dedicate **Block 133** and **Block 134** for neighbourhood park (P.2 Zone) purpose.
- 68. The Developer shall make **payment-in-lieu of the parkland conveyance** for the difference, in accordance with the parkland dedication requirement under section 51.1 of the Planning Act.



Conditions to be met prior to the issuance of a building permit

- 69. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
- 70. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
- 71. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
- 72. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

AGENCY CONDITIONS:

- 73. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation**Authority:
 - a. A detailed storm water management report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual". This report should include geotechnical information addressing the infiltration potential on the site. In addition, a storm servicing plan for the site should be included.
 - b. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - c. Detailed lot grading and drainage plans showing existing and proposed grades.



- d. An Environmental Implementation Report (EIR) to the satisfaction of the Grand River Conservation Authority in consultation with the City. The EIR should include the above noted reports, monitoring and mitigation outlined in these reports.
- e. A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit under Ontario Regulation 150/06 for any proposed works within the regulated area.
- 74. That the subdivision agreement between the owners and the municipality contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports contained in Condition 73.
- 75. The Owner shall be required to grant **CN an environmental easement** for operational noise emissions, registered on title to lots within 300 metres of the railway property line.
- 76. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
- 77. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
- 78. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export of DXF format containing the following information: parcel fabric and street network.
- 79. The Developer agrees to **supply and erect a chain link fence**, at the developer's expense and according to the Board's specifications, where future residential lots/blocks abut land owned by the **Upper Grand District School Board**.
- 80. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:

"Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District



School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school

- 81. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
- 82. Prior to the registration of the first phase of development, the Developer shall pay the **Upper Grand District School Board** the costs of opening the chain link fence along the boundary of the William C. Winegard Public School property where it abuts Street B to provide pedestrian access to the school site from Street B.
- 83. Subject to the approved phasing of the subdivision, the Developer shall pay the City costs of installing and maintaining temporary hard surface walkways within the necessary road allowances in the subdivision to allow future students to access the adjacent school site, to the satisfaction of the City and the **Upper Grand District School Board**.
- 84. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer / subdivider / builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.

NOTES: That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of Draft Plan approval.

That prior to the registration of all or any portion of the plan, the **Grand River Conservation Authority** shall advise the City in writing how conditions 65 and 66 have been satisfied.

That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 69 has been satisfied.



That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 70-75 have been satisfied.

That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 53 and 62 have been satisfied.

That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 76 has been satisfied.

That prior to the registration of all or any portion of the plan, the **Ministry of Citizenship**, **Culture and Recreation** shall advise the City in writing how condition 18 has been satisfied.

AND

PART B: ZONING REGULATIONS

"That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the R.3A-57 (Specialized Cluster Townhouse) Zone to the R.3B (On-Street Townhouse) Zone, R.1D-47 (Specialized Residential Single Detached) Zone to the R.3B (On-Street Townhouse) Zone, the R.3B (On-Street Townhouse) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone, R.2 (Residential Semi-Detached/Duplex) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone to the R.1D-47 (Specialized Residential Single Detached) Zone to the R.1D-47 (Specialized Residential Single Detached Residential) Zone and to modify the zoning regulations of the R.3A-57 Zone, as follows:

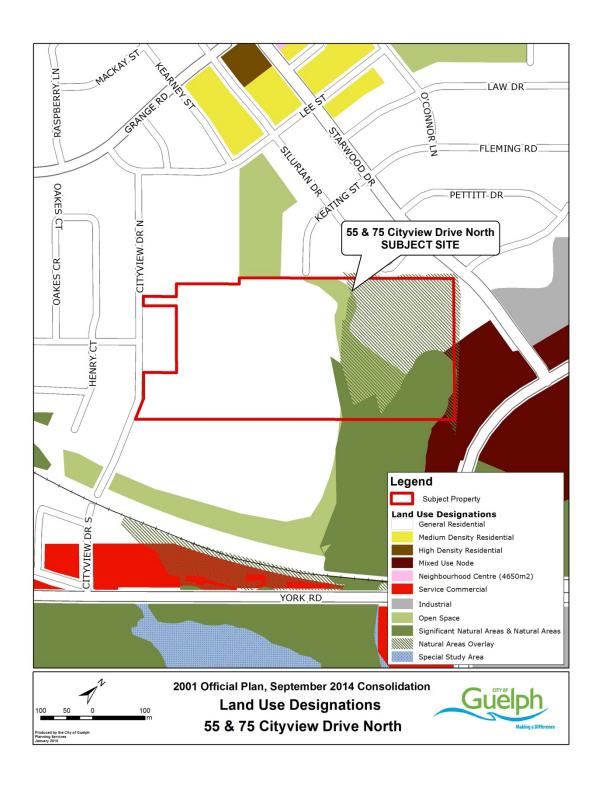
LOTS/BLOCKS	LAND USE	ZONING
Future Development Block	Single Detached Residential	R.1D
138	Min Lot Frontage - 9 m	
Lots 1-2, 33-50, 53-126	Single Detached Residential	R.1D-47
	Min Lot Frontage - 9 m	
Lots 3-32,	Single Detached Residential	R.1C-27
	Min Lot Frontage – 12 m	



Lots 51-52	Semi-Detached/Single Detached Residential	R.2-6
Future Development Blocks 139-141	Min Lot Frontage – 9.5 m	
Blocks 128, 129	On-Street Townhouse Residential Min Lot Frontage – 6 m	R.3B
Block 130	Multiple Unit Residential	Modified R.3A-57
Block 131, 132	Multiple Unit Residential	Modified R.4A-48
Blocks 135, 140	Neighbourhood Park	P.2
Block 125	Conservation Land	P.1
Block 137	Wetland	WL



Attachment 3 Existing Official Plan Land Use Designations and Policies





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

'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, lodging houses, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the net density of development shall not exceed 100 units per hectare (40 units/acre).
 - 1. In spite of the density provisions of policy 7.2.32 the net density of development on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot infill, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed development is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design 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.



7.12 Open Space

Objectives

- a) To develop a balanced distribution of open space and recreation facilities that are conveniently accessible and safe to meet the needs of all residents.
- b) To recognize a hierarchy of open space areas based on size, function and the population to be served.
- c) To develop a continuous linear open space system connecting diverse natural, cultural and recreational land uses within the City and with links to surrounding municipalities.
- d) To assist in protecting areas comprising *natural heritage features* and *cultural heritage resources*.
- e) To encourage indigenous biological diversity in appropriate open space areas.
- f) To co-operate with other public, quasi-public and private organizations in the provision of open space, recreation and cultural facilities.
- g) To develop a walking and cycling trail system within the open space system that is accessible to the public utilizing paths, trails, streets and other public open spaces.
- h) To provide for a wide range of cultural and fine arts facilities.
- i) To promote tourism potentials and attractions in the City.

General Policies

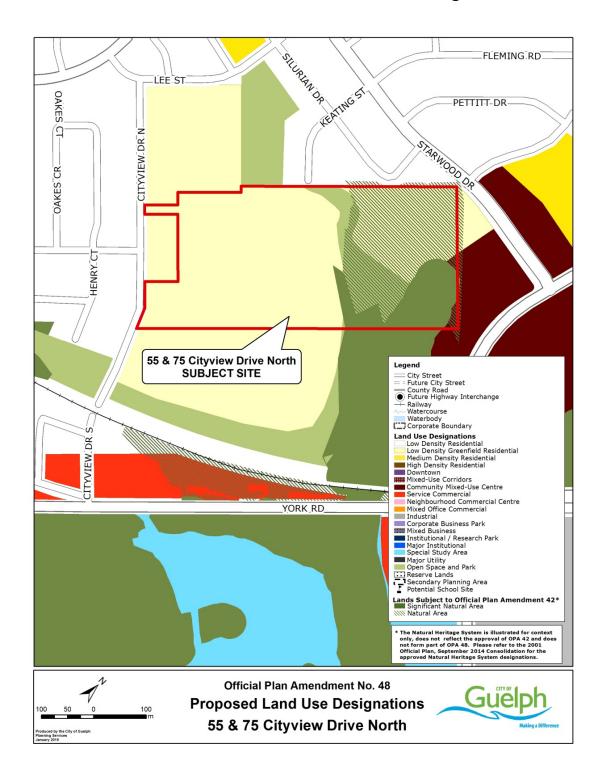
- 7.12.1 The predominant use of land designated 'Open Space' on Schedule 1 shall be for public and private recreational uses and facilities, parks, golf courses, conservation lands, school sites, and cemetreies. The designation is also intended to support the protection of natural heritage features and cultural heritage resource conservation.
- 7.12.2 Complementary uses that are compatible to, and which do not detract from or restrict, the primary function of the area, may be permitted within the 'Open Space' designation. Such complementary uses may include, but are not necessarily restricted to: forestry resources, horticulture, and public utilities. Other complementary uses for private and public recreational uses and facilities may include restaurants, club houses, pro shops, public halls and other accessory buildings and uses that are normally associated with the main recreational use.
- 7.12.3 Where any land designated 'Open Space' is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the Municipality or any other public agency.
 - 1. Where lands designated 'Open Space' are in private ownership and application is made requesting a change to a land use other than open space, due consideration shall be given by Council to the following:
 - a) Council shall consider the acquisition of the subject lands, having regard for the following:



- i. The provision of adequate open space and recreational areas, particularly in the vicinity of the subject lands;
- ii. The existence of cultural heritage resources or natural heritage features on the site;
- iii. The recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
- iv. The possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
- v. The ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space acquisition plan.
- b) If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an 'Open Space' designation by such means as management agreements or easements, where applicable.
- 2. Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to secure the lands in an 'Open Space' designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated 'Open Space'.
- 7.12.4 When developing major recreation facilities such as indoor swimming pools, arenas, or major open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.

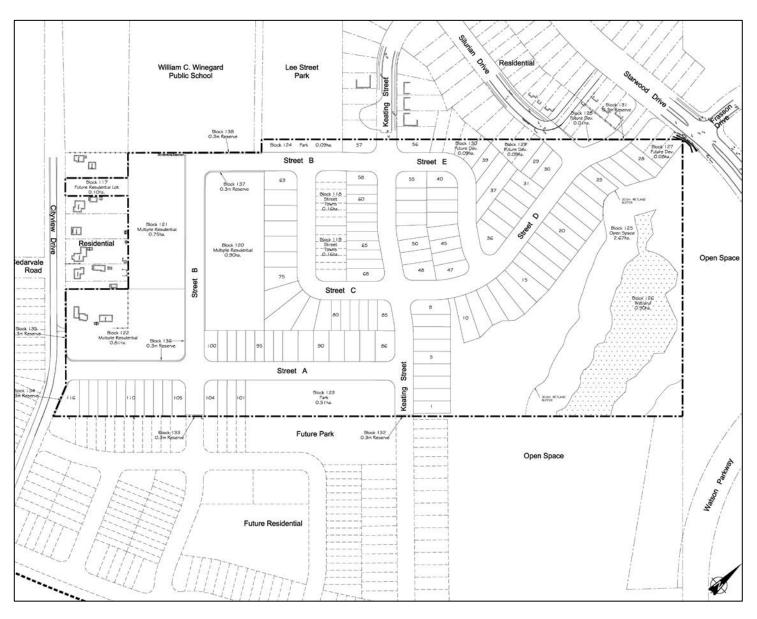


Attachment 4 Official Plan Amendment 48 Land Use Designations





Attachment 5 Approved Draft Plan of Subdivision 23T-12501 and Details



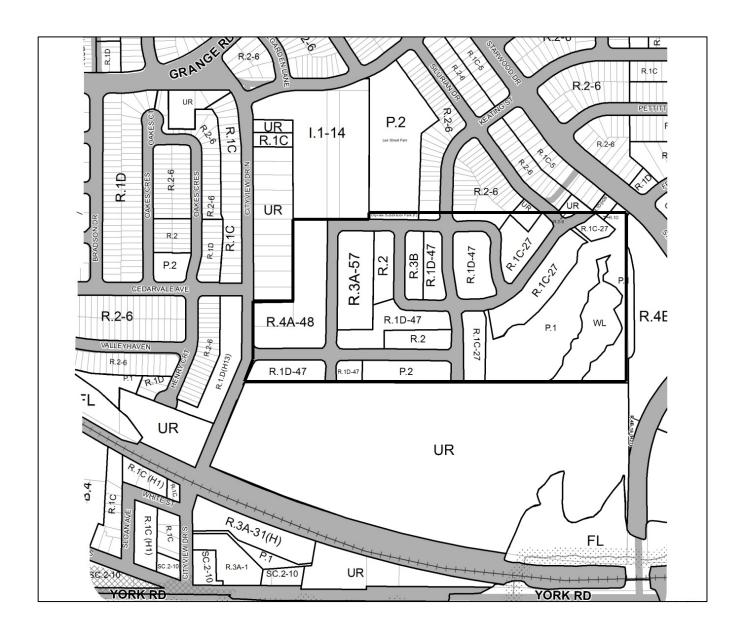


Attachment 5 (continued) Approved Draft Plan of Subdivision 23T-12501 and Details

LOTS/BLOCKS	CKS LAND USE AREA		# OF UNITS	
Lots 1-68, 76-85, 93-116	Single Detached Residential	4.39 hectares	102	
Lots 69-75, 86-92	Semi-Detached Residential	0.67 hectares	28	
Block 117	Future Development Block	0.10 hectares		
Blocks 118, 119	On-Street Townhouse Dwellings	0.32 hectares	14	
Blocks 120-122	Multiple Residential	2.46 hectares	105-180	
Blocks 123-124	Park	0.6 hectares		
Block 125	Open Space	2.67 hectares		
Block 126	Wetland	0.9 hectares		
Blocks 127-130	Future Development (single detached lots)	0.27 hectares	11	
	Roads	2.63 hectares		
TOTAL AREA		15.2 hectares	249-324	



Attachment 6 Existing Board Approved Zoning and Details



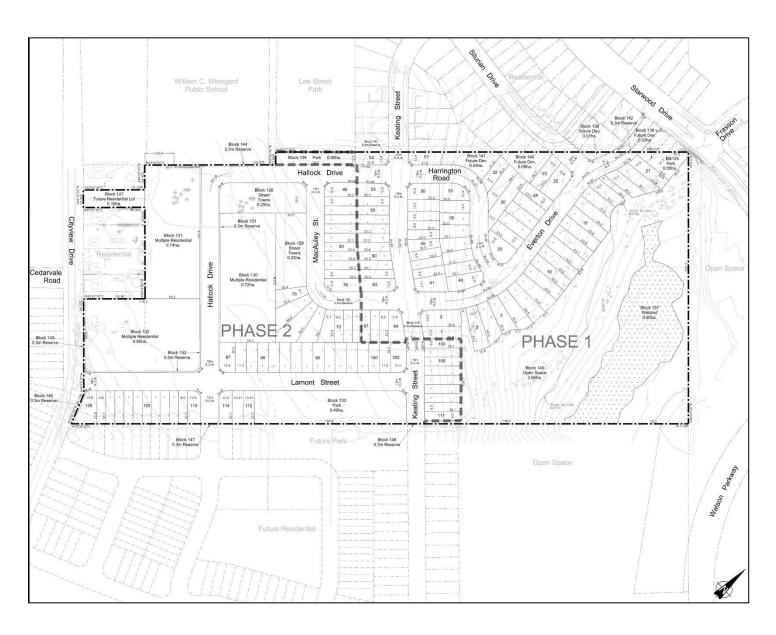


Attachment 6 (continued) Existing Board Approved Zoning and Details

LOTS/BLOCKS	LAND USE	ZONING
Future Development Block 127	Single Detached Residential	R.1D
Lots 58-68, 76-85, 93-116	Single Detached Residential	R.1D-47
Lots 1-55	Single Detached Residential	R.1C-27
Lots 56-57, Future	Semi-Detached/Single Detached	R.2-6
Development Blocks 128-130	Residential	
Lots 69-75, 86-92	Semi-Detached Residential	R.2
Blocks 118, 119	On-Street Townhouse Residential	R.3B
Blocks 120	Multiple Unit Residential	R.3A-57
Block 121, 122	Multiple Unit Residential	R.4A-48
Blocks 123, 124	Neighbourhood Park	P.2
Block 125	Conservation Land	P.1
Block 126	Wetland	WL



Attachment 7 Proposed Modifications to Draft Plan of Subdivision 23T-12501 and Details





Attachment 7 (continued) Proposed Modifications to Draft Plan of Subdivision 23T-12501 and Details

LOTS/BLOCKS	LAND USE	AREA	# OF UNITS
Lots 1-126	Single Detached Residential	5.09 hectares	126
Blocks 128, 129	On-Street Townhouse Dwellings	0.47 hectares	21
Blocks 130-132	Multiple Residential	2.31 hectares	95-175
Blocks 133-135	Park	0.63 hectares	
Block 140	Open Space	2.66 hectares	
Block 137	Wetland	0.9 hectares	
Blocks 127, 138-141	Future Development (single detached lots)	0.31 hectares	
	Roads	2.84 hectares	
TOTAL AREA		15.21 hectares	243-323

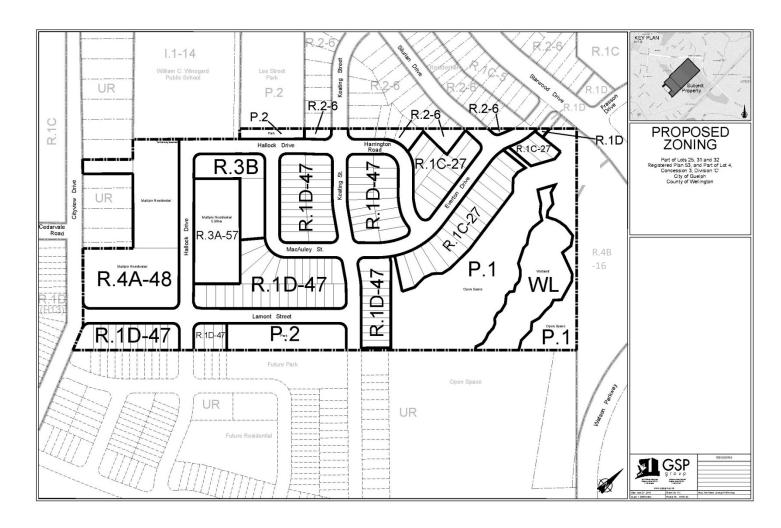


Attachment 7 (continued) Proposed Modifications to Draft Plan of Subdivision 23T-12501 and Details

Approved Draft Plan	Draft Plan Modification	Proposed Zoning
Multiple Residential Townhouse Block (Block 130)	Reduce the block from 0.90 ha to 0.72 ha to create 7 street townhouse lots on Hallock Drive (Block 128);	R.3A-57 to R.3B (modified from cluster townhouses to on-street townhouses)
	 To add the following site specific zoning regulations to the R.3A-57 Zone: To permit a minimum distance of 3.0 metres between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms; To permit a minimum setback of 6.0 metres from any Private Amenity Area to a wall in another Building containing windows of Habitable Rooms which face the Private Amenity Area; To permit a minimum Private Amenity Area for Stacked Townhouse units above grade of 4.4 square metres; and, To permit the required Ground Level Private Amenity Area to be located above grade, with a minimum area of 16 square and subject to the requirements of Section 5.3.2.5.2 b) and c) 	Modified R.3A-57 Zone
Multiple Residential Townhouse Blocks (Block 131-132)	Add Cluster Townhouses as a permitted use To add the following site specific zoning regulations to the R.4A-48 Zone: • To permit a minimum distance of 3.0 metres between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms; • To permit a minimum setback of 6.0 metres from any Private Amenity Area to a wall in another Building containing windows of Habitable Rooms which face the Private Amenity Area; • To permit a minimum Private Amenity Area for Stacked Townhouse units above grade of 4.4 square metres; and, • To permit the required Ground Level Private Amenity Area to be located above grade, with a minimum area of 16 square and subject to the requirements of Section 5.3.2.5.2 b) and c)	Modified R.4A-48 Zone
On-Street Townhouses (Block 129) Single Detached	On-street townhouses (portion of Block 128 and Block 129) to replace 7 single detached lots Two on-street townhouse blocks on the east side of	R.1D-47 to R.3B R.3B to R.1D-47
Lots 76-86	MacAuley Street to be replaced with single detached lots	
Single Detached Lots 93-102	Replace semi-detached lots with 10 single detached lots on the north side of Lamont Street	R.2 to R.1D-47
Park Block 133	Reduction in block size from 0.51 ha to 0.49 ha	N/A



Attachment 8 Proposed Zoning and Details





Attachment 8 (continued) Proposed Zoning and Details

LOTS/BLOCKS	LAND USE	ZONING
Future Development Block	Single Detached Residential	R.1D
138	Min Lot Frontage - 9 m	
Lots 33-50, 53-126	Single Detached Residential	R.1D-47
	Min Lot Frontage - 9 m	
Lots 1-32	Single Detached Residential	R.1C-27
	Min Lot Frontage – 12 m	
Lots 51-52	Semi-Detached/Single Detached Residential	R.2-6
Future Development Blocks 139-141	Min Lot Frontage – 9.5 m	
Blocks 128, 129	On-Street Townhouse Residential	R.3B
	Min Lot Frontage – 6 m	
Blocks 130	 Multiple Unit Residential To add the following site specific zoning regulations to the R.3A-57 Zone: To permit a minimum distance of 3.0 metres between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms; To permit a minimum setback of 6.0 metres from any Private Amenity Area to a wall in another Building containing windows of Habitable Rooms which face the Private Amenity Area; To permit a minimum Private Amenity Area for Stacked Townhouse units above grade of 4.4 square metres; and, To permit the required Ground Level Private Amenity Area to be located above grade, with a minimum area of 16 square and subject to the requirements of Section 5.3.2.5.2 b) and c) 	Modified R.3A-57



Block 131, 132	 Multiple Unit Residential Add Cluster Townhouses as a permitted use To add the following site specific zoning regulations to the R.4A-48 Zone: To permit a minimum distance of 3.0 metres between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms; To permit a minimum setback of 6.0 metres from any Private Amenity Area to a wall in another Building containing windows of Habitable Rooms which face the Private Amenity Area; To permit a minimum Private Amenity Area for Stacked Townhouse units above grade of 4.4 square metres; and, To permit the required Ground Level Private Amenity Area to be located above grade, with a minimum area of 16 square and subject to the requirements of Section 5.3.2.5.2 b) and c) 	Modified R.4A-48
Blocks 133, 134	Neighbourhood Park	P.2
Block 135,140	Conservation Land	P.1
Block 137	Wetland	WL



ATTACHMENT 9 Departmental and Agency Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning		√	Subject to conditions in Attachment 2
Engineering*		√	Subject to conditions in Attachment 2
Park Planning*		√	Subject to conditions in Attachment 2
Environmental Planning*		√	Subject to conditions in Attachment 2
Heritage Guelph		√	Subject to conditions in Attachment 2
Urban Design		√	
Emergency Services/Guelph Fire	√		
Grand River Conservation Authority*		√	Subject to conditions in Attachment 2
Union Gas	√		
Guelph Hydro		√	Subject to conditions in Attachment 2
Guelph Police	√		
Upper Grand District School Board		V	Subject to conditions in Attachment 2 (Education Development Charges)



ATTACHMENT 10 Public Notification Summary

October 5, 2015 Applications received by the City of Guelph

November 4, 2015 Applications deemed complete

November 17, 2015 Notice of Complete Application mailed to prescribed

agencies and surrounding property owners within 120

metres

January 15, 2015 Notice of Public Meeting advertised in the Guelph

Tribune

February 8, 2016 Statutory Public Meeting of Council

June 13, 2016 City Council Meeting to consider staff recommendation



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE June 13, 2016

SUBJECT Decision Report

Blocks 221-223, Registered Plan 61M-18

(Silurian Drive/Starwood Drive)

Proposed Zoning By-law Amendment

(File: ZC1513)

Ward 1

REPORT NUMBER 16-38

EXECUTIVE SUMMARY

SUMMARY OF REPORT

This report provides a staff recommendation to approve a Zoning By-law Amendment to rezone the subject lands to the R.2-6 (Residential Semi-Detached/Duplex) Zone to facilitate the development of nine (9) single detached dwellings and two (2) semi-detached dwelling in consolidation with adjoining blocks within Draft Plan of Subdivision 23T-12501.

Location: Blocks 221-223, Registered Plan 61M-18

KEY FINDINGS

Planning staff support the proposed rezoning as set out in Attachment 2 of this report.

FINANCIAL IMPLICATIONS

Development Charges: \$295,230

Estimated Annual Taxes: \$43,619 (estimation based on the ultimate development of nine (9) single detached dwellings and two (2) semi-detached dwellings that may differ significantly from the final assessment and taxation based on the ultimate development of the subject properties).

ACTION REQUIRED

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

RECOMMENDATION

1. That the application by GSP Group Inc. for a Zoning By-law Amendment to rezone Future Development Blocks 221, 222 and 223 within Registered Plan 61M-18 from the UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-



Detached/Duplex) Zone to facilitate the development of nine (9) single detached dwellings and two (2) semi-detached dwellings in consolidation with adjoining blocks within Draft Plan of Subdivision 23T-12501, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 16-38, dated June 13, 2016.

BACKGROUND

An application to amend the Zoning By-law was received for the lands known legally as Blocks 221, 222 and 223 in Registered Plan 61M-18 from GSP Group Inc. The purpose of the application is to rezone the subject lands from the UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to permit the development of nine (9) single detached dwellings and two (2) semi-detached dwellings in consolidation with adjoining blocks within Draft Plan of Subdivision 23T-12501.

The application was received by the City on October 5, 2015 and deemed complete on November 4, 2015.

The statutory Public Meeting was held on February 8, 2016. At this meeting, Council received staff Report 16-06 that provided background information related to the proposed Zoning By-law Amendment application.

Location

The subject lands consist of three separate parcels that are located south of Starwood Drive and east of Keating Street (see Attachment 1). The subject lands are three remnant future development blocks within the Grangehill Phase 3A Subdivision that was registered in 1999 as Plan 61M-18. These lands are vacant and border the northerly property line of Draft Plan of Subdivision 23T-12501 at 55 and 75 Cityview Drive, which was approved by City Council on February 9, 2015.

Existing Official Plan Land Use Designation and Policies

The subject lands are designated "General Residential" in Schedule 1 of the Official Plan. The "General Residential" land use designation permits all forms of residential development, including multiple unit residential buildings subject to the satisfaction of specific development criteria. The Official Plan land use designations and related policies are included in Attachment 3.

Official Plan Amendment 48 Land Use Designations and Policies

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan, designates the subject site "Low Density Greenfield Residential". This designation permits residential development at a density between 20 to 60 units per hectare. The land use designations contained in Official Plan Amendment 48 are shown in Attachment 4. Although the application is being processed under the 2001 Official Plan, staff must have regard to the Council adopted policies and designations of OPA 48.



Existing Zoning

The subject lands are zoned UR (Urban Reserve) Zone. Details of the existing zoning are included in Attachment 5.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant is requesting the Zoning By-law Amendment to rezone the subject lands from the current UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to permit the ultimate development of nine (9) single detached dwellings and two (2) semi-detached dwellings. The R.2-6 Zone permits both single detached dwellings and semi-detached dwellings. Further details of the proposed zoning are provided in Attachment 6.

Proposed Development

The proposed lotting pattern is illustrated in Attachment 7. In order to provide sufficient lot area and lot frontage for the proposed lots, the subject lands would be consolidated with Blocks 137, 138 and 139 within adjacent Draft Plan of Subdivision 23T-12501 at 55 and 75 Cityview Drive. The proposed zoning of the subject lands would be consistent with the R.2-6 zoning of the adjoining blocks within Draft Plan of Subdivision 23T-12501 to facilitate the creation of the nine (9) single detached lots and two (2) semi-detached dwellings to complete the lotting pattern between Registered Plan 61M-18 and Draft Plan 23T-12501. It is noted that an application to modify Draft Plan of Subdivision 23T-12501 and an associated Zoning By-law amendment that reflects this planned lotting pattern has been submitted concurrently with this application and is being brought forward for Council's consideration at the same time through staff report 16-37.

Staff Review/Planning Analysis and Recommendation

Planning staff support the proposed rezoning of the subject lands to facilitate the creation of nine (9) single detached lots and one semi-detached lot that would complete the planned development pattern in this area. The proposed Zoning Bylaw Amendment will simply implement the appropriate zoning for three remnant future development blocks in order for them to be zoned consistently and consolidated with the adjacent future development blocks within approved Draft Plan 23T-12501. This will allow whole lots to be created with the appropriate zoning to achieve the planned development pattern between previous and newer subdivision development approvals.

The proposed zoning by-law amendment will facilitate a compatible form of development with existing development, noting that this was the contemplated lotting pattern and zoning that was approved through the previous draft plan approval of the Grangehill Phase 3B Subdivision (Registered Plan 61M-18), and more recently through the approved subdivision at 55 and 75 Cityview Drive (23T-12501).



The application meets the policies of the Provincial Policy Statement through making more efficient and effective use of land in an area of the City with full municipal services and is also in keeping with the requirements under the Provincial Places to Grow legislation that requires 40% of all new development to be within the City's Built Boundary annually. Further, the zoning by-law amendment application will facilitate development in conformity with the "General Residential" policies of the Official Plan.

No conditions of development have been recommended through the review of this application. The appropriate conditions of development to ensure these adjacent future development blocks are consolidated appropriately have been secured through the previous subdivision development approvals.

The future creation of the nine (9) single detached lots and one semi-detached lot is anticipated to occur through the review of future part lot control exemption applications, ensuring these lots are created in conformity with the applicable R.2-6 zoning to complete the planned lotting pattern for this area. The lotting pattern illustrated in Attachment 7, which includes nine single detached lots and one semi-detached lot, meets the lot frontage and lot area of the requested R.2-6 zoning.

A separate application for a Modification to Draft Plan 23T-12501 and associated Zoning By-law Amendment has been reviewed concurrently with this application. This application does not propose to implement any lot pattern or zoning changes that would affect the planned rezoning and consolidation of the adjacent subject lands to complete the planned development pattern. No public comments or concerns were received through the application review process (see Attachment 8).

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$295,230

Estimated Annual Taxes Once Developed: \$43,619

DEPARTMENTAL CONSULTATION

The public agency and comments received from City departments during the review of the application are summarized in Attachment 8.

COMMUNICATIONS

Key dates for the public process regarding the planning applications are included in Attachment 9.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Staff Recommendation – Zoning By-law Amendment

Attachment 3 – Existing Official Plan Land Use Designations and Policies



Attachment 4 - Official Plan Amendment #48 Land Use Designations

Attachment 5 – Existing Zoning and Details

Attachment 6 - Proposed Zoning and Details

Attachment 7 – Proposed Lot Pattern

Attachment 8 - Circulation Comments

Attachment 9 - Public Notification Summary

Report Author

Chris DeVriendt Senior Development Planner

Approved By

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Sylvia Kirkwood

Manager of Development Planning

Recommended By

Scott Stewart, C.E.T.

Deputy CAO

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Enterprise

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Attachment 1 Location Map





Attachment 2 Recommended Zoning

The property affected by the Zoning By-law Amendment application is legally described as Blocks 221, 222 and 223 in Registered Plan 61M-18.

PROPOSED ZONING

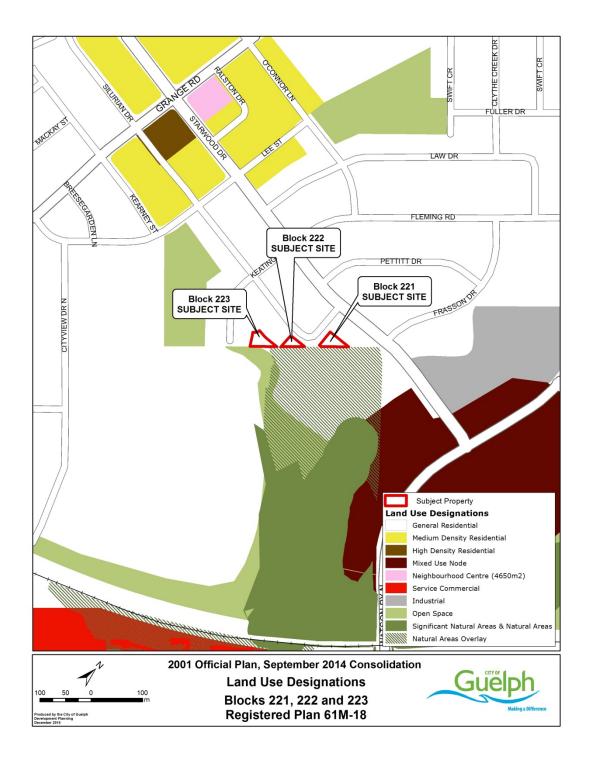
The following zoning is proposed for the subject site:

R.2-6 (Residential Semi-Detached/Duplex) Zone

In accordance with Section 5.2.3.6 of Zoning By-law (1995)-14864, as amended.



Attachment 3 Existing Official Plan Land Use Designations and Policies





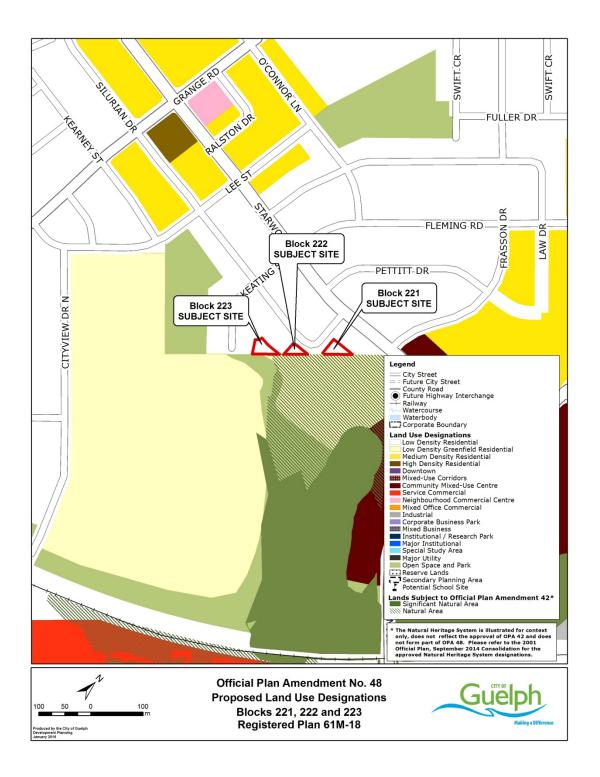
Attachment 3 (continued) Existing Official Plan Land Use Designations and Policies

'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, lodging houses, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the net density of development shall not exceed 100 units per hectare (40 units/acre).
 - 1. In spite of the density provisions of policy 7.2.32 the net density of development on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot infill, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed development is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot infill shall be compatible with adjacent residential environments with respect to the following:
 - a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse infill proposals shall be subject to the development criteria contained in policy 7.2.7.

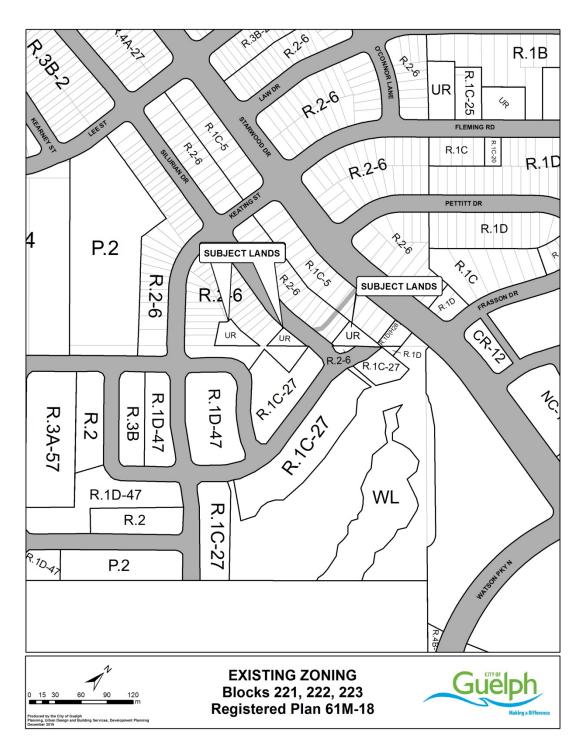


Attachment 4 Official Plan Amendment #48 Land Use Designations





Attachment 5 Existing Zoning and Details





Attachment 5 (continued) Existing Zoning Details

UR (Urban Reserve) Zone

Permitted Uses

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

Regulations

Within the Urban Reserve (UR) Zone, no land shall be Used and no Building or Structure shall be erected or Used except in conformity with the applicable regulations contained in Section 4 – General Provisions and the following regulations:

Minimum Separation Distances Regulating Livestock Based Agriculture

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

Permitted Building or Structure

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

Minimum Side Yard

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

Minimum Rear Yard

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

Minimum Front Yard

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

Off-Street Parking

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

Off-Street Loading

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



Accessory Building or Structure

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

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

No accessory Building or Structure shall be located between the Street Line and any Setback line.

No accessory Building or Structure shall be located in any Side Yard.

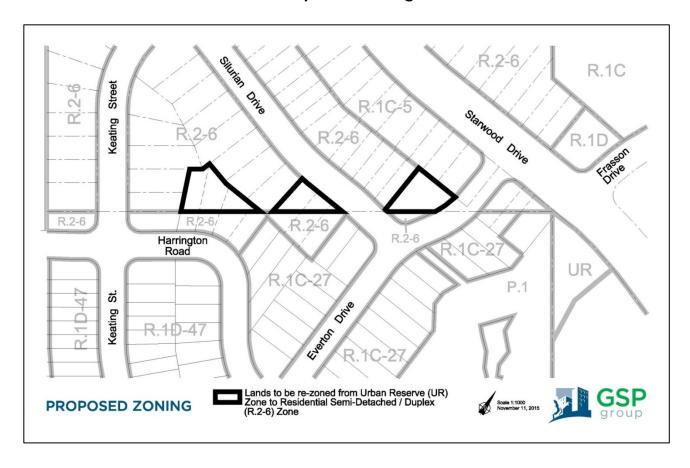
No accessory Building or Structure shall be located closer to any Lot Line than one-half Building Height or 7.5 metres, whichever is greater.

<u>Lighting of Outdoor Sportsfield Facilities</u>

Outdoor Sportsfield Facilities shall be permitted to have lighting facilities developed in accordance with Section 4.18.1



Attachment 6 Proposed Zoning





Attachment 6 (continued) Proposed Zoning

R.2-6 (Residential Semi-Detached/Duplex) Zone

As shown on Defined Area Map Numbers 56, 57, 61 and 62 of Schedule "A" of this By-law

Permitted Uses

Notwithstanding the Uses permitted by Section 5.2.1 of By-law Number (1995)-14864, as amended, the permitted Uses in the R.2-6 Zone shall be limited to the following:

- Single-Detached Dwelling
- Semi-Detached Dwelling
- Accessory Apartment in accordance with Section 4.15.1
- Bed and Breakfast establishment in accordance with Section 4.27
- Day Care Centre in accordance with Section 4.26
- Group Home in accordance with Section 4.25
- Home Occupation in accordance with Section 4.19
- Building or Structure accessory to the foregoing permitted uses

Regulations

Notwithstanding the provisions of Section 5.2.2 of By-law Number (1995)-14864, as amended, the following provisions shall apply:

Regulations for Single Detached Dwellings

In accordance with the provisions of Sections 4 and 5.1.2 of By-law (1995)-14864, as amended, with the following additions or exceptions:

Minimum Lot Area – 285 m²

Minimum Lot Frontage – 9.5 metres

Maximum Lot Frontage – 14.5 metres for all lots other than a Corner Lot

Minimum Front Yard

- i) From Grange Road, Watson Road, and Starwood Drive: 7.5 metres from the Street Line;
- ii) From all other Streets: 6 metres from the Street Line

Minimum Exterior Side Yard – 4.5 metres

Location of Legal Off-Street Parking Space

Notwithstanding Sections 4 and 5.1.2 of this By-law, the legal off-street Parking Space shall be located to the rear of the Setback line and a minimum distance of 6 metres from the Street Line



Minimum Side Yard

0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2

Regulations for Semi-Detached Dwellings

In accordance with the provisions of Sections 4 and 5.2.2 of this By-law (1995)-14864, as amended, with the following additions or exceptions:

Minimum Lot Area - 485 m²

Minimum Side Yard (Each Side*)

1 to 2 storeys – 1.2 metres

Over 2 storeys – 2.4 metres

* Notwithstanding the above, where a garage, carport or off- Street Parking Space is not provided for each Dwelling Unit, each Side Yard shall be a minimum width of 3 metres

Minimum Front Yard

- i) From Grange Road, Watson Road and Starwood Drive: 7.5 metres from the Street Line
- ii) From all other Streets: 6 metres from the Street Line

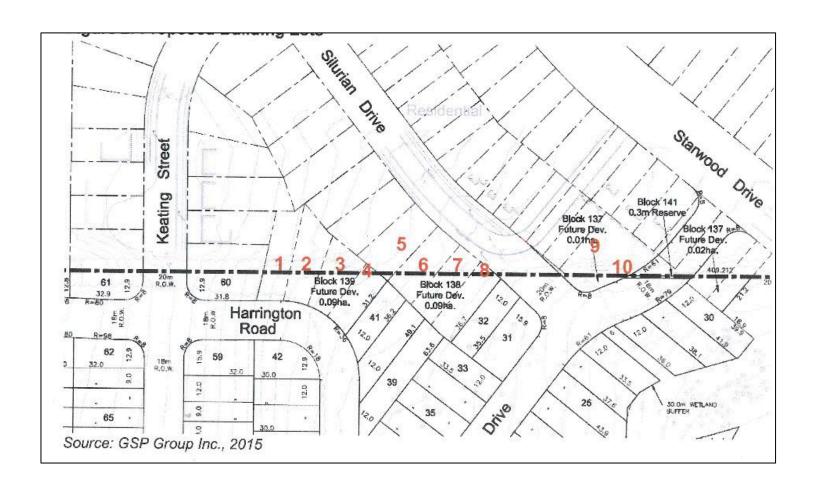
Minimum Exterior Side Yard – 4.5 metres

Location of Legal Off-Street Parking Space

Notwithstanding Sections 4 and 5.2.2 of this By-law, the legal off-street Parking Space shall be located to the rear of the Setback line and a minimum distance of 6 metres from the Street Line



Attachment 7 Proposed Lot Pattern





ATTACHMENT 8 Departmental and Agency Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning	√		
Engineering	√		
Park Planning	√		
Environmental Planning	√		
Emergency Services/Guelph Fire	√		
Union Gas	√		
Guelph Hydro	√		
Guelph Police	√		
Upper Grand District School Board	√		



ATTACHMENT 9 Public Notification Summary

October 5, 2015 Applications received by the City of Guelph

November 4, 2015 Applications deemed complete

November 17, 2015 Notice of Complete Application mailed to prescribed

agencies and surrounding property owners within 120

metres

January 15, 2015 Notice of Public Meeting advertised in the Guelph

Tribune

February 8, 2016 Statutory Public Meeting of Council

June 13, 2016 City Council Meeting to consider staff recommendation



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE June 13, 2016

SUBJECT Proposed Demolition of residential building at 305 Niska

Road, Ward 6

REPORT NUMBER 16-39

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of one (1) single detached dwelling.

LOCATION: 305 Niska Road

KEY FINDINGS

One (1) existing single detached dwelling is proposed to be demolished and the land to be re-naturalized as part of the Kortright Waterfowl Park owned by the Grand River Conservation Authority. The dwelling functioned in a commercial capacity as a support building for the research centre and has been vacant for over a year, therefore, the demolition will result in no net loss of housing stock.

FINANCIAL IMPLICATIONS

None.

ACTION REQUIRED

Council is being asked to approve the demolition request.

RECOMMENDATION

- That Report 16-39 regarding the proposed demolition of one (1) single detached dwelling at 305 Niska Road, legally described as Con 6 Pt. Lots 12 to 15, Division G Con. 5 Pt. Lot 9, Pt. Road Allow; City of Guelph, from Infrastructure, Development and Enterprise dated June 13th, 2016, is received.
- 2. That the proposed demolition of one (1) detached dwelling at 305 Niska Road be approved.
- 3. That the applicant be requested to contact the Plant Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.
- 4. The applicant is advised to erect tree protection fencing at one (1) metre from the dripline of any existing trees to be retained on the property which may be impacted by demolition.



BACKGROUND

The City received an application to demolish one (1) single detached dwelling at 305 Niska Road on March 29th, 2016 through Infrastructure, Development and Enterprise.

The subject building is located on Grand River Conservation Authority (GRCA) property and accessed via a private driveway from Niska Road and does not front Niska Road but is located behind a large copse of trees and scrub screening it from the road. To the south of the property is Niska Road, to the west is the Speed River, to the north is Stone Road West and to the east is Woodland Glen Drive (see location map Attachment 1).

The subject property is composed of an irregular shaped lot that is orientated predominantly in an east-west direction. The subject property is zoned Conservation Land P.1, WL (Wetland Zone), FL (Floodland Zone), which permits a Conservation Area, Flood Control Facility, Recreation Trail, Wildlife Management Area, and where applicable Municipal Services and Public Utilities and Picnic Area.

Constructed in the 1950s the dwelling is not currently in its original location as it was relocated circa 1962 to its present location. The dwelling is one of seven buildings that comprised the Kortright Waterfowl Park, which included the Visitor Centre, Park Office Building, Wintering Building and Animal Pen Building, constructed in the 1970s and 1980s. The dwelling functioned in a commercial capacity until the GRCA terminated the Commercial Lease in January 2015. A caretaker utilized the dwelling during the early development of the site. Research personnel, from the 1970's onwards, further utilized the dwelling however, the dwelling was not used as a residential rental for the public. The building is currently in a state of disrepair and the deterioration has intensified through vandalism since 2005.

The applicant is requesting to demolish the existing dwelling and associated buildings on the subject property thereby re-naturalizing the area. The proposal for demolition of the dwelling and associated buildings was presented before the Grand River Conservation Authority General Membership Meeting on Friday May 22nd, 2015. Item *GM-05-15-51 Demolition of Buildings – Niska Property* outlining the reason for demolition and the resultant cost, was ratified at the May 22nd meeting under Resolution 61-15.

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.



Cultural Heritage Resources

305 Niska Road is not designated under the Ontario Heritage Act and it has not been listed (as non-designated) in the City of Guelph's *Municipal Register of Cultural Heritage Properties* according to Section 27 of the Ontario Heritage Act. The subject building was not included in the Couling Architectural Inventory and therefore is not recognized as a potential built heritage resource according to Guelph's Official Plan. The recommendations from Owen Scott's *Niska Road Cultural Heritage Landscape Addendum* (Feb 2015) did not identify any of the subject buildings as heritage attributes of a potential cultural heritage landscape in the area around the Niska Road bridge. Heritage Planning has no objection to the proposed demolition of buildings within the property known as 305 Niska Road in accordance with the findings from the GRCA.

Tree Protection

The subject property is more than 0.2 hectares in size and, therefore it would typically be regulated by the Private Tree Protection By-law (2010)-19058. However, trees on lands owned by the Grand River Conservation Authority are exempt from the City's Private Tree Protection By-law under Part IV (n) and as such a permit is not required. Nevertheless, trees within and outside the City's Natural Heritage System are afforded protection under the Urban Forest policies of the 2014 City of Guelph Official Plan. The City is committed to the protection and enhancement of its urban forest resources. Trees provide services to the neighborhood including reduction of air pollution, moderation of the urban heat island effect, carbon sequestration, shade and habitat for resident wildlife, and thus should be preserved to satisfy the City's targets to achieve and maintain 40% canopy cover. City staff has advised the applicant to protect and retain as many trees as possible during demolition.

Recommendation

The staff recommendation is to approve this demolition report, as the existing dwelling is not a significant cultural heritage resource, is in a poor state of repair and as a Commercial rental unit has been uninhabited since 2014. The demolition of this dwelling will have no impact on the City's Residential Housing Stock.

CORPORATE STRATEGIC PLAN

City Building - Strategic Directions 3.1:

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

FINANCIAL IMPLICATIONS

None

DEPARTMENTAL CONSULTATION

The City's Senior Heritage Planner, Zoning Manager and Environmental Planner were consulted regarding the proposed demolition permit.



COMMUNICATIONS

A sign will be posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Attachment 1 - Location Map

Attachment 2 - Aerial Photograph

Attachment 3 - Site Photographs

Attachment 4 - Concept Elevation

Prepared By:

Douglas McGlynn Planning Technician II Planning Technical Services

Approved By

Todd Salter

General Manager

Planning, Urban Design and

Building Services

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todd.salter@guelph.ca

Approved By:

Sylvia Kirkwood

Manager of Development Planning

Recommended By

Scott Stewart, C.E.T.

Deputy CAO

Infrastructure, Development and

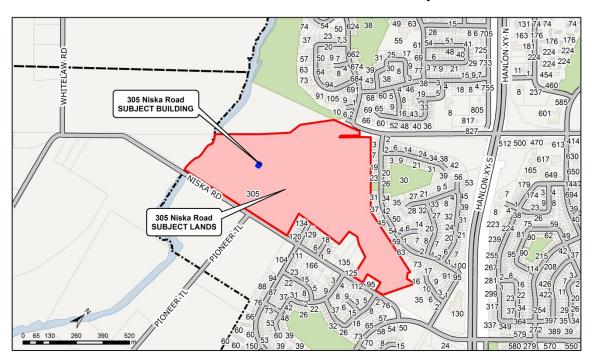
Enterprise

519-822-1260, ext. 3445

scott.stewart@guelph.ca



ATTACHMENT 1 – Location Map





ATTACHMENT 2 - Aerial Photograph





ATTACHMENT 3 – Site Photos Photos of 305 Niska Road – former residence





(Photographs taken by Stephen Robinson, April 2016)



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE June 13, 2016

SUBJECT 42 Carden Street - Brownfield Environmental Study

Grant

REPORT NUMBER 16-46

EXECUTIVE SUMMARY

PURPOSE OF REPORT

10 Carden has applied for an Environmental Study Grant under the Brownfield Redevelopment Community Improvement Plan (CIP). This reports documents issues with awarding the grant, and recommends a course of action to address these issues.

Location: 42 Carden Street

KEY FINDINGS

- 10 Carden is proposing to renovate and reactivate 42 Carden Street, the former location of Acker's Furniture
- 10 Carden's Environmental Study Grant application for a Phase II Environmental Site Assessment and Hazardous Materials study would have been supportable, but for the fact that one CIP requirement was not met (i.e. that work started prior to staff approval).
- Because of the program requirements of the CIP, staff cannot award the grant at this time, and are seeking Council approval.
- In the case of a real estate transactions it is not always possible or desirable to require that Environmental Study Grants be approved prior to start of work. Staff will review this program requirement through the review of the Brownfield Redevelopment CIP scheduled for 2017.

FINANCIAL IMPLICATIONS

The application for an Environmental Study Grant would result in an award to a maximum of \$10,425. This is 50% of the estimated cost of the Phase II ESA and Hazardous Materials Study for 42 Carden St. This grant can be accommodated within the amount allocated for Environmental Study Grants from 2012-2016 through the Brownfield Strategy Reserve.

ACTION REQUIRED

Council is being asked to:



 Approve 10 Carden's Environmental Study Grant Request; and Direct staff to consider allowing for environmental study work to commence after an application has been made, but prior to City approval through the CIP update scheduled for 2017.

RECOMMENDATION

- 1. That Report 16-46 regarding 42 Carden Street, dated June 13, 2016 be received.
- 2. That the Environmental Study Grant application made by 10 Carden and applying to 42 Carden Street be approved.
- 3. That staff be directed to consider the issue of timing of work and City approvals for the environmental study grant programs through the Brownfield Redevelopment CIP review scheduled for 2017.

BACKGROUND

Guelph's Brownfield Redevelopment Community Improvement Plan (CIP) includes financial incentive programs to stimulate investment in remediation, reuse and redevelopment of brownfields. The premise of the CIP is that City investment in the investigation, remediation and redevelopment of brownfield sites will result in proportionally greater improvements to environmental and neighbourhood conditions while creating additional tax revenues in the long-term.

The intent of the ESG programs is to offset some of the costs of environmental studies for properties that have redevelopment potential. These study grants generate more and better information regarding the type of contamination, environmental risks and potential remediation strategies to support future remediation, redevelopment and renovation.

The ESG program can provide a grant of up to 50% of the cost of a Phase II Environmental Site Assessment (ESA), designated substances and hazardous materials survey, remedial work plan or risk assessment, to a maximum grant of \$15,000 per environmental study and \$30,000 per property. Unlike the other Brownfield Redevelopment CIP programs, ESGs can be approved by staff and do not require Council approval in most circumstances.

The ESG program requires that an ESG application be approved by the City prior to the start of any work on an environmental study.

The property at 42 Carden Street is in Downtown Guelph. It was last occupied by Acker's Furniture. It has been purchased by 10 Carden, a not-for-profit community event space and co-working centre. The 10 Carden model, and their plans for the building at 42 Carden Street, were presented to Public Services Committee on March 3, 2016 (see pg. 7). These plans align with the Downtown Secondary Plan and the objectives of the Brownfield Redevelopment CIP.



10 Carden has applied for an Environmental Study Grant to offset part of the cost of a Phase II ESA and Hazardous Building Materials Assessment for the property municipally known as 42 Carden Street.

REPORT

A Phase I Environmental Site Assessment for the property at 42 Carden Street identified the site as potentially contaminated, primarily due to the former drycleaner located at the nearby MacDonnell St. parking lot. As a potentially contaminated site, it is considered as brownfield, and may apply for the Environmental Study Grant (ESG) program under the CIP.

Key dates surrounding the ESG application for 42 Carden Street are as follows:

- On December 24, 2015 Planning staff and 10 Carden began discussing the possibility of an ESG application.
- An ESG application was received on January 21, 2016 for a Phase II ESA and a hazardous materials survey. The estimated cost of the Phase II ESA was \$15,500 and \$5,350 for the Hazardous Building Materials Assessment.
- On Friday, January 22, additional information was provided and the application was substantively "complete".
- Drilling work began for the Phase II ESA began on Tuesday, January 26, prior to approval by Staff.

Staff's review of the application resulted in support by Engineering and Finance staff. The application met all the other requirements of the ESG program except for the issue of timing of work. The program requirement clearly states that "An application must be submitted to and approved by the City prior to the start of any environmental study to which the grant will apply". Therefore staff could not approve the application.

One key change from the previous CIP, allows staff, rather than Council, to approve environmental study grants. Timing of ESG approvals is particularly important where studies are being conducted during the due diligence period of conditional offers to purchase brownfield properties.

The redevelopment of brownfield properties is often more costly, risky and complex than the other properties. The Brownfield Redevelopment CIP seeks to help mitigate some of these barriers. Due diligence for real estate transactions often involve compressed timelines and require environmental work to be completed quickly. The 42 Carden street example is indicative of the complexities of closing on a conditional offer on a brownfield property.

The timelines for 10 Carden to clear conditions of purchase and sale did not allow for staff approval prior to starting the work on the Phase II ESA.



The 42 Carden Street example shows that even with staff approval of ESGs, project timelines do not always allow City approval prior to starting environmental study work.

In considering the foregoing, staff feel the ESG application should be supported, and recommend that Council approve the grant. To further address this matter going forward, staff recommend a review of the program criteria to be considered during the update of the CIP scheduled for 2017.

Staff are supportive of this approach because it:

- could provide for allowing environmental studies to proceed expeditiously under compressed timelines;
- supports the Goals of the CIP (i.e. the redevelopment of brownfield properties);
- is consistent with the approach of other best practice Brownfield Redevelopment CIPs including Hamilton and Kingston; and
- would relieve staff from the pressure to make quick decisions in the face of incomplete information or insufficient time for review.

Staff note that should the application criteria be amended, that the cost of environmental studies would be at the proponents' risk should the grant not be approved. Additional analysis of this program change would be completed through the review of the Brownfield Redevelopment CIP.

CORPORATE STRATEGIC PLAN:

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City
- 3.2 Be economically viable, resilient, diverse and attractive for business

FINANCIAL IMPLICATIONS:

The application for an Environmental Study Grant would result in an award to a maximum of \$10,425. This is 50% of the estimated cost of the Phase II ESA and Hazardous Materials Study for 42 Carden St. This grant can be accommodated within the amount allocated for Environmental Study Grants from 2012-2016 through the Brownfield Strategy Reserve.

DEPARTMENTAL CONSULTATION:

- Engineering and Capital Infrastructure Services
- Finance
- Legal, Realty and Risk Services
- Downtown Renewal

COMMUNICATIONS:

None



ATTACHMENTS

None

Report Authors

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TO City Council

SERVICE AREA Office of the Chief Administrative Officer

Legal, Realty and Risk Services

DATE June 13, 2016

SUBJECT District Energy Materials from Previous Council Meetings

REPORT NUMBER CAO-LR-1612

RECOMMENDATION

1. That the report, "District Energy Materials from Previous Council Meetings", CAO-LR-1612, dated June 13, 2016 be received.

REPORT

At the May 16, 2016 Council meeting, Council passed three resolutions requesting materials from that meeting and previous closed Council meetings be brought to an open Council meeting on June 13, 2016. This report provides some context for these materials and attaches the relevant documents.

1. District Energy - Update on Current, Planned and Strategic Activities

On November 23, 2015, Council received, in Closed Session, a presentation from staff – "District Energy; Update of Current, Planned and Strategic Activities". This report (see Attachment 1) provided some basic information on the function of District Energy as well as an update on District Energy activities as follows:

- The Role of Envida Community Energy
- District Energy Activities to Date
- Current Project Status
 - o District Energy Downtown
 - District Energy Hanlon Creek Business Park (HCBP)
 - o Combined Heat and Power Projects Downtown and HCBP
- Current Situation Informing Next Steps
- Forward Options



- Option 1 Cease activity. Abandon all investments to date and return existing customers to traditional heating and cooling equipment.
- Option 2 Pause and Operate. Pause all further investments and operate small DE nodes in downtown and HCBP
- Option 3 Pursue Future DE Developments. Develop a business plan that defines the future conditions for success.
- Next Steps

The presentation articulated Next Steps as follows:

- Develop management plan staff, resource requirements
- Develop business case, with appropriate timing, for downtown and HCBP and other "nodes" in the city that show potential
- Develop:
 - pro-forma for return on equity
 - financing options
 - expert partnerships and in-house resources
 - city role business development, engineering, planning
- Engage higher levels of government, and other potential financial partners.

Subsequent to the presentation, staff engaged the consultants, Deloitte, to develop a study "District Energy Business Case Downtown and Hanlon Creek Business Park – Phase 1 and 2". A scope of work (Attachment 2) has been developed to forward with a business case for two specific areas, or nodes, of the City – Downtown and Hanlon Creek Business Park (I and II) where initial investments in District Energy have already been made and to fully consider the three potential options as described above.

The final results of this study are expected to be delivered to Council by Deloitte at the Council meeting on June 27, 2016.

Attachments:

- 1. District Energy Presentation to Council on November 23, 2015 (Public Version)
- 2. Scope of work for Deloitte
- 3. Minutes of Guelph City Council November 23, 2015

2. Decision Chronology: District Energy



On February 29, 2016, Council received a report which responded to requests for information from a Councillor and provided additional information regarding the GMHI group of companies the timing of decisions made by Council and the GMHI group of companies regarding District Energy.

A spreadsheet was included with this report which catalogued the most important decisions made regarding District Energy from 2010 to 2015. The spreadsheet is only intended to provide the timing of the decision and a brief description of what the decision was. This work was not intended to be an audit of the decision making process nor of the validity of the decisions nor the accuracy of the information supporting the decisions. Staff recognize that there may be missing information in the spreadsheet due to the inability to find historical documents.

Following receipt of the report, Council passed a motion directing staff to undertaking an audit of how decisions regarding District Energy were made. The scope of this audit has not yet been determined by Council.

Attachments:

- 4. Decision Chronology Report to Council, February 29, 2016 (Public Version)
- 5. Decision Chronology Spreadsheet (Public Version)
- 6. Minutes of Guelph City Council February 29, 2016

3. Financial History of the GMHI Group of Companies

On May 16, 2015, Council, meeting as the Shareholder of GMHI, received a report and presentation regarding the Financial History of the GMHI Group of Companies. After receipt of the report, Council directed that the materials be brought to the June 13, 2016 Council meeting. Following the meeting, the amount of the write down was finalized at \$8.76M.

Attachments:

- 7. Report to Shareholder from Ann Pappert and Pankaj Sardana May 16, 2016
- 8. Financial History of the GMHI Group of Companies Report May 16, 2016
- 9. Presentation regarding the Financial History of the GMHI Group of Companies May 16, 2016
- 10. Minutes of Guelph City Council May 16, 2016



CORPORATE STRATEGIC PLAN

Innovation in Local Government

2.3 Ensure accountability, transparency and engagement

DEPARTMENTAL CONSULTATION

Business Development and Enterprise Office of the CAO

COMMUNICATIONS

N/A

ATTACHMENTS

- 1. District Energy Presentation to Council November 23, 2015 (Public Version)
- 2. Scope of work for Deloitte
- 3. Minutes of Guelph City Council November 23, 2015
- 4. Decision Chronology Report to Council February 29, 2016 (Public Version)
- 5. Decision Chronology Spreadsheet (Public Version)
- 6. Minutes of Guelph City Council February 29, 2016
- 7. Report to Shareholder from Ann Pappert and Pankaj Sardana May 16, 2016
- 8. Financial History of the GMHI Group of Companies Report May 16, 2016
- 9. Presentation regarding the Financial History of the GMHI Group of Companies May 16, 2016
- 10. Minutes of Guelph City Council May 16, 2016

Authored and Submitted by

Donna Jaques City Solicitor X 2288 donna.jaques@guelph.ca



District Energy

Update on Current, Planned and Strategic Activities

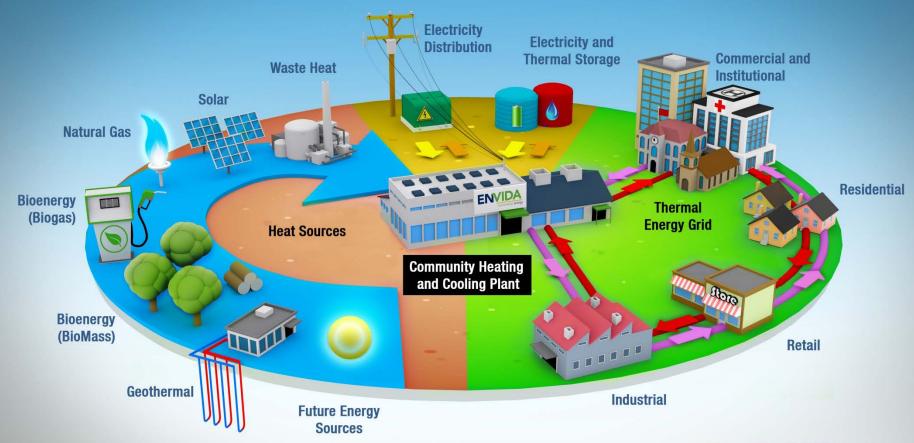
Presentation to Guelph City Council – November 23, 2015

Summary

To Provide and Update of District Energy

- District Energy Activities to Date
- Current Project Status
 - District Energy Downtown
 - District Energy Hanlon Creek Business Park (HCBP)
 - Combined Heat and Power Projects Downtown and HCBP
- Financial Status
- Current Situation
- Forward Options Where To From Here?
 - Option 1
 - Option 2
 - Option 3
- Next Steps

Heat Sources for Community Energy





An affiliate of Guelph Hydro Inc.

Envida Community Energy

Their Role in Implementing Energy Projects

- Unregulated arm of Guelph Hydro Electric Systems Inc. (GHESI) under Guelph Municipal Holdings Inc. (GMHI).
- Have developed a number of energy projects to date:
 - Eastview Landfill Biogas Plant and Rooftop Solar on GHESI Headquarters and City-owned Facilities
 - District Energy Downtown (Galt District Energy System)
 - District Energy Hanlon Creek Business Park (HCBP)
 - Combined Heat and Power Standard Offer Program (CHPSOP) contracts from the Independent Electrical System Operator (IESO) for both Downtown and HCBP

All decisions related to these projects have been made by Envida and Guelph Hydro Inc. prior to amalgamation with GMHI in September, 2014

Galt District Energy System

Downtown District Energy

- Natural gas fueled thermal energy plant equipped with a chiller and boilers installed in the Sleeman Centre
- Serving through underground insulated piping connection:
 - Sleeman Centre
 - River Mill Condominiums (Tricar)









Hanlon Creek Business Park

Serving Initial Tenants of the HCBP

Natural gas fueled district energy

plant located in HCBP

- Two customers:
 - Wurth Canada
 - MF Property Management
- Fusion Homes Head Office
 - Standalone heating/cooling enabled for future connection

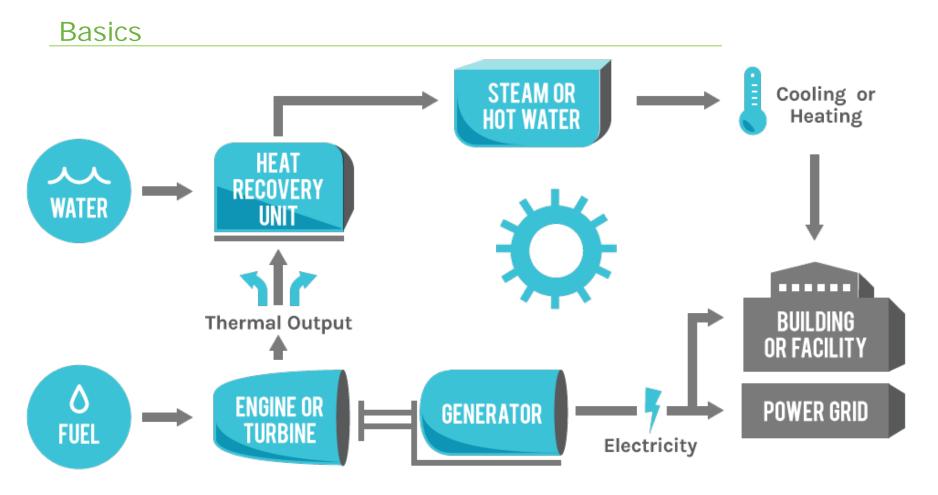








Combined Heat and Power



Combined Heat and Power cont.

Standard Offer Program of the IESO

- Envida awarded two separate contracts for Combined Heat and Power (CHP) projects by the Independent Electrical System Operator (IESO).
- IESO is looking for electricity generating projects that provide thermal output to two target sectors: Agricultural and District Energy.
- Contracts are for approximately 10 MW each for Downtown and HCBP.
- Approximately \$300K each in non-refundable security deposits.
- Require a minimum use of thermal energy output that exceeds current potential customers within IESO contract timeframe.

Current Situation

Informing Next Steps

- Envida has reached its current resource capacity
- Envida acted in key role of first-in start-up investor
- Realization that Combined Heat and Power Contracts from IESO are oversized and require commitment to connect to a volume of heat customers that have not yet been engaged.
- Conditions for success not yet defined and established to support ongoing development.

Where to From Here?

Cease Activities or Pause and Plan for Continued Development

Three options established for consideration:

- Option 1 Cease activity. Abandon all investments to date and return existing customers to traditional heating and cooling equipment.
- Option 2 Pause and Operate. Pause all further investments and operate small DE nodes in downtown and HCBP
- Option 3 Pursue Future DE Developments. Develop a business plan that defines the future conditions for success.

Option 1

Cease All Activity

Hanlon Creek Business Park:

Estimated Costs to Cease:

Convert existing customers to conventional: TBD

IESO security deposit: \$310,000

Incentives: \$185,000

Land: \$815,000

Write down of existing assets to salvage value: \$TBD

Removal of existing piping \$TBD

Capital Costs Incurred:

Investment to Date: \$5,128,591

TOTAL MINIMUM ESTIMATED: \$7,039,000¹¹

Option 1 cont.

Cease All Activity

Downtown District Energy:

Estimated Costs to Cease:

Convert Tricar to conventional (estimate): TBD

IESO security deposit: \$310,000

Removal of existing piping \$TBD

Capital Costs Incurred:

Investment to Date: \$6,781,499

TOTAL MINIMUM ESTIMATED: \$8,091,499

Option 2

Pause and Operate

Analytical Assumptions:

- 2016 to 2020 Revenues and expenses are based on the 2016 budgeted operations of the respective DE projects.
- Contracts with IESO are forfeited incurring \$620K costs

Option 2 cont.

Pause and Operate

Benefits:

 Envida is able to financially manage the on-going operations of the two sites on a go-forward basis with no further capital investment.

Risks:

- Envida will likely have to recognize an impairment on the capital investment made to date for these projects as the net present value of the cash flows does not support the carrying cost of the investment
- Will impact City balance sheet upon consolidation

Option 2 cont.

Pause and operate

Impairment of Asset – Impact on City Financial Statements

The City carries an "Investment in GMHI" of \$68.6M on our balance sheet. An impairment to GMHI assets would flow through as a direct reduction of this investment and an expense on our income statement.

Option 3

Pursue Future DE Development

Why do communities develop & invest in District Energy?

- Financial Performance
- Economic Development
- Environmental
- Community Resiliency

How Do Cities Successfully Pursue District Energy Development? What Are The Conditions for Success?

- Platform/Strategy
- 2. Business Development, Management and Operational
- 3. Early Growth

Option 3 cont.

Pursue Future DE Development

Improving value and financial performance of existing investments as described in Option 2

Building a Viable District Energy Platform and Strategy:

- 1. What is the desired return on equity?
- 2. Construct a competitive rate structure.
- 3. Develop a long-term pro-forma (capital, revenue, earnings)
- 4. Look at heat inputs (CHP, biomass, solar thermal) do these projects enhance or deteriorate the pro-forma?
- 5. The Big Picture Is there a long term vision?
- 6. Secure Capital Commitments; equity and source of debt.
- 7. Every project investment must support the pro-forma and the long term vision.

Option 3 cont.

Pursue Future DE Development

Key Business Development, Management, Operational Factors for District Energy Success:

- Generate positive cash flow from the beginning
- Demonstrate operational excellence
- Develop in-house expertise
- District energy/CHP is a non-regulated entrepreneurial business; hire or partner with professionals with appropriate background
- Manage capital efficiency; the business competes with the customer's lifecycle cost of conventional heating & cooling systems.

Option 3 cont.

Pursue Future DE Development

Specific Keys to Early Growth Success:

- Anchor loads: Pursue major anchor energy load or clustered loads
- Minimum density: Ideally launch with 2 to 3 million sq. ft. of commercial/residential within a 5-7 year period or equivalent industrial customer
- Distance: Total distance from the energy plant less than 3 kilometers.
- Customer Load Mix: Connecting new buildings is optimum.
 A mix of residential, commercial, institutional and industrial optimizes the utilization of district energy assets.

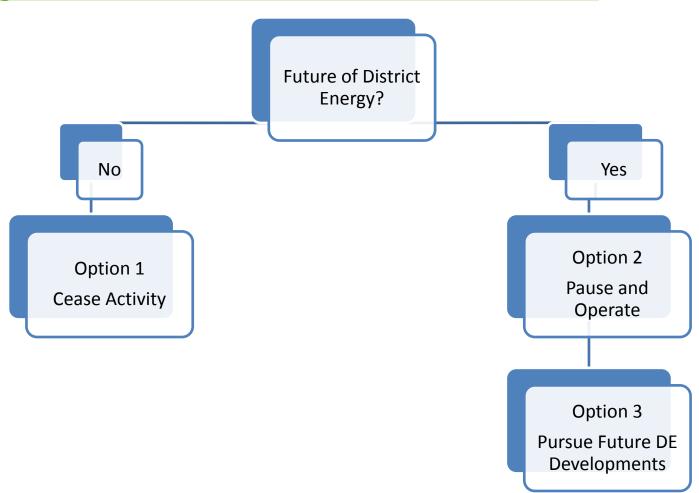
Next Steps

January through June 2016

- Develop management plan staff, resource requirements
- Develop business case, with appropriate timing, for downtown and HCBP and other "nodes" in the city that show potential
- Develop:
 - pro-forma for return on equity
 - financing options
 - expert partnerships and in-house resources
 - city role business development, engineering, planning
- Engage higher levels of government, and other potential financial partners.

Future Decisions

Going Forward





Thank You

guelph.ca/energy
http://ow.ly/UKNFd



District Energy Business Case Downtown and Hanlon Creek Business Park – Phase 1 and 2

Scope of Work

Introduction

In August of 2015, Deloitte delivered a report to the City of Guelph entitled: "Guelph District Energy Strategic Plan - Review Report". The report summarized: "In general the recommendations in the DESP appear reasonable mainly because it does not commit the City to a specific funding budget. The recommendations should be considered as agreement on strategic direction with understanding that significant work still needs to be complete to turn this high-level plan into an operating plan."

The proposed work described herein will move forward with a business case for two specific areas, or nodes, of the City – Downtown and Hanlon Creek Business Park (I and II) where initial investments in District Energy have already been made and fully consider three potential options.

It is envisioned that the work will require the support of a technical sub-contractor with experience in designing and implementing district energy systems.

Proposed Scope of Work:

A. Purpose:

The business case will focus on three potential options:

- a. Abandoning current investments within the Hanlon Creek Business Park Phase 1 and the Downtown Galt District DE nodes;
- b. Stabilizing and not expanding the current investments within the Hanlon Creek Business Park Phase 1 and the Downtown Galt District DE nodes; and
- c. Stabilizing the current investments within the Hanlon Creek Business Park Phase 1 and the Downtown Galt District DE nodes, and assessing future investment opportunities for these nodes.

At this time the business case will not consider longer term DE node opportunities, such as the Hanlon Creek Business Park Phase 3, the Guelph Innovation District or the University of Guelph (although it is our understanding that GMHI may be considering this opportunity). Given the long term nature of these potential projects, thorough business cases for future DE development can be done at a later date. In short the intent of this business case is to provide an analysis and recommendations regarding costs, benefits, risks and to provide recommendations regarding each of the options noted above. The business plan will also include a balanced scorecard or a list of critical success factors (a mix of financial and non-financial metrics).

It should be noted that a 'business case is different than a 'business plan'. A business plan would address the operationalization requirement for each option. This is not recommended at this time. Upon Council's review of the 'business case' and their direction, 'business plan(s)' may then be developed for the preferred option(s).

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

T 519-822-1260 TTY 519-826-9771 District Energy Business Case Downtown and Hanlon Creek Business Park Scope of Work Page 2 of 3



Developing business plans at this time would not be materially effective, and would result in additional cost and time.

B. Scope of Work

a. Background (Gap Analysis) – In this section, the consultants will conduct a review of the business investments done to date and provide their observations on what has contributed to the current situation. This information is required to understand the drivers of the current state, identify possible gaps (either economic and/or technical) which have contributed to the current state, and will serve to provide the basis for providing recommendations regarding the implementation of each options, and recommendations concerning a preferred option.

NOTE: A review will be conducted at the completion of the Gap Analysis described above and may inform adjustments to the continuing scope described below.

- b. **Strategic Alignment** This section will assess how each option aligns with overall Corporate directions, such as provided by Council by way of resolutions, corporate strategic plans, and other relevant municipal documents. This information will serve to help establish the non-financial metrics and assess them against each option.
- c. Environmental Analysis The consultant will be asked to conduct a SWOT analysis on the current situation versus industry performance standards and other related metrics. This would include such matters as establishing typical financial metrics, such as targeted return on investment, acceptable break even periods, typical equity/debt ratios, etc. The environmental analysis will also consider market conditions relating to potential investors and/or customers. It will also consider the DE measures of success as provided by GMHI in its assessment of the two current DE development nodes.
- d. Stakeholder Identification Identify who has a vested interest in each option, and how they may be affected by, or can have an effect on each option. Anyone whose interests may be positively or negatively impacted by each option or anyone that may exert influence over the project or its results should be considered a project stakeholder. This is required to establish legal and reputational risks associated with each option.
- e. Option Analysis (Qualitative & Quantitative) Option Analysis will be conducted on all of the noted options. Included will be a 'Risk Analysis', 'Social Benefit Analysis' and 'Financial & Economic Impact Analysis'. The 'Risk Analysis' will include but not be limited to potential legal, reputational and economic risks. The 'Social Benefit Analysis' will include but not be limited to the alignment with community or corporate priorities. The Financial & Economic Impact Analysis will include high level financial pro-forma and economic impact projections. The consultants will also be asked to provide input and analysis into the viability of multiple revenue streams

District Energy Business Case Downtown and Hanlon Creek Business Park Scope of Work Page 3 of 3



coming resulting from the sale of energy, or the leveraging of current contracts. The consultant will also be asked to identify potential risk mitigation actions or strategies.

f. **Recommendations** – From the above analysis the consulting team will provide recommendations with respect to implementing each option, including any mitigation strategy, as well as to providing recommendations with respect to a preferred option. The recommendations will consider the implications and requirements of the municipality (in its capacity as shareholder), and/or the potential involvement of the private sector (as a DE subscriber or node investor.

Proposed Project Teams -

City Team

Project Sponsor: Scott Stewart; DCAO, Infrastructure, Development and Enterprise Project Manager: Peter Cartwright, GM, Business Development and Enterprise

Project Team: Rob Kerr, Manager, Community Energy

Ian Panabaker, Manager, Downtown Renewal

Donna Jaques, General Manager, Legal (or designate)

Janice Sheehy, General Manager, Finance Treasurer (or designate)

Main Consultant

Deloitte, Infrastructure Advisory & Project Finance

Sub-Consultants

To be sub-contracted through Deloitte after a review of potential candidates who demonstrate capabilities to support the work described herein.

C. Timing

- Confirmation of Scope of Work by City End of week of February 1st.
- Contract with Deloitte End of week of February 8th
- "Check-in after item B.a, above, completed
- Draft Business Case April 30
- Target date to complete business case and present to ET and Council By no later than the end of Q2 2016.

NOTE: Consultant to schedule no less than bi-weekly update meetings with the City through the course of the engagement.

Extract from Guelph City Council Closed Minutes – November 23, 2015

C-2105.50 District Energy – Strategic/Long Term Financial Plan (Section 239(2) (a) respect to security of the property of the municipality)

Ann Pappert, CAO, Peter Cartwright, General Manager Business Development & Enterprise and Rob Kerr, Corporate Manager Community Energy Initiative summarized what district energy is and provided an update on the status of the 2 district energy projects: Galt District Energy System (Downtown district energy) and Hanlon Creek Business Park. They outlined the current situation and highlighted three options that could be considered and their implications.

Moved by Councillor Downer Seconded by Councillor Salisbury

That the presentation on District Energy – update on current, planned and strategic activities, be received.

CARRIED



TO City Council (Closed)

SERVICE AREA Office of the Chief Administrative Officer

Legal, Realty & Risk Services

DATE February 29, 2016

SUBJECT Decision Chronology: District Energy

REPORT NUMBER CAO-LR-1605 (Public Version)

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide a response to Council to the questions relating to GMHI raised by Councillor Gibson at the Council meeting held February 8, 2016 and to provide context for decisions made related to District Energy systems beginning with a Memorandum of Intention dated 2010 to the present

KEY FINDINGS

During that meeting, and in an email following the meeting, a number of requests and questions were raised by Councillor Gibson.

City staff reviewed the relevant documents and created a spreadsheet which tracks decisions made about district energy over the period 2010 to 2015.

The responses to more specific questions are also included in the report.

FINANCIAL IMPLICATIONS

N/A

ACTION REQUIRED

Council to receive the report.

RECOMMENDATION

That Report CAO-LR-1605 titled "Decision Chronology" dated February 29, 2016 be received.

BACKGROUND

During that meeting, and in an email following the meeting, the following requests and questions were raised by Councillor Gibson:



- 1. Provide council with the evaluation process developed by the GMHI Board in the fall of 2012 which would "ensure excellence in decision making and transparency" for potential projects.
- 2. The governance structure clearly states GMHI will maintain full oversight and control of GHI and its subsidiaries. Therefore, please explain how/why ENVIDA/GHESI/GHI were able to move forward with the DE investments without the knowledge and/or unanimous support of the GMHI Board? Even with the Memorandum of Intent in place, ENVIDA/GHESI/GHI did not appear to have this type of authority (Solar voltaic yes, thermal energy no). To provide evidence to this I'll point to page 10 of the 2012 Annual Report, where (for the thermal energy file), staff were required to develop a long term thermal energy strategy for GMHI Board consideration.
- 3. Was this energy strategy completed (Yes or No)?
- 4. Was this energy strategy shared with the GMHI board (Yes or No)?
- 5. If the energy strategy was not shared with the GMHI board how did these projects proceed?
- 6. Did the GMHI Board approve these projects without the energy strategy?
- 7. Was a GMHI Board decision on District Energy bypassed?

REPORT

To allow staff to respond to the requests and questions, particularly with regard to how decisions were made on DE projects, City staff have reviewed over 800 documents provided by the Corporate Secretary at GHESI and Envida and formerly GHI and GMHI. The majority of these documents were provide to the CAO, City Solicitor, Mayor Guthrie and a select few others in December, 2015. In addition, City staff have reviewed the GMHI corporate documents created during the period GMHI was supported by City staff. The documents included Board and Committee meeting minutes, emails, decision support documents and other Board materials.

The result of this review is the attached spreadsheet (Attachment 1) which shows most of the decisions of the relevant entities on the district energy projects, decisions and comments on district energy generally, governance decisions and requests for information made by the City and GMHI to the New GMHI and GHI. There may be gaps in the decision flow due to an inability to locate the relevant documents, however none of the gaps is indicative of a lack of decision making on the part of the relevant Boards.



The decisions were made in the context of the Memorandum of Intention entered into by the City and Guelph Hydro Inc. in 2010, which is attached as Attachment 2.

The spreadsheet is only intended to provide the timing of the decision and a brief description of what the decision was. This is not intended to be an audit of the decision making process nor of the validity of the decisions nor the accuracy of the information supporting the decisions.

The Council decisions made during the period 2010 to 2015 that are relevant to the decision making and provide some context are also included in the spreadsheet. All of the Council resolutions made in open meetings regarding GMHI during this period are attached as Attachment 3.

Decision Making Process

The decision making process at GHI and its Subsidiaries from 2010 until January 2015 was made in the context of the following structure:

- Guelph Hydro Inc (the "parent" company) had five Board members.
- The Board of Envida Community Energy Inc. was identical to the GHI Board.
- The GHESI Board was composed of all the members of the GHI Board plus three independents.
- The GHI and Envida Boards shared one Finance and Audit Committee ("FAC").

A chart showing the membership of the Boards from 2010 to the end of 2015 is attached as Attachment 4.

In general, recommendations regarding DE projects were made initially to the FAC and then to the Envida/GHI Board, with the GHI Board making the ultimate decision.

Information Flow

There were a number of requests for information made by the City and GMHI to GHI from 2012 to present. These are also shown on the spreadsheet.

The spreadsheet and the above narrative should address most of the requests and questions raised.

Specific Questions

On the following specific questions:



- 1. Evaluation Process The 2012 GMHI Annual Report was intended as a branding tool for GMHI and contained aspirational statements reflecting GMHI's goals and objective. Attachment 5 is the graphic description of the evaluation process being proposed for projects being transferred by the City to GMHI. This was not intended to apply to projects being developed by GHI or its Subsidiaries.
- 2. Authority of GHI/Envida to make Decisions In the creation of GMHI, and even prior with the relationship between the City and GHI, there was no reservation of decision making power for specific projects of GHI or its Subsidiaries to the City or GMHI. The GHI Board had the authority to make decisions regarding the district energy projects without consulting with or obtaining the approval of the City or GMHI. Specific decisions regarding disposition of a certain portion of the GHI corporation or any percentage of GHESI were reserved to the City.
- 3. Thermal Energy Strategy The Thermal Energy Strategic Plan is formally entitled the Guelph District Energy Strategic Plan prepared by Garforth International Inc: Energy Productivity Solutions (Toledo, Ohio, USA.). It was commissioned and prepared for Envida Community Energy and was conducted by a joint team with members from the City of Guelph, Envida Community Energy Inc. and Garforth International Inc. The report is a proposed District Energy Strategy covering the period of 2013-2041. Further detailed technical reports support this strategy. The strategy was provided to the Board of GMHI on November 14, 2013. The GHI and Envida Boards made decisions regarding District Energy prior to the Plan being completed
- 4. GMHI Decisions on district energy As the spreadsheet shows, the GMHI Board did endorse in principle the creation of a thermal utility and sought to work collaboratively with members of GHI on a Task Force to determine its viability, however the actual development plan for this utility was not completed. GMHI did not take an active role in decision making regarding district energy until after the amalgamation of the Old GMHI with GHI in September, 2014, when it replaced GHI as the parent company of Envida.

CORPORATE STRATEGIC PLAN

2.3 Ensure accountability, transparency and engagement.

DEPARTMENTAL CONSULTATION

Enterprise, CAO, GMHI, Envida

COMMUNICATIONS FINANCIAL IMPLICATIONS

N/A

ATTACHMENTS

Attachment 1 - Decision Spreadsheet



Attachment 2 – Memorandum of Intention

Attachment 3 – Open Meeting Council Decisions regarding GMHI

Attachment 4 – Board Membership 2010 to 2015

Attachment 5 – Evaluation Process

Report Author

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Original signed

Approved by

Ann Pappert
Chief Administrative Officer
City of Guelph
Ann.pappert@quelph.ca



Attachment 1

Decision Spreadsheet

SEE SEPARATE DOCUMENT



Attachment 2





Memorandum of Intentions ("MOI") between

The Corporation of the City of Guelph (the "City") and Guelph Hydro Inc. ("GHI")

GHI as a wholly owned entity of the City, shares the goals of the City's Council approved Community Energy Initiative ("CEI") and supports the economic development objectives in the environmental technology sector of Prosperity 2020.

The City and GHI agree that GHI can contribute to these shared goals by:

- Acting as the primary developer and having overall responsibility for the development and implementation of energy related projects in the City with respect of City initiatives and consistent with the Shareholder Agreement:
 - a) marketing opportunities to partners as appropriate;
 - b) identifying and taking the lead in developing energy-related opportunities within city-owned assets;
 - undertaking the procurement process of products and services consistent with acceptable standards and practices and the approved procedures of GHI;
 - d) conferring and providing regular updates to the designated City representative(s) on matters relating to the development of initiatives in which GHI is involved relative to the CEI or Prosperity 2020;
 - e) assessing, evaluating and reporting to Council on the success of energy projects undertaken;
 - f) sharing non-commercially sensitive data and information with the City for the purposes of the CEI; and
 - g) serving as a foundation member of the Mayor's Task Force on Community Energy and provide resources for its operation as appropriate at its cost.

Both GHI and the City will:

- 2. Assign staff resources to the administration of the cooperative efforts required for implementation of the CEI.
- 3. Share information that may impact the goals of the CEI with each other and Council as the Shareholder, consistent with the requirements and expectations set out in the Shareholder Agreement and customary commercial practices.
- Review the Terms of the MOI on no less than an annual basis should modifications be required as all parts of this
 document are open to modification and negotiation.
- 5. Settle any disputes through an independent agreed upon third party with costs being shared equally by both partners.
- 6. Under terms and conditions acceptable to the City and GI-II acting reasonably, provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of a energy efficiency and renewable energy generation programs in the City of Guelph.
- 7. While this MOI expresses the intentions and goals of the City and GHI with respect to the CEI, is not considered a legally binding contract and shall be replaced over time with specific legally binding agreements that give effect to the Parties intentions.

Karen Rarbridge, Mayor, City of Guelph

ig, CAO, Zity of Guelph

Jasmine Urisk, Board Chair, Guelph Hydro Inc.

Barry Chuddy, CEO, Guelph Hydro Inc.

Date: TULY - 28 - 2010



Attachment 3

Council Resolutions - Guelph Municipal Holdings Inc. 2010 to 2015

Doc 14 2015	That Councillar Downer be appointed as a member of the	
Dec. 14, 2015	That Councillor Downer be appointed as a member of the Guelph Municipal Holdings Inc. Board, effective December 14, 2015.	
Oct. 14, 2015	That the Information Report entitled Consolidation of Local Distribution Companies (LDC) Guelph Hydro Electrical Systems Inc. (GHESI) dated October 14, 2015, be received.	
May 25, 2015	That the Shareholder Declaration relating to Guelph Municipal Holdings Inc. dated August 13, 2014 be amended as follows: a) Article 4.03 Composition of the GMHI Board be amended to add the following subsection: (a.1) The Chief Administrative Officer (CAO) of the City or such other person designated by him or her shall be a non-voting member of the Board, entitled to receive notice of and to attend and participate in all open and closed GMHI Board and Committee meetings. (b) Article 6 Decisions of the City be amended by adding the following section:	
	6.03 The Chief Administrative Officer (CAO) of the City shall advise the GMHI Board of the City staff who will be representing the City as members of the GMHI Management Team. The Board shall ensure such City staff receive notice of and are able to attend and participate in all GMHI Management Team meetings and discussions. Such City staff shall be entitled to attend GMHI Board and Committee meetings at the invitation of the CAO and his or her designate, unless otherwise agreed between the CAO and the Board Chair.	
	(c) A new Article 6.1 CEO Recruitment and Compensation be added as follows: 6.1.01 The Chief Administrative Officer (CAO) of his or her designate shall participate in the recruitment and selection of the Chief Executive Officer, or similar position, of GMHI (the "CEO"). The Chief Administrative Officer shall be entitled to participate in the GMHI Committee and	



•	
	Board discussions regarding appointment of the CEO and provide his or her opinion regarding candidates however the decision regarding selection shall be made by the GMHI Board. 6.1.02 The Chief Administrative Officer (CAO) shall be consulted on the compensation and benefit packages to be offered to senior management of GMHI. The CAO and the Board shall agree on a compensation package for the CEO.
April 22, 2015	Ms. Donna Jaques, City Solicitor/General Manager, Legal and Realty Services and Mr. Rob Kerr provided information on the history of Guelph Municipal Holdings Incorporated as well as its mandate, role and organizational structure. That the presentation on Guelph Municipal Holdings Inc. be received for information.
Dec. 15, 2014	 That Mayor Guthrie and Councillor Karl Wettstein be appointed as municipal members of the Board of Directors of GMHI for a term commencing December 15, 2014 and terminating at the end of the current municipal term, in accordance with the provisions of the Shareholder Declaration; and That the following individuals be appointed as independent members of the Board of Directors of GMHI for the term commencing December 15, 2014 and ending at the 2016 AGM: Ted Sehl William Koornstra Curt Hammond Mary Ellen Richardson Roderick Smith
	 That the Business Case Study regarding the amendment of the articles of amalgamation of GMHI be approved; and That the articles of amalgamation of GMHI be amended by deleting the restrictions in section 10 of the articles.
Aug. 25, 2014	CAFE-2104.36 Municipal Development Corporation Business Case Study Update
	1. That Council receive report # FIN-ED-14-09 titled



	 'Municipal Development Corporation Business Case Study Update'; and That Council approve the business case study attached to Report FIN-ED-14-09; and That Council directs staff to incorporate a municipal development corporation, as described in report # FIN-ED-14-09, with the first director of the corporation to be Barry Chuddy, CEO of GMHI.
Aug. 13, 2014	The Business Case Study dated July 22, 2014 is approved and adopted by the City as required pursuant to subsection 6(d) of <i>O.Reg. 599/06</i> under the <i>Municipal Act, 2001</i> .
	WHEREAS: Guelph Hydro Inc. (the "Subsidiary") is wholly-owned subsidiary of Guelph Municipal Holdings Inc. (the "Corporation"). AND WHEREAS The Corporation has agreed to amalgamate with its Subsidiary pursuant to subsection 177(1) of the Business Corporations Act (Ontario) the "Act"). THEREFORE, it is resolved that: 1. The amalgamation of the Corporation with its Subsidiary pursuant to subsection 177(a) of the Act is approved. 2. Any officer or director of the corporation is authorized and directed to sign the articles of Amalgamation for and on behalf of the Corporation and to file them with the Director appointed under the Business Corporations Act (Ontario). 3. The Board of Directors of the Corporation is hereby authorized to revoke this special resolution without further approval of the sole shareholder of the Corporation at any time prior to the endorsement by the Director under the Business Corporations Act (Ontario), of a certificate of amalgamation of articles in respect of the amalgamation referred to above. The Shareholder Declaration dated August 13, 2014 between the City and the amalgamated corporation is approved and shall be effective on the date the Articles of Amalgamation are filed with the Director appointed under the Business Corporations Act (Ontario). The Shareholder Declaration dated August 13, 2014 between the City and the amalgamated corporation is approved and shall be effective on the date the Articles of Amalgamation are filed with the Director appointed under



June 16, 2014	the Business Corporations Act (Ontario). 1. That subject to the consent of the following individuals to serve as directors, the following persons shall be the first directors of the amalgamated corporation: Municipal Members: Karen Farbridge, June Hofland, Karl Wettstein, Todd Dennis and Lise Burcher Independent Members: Ted Sehl and Bill Koonstra (to be confirmed) 2. The term of the appointment of the directors shall commence on the date the Articles of Amalgamation are certified and continue, until December 31, 2014. That the Compensation Report from the Board of Directors of GMHI regarding the activities of GMHI in 2013, be received. That the Compliance Report from the Board of Directors of GMHI dated May 29, 2014 regarding the activities of GMHI in 2013, be received. That in lieu of an audit of the consolidated 2013 financial statements of GMHI as required by IFRS 10, the 2013 unconsolidated audited financial statements shall be presented to the Shareholder with an accompanying special report on the audit of the GMHI financial statements by Deloitte. That the 2013 audited, unconsolidated GMHI Financial Statements and auditor's report, be received. 1. That the recommendation of the GMHI Board of Directors regarding the appointment of auditors for GHI and its Subsidiaries and GMHI be received; and 2. That KPMG LLP be appointed as auditors for Guelph Hydro Inc. and its Subsidiaries for its 2014 fiscal year; and 3. That KPMG LLP be appointed as auditors for Guelph Municipal Holdings Inc. for its 2014 fiscal year.
14 1 0 1 5 5 1 1	GHI and GMHI, in principle, be approved.
March 31, 2014	That City Staff be directed to complete the Municipal Act requirements for incorporation of a company, including public consultation and development of a business case study that will be used by GMHI for the development of City assets and report back to Council with recommendations.



Jan. 27, 2014	GMHI-2014.1	Shareholder Declaration
	Amendment and	CAO By-law Amendment

- 1. That the Shareholder Declaration dated August 16, 2011, as amended, be amended as follows:
 - (a) Section 5.6 of the Declaration shall be deleted and the following inserted:
 - Officers of GMHI The officers of GMHI shall be the Persons selected by the Board of GMHI, or its delegate, from time to time. Pending selection by the Board of GMHI, the CEO of GMHI shall be the Chief Administrative Officer of the City, the Chief Financial Officer of GMHI shall be the Chief Financial Officer of the City and the General Counsel and Secretary of GMHI shall be the City Solicitor of the City. The selection of Officers of GMHI does not require the approval of the City.
 - (b) Section 5.10 of the Declaration shall be deleted and the following inserted: Officers – Any officer of GMHI who is also a Municipal Member or an employee of, or consultant to, the City of any agency, board, commission or corporation of the City, shall receive compensation for serving in such capacity in addition to such officer's compensation, if any, as an employee of or consultant to the City, in an amount determined by the Board of GMHI.
 - (c) Section 15 of the Declaration shall be deleted and the following inserted: GMHI and the City shall enter into a services agreement for the provision of services by City employees or the use of other resources of the City by GMHI. GMHI may have its own employees perform these services in lieu of City employees and may purchase its own resources as required.
- 2. That By-law Number (2011)-19310, being the by-law appointing Ann Pappert as the CAO of the City, be amended as follows:

Section 1(1) of Schedule A to By-law Number (2011)-19310 shall be deleted and the following inserted:

(i) To serve as the Chief Executive Officer of Guelph Municipal Holdings Inc. providing leadership and direction as non-voting member of the Board of Directors unless and



	until the Board of Guelph Municipal Holdings Inc. selects a Chief Executive Officer other than the CAO of the City. Reasonable expenses for travel and/or training in respect of this role may be incurred in accordance with policies established by the Board and approved by Council. (ii) To act as the City's "Shareholder Representative" for the purpose of communicating Council decisions to the Board of Guelph Municipal Holdings Inc.	
October 7, 2013	 That Council approve the revisions to the reporting requirements of GHI and GMHI in the Shareholder Declaration as set out in the report of Legal and Realty Services dated October 7, 2013, and such other minor amendments as required by the City Solicitor, in a final form and content to the satisfaction of the City Solicitor. That Council authorize the Mayor and Clerk to execute the revised GHI and GMHI Shareholder Declaration. 	
June 24, 203	 That Council approve an exemption for GMHI from compliance in 2013 with the requirements of section 10.3 of the GMHI Shareholder Declaration to hold the Annual General Meeting of GMHI by June 30 of each year. That Council receive the 2012 GMHI Financial Statements (unaudited) and refer them to the Annual General Meeting of the Shareholder to be held July 10, 2013. 	
Dec. 17, 2012	9	



	respectively, from the Strategic Initiatives Reserve (#179) to be provided to GMHI through a share purchase structure, to implement its 2013-2014 GMHI Business Development Plan. In the proposed structure, the City's Investment in GMHI as reported on the City's financial statements will increase by \$777,000.
June 25, 2012	Mayor Farbridge gave introductory remarks and highlighted the mandate of Guelph Municipal Holdings Inc. Ms. Ann Pappert, CEO, Guelph Municipal Holdings Inc., addressed the Guelph Municipal Holdings Inc. 1st Annual Report contained in the meeting agenda. THAT the Guelph Municipal Holdings Inc. 2011 Annual Report be received.
	THAT Karen Farbridge, Chair, Jasmine Urisk, Lise Burcher, Todd Dennis, June Hofland and Karl Wettstein are hereby appointed Directors of Guelph Municipal Holdings Inc. for the balance of the municipal term of Council.
	THAT the audit requirement for the financial statements of Guelph Municipal Holdings Inc. prescribed in section 12(c) of the Shareholder Declaration be waived commencing for the fiscal year 2012 and continuing until the total annual revenues and/or total annual expenditures exceed 10% of the materiality figure as determined by the external auditors for the City of Guelph consolidated financial statement audit.
May 28, 2012	The appointment by the Board of Guelph Municipal Holdings Inc. of Brian Cowan and Rick Thompson as members of the Board of Directors of Guelph Hydro Inc. until the 2015 Annual General Meeting of Guelph Hydro Inc., is approved;
	The appointment by the Board of Guelph Municipal Holdings Inc. of KPMG LLP as the auditors for Guelph Hydro Inc. is approved.
	Despite the provisions of section 12(a) of the Shareholder Declaration which requires Guelph Municipal Holdings Inc. to provide audited financial statements to the City annually, the City waives the requirement for Guelph Municipal Holdings Inc. to provide the City audited financial statements for the financial year ending December 31, 2011.
Dec. 19, 2011	Ann Pappert, Chief Executive Officer, Guelph Municipal
DCC. 17, 2011	Ann rappert, Criter Executive Officer, Guerph Municipal



	Holdings Inc. highlighted the 2012 Business Plan strategic focus which will include capacity building, accountability and transparency and governance. She requested that Council support the request for purchasing the Directors and Officers insurance and general liability insurance. Ian Miles, Chief Financial Officer of Guelph Hydro Inc., highlighted the 2012 business plan for the company and the 2011 activities undertaken.
	THAT the report from the Chair of the Guelph Municipal Holdings Inc. Board dated December 2, 2011, which includes the business plan of the Corporation for 2012, be received; AND THAT the Chief Executive Officer is authorized to purchase directors and officers insurance and general
Doc 7 2011	liability insurance for the Corporation from Frank Cowan Company Limited. THAT the report dated December 7, 2011 which has been
Dec. 7, 2011	THAT the report dated December 7, 2011 which has been prepared by the Office of the CAO regarding Potential Sale of Streetlight Assets to Guelph Hydro Inc. be received as information; AND THAT development oversight and assessment of a business case for the potential transfer of streetlight assets from the City to Guelph Hydro Inc. and its regulated subsidiary, Guelph Hydro Energy Systems Inc be directed to Guelph Municipal Holdings Inc. (GMHI); AND THAT GMHI report back to Council with a subsequent recommendation regarding this matter; AND THAT the \$290,000 in savings identified in the Draft Operational Budget, as presented to Council on November 2, 2011 be removed and the resulting shortfall be addressed through a corporate variance strategy to be presented to Council at its meeting December 7, 2011.
Sept. 6, 2011	THAT the Mayor and Clerk be authorized to sign and seal the following documents in a form satisfactory to the Chief Administrative Officer (CAO): a) the forms related to the transfer of shares in Guelph Hydro Inc. from the City to GMHI; b) the Council-approved Shareholder Declaration with GMHI, Guelph Hydro Inc., Guelph Hydro Electric Systems Inc. and Ecotricity Guelph Inc; and c) the Support Services Agreement with GMHI; AND THAT Council approve the Acknowledgement, Consent and Agreement Regarding Legal Services,



	provided by the City Solicitor.
July 25, 2011	THAT Robert Aumell be appointed to the Board of Directors of the Guelph Municipal Holding Company (GMHC) as the independent member for a term ending November 30, 2014. THAT Councillors Dennis, Hofland and Wettstein and Mayor Farbridge be appointed to the Board of Directors of the Guelph Municipal Holding Company for a term ending November 30, 2014.
	THAT Councillor Burcher be appointed to the Board of Directors of the Guelph Municipal Holding Company for an interim term ending November 30, 2014.
May 30, 2011	THAT Jane Armstrong be reappointed as a Director of Guelph Hydro Inc. for a three year term expiring at the Annual General Meeting of the Shareholder in 2014; AND THAT William Koornstra be reappointed as a Director of Guelph Hydro Inc. for a three year term expiring at the Annual General Meeting of the Shareholder in 2014; AND THAT Judy Fountain be appointed as a Director of Guelph Hydro Inc. for a three year term expiring at the Annual General Meeting of the Shareholder in 2014; AND THAT Dr. Jan Carr be appointed as a Director of Guelph Hydro Inc. for a three year term expiring at the Annual General Meeting of the Shareholder in 2014 with the appointment commencing at the time that Mayor Farbridge steps down from the Guelph Hydro Inc. Board to assume role of Chair of the Guelph Municipal Holding Company.
April 26, 2011	Guelph Municipal Holding Company (GMHC)
	Implementation Strategy
	THAT the Guelph Municipal Holding Company
	Implementation Strategy be received and approved;
	AND THAT the attached revised Shareholder Declaration in
	support of the new governance structure which is
	designed to provide oversight and direction to Guelph Hydro Inc. (GHI) and GHI subsidiaries, be approved;
	AND THAT the Asset Transfers to Corporations Policy be
	approved;
	AND THAT staff continue to work with representatives of
	Guelph Junction Railway to develop a revised Shareholder
	Declaration specific to their organization; AND THAT Council appoint the Mayor of Guelph and 3
	Councillors to serve as GMHC Board members;
	AND THAT staff be directed to initiate a citizen selection
<u> </u>	



	process for an independent Board member consistent with the Council approved GMHC Board structure.	
June 28, 2010	City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework	
	THAT the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study, be approved; AND THAT staff be directed to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process.	
	THAT the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI) be approved; AND THAT the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI; AND THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.	



Attachment 4

Guelph Hydro Inc.		
Board Members 2010 - 2011	Board Members 2011 - 2012 (*new member)	
Jane Armstrong – first appointed to Board 2009	Jane Armstrong	
Robert Aumell – first appointed to Board 2002	Jan Carr*	
Brian Cowan - first appointed to Board 2001	Brian Cowan	
Karen Farbridge - first appointed to Board 2000	Judy Fountain*	
William Koonstra - first appointed to Board 2009	William Koonstra	
Rick Thompson - first appointed to Board 2001	Rick Thompson	
Jasmine Urisk - first appointed to Board 2000	Jasmine Urisk	
Board Members 2012 - 2013 (*new member)	Board Members 2013 - 2014 (*new member)	
Jane Armstrong	Jane Armstrong	
Jan Carr	Jan Carr	
Brian Cowan	Brian Cowan	
Judy Fountain	Judy Fountain	
William Koonstra	William Koonstra	
Rick Thompson	Rick Thompson	
Jasmine Urisk	Jasmine Urisk	

Guelph Hydro Electric Systems Inc.		
Board Members 2010 - 2011	Board Members 2011 - 2012 (*new member)	
Jane Armstrong – first appointed to Board 2006	Jane Armstrong	
Robert Aumell – first appointed to Board 2002	Brian Cowan	
Brian Cowan - first appointed to Board 2001	Rob Fennell	
Karen Farbridge - first appointed to Board 2000	Judy Fountain	
Rob Fennell - first appointed to Board 2006	Bob Huggard*	
Judy Fountain - first appointed to Board 2009	Margaret Kelch*	
William Koonstra - first appointed to Board 2009	Barbara Leslie	
Barbara Leslie - first appointed to Board 2006	Rick Thompson	
Rick Thompson - first appointed to Board 2001	Jasmine Urisk	
Jasmine Urisk - first appointed to Board 2000		
Board Members 2012 - 2013 (*new member)	Board Members 2013 - 2014 (*new member)	
Jane Armstrong	Jane Armstrong	
Brian Cowan	Brian Cowan	
Rob Fennell	Rob Fennell	
Judy Fountain	Judy Fountain	
Bob Huggard	Bob Huggard	
Margaret Kelch	Barbara Leslie	
Barbara Leslie	Rick Thompson	
Rick Thompson	Jasmine Urisk	
Jasmine Urisk		
Board Members 2014 - 2015 (*new member)		
Jane Armstrong		
Brian Cowan		
Rob Fennell - resigned May 14, 2015		
Judy Fountain		
Ted Sehl*		
Rick Thompson		
Jasmine Urisk		



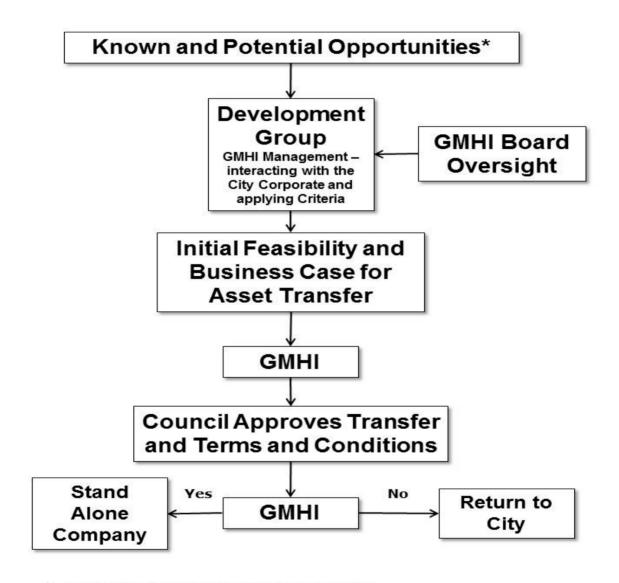
Envida Community Energy Inc.	formerly Ecotricity Guelph Inc.)
Board Members 2010 - 2011	Board Members 2011 - 2012 (*new member)
Robert Aumell – first appointed to Board 2002	Brian Cowan
Brian Cowan - first appointed to Board 2001	Judy Fountain*
Karen Farbridge - first appointed to Board 2000	Rick Thompson
Rick Thompson - first appointed to Board 2001	Jasmine Urisk
Jasmine Urisk - first appointed to Board 2000	
Board Members 2012 - 2013 (*new member)	Board Members 2013 - 2014 (*new member)
Jane Armstrong *	Jane Armstrong
Jan Carr*	Jan Carr
Brian Cowan	Brian Cowan
Judy Fountain	Judy Fountain
William Koonstra*	William Koonstra
Rick Thompson	Rick Thompson
Jasmine Urisk	Jasmine Urisk
Board Members 2014 - 2015 (*new member)	
William Koonstra - resigned August 25, 2015	
Pankaj Sardana*	
Karl Wettstein*	

Guelph Municipal Holdings Inc.						
Board Members 2011 - 2012	Board Members 2012 - 2013 (*new member)					
Bob Aumell	Lise Burcher					
Lise Burcher	Todd Dennis					
Todd Dennis	Karen Farbridge					
Karen Farbridge	Mark Goldberg*					
June Hofland	June Hofland					
Jasmine Urisk	Ted Sehl*					
Karl Wettstein	Jasmine Urisk					
	Karl Wettstein					
Board Members 2012 - 2013 (*new member)	Board Members 2013 - 2014 (*new member)					
Lise Burcher	Lise Burcher					
Todd Dennis	Todd Dennis					
Karen Farbridge	Karen Farbridge					
June Hofland	June Hofland					
Ted Sehl	Ted Sehl					
Jasmine Urisk	Jasmine Urisk					
Karl Wettstein	Karl Wettstein					
Board Members 2014-2015 (*new member)						
Cam Guthrie*						
Curt Hammond*						
William Koonstra* - resigned August 25, 2015						
Ann Pappert*						
Mary Ellen Richardson*						
Ted Sehl						
R.L. Bud Smith*						
Karl Wettstein						



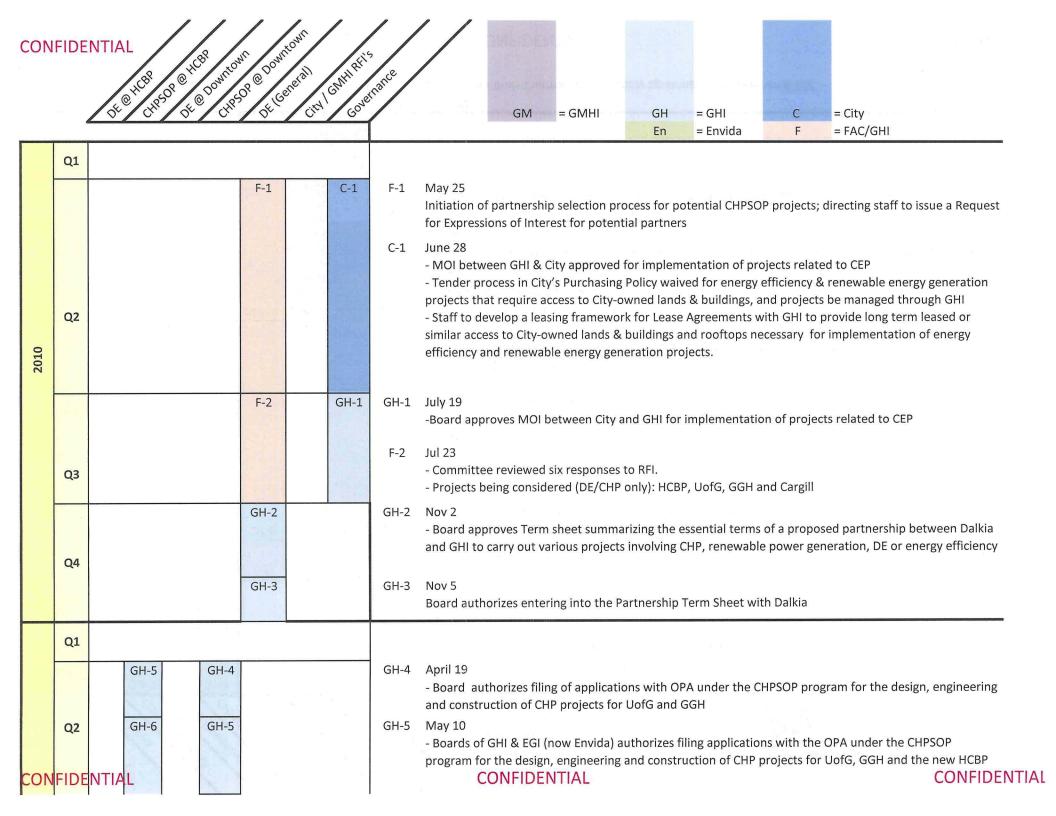
Attachment 5

Appendix 4 GMHI Process Map



- * Opportunities identified in the following categories:
- 1. Energy and Utility
- 2. Transportation
- 3. Municipal Expertise

- 4. Asset Management
- 5. Alternative Procurement Strategies
- 6. Development Corporations



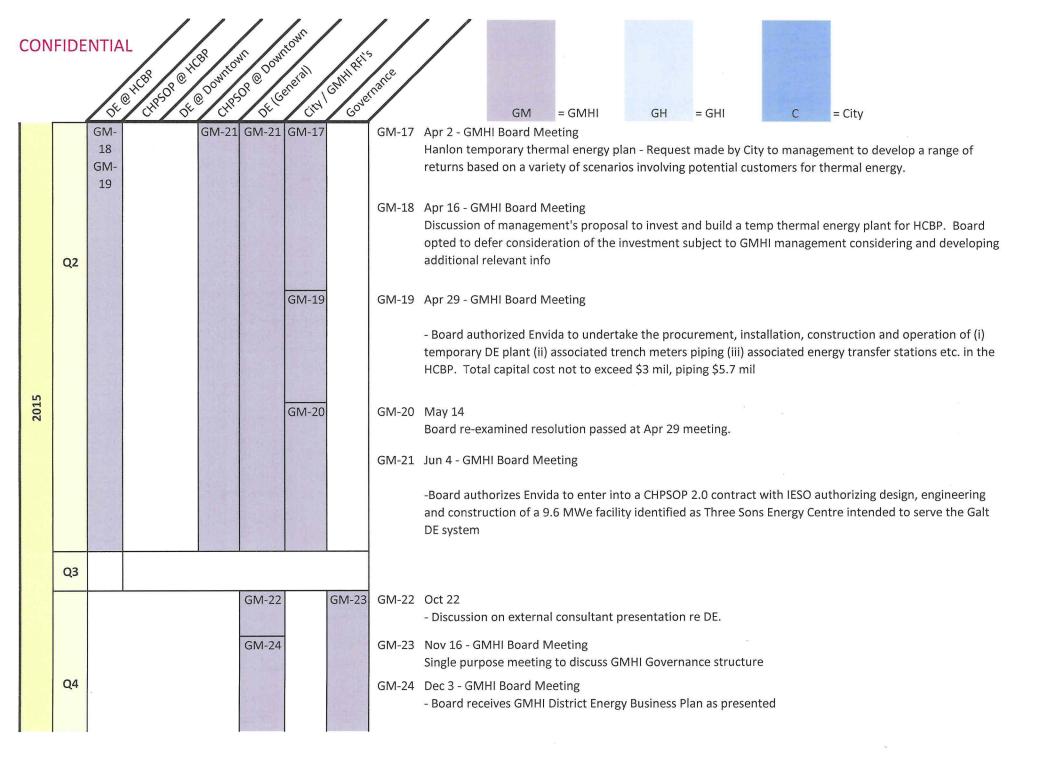
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		The The So	St. Dourte	Sold Of Con	generall City	CONF. CONF.	mance	GM = GMHI GH = GHI C = City
		GH-7	GH-6				GH-6	May 16 In order to file CHPSOP applications with the OPA, the Authority requires applicant to post security in amount of \$20,000 per MW of annual average contract capacity. Board approves
			GH-7				GH-7	May 27 First applications for 4 CHPSOP projects submitted
			GH-9	F-3			F-3	Jul 5 Committee advised that partnership with Dalkia was ended.
				GH-8		GM-1	GH-8	Jul 31 Board advised new potential partner was reviewing CHP projects.
2011		·					GM-1	Aug 16 GMHI incorporated
	Q3						GH-9	Aug 31 GHI Board authorizes filing of CHPSOP application for Arthur Street District Energy Project. Supply agreement signed August 22, 2011.
						C-2	C-2	Sept 6 - City Council Meeting GHESI and Envida are moved into the structure of GMHI through a motion of Council.
				GH-10	GM-3	GM-2	GM-2	Oct 4 - GMHI Board Meeting Inaugural Board Meeting of GMHI
							GH-10	Nov 11 Board advised potential partner no longer interested in a partnership. Proposal on how to look for new partner presented to Board.
							GM-3	Dec 1 GMHI advised by GHI 4 CHPSOP applications currently underway (UofG, HCBP, GGH and Arthur Street)
		ell gy Parce				C-3	C-3	Dec 19 GHI Business Plan highlights presented to Council. Council advised of CHPSOP applications
	Q1		C-4				C-4	Jan 2012 City receives draft thermal energy supply agreements for Sleeman & RRC
cor	Q2 VFIDE	NTIAL			_			CONFIDENTIAL

COI	NFIDI	ENTIAL Continue C	de la dece	
2012	Q3	SM-4	GM-4	GM = GMHI GH = GHI C = City Sept 19 - GMHI Board Discussion with GHI regarding thermal energy services at HCBP and Downtown. GMHI requests GHI to engage GMHI in the business case development for DE to ensure alignment with GMHI interests.
	Q4	GH-11 GM-5 En-1	GH-11	Decision made to proceed with district energy without CHP. Dec 6 - Downtown DE Project Board authorizes Envida to procure, install, construct, own and operate a thermal energy plant (max cost \$4M) subject to conditions. Dec 7 - GMHI Board Meeting GMHI requests joint GHI/GMHI meeting. GMHI requests GHI provide a portfolio of current projects including thermal energy master plan.
	Q1			
		GM-6 GM-	7 GM-6	Apr 2 - Joint GHI/GMHI Board Meeting GMHI Board requests GHI provide a business case for a thermal utility including longer term 2031/2041
	Q2		GM-7	Apr 25- GMHI Board Meeting GMHI Board endorses in principle the long term goal of development of a thermal energy utility
	Q3	F-5	F-4	Aug 8 - FAC Recommend to the Boards of GHI & Envida approval for Envida to enter into a lease agreement, including option to purchase, with the City, for land in the HCBP, subject to satisfactory completion of Phase I environmental assessment.
		GH-12	GH-12	Aug 22 - GHI / Envida meeting Approve recommendation of FAC (F-5)
		F-6 GH-14 GM-9 GM-8 GM-	8 GM-8	Nov 14 - GMHI Board Meeting - Board approves establishment of Thermal Utillty Task Force -Board recieves District Energy Strategic Plan - GMHI CEO requests GHI to provide information on status and funding commitments regarding Envida projects underway or in development that are in support of the CEI
2013		GH-1	3 GH-13	Nov 22 - GHI Board Meeting Approval of Board's participation in Thermal Utility Task Force
COI	FIDI	E <mark>NTIA</mark> L	F-5	Nov 26 FCONFIDENTIAL CONFIDENTIAL

CON	FIDE	ENTIA	L HER CHI		CH25Q SE	ntions of the last	Cont Cove	inance /	
		196	CH	/ St. /	GH A	Cited	Con		GM = GMHI GH = GHI C = City Recommends to the Boards of GHI & Envida approval of a temporary thermal energy facility at HCBP to service a customer.
	Q4					GM-9		GM-9	Dec 2 - GMHI Board Meeting - District Energy Strategic Plan referred to the Thermal Utility Task Force for consideration. Task force to report back to the Board in 90 days. - Concern brought to Board re GHI being able to act on the CEI MOU or the Thermal Energy Utility. - GMHI to provide notice to GHI, GHESI and Envida that financial consultant retained by the CEO will be inspecting books and records and consultant shall advise GMHI and inform the work of Task Force re most advantageous method to position resources/assets required for CE.I
		En-3		-				En-2	Dec 9 - Envida Board Meeting Approval of Portable Energy Plant - Undertake procurement, installation, construction and operation of a portable DE Plant for heating & cooling of Wurth, subject to conditions.
								GH-14	Dec 12 - GHI Board Meeting Through Envida, enter into a CHP Standard Offer Program Contract with OPA authorizing the design, engineering & construction of a combined heat & power facility at the HCBP
				F-7			GM-10	F-7	Jan 10 - FAC
	01								Recommend to the Board of Envida: - Undertake a preliminary engineering & feasibility study to assess viability of connecting additional buildings to the Galt District Energy System.
	Q1								-Max cost of study \$350,000 subject to conditions.
		-		En-3				En-3	Jan 20 - Envida Board Meeting Study costs approved (F-3)
							GH-15	GH-15 GM-10	Jan 21 - Thermal Utility Task Force Meeting (GMHI & GHI) Staff to prepare material in support of the 'function' of a thermal utility
							GM-11	GM-11 GH-16	Feb 10 - Thermal Utility Task Force Meeting (GMHI & GHI) Develop position on the regulation of thermal utilites and determine the start-up and ideal state of a thermal utility in relation to the key functions.
CON	FIDE	NTIA	L				GH-16		CONFIDENTIAL

(CON	IFIDE	ENTIAL Control Contro	GM = GMHI GH = GHI C = City
		Q2		
			GM-12	Business case to support amalgamation presented to the Board
		Q3	GII-17	Approval of amalgamation of GMHI and GHI
			C-5	C-5 Aug 13 - Council as Shareholder Meeting Amalgamation approved by City Council
			GM-13	GM-13 Sept 11 - Inaugural meeting of new GMHI Board
				En-4 Nov 20 - Envida Board Meeting Tricar-2 Project Authorize Envida to procure, install, construct, own & operate district energy as required to service Tricar-2 subject to: - Receiving relevant permits & approvals required to construct and operate facility - Obtaining/structuring financing for the project to the satisfaction of the Board
	2014			Authorize CEO & VP to execute 2 Thermal Energy Sales Agreements to enable DE service to be provided to the Tricar-2 by the October 1, 2015 in-service date.
				City Capital Contribution Board directs CEO & CFO to convene a meeting with City CAO & City CFO to resolve issues relating to the fair contribution of capital by the City for DE assets servicing City-owned properties and report back to the Board by December

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GM-14	GM = GMHI GH = GHI C = City Dec 4 - GMHI Board Meeting City CAO submits briefing note to Board entitled 'Comments to GMHI on behalf of the Shareholder'. - Three requests are made to the Board: 1. Material issues considered at Dec 4 meeting (with the exception of Tricar 2) be approved in principle only, and refer to the new Board. 2. Direct the CEO and staff of GMHI to report to new Board at its first meeting of 2015 on the progress being achieved on the transition plan including detailed work plan to address all outstanding matters. Board to then provide a report to the Shareholder updating on progress being made including plans to further align the activities of GMHI and its subsidiaries to the City's strategic goals and plans and deliverables committed. 3. Inclusion of the Mayor and CAO's office in any formal or informal discussion with potential business looking for merger, acquisition or the sale of the assets until decision made regarding future of task force. - Briefing note also listed details of outstanding transition plan deliverables: 1. Amalgation of GMHI and GHI (Role clarity, communication, staffing, etc) 2. CEI - specific strategies and coordination 3. Finance - specific strategies of the DE program/hubs (understood that GMHI staff would be completing this work following through with the commitments the company made to Council as Shareholder for a complete DE Finance Business Case projecting all capital/operating expenditures and revenues over the timeline of 15-20 years). -CFO recommends focus be redirected on downtown DE node, Sleeman Centre, WECC, HCBP -Board advised Envida passed a resolution directing the CEO and CFO to collaborate with the City CAO and CFO to address the situation of City as customers of Envida which has not continued to the capital portion of the project -City CAO raised matter of the business case relating to the entire DE dossier noting its been outstanding for considerable period of time. Request for a systematic decision making modeling tool to be devised
	Feb 12 Board authorizes CEO of GMHI to initiate dialogue with the City SH with the objective of securing by Feb 28, 2015 the commitment of the SH to provide \$30 mil in funding to be earmarked for projects. In event SH declines, CEO is authorized to work with City officials to manage and minimize reputational damage Mar 12 GMHI Board of Directors Strategy Session
CONFIDENTIAL	CONFIDENTIAL CONFIDENT



Extract from Guelph City Council Closed Minutes - February 29, 2016

C-2016.15 Decision Chronology: District Energy Section 239 (2) (a) security of the property

The CAO, City Solicitor and Mr. Sardana provided information regarding the Decision Chronology: District Energy.

Moved by Councillor Downer Seconded by Councillor Gibson

That staff be directed to report back to Council with terms of reference to define and scope a third party audit that would look at how decisions were made for District Energy.

Councillor Wettstein declared a potential pecuniary interest at this time because he was a member of the boards in this past period.

Councillor Wettstein left the room and did not vote or discuss the matter.

A recorded vote was requested.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, MacKinnon, Piper and Van Hellemond (10)
VOTING AGAINST: Councillors Hofland and Salisbury (2)
CARRIED



Shareholders Meeting

Date: May 16, 2016

Report from: Ann Pappert, CAO, City of Guelph

Pankaj Sardana, CFO, GMHI / CEO, Guelph Hydro Electric Systems Inc.

and Envida Community Energy Inc.

RE: Financial History of the GMHI Group of Companies

The financial history provides clarity and establishes a shared understanding of the transition of funds and assets among the GMHI group of companies starting with provincial government's Energy Competition Act in 1998 through to present day. A better understanding of GMHI's financial history is also an important step towards improved asset management and organizational transparency.

Meeting context: This shareholder meeting is part of a series of meetings related to GMHI, its subsidiaries and the City's energy projects where the following information is provided:

- April 4 and 25 CEI Report
- May 3 and 24 GEERS Project Proposal
- May 16 Financial history and GMHI's restated 2016 budget
- June 7 City's Audit Statements
- June 20 GMHI Annual General Meeting
- June 27 District energy long-term financial plan
- July TBD CEI Update

Asset management: Presenting the chronological financial history of the GMHI group of companies is an important component of the City's participation in the Community Energy Initiative update. Excellence in asset management practices – one of the core objectives in creating GMHI – requires a full, accurate accounting of the company's position and assets, which is what this report provides.

Revaluing district energy assets: Based on the auditor's current assessment of the long-term value projections of GMHI's district energy assets, GMHI is revaluing/writing down the balance sheet value of the Galt District Energy System and Hanlon Creek Business Park district energy assets.

Since the assets are already paid for, the revaluation doesn't have an immediate impact on the organization's actual cash balance. And should the long-term value projection of the asset change, the write-down can be reversed in the future.

Providing this full accounting of the financial history of the GMHI group of companies provides clarity and transparency to the Shareholder and the community.

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Ann Pappert	Pankai Sardana	_



Shareholders Meeting

Date: May 16, 2016

Report from: Pankaj Sardana, CEO

Guelph Hydro Electric Systems Inc. and Envida Community Energy Inc.

Tara Baker, Acting City Treasurer

City of Guelph

RE: Financial History of the GMHI Group of Companies



Diagram 1

1998-2000

- In 1998, the Ontario government passed the Energy Competition Act, 1998 ending Ontario
 Hydro's monopoly in the province and outlining the procedures for restructuring to occur at
 all levels of the electricity industry. This is referred to as the "deregulation" of the electricity
 market.
- 2. Municipalities who were owners of hydro distribution assets had two years to establish a business corporation with all shares held by the municipality.
- 3. In 2000, Guelph Hydro was divided into four separate companies:
 - Guelph Hydro Inc. (GHI), the parent company which held the following three subsidiaries:



- Guelph Hydro Electric Systems Inc.(GHESI), a local distribution company (LDC), servicing distribution needs in the community;
- o Selectpower Inc., a retail energy and energy services company; and
- o Fibrewired, a fibre-optics company.
- 4. The Ontario Energy Board set a 50% / 50% debt/equity structure for LDCs. This debt-to-equity split meant that GHESI's balance sheet was initially capitalized with \$37.7 million in debt (which *de facto* was new debt created from the "downloading" of the municipal utilities to the municipalities) and \$37.7 million in equity which was the value of the shares held by its shareholder, GHI.
- 5. The City's assets were comprised of the shares of GHI valued at \$37.7 million (cash) and a promissory note from GHESI for \$37.7 million for a total capitalization value of \$75.4 million.



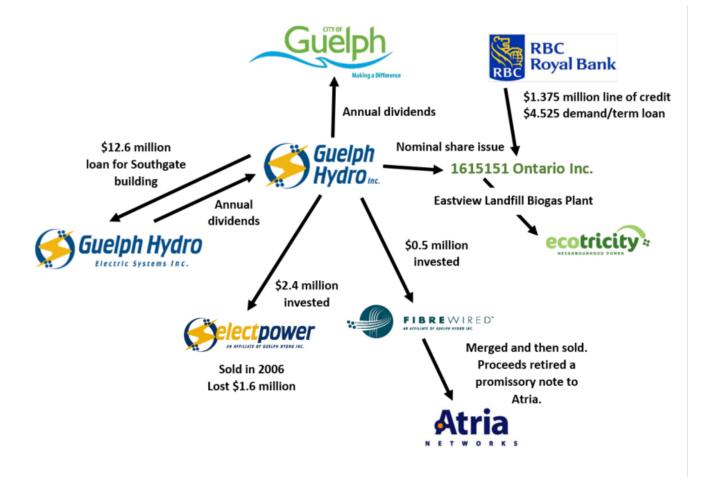


Diagram 2

2000 - 2005

- Over time, funded by dividend payments from GHESI, the following investments were made by GHI:
 - \$2.4 million in SelectPower (which it sold in 2006 at a loss of \$1.5 million)
 - \$0.5 million in Fibrewired (which was merged and became Atria Networks Inc. and subsequently sold, with the proceeds from the sale used to retire a promissory note with Atria Networks Inc.)
 - \$12.6 million loaned back to GHESI to cover the cost of expanding the Southgate office building to house all GHESI (and GHI) employees.
- 7. In April, 2004, GHI incorporated another company, 1615151 Ontario Inc., with a nominal share issue (i.e. one share for \$1,000 owned by GHI at that time). The company's business purpose was to own and operate generation assets starting with the Eastview Landfill Biogas Plant. Monies to build the Eastview Landfill Biogas Plant were borrowed from the Royal Bank. The credit facilities offered by the Royal bank consisted of a non-revolving line of credit for \$1.375 million and a demand loan for \$4.525 million.



- 8. In June, 2005, 161551 Ontario Inc. was renamed Ecotricity Guelph Inc. (Ecotricity) so that it would have a more recognizable corporate name.
- 9. In 2005, the City's Eastview Landfill Biogas Plant went into commercial operation. This plant generates electricity from methane gas captured from the landfill site, The facility was granted a 20-year contract to supply 2.775 MW (years 1-7) and 1.85 MW (years 8-20) of electricity to the Ontario grid as the first participant project under the Province of Ontario's Renewable Energy Supply (RES) contract.



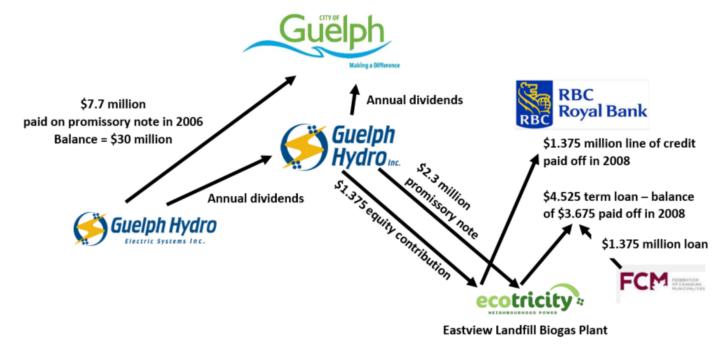


Diagram 3

2006 - 2009

- 10. In 2006, GHESI paid the City a lump-sum payment of \$7.7 million against the \$37.7 million loan provided by the City leaving a promissory note balance of \$30 million. The City applied these funds towards the construction of the Guelph Civic Administration Centre Complex (including POA Courthouse renovations).
- 11. In March 2006, Ecotricity entered into a loan agreement and subsequent interest rate swap agreement with the Royal Bank. This resulted in the conversion of the existing demand loan into a fixed rate loan for \$4.525 million.
- 12. In April 2007, Guelph City Council unanimously endorsed the vision, goals and general directions of a 25-year Community Energy Initiative. This plan was developed with the assistance of a Consortium that included the City of Guelph, Union Gas, Guelph Hydro, business and industry representatives, the University of Guelph, school boards, and the Guelph Chamber of Commerce The goals of the Community Energy Initiative to be achieved by 2031 were:
 - Use 50 per cent less energy per capita
 - Produce 60 per cent less greenhouse gas emissions per capita
 - Encourage and facilitate community-based renewable and alternative energy systems.



Achievement of the Community Energy Initiative goals would position Guelph among the top energy performers in the world and make it one of the most competitive and attractive communities in which to invest.

- 13. In March 2008, the Ecotricity non-revolving line of credit facility was repaid in full via proceeds of an equity contribution from GHI.
- 14. In addition, during 2008, the balance of \$3.675 million on Ecotricity's term loan with the Royal Bank was repaid and the swap agreement was unwound. A portion of this debt repayment (\$1.375 million) was funded via proceeds from a low interest loan from the Federation of Canadian Municipalities (FCM). The remainder of this debt repayment was made via proceeds from a promissory note for \$2.3 million payable to GHI.
- 15. The Operating Results for Ecotricity from 2005 to 2009 were as follows:

Ecotricity Guelph Inc.						
Operating Results						
2005-2009						
		2009	2008	2007	2006	2005
Revenues		1,073	1,152	1,252	1,490	820
Landfill Gas		58	55	68	85	48
OM&A		1,541	680	655	612	427
Impairment of Fixed Assets		2,984	0	0	0	0
Depreciation	า	306	327	327	324	150
Interest		125	414	276	342	144
Тах		4	-11	-13	25	24
Net Income		-3,945	-313	-61	102	27

16. In 2009, due to the landfill gas supply declining faster than anticipated, one of three generators at the Envida Eastview Landfill Gas site was decommissioned reducing the contract capacity to 1.7 MW from 2.775 MW three years ahead of schedule and reducing revenues. An impairment of \$2.984 million was taken in 2009.



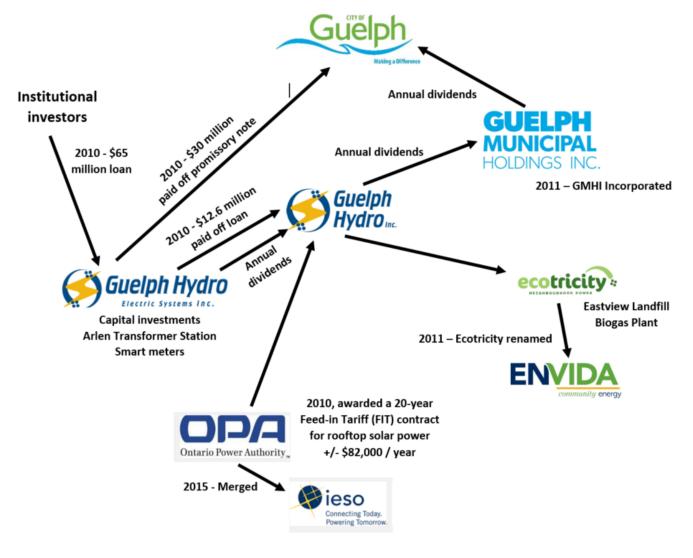


Diagram 4

2010-2011

- 17. In 2010, the City and GHI entered into a Memorandum of Intention in which GHI was designated as the prime implementer and key developer of high-efficiency, low-carbon, sustainable energy projects to assist the City of Guelph in achieving targets set out in the Guelph Community Energy Initiative and foster economic development.
- 18. In 2010, GHI was awarded a 20-year Feed-in Tariff (FIT) contract for electricity generated from a 100-kilowatt rooftop solar facility installed at a cost of just under \$1 million that same year on the Guelph Hydro Southgate building. This facility went into commercial operation in 2011 with annual income estimated at \$82,000.



- 19. In 2010, GHESI and Union Gas published a report by MCW Consultants Limited entitled "Developing a Downtown District Energy System for the City of Guelph Using a CHP Facility."
- 20. In 2010, GHESI borrowed \$65 million via a private placement of debt to a group of institutional lenders (long-term debt issue) and used the money as follows:
 - a) \$30 million used to pay off the remaining \$30 million owed on the promissory note to the City arising from the establishment of GHESI in 2000. The City used these monies to fund the City's share of the Federal and Provincial Infrastructure Stimulus Funding and RINC programs with the remaining funds directed to a new reserve fund for "longterm capital forecast update" (later renamed as the Capital Asset Renewal Reserve Fund).
 - b) \$12.6 million used to pay off the loan from GHI to cover the cost of expanding the Southgate office building to house all GHESI (and GHI) employees.
 - Remaining proceeds spent on capital projects i.e., Arlen Transformer Station and the provincially-mandated installation of smart meters for all residential and small commercial customers.
- 21. By 2011, GHI had 7 corporate employees. A portion of their salaries and benefits were charged to subsidiary companies via intercompany charges for work provided but some ongoing costs were incurred at the GHI level.
- 22. Guelph Municipal Holdings Inc. (GMHI) was incorporated in 2011 to hold Guelph Hydro Inc. and its two subsidiaries Guelph Hydro Electric Systems Inc. and Ecotricity Guelph Inc. and was expected to take on other city-owned assets at some point in the future. The City's shares in GHI were transferred to GMHI on Dec. 31, 2011. A Board of Directors was formed but no employees worked for GMHI.
- 23. In December 2011, to avoid possible copyright infringements, Ecotricity changed its name to Envida Community Energy Inc. (Envida), effective January 1, 2012.





Eastview Landfill Biogas Plant - 2005

Once projects were complete, Envida assumed responsibility for operation and maintenance
Southgate rooftop solar facility - 2011
Galt District Energy System in the Sleeman Centre - 2013
Rooftop solar installations – City buildings - 2014
Hanlon Creek Business Park District Energy System – 2014/2015

Diagram 5

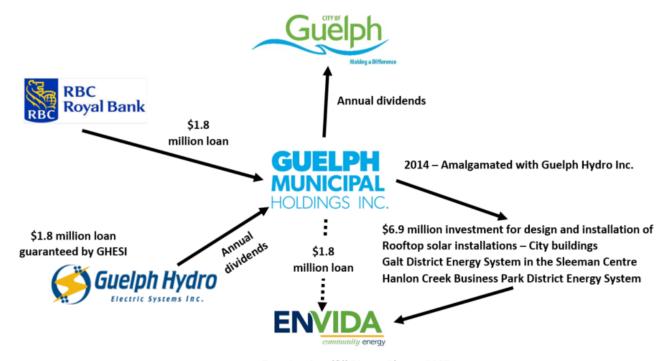
2012 to September 2014

- 24. In 2013, Envida and the City of Guelph jointly prepared a District Energy Strategic Plan that provided background information on district energy systems, benefits for individuals and communities, and examples of successful district energy networks in other cities.
- 25. In May 2013, Envida elected to retire its loan payable to the Federation of Canadian Municipalities. Payment was made via proceeds of a promissory note from GHI.
- 26. Between 2010 and September 2014, using the \$12 million received from GHESI in 2010 as well as the net proceeds from annual dividends, GHI invested \$5.7 million in sustainable energy projects through a combination of equity investments and loans. Funds were used to design and install district energy infrastructure in the Sleeman Centre in downtown Guelph and the Hanlon Creek Business Park, as well as rooftop solar installations on the roof of Guelph Hydro's Southgate building and on seven buildings owned by the City of Guelph. Once projects were complete, Envida assumed responsibility for operation and maintenance.



- 27. In December 2013, the thermal energy centre in the Sleeman Centre in Downtown Guelph went into commercial operation
- 28. In April 2014, Envida was awarded a 20-year contract to supply electricity to the Ontario grid from a 10.2 megawatt natural gas-fired combined heat and power (CHP) plant to be located in the Hanlon Creek Business Park. If built, the CHP plant would serve as a heat source for a district energy system in the Hanlon Creek Business Park.
- 29. In August 2014, The Tricar Group River Mill Condominium project signed a contract with Envida for district heating and cooling to be provided from the thermal energy plant in the Sleeman Centre in downtown Guelph.





Eastview Landfill Biogas Plant - 2005

Once projects were complete, Envida assumed responsibility for operation and maintenance Southgate rooftop solar facility - 2011

Galt District Energy System in the Sleeman Centre - 2013

Rooftop solar installations – City buildings - 2014

Hanlon Creek Business Park District Energy System – 2014/2015

Diagram 6

September 2014 to Present

- 30. In 2014, Guelph Hydro Inc. and Guelph Municipal Holdings Inc. were amalgamated under Guelph Municipal Holdings Inc. (GMHI). GMHI acquired 8 employees from GHI. A portion of the salaries and benefits was charged back to subsidiaries for work provided via intercompany charges but there were ongoing costs at the GMHI level.
- 31. Since amalgamation, GMHI has invested \$6.9 million in sustainable energy projects through a combination of equity investments and loans. Funds were used to design and install district energy infrastructure for the Galt District Energy System in downtown Guelph and the Hanlon Creek Business Park, as well as rooftop solar installations on buildings owned by the City of Guelph. Once projects were complete, Envida assumed responsibility for operation and maintenance.



- 32. In July, 2015, Envida was awarded a 20-year contract to supply electricity to the Ontario grid from a 10 megawatt natural gas-fired combined heat and power (CHP) plant to be located in downtown Guelph. If built, the CHP plant would serve as a heat source for a district energy system in downtown Guelph.
- 33. By June 2015, GMHI had completely exhausted the \$12 million that GHI had received from GHESI in 2010 but was still faced with expenses relating to connections to the existing district energy infrastructure for M.F. Property Management Ltd. in the Hanlon Creek Business Park and The Tricar Group's River Mill Condominiums in downtown Guelph. To meet its obligations, GMHI borrowed \$1.8 million on its short-term credit facility from the Royal Bank. This loan is guaranteed by GHESI and will need to be fully repaid at the beginning of 2017 or a new loan taken out if repayment is not possible.
- 34. In 2016, City Council streamlined its oversight of GMHI:
 - a) The Board was restructured to consist of three members of City Council (Mayor Guthrie, Councillor Wettstein and Councillor Downer).
 - b) The City's CAO was assigned the role of Interim CEO of GMHI to provide the necessary authority and oversight to implement the directions of Council.
 - c) In addition, a new CEO was appointed on an interim basis for GHESI and Envida.
- 35. After in-depth consultation with district energy experts and KPMG, GMHI determined that without the addition of a significant thermal load in the Hanlon Creek Business Park, the project will lose money every year it is in operation and the capital costs to build the plant will be unrecoverable. Although the revenue generated from the Galt District Energy System in the Sleeman Centre will cover its operating and maintenance costs, there will be little or no revenue to repay the initial capital investment in the project.

Capital costs incurred in building the company's two district energy projects which include engineering costs and costs for piping, boilers, chillers, pumps, energy transfer station, backup generators, air conditioning units, cooling tower, air handling units, heat exchangers, etc. totalled:

Hanlon Creek Business Park

\$5.1 million

• Galt District Energy System in the Sleeman Centre in downtown Guelph \$6.1 million



Write-Offs / Write-Downs

- 36. Envida prepares its financial statements in accordance with accounting standards which require that assets be carried on the balance sheet at no more than their recoverable amount. The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from an asset. For each reporting period the entity is required to determine whether there is any indication that the asset is being carried at greater than its recoverable amount. If it is determined that the recoverable amount of an asset is less than its carrying value, then the asset is deemed to be impaired and the value must be written down to the recoverable amount. District energy assets in the Hanlon Creek Business Park and downtown Guelph will not generate sufficient cash flows over their useful lives to fully recover the costs of installing these assets. The required asset write-down / write-off amounted to:
 - Hanlon Creek Business Park

\$5.1 million

• Galt District Energy System in the Sleeman Centre in downtown Guelph \$3.6 million

Intercompany Loans

- 37. As of the end of 2015, Envida owes GMHI \$11.8 million related to funds invested in the Eastview Landfill Biogas Plant, district energy assets, as well as other corporate service and operating needs over the past five years.
- 38. Given the current state of operations, it is unlikely that Envida will be able to repay this loan and consideration to forgiving this loan is being explored.



Tax Considerations

- 39. GMHI's income is derived primarily from dividends paid by GHESI, as well as interest on any monies loaned to its subsidiaries. GMHI's dividends are not treated as taxable income and as a result, the company is typically in a "taxable loss" position as its other sources of income are insufficient to meet its ongoing operating expenses.
- 40. Since 2006, a total of \$10,595,931 in tax losses have been accumulated. These tax losses may be applied against future income earnings but are subject to an expiry date.
- 41. Envida also generates tax losses since its taxable income from operations (solar installations, district energy projects, Eastview Landfill Gas Plant) does not offset the company's expenses (fuel costs, water charges, land lease payments, maintenance of equipment by contractors, Board of Director costs, etc.). (Note: Envida has no employees so there are no salary and benefit costs.)
- 42. Since 2008, a total of \$7,341,313 in tax losses have been accumulated. These losses may be applied against future income earnings but are subject to an expiry date.

GMHI Non-Capital Loss Continuity Worksheet

Year of				
Origin	Non-Capital Loss			Expiry Date
2015	\$	3,003,425	1	December 31, 2035
2014		388,429		December 31, 2034
2013		1,032,064		December 31, 2033
2012		2,218,324		December 31, 2032
2011		1,746,480		December 31, 2031
2010		562,622		December 31, 2030
2009		-		
2008		3,880		December 31, 2028
2007		143,911		December 31, 2027
2006		1,496,796		December 31, 2026
	\$	10,595,931		

¹ Estimate subject to review by KPMG

Envida Non-Capital Loss Continuity Worksheet

Year of				
Origin	Non-Capital Loss			Expiry Date
2015	\$	761,290	1	December 31, 2035
2014		2,230,110		December 31, 2034
2013		81,592		December 31, 2033
2012		1,455,957		December 31, 2032
2011		758,000		December 31, 2031
2010		845,488		December 31, 2030
2009		939,360		December 31, 2029
2008		269,516		December 31, 2028
	\$	7,341,313		

Estimate subject to review by KPMG



Report submitted by:

Pankaj Sardana Chief Executive Officer Guelph Hydro Electric Systems Inc. and Envida Community Energy Inc.

Email: psardana@guelphhydro.com Tel: 519-837-4707

Tara Baker Acting City Treasurer City of Guelph

Email: tara.baker@guelph.ca

Tel: 519-822-1260



GMHI Shareholder Meeting May 16, 2016

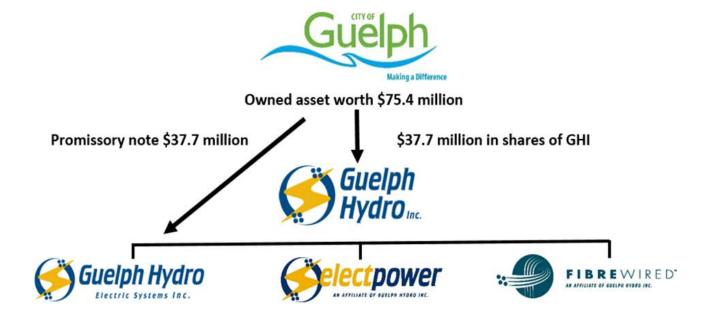
AGENDA

- Historical Overview 1998 to Present
- Amalgamation: Financial Transfers, HR Transfers
- Asset Write Downs
- Tax Losses
- Inter-Company Loans
- Asset Sales to GHESI (Eastview and Southgate Solar)
- Q & A





HISTORICAL OVERVIEW -- 1998 TO 2000

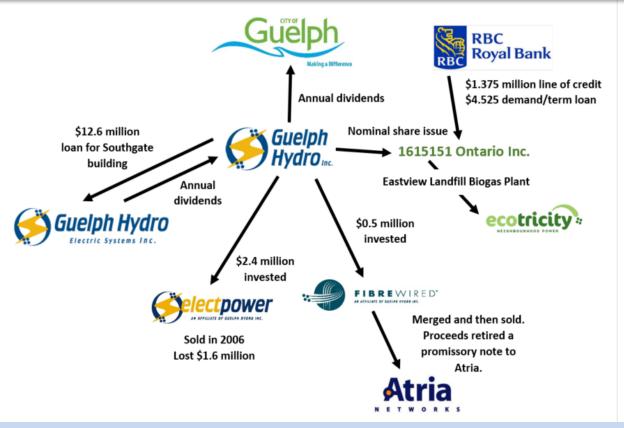


- Province passes Energy Competition Act, 1998, which "re-regulated" electricity sector
- Local Distribution Utilities were "given" to Municipalities who had two years to establish LDCs as business corporations, with the municipalities as 100% shareholders
- In 2000 City of Guelph divided Guelph Hydro into the four businesses shown above
- For Guelph Hydro Electric Systems Inc., the OEB initially split the company's \$75.4 million balance sheet into 50% debt and 50% equity, with all shares held by the City of Guelph





HISTORICAL OVERVIEW -- 2000 TO 2005

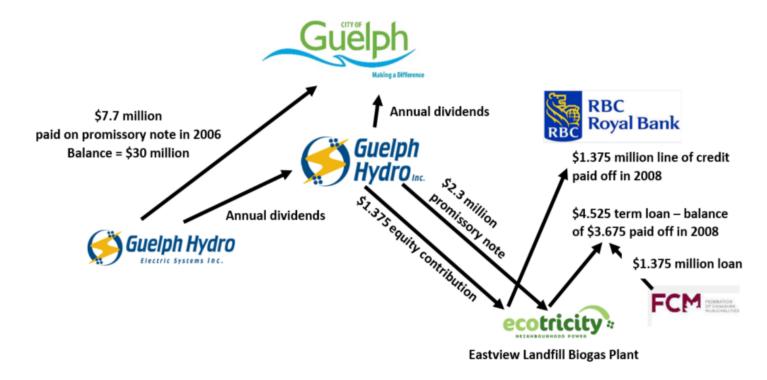


- With a view to increasing shareholder value, dividend payments from GHESI to GHI permitted the investments into various unregulated businesses, and also provided funding to allow GHI to lend money back to GHESI to expand the 395 Southgate Drive building
- In 2005, the City's Eastview Landfill Biogas plant went into commercial operation





HISTORICAL OVERVIEW -- 2006 TO 2009

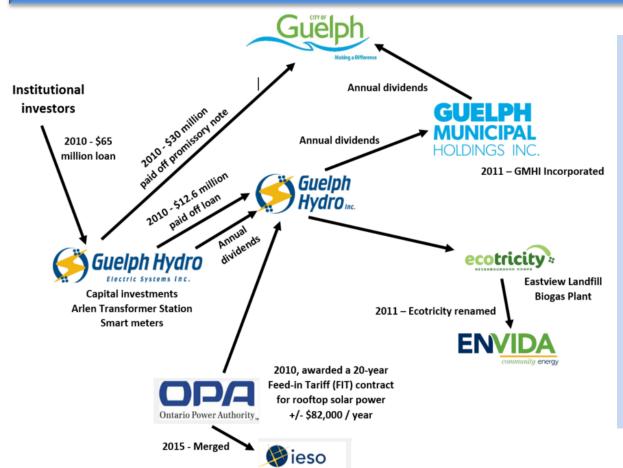


- In 2006, using cash-on-hand, GHESI paid off \$7.7 million of the initial \$37.7 million debt held by the City, leaving an unpaid long-term debt balance of \$30 million
- In April, 2007, Guelph City Council unanimously endorsed the vision, goals, and general directions of a 25-year Community Energy Initiative





HISTORICAL OVERVIEW -- 2010 TO 2011



In 2010:

- City and GHI enter into an MOI to assist City with achieving CEI targets; GHI designated as prime implementer and key developer of high-efficiency, low carbon, sustainable energy projects
- GHI awarded 20-year contract for Southgate rooftop solar PV project
- GHESI borrowed \$65 million in long-term debt; \$30 million used to retire City-held long-term debt of \$30 million; \$12.6 million used to retire debt held by GHI, and balance used to fund smart meter installation and construction of Arlen Transformer Station





HISTORICAL OVERVIEW -- 2012 TO 2014



Once projects were complete, Envida assumed responsibility for operation and maintenance
Southgate rooftop solar facility - 2011
Galt District Energy System in the Sleeman Centre - 2013
Rooftop solar installations – City buildings - 2014
Hanlon Creek Business Park District Energy System – 2014/2015

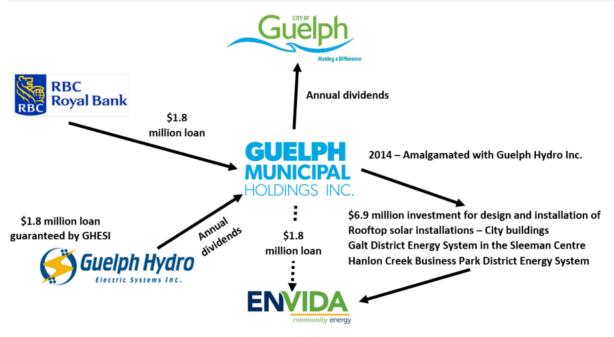
Between 2012 and September 2014, using the \$12.6 million received from GHESI in 2010:

- GHI invested \$5.7 million in sustainable energy projects in downtown Guelph, the Hanlon Creek Business Park (HCBP), and for rooftop solar installations on City-owned buildings
- Once the projects were completed, Envida assumed responsibility for operation and maintenance
- In April, 2014, Envida was awarded a 20-year contract to supply electricity to the Ontario grid from a 10 MW natural gas-fired CHP; if built, CHP would serve as heat source for a DE system in HCBP





HISTORICAL OVERVIEW -- 2014 TO PRESENT



Eastview Landfill Biogas Plant - 2005

Once projects were complete, Envida assumed responsibility for operation and maintenance
Southgate rooftop solar facility - 2011
Galt District Energy System in the Sleeman Centre - 2013
Rooftop solar installations - City buildings - 2014
Hanlon Creek Business Park District Energy System - 2014/2015

In September 2014:

- GMHI and GHI were amalgamated under GMHI
- GMHI acquired 8 employees from GHI
- Since amalgamation, GMHI has invested \$6.9 million in district energy projects in downtown Guelph and the HCBP
- In July, 2015, Envida was awarded a 20-year contract to supply electricity to the Ontario grid from a 10 MW natural gas-fired CHP; if built, CHP would serve as heat source for the DE system in downtown Guelph
- Following a close examination of the thermal potential in HCBP and downtown Guelph by Ontario district energy experts, a general lack of thermal loads in the two nodes implies that CHP plants will likely not be built. This leads to Envida being required to take asset write-offs and write-downs





ASSET WRITE DOWNS

- District energy assets in HCBP and downtown Guelph will not generate sufficient cash flows over their useful lives to fully recover the costs of installing these assets.
- The required asset write-down / write-off amounts to:

Hanlon Creek Business Park District Energy System \$5.1 million

Downtown Guelph District Energy System \$3.6 million





TAX LOSSES -- GMHI

 GMHI's income is derived primarily from dividends paid by GHESI, and from interest on monies loaned to its subsidiaries. Because these intercompany dividends are not treated as taxable income, the company is typically in a "taxable loss" position as its other sources of income are insufficient to meet its ongoing operating expenses





TAX LOSSES -- GMHI

GMHI Non-Capital Loss Continuity Worksheet

Year of			
Origin	Non	-Capital Loss	Expiry Date
2015	\$	3,003,425	December 31, 2035
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2007		143,911	December 31, 2027
2006		1,496,796	December 31, 2026
	\$	10,595,931	
Estimate subject to review by KPMG			

 Since 2006, a total of \$10,595,931 in tax losses have accumulated. These tax losses may be applied against future income earnings but are subject to an expiry date





TAX LOSSES -- ENVIDA

- Envida also generates tax losses since its taxable income from operations (solar installations, district energy projects, Eastview Landfill Gas Plant) does not offset its expenses (fuel costs, water charges, land lease payments, maintenance of equipment by contractors, Board of Director costs, etc.)
- Note: Envida has no employees so there are no salary and benefit costs.





TAX LOSSES

Envida Non-Capital Loss Continuity Worksheet

Year of			
Origin	Non-Capital Loss		Expiry Date
2015	\$	761,290 ¹	December 31, 2035
2014		2,230,110	December 31, 2034
2013		81,592	December 31, 2033
2012		1,455,957	December 31, 2032
2011		758,000	December 31, 2031
2010		845,488	December 31, 2030
2009		939,360	December 31, 2029
2008		269,516	December 31, 2028
	\$	7,341,313	
¹ Estimate subject to review by KPMG			

- Since 2008, a total of \$7,341,313 in tax losses have accumulated.
- These losses may be applied against future income earnings but are subject to an expiry date





INTER-COMPANY LOANS

- As of the end of 2015, Envida owes GMHI \$11.8 million related to funds invested in the Eastview Landfill Biogas Plant, district energy assets, and related to costs for corporate services and operating needs over the past five years
- Given the current state of operations, it is unlikely that Envida will be able to repay this loan and forgiving this loan may need to be considered





ASSET SALES TO GHESI EASTVIEW AND SOUTHGATE SOLAR

- GHESI is allowed to invest in certain generation assets up to 10 MW as part of permitted distribution activities
- To alleviate some of the financial pressures in Envida, GHESI and Envida have begun exploring the sale of the Southgate solar assets and the Eastview Landfill Biogas plant to GHESI
- Should the sale be economically viable, the acquisitions will require approval by the OEB





Q & A

Questions





Extract from Guelph City Council Minutes - May 16, 2016

GMHI-2016.1 Financial History of the GMHI Group of Companies

7. Moved by Councillor Hofland Seconded by Councillor MacKinnon

That the report titled 'Financial History of the GMHI Group of Companies', be received.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

8. Moved by Councillor Gibson Seconded by Councillor Billings

That the presentation and report on the financial history of the GMHI group of companies be referred to the June 13, 2016 Council meeting.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Van Hellemond and Wettstein (11) VOTING AGAINST: Councillor Piper (1)

CARRIED

Moved by Councillor Downer Seconded by Councillor Allt

That the closed minutes and accompanying material of November 23, 2015 with respect to District Energy Strategic Long Term Financial Plan, with the necessary redactions, be made public in conjunction with the materials for June 13, 2016 Council.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: Councillor MacKinnon (1)

CARRIED

 Moved by Councillor Downer Seconded by Councillor Allt

That the closed minutes and accompanying material of February 29, 2016 with respect to Decision Chronology: District Energy, be made public with the necessary redactions in conjunction with the material for June 13, 2016 Council.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gordon, Hofland, Piper and Wettstein (9)
VOTING AGAINST: Councillors Gibson, MacKinnon and Van Hellemond (3)

CARRIED

- June 13, 2016 –				
By-law Number (2016) – 20062 A by-law to appoint James Krauter as Acting City Treasurer and to repeal By- law Number (2016) - 20029, being a by- law to appoint a City Treasurer.	To appoint James Krauter as Acting City Treasurer.			
By-law Number (2016)-20063 A by-law to amend By-law Number (2002)-17017 (to add the intersection of Victoria Rd. S. and Clair Rd. E. in the Traffic Control Signals Schedule VI).	To amend the Traffic By-law.			
By-law Number (2016)-20064 A by-law to remove: Block 82, 61M-182 designated as Parts 51 to 66 inclusive, Reference Plan 61R20212 in the City of Guelph from Part Lot Control. (164, 166, 168, 170, 172, 174, 176, 178 Summit Ridge Drive)	To remove land from part lot control to create separate parcels for townhouse dwelling units to be known municipally as 164, 166, 168, 170, 172, 174, 176, 178 Summit Ridge Drive.			
By-law Number (2016)-20065 A by-law to amend By-law Number (1995)-14864, as amended, known as The Zoning By-law for the City of Guelph as it affects a portion of a property municipally known as 325 Gordon Street (the 'subject lands') and legally described as Lot 1 and 2, Registered Plan 308, City of Guelph to permit the development of a Religious Establishment with associated accessory uses within the existing building (File: ZC1516).	To amend the Zoning By-law with respect to portion of the property known municipally as 325 Gordon Street, as per Consent Report CON-2016.27.			