

DATE JULY 7, 2008

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

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

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

1) 410 Clair Road East

Proposed Zoning By-law Amendment (ZC0804) – Ward 6

- a) Staff presentation by Katie Nasswetter
- b) Peter Cheatley on behalf of Extendicare (Canada) Inc.
- c) Delegations (limited to a maximum of ten minutes)
- d) Staff summary

2) 98 Cityview Drive

Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (23T-8501/ZC0801) – Ward 1

- a) Staff presentation by Chris DeVriendt
- b) Owner/Applicant
- c) Delegations (limited to a maximum of ten minutes)
- d) Staff summary

PLANNING CONSENT DECISIONS

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

1) 0 Woodlawn Road West – Proposed Zoning By-law Amendment (ZC0701) – Ward 3

- a) Staff presentation by Al Hearne

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- b) Owner/Applicant
 - c) Delegations (limited to a maximum of five minutes)
 - i) Ben Bennett
 - ii) Stephen Rodd
 - iii) Susan Watson
 - d) Staff summary

Correspondence:

- i) Barbara & John Buttars

2) 168 Fife Road – Proposed Zoning By-law Amendment (ZC0615) – Ward 4

- a) Staff presentation by Chris DeVriendt
- b) Subhash Chugh – owner/applicant
- c) Staff summary

3) Amendment to Brownfield Redevelopment Community Improvement Plan

BY-LAWS

Resolution – 1st & 2nd reading of By-laws (Councillor Salisbury)

Verbal Resolution – Council to into Committee of the Whole to consider the by-laws.

Note:

When all by-laws have been considered, a member of Council should move **“THAT** *the Committee rise and report the by-laws passed in Committee without amendment (or as amended).*”

Resolution – 3rd reading of By-laws (Councillor Wettstein)

ADJOURNMENT

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE July 7, 2008

**SUBJECT 410 CLAIR ROAD EAST - Proposed Zoning By-law
Amendment (File: ZC0804) - Ward 6**

REPORT NUMBER 08-75

RECOMMENDATION

That report 08-75 regarding a Zoning By-law Amendment for the property municipally known as 410 Clair Road East, City of Guelph, from Community Design and Development Services, dated July 7, 2008, BE RECEIVED.

BACKGROUND

This report provides information on an application requesting approval of a zoning by-law amendment application (ZC0804) from Extendicare (Canada) Inc.

Location

The subject site consists of 2.0 hectares of land located on the north side of Clair Road East between Tolton Drive and Victoria Road (see **Schedule 1**). The site is bounded by Goodwin Drive to the north, vacant lands anticipated for future residential development to the east, existing rural estate residential across Clair Road East, to the south, and future residential development to the west in accordance with registered plan of subdivision 61M 143.

Official Plan Designation

The existing Official Plan land use designation that applies to the subject lands is "General Residential" (see **Schedule 2**).

Existing Zoning

The subdivision lands are currently zoned A (Agriculture) Zone in the 1985 Township of Puslinch Zoning By-law.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant wishes to rezone a 1.2 hectare portion of the site along Clair Road East from A (Agriculture) to a specialized R.4A zone to permit a "nursing home". A three storey, 192 bed, long-term care facility with common dining facilities is proposed. The main entrance to this site will be from Clair Road. A second access via Goodwin Drive is meant for emergency vehicles and pedestrians only.

On a 0.24 hectare portion of the site fronting on Goodwin Drive, the applicant wishes to amend the zoning from A (Agriculture) to the R.1D (Single-Detached Residential) Zone to create eight lots for single-detached houses. Reid's Heritage Homes owns a three metre wide strip of land between the north edge of 410 Clair Road East and Goodwin Drive and is working with the applicant to rezone this land at the same time. If the zoning is approved, the residential lots could be created through consent to sever applications.

The applicant proposes to leave the remaining easterly portion of the site (0.56 hectares) in the current A (Agriculture) zone. The intent is to add this portion of the lot to a future phase of the Westminister Woods subdivision through a lot line adjustment and rezone to an appropriate residential zone at the time. In the 2008 Development Priorities Plan (DPP), this portion of the Westminister Woods subdivision is anticipated for Draft Plan Approval after 2009.

The proposed zoning concept and zoning details are provided in **Schedule 3**. The preliminary site concept for the lands requested to be rezoned is shown in **Schedule 4**.

The review of this application will address the following issues:

- Evaluation of the proposal against the General Residential policies of the Official Plan.
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation.
- Review of the proposed zoning.
- Review of proposed site layout in relation to the Community Energy Plan.
- Review of the proposed implementation plan and the need for consent to sever or plan of subdivision for proposed residential lots
- Review of how the proposed site layout will function and be integrated into the future planning of undeveloped lands in the area.

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

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

The Notice of Application and Notice of Public Meeting was circulated on June 16, 2008.

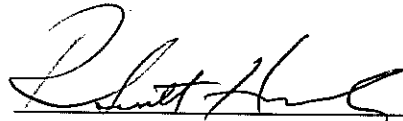
ATTACHMENTS

- Schedule 1 - Location Map
- Schedule 2 - 'General Residential' Official Plan Policies
- Schedule 3 - Proposed Zoning and Details
- Schedule 4 - Proposed Site Plan



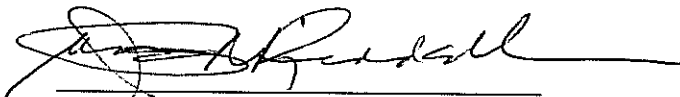
Prepared By:

Katie Nasswetter
Senior Development Planner



Recommended By:

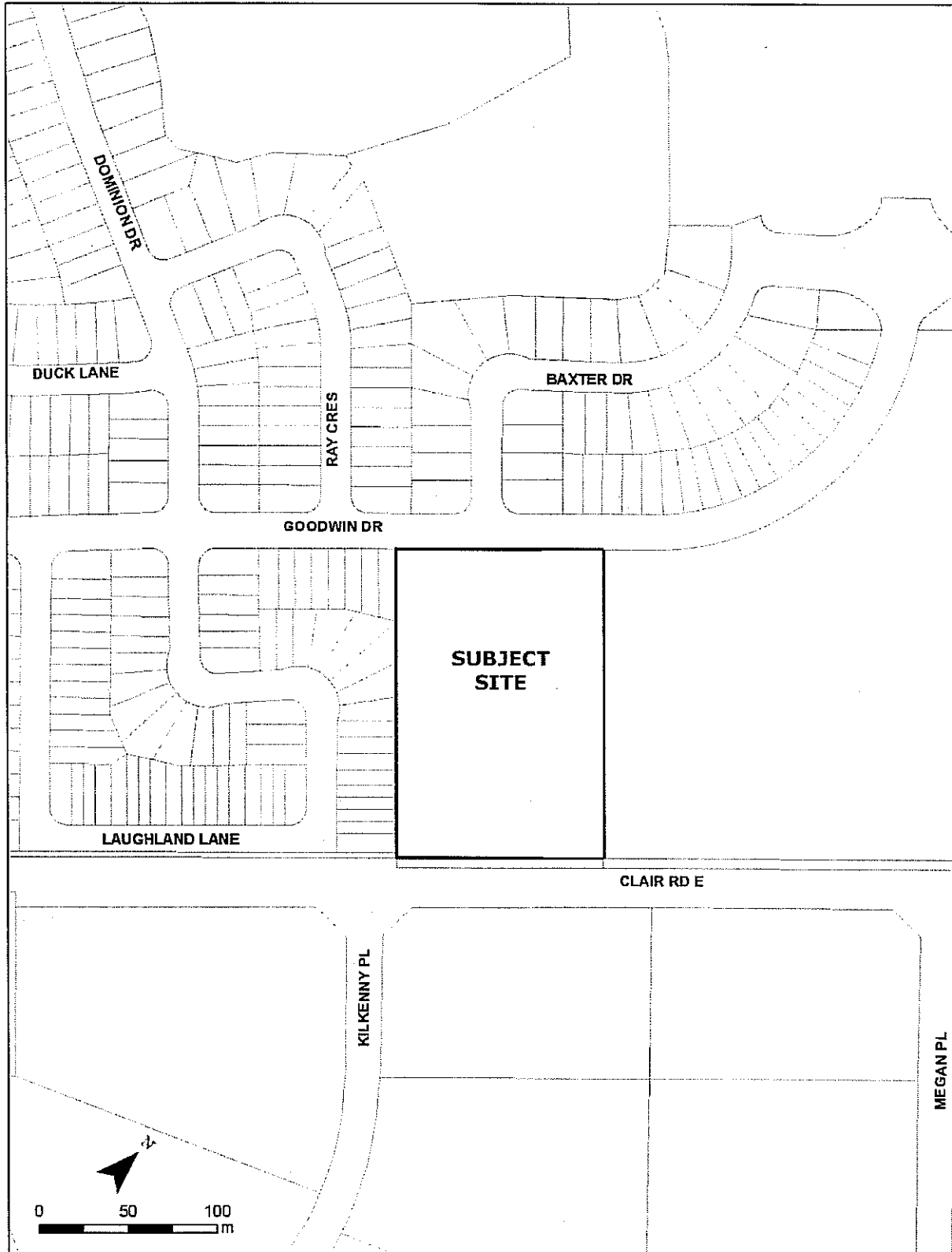
R. Scott Hannah
Manager of Development and Parks
Planning



Recommended By:

James N. Riddell
Director of Community Design and Development Services

SCHEDULE 1 Location Map



SCHEDULE 2

Existing Official Plan Designation

'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).

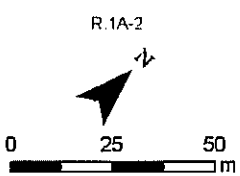
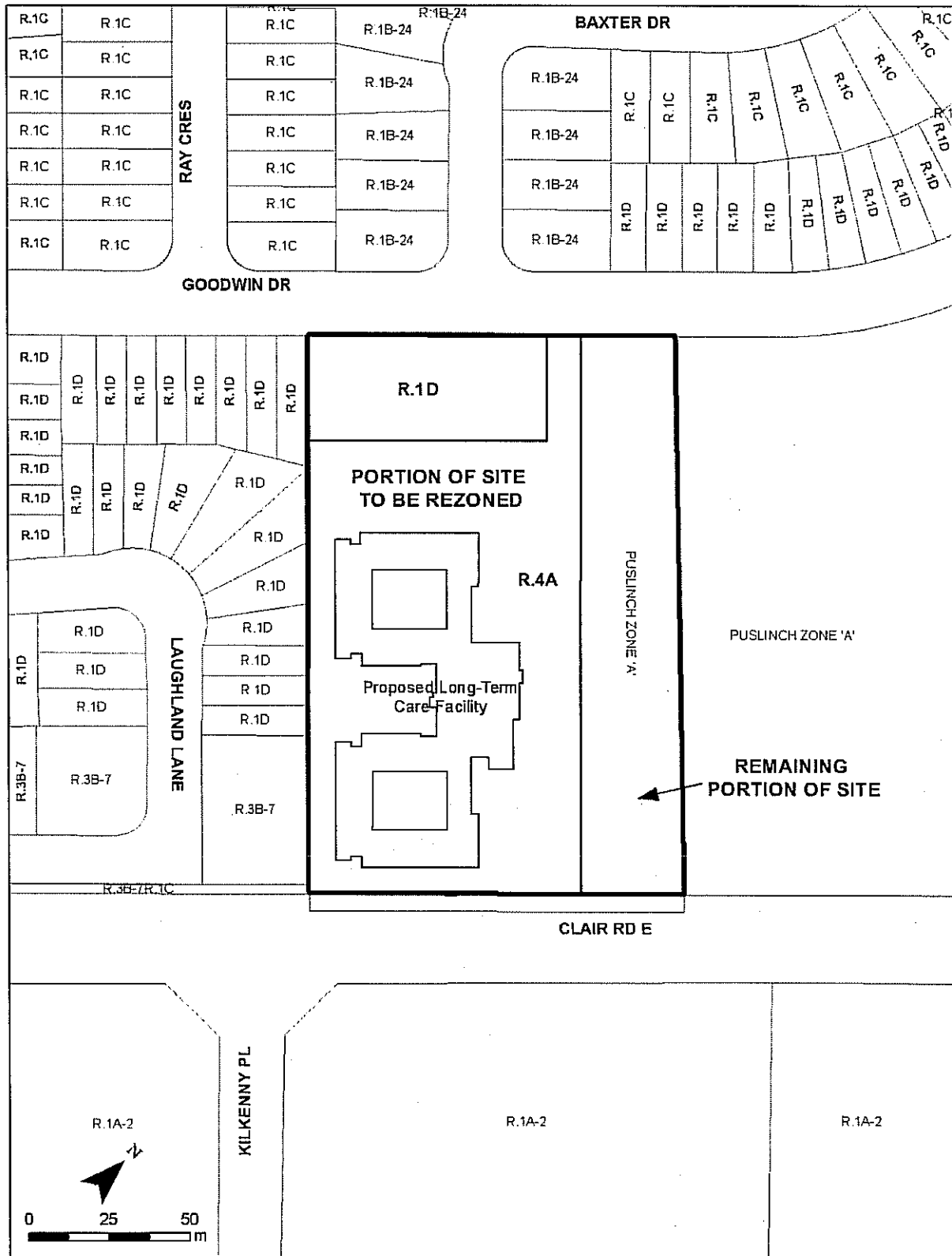
7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

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:

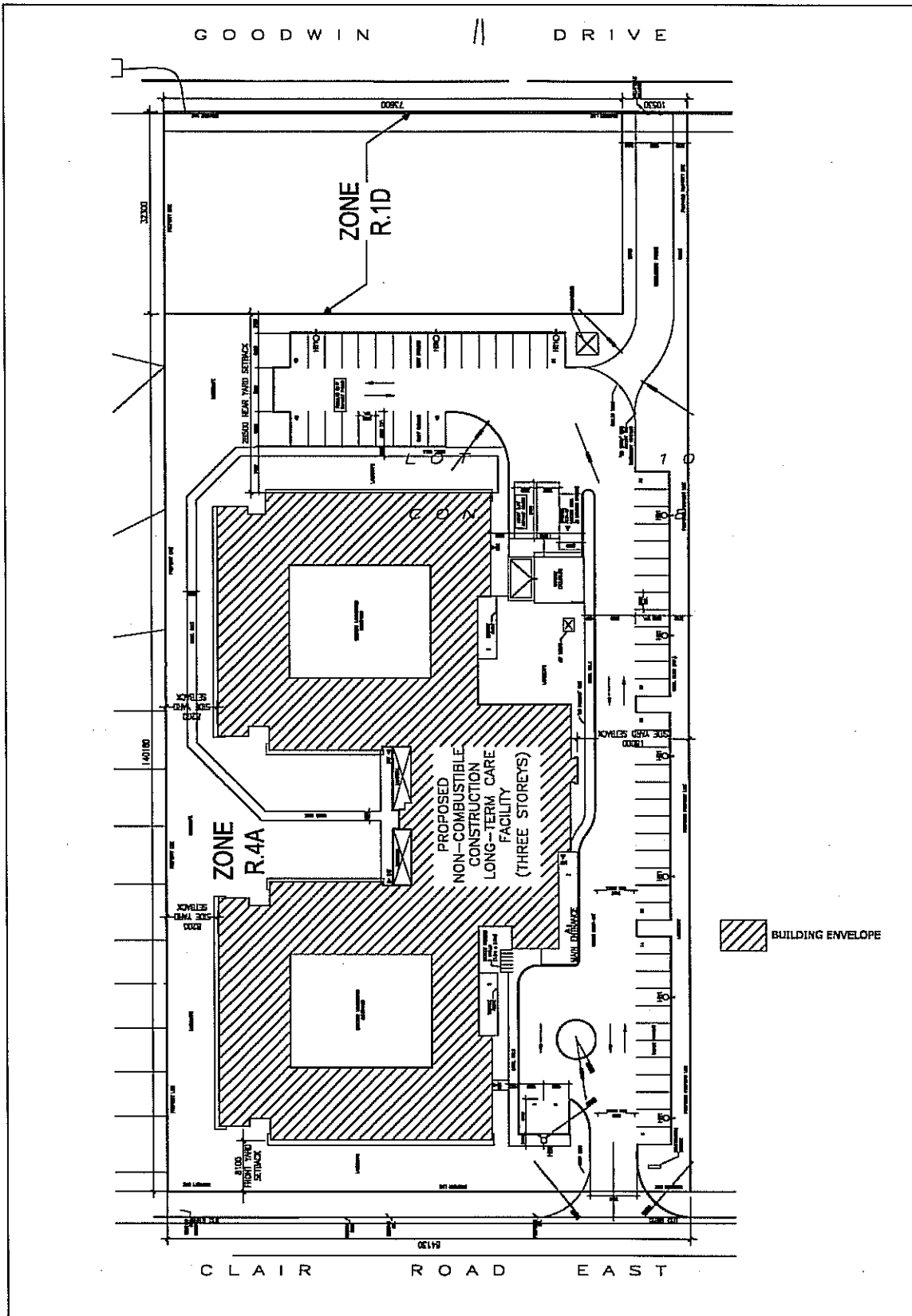
- a) The form and scale of existing residential development;
- b) Existing building design and height;
- c) Setbacks;
- d) Landscaping and amenity areas;
- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

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

SCHEDULE 3 Proposed Zoning



SCHEDULE 4 Preliminary Site Plan



TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE July 7, 2008

**SUBJECT 98 Cityview Drive – Proposed Draft Plan of Subdivision
and Associated Zoning By-law Amendment (File: 23T-
08501/ZC0801) – Ward 1**

REPORT NUMBER 08-74

RECOMMENDATION

"THAT Report 08-74 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment applying to property municipally known as 98 Cityview Drive, City of Guelph, from Community Design and Development Services dated July 7, 2008, BE RECEIVED."

SUMMARY

This report provides information on an application requesting approval of a residential plan of subdivision and associated zoning by-law amendment application (23T-08501 / ZC0801) from 2014707 Ontario Inc.

BACKGROUND

An application for a draft plan of subdivision and associated zoning by-law amendment has been received for the property municipally known as 98 Cityview Drive. The proposal is a request to develop the property for residential use. The application was deemed to be a complete application on March 7, 2008.

Location

The subject site consists of 1.97 hectares of land at the northwest corner of the intersection of Cityview Drive and Cedarvale Avenue (see **Schedule 1**). The site is bounded by Cityview Drive to the east, Cedarvale Avenue to the south, existing residential development to the west and future residential development to the north in accordance with draft plan of subdivision 23T-01506 and subject to redline revision application details.

Official Plan Designation

The existing Official Plan land use designation that applies to the subject lands is "General Residential" (see **Schedule 2**).

Existing Zoning

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

REPORT

Description of Proposed Plan of Subdivision

The application is a request to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 3**. This subdivision proposes a total of 45 residential units, consisting of 29 detached dwellings and 16 semi-detached dwellings. A 0.12 hectare parkette with frontage on Cedarvale Avenue at the southern portion of the plan is also proposed (Block 41). Blocks 38 to 40 are shown as small lot additions to the abutting future development blocks within approved draft plan 23T-01506 to the north. These future development blocks would be consolidated to create residential lots upon the ultimate southerly extension of Oakes Crescent to Cedarvale Avenue as the required access. The lot sizes and breakdown for the proposed subdivision is also detailed in **Schedule 3**.

The development is proposed along the southerly extension of Oakes Crescent from the adjoining approved draft plan of subdivision to the north (23T-01506). An application to modify Draft Plan 23T-01506 has been submitted, which proposes the removal of the short section of road that provides access to this adjoining subdivision from Cityview Drive. This road is shown as Lacey Way on **Schedule 1**. The current subdivision proposal for 98 Cityview Drive would provide the required access to this adjacent subdivision, as illustrated in **Schedule 3**.

The density of the proposed subdivision, as calculated under "Places to Grow", is approximately 67 persons and jobs per hectare. The subject site is within the built boundary and the dwelling units generated by this development will contribute to the intensification target that stipulates that at least 40% of new residential units shall be located within the built-up area by 2015.

Description of Proposed Zoning Bylaw Amendment

To implement the draft plan of subdivision application, the owner wishes to rezone the lands to the R.1C and R.1D (Single-Detached Residential) Zones, the R.2 (Residential Semi-Detached/Duplex) Zone, and the P.2 (Neighbourhood Park) Zone.

The proposed zoning concept and zoning details are provided in **Schedule 4**.

In support of the draft plan of subdivision, the developer has submitted the following information:

- Preliminary Servicing Report – Bolzon Subdivision
Prepared by: Gamsby and Mannerow Limited
Dated: January, 2008
- Planning Report – Draft Plan of Subdivision, 98 Cityview Drive, Guelph
Dated: February 2008

Staff Review

The review of this application will address the following issues:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control), including conformity of the design with the adjacent plan of subdivision (23T-01506)
- Evaluation of the proposal against the General Residential policies of the Official Plan
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation
- Review of the proposed zoning
- Review timing in relation to the Development Priorities Plan and phasing policy
- Acceptability of parkland dedication
- Community Energy Plan consideration

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

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

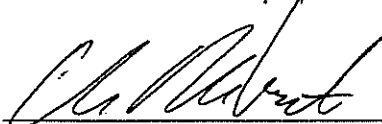
Financial implications will be reported on in the future Community Design and Development Services recommendation report to Council.

COMMUNICATIONS

The Notice of Application and Notice of Public Meeting was circulated on June 16, 2008.

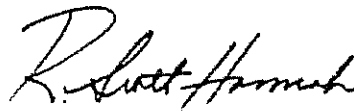
ATTACHMENTS

- Schedule 1 – Location Map
- Schedule 2 – ‘General Residential’ Official Plan Policies
- Schedule 3 – Proposed Draft Plan of Subdivision and Details
- Schedule 4 – Proposed Zoning and Details



Prepared By:

Chris DeVriendt
Senior Development Planner



Recommended By:

R. Scott Hannah
Manager of Parks and Development
Planning



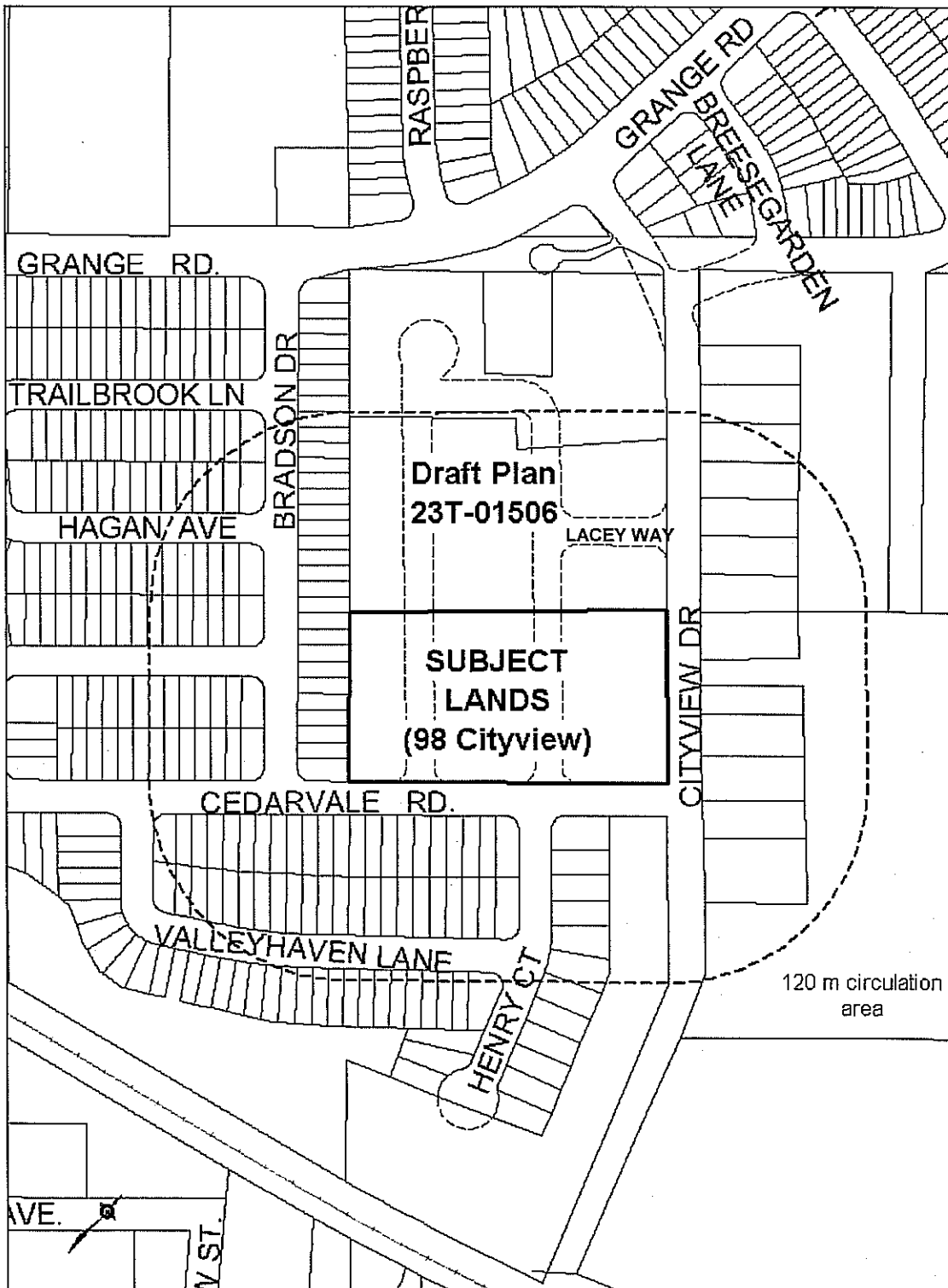
Recommended By:

Jim Riddell
Director of Community Design and
Development Services

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SCHEDULE 1

Location Map



SCHEDULE 2

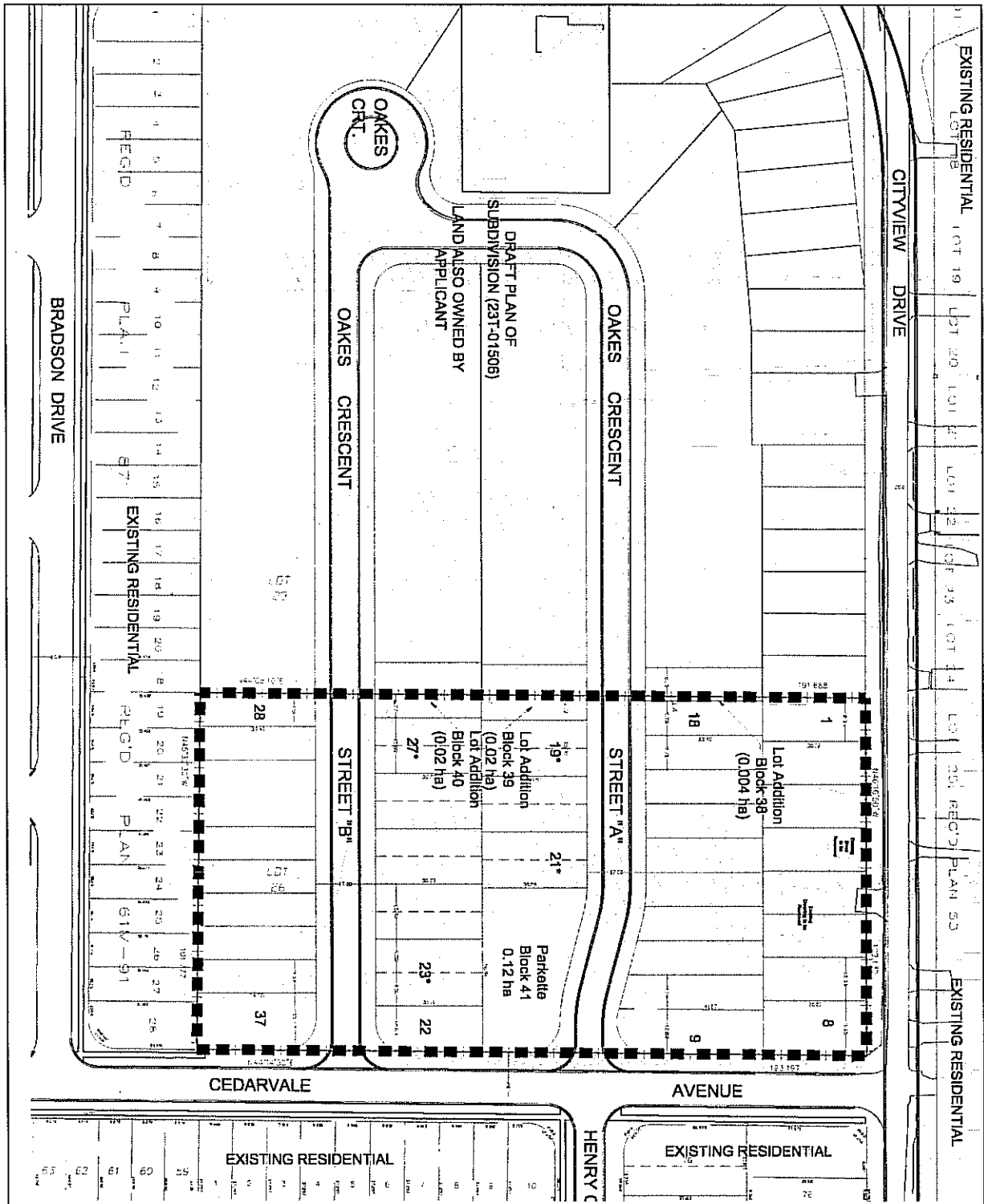
Existing Official Plan Designation

'General Residential' Land Use Designation

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- 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.

SCHEDULE 3

Proposed Draft Plan of Subdivision



SCHEDULE 3 (continued)

Details of Proposed Draft Plan of Subdivision

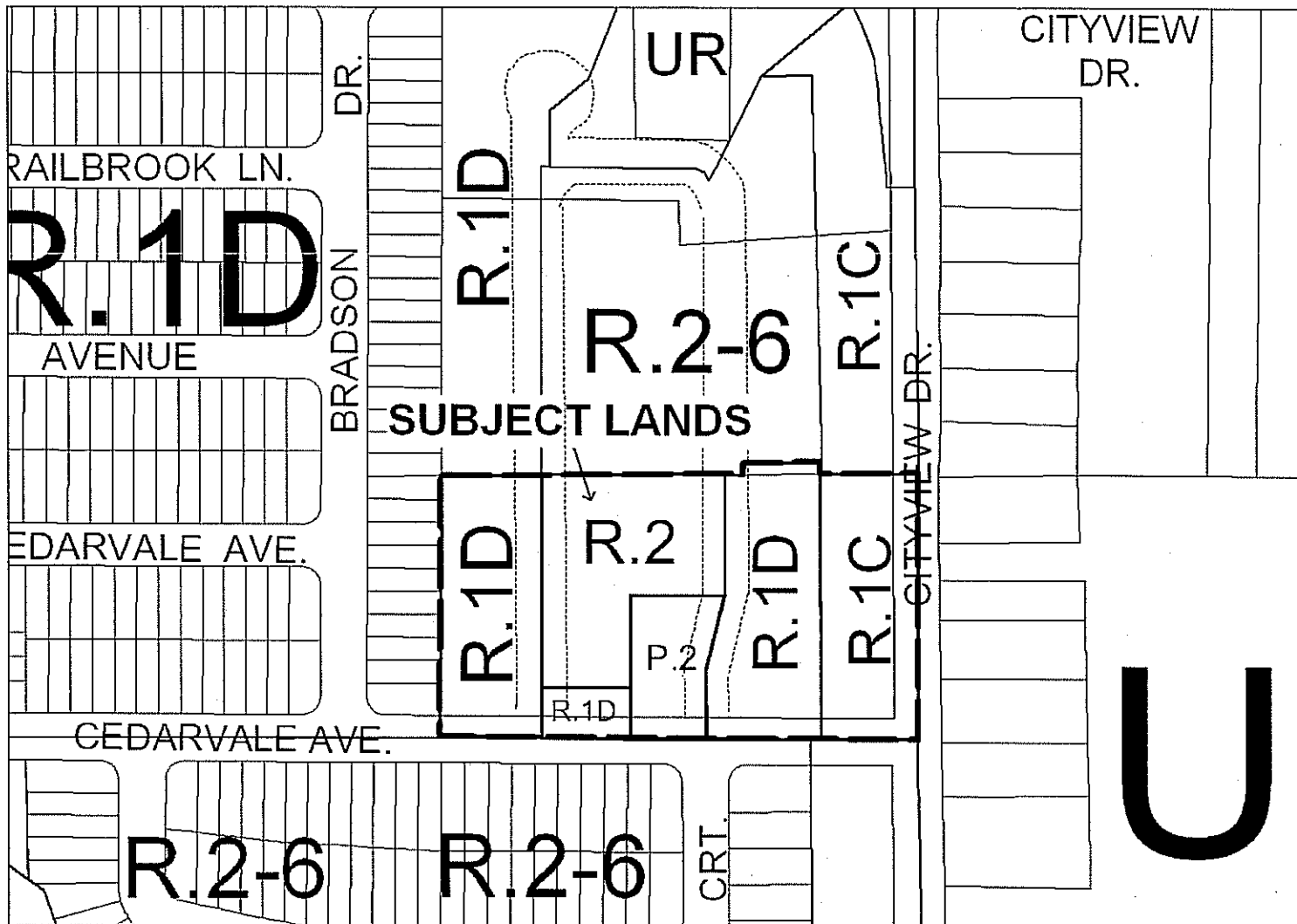
LAND USE SCHEDULE

LOTS/BLOCKS	LAND USE	AREA
Lots 1-18, 22, 28-37	Single-Detached Residential	1.05 hectares
Lots 19-21, 23-27	Semi-Detached	0.4 hectares
Blocks 38-40	Lot Additions	0.04 hectares
Block 41	Neighbourhood Park	0.12 hectares
Roads	Street A & Street B	0.36 hectares
TOTAL AREA		1.97 hectares

DWELLING UNIT BREAKDOWN

LOTS/ BLOCKS	UNIT TYPE	UNITS (minimum – maximum)
Lots 1-18, 22, 28-37	Single-detached dwelling	29
Lots 19-21, 23-27	Semi-Detached dwellings	16
TOTAL UNITS		45

SCHEDULE 4
Proposed Zoning



SCHEDULE 4 (continued)

Proposed Zoning Details

PHASE 2 PLAN

LOTS/BLOCKS	LAND USE	ZONING
Lots 1-18	Single Detached Residential Min Lot Frontage – 12 m	R.1C
Lots 22, 28-37	Single-Detached Residential Min Lot Frontage – 9 m	R.1D
Lots 19-21, 23-27	Semi-Detached Residential Min Lot Frontage – 7.5 m per unit	R.2
Block 41	Neighbourhood Park	P.2

PLANNING CONSENT AGENDA

July 11, 2008

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A Planning Consent Decisions

REPORT	DIRECTION
<p>1) 0 WOODLAWN ROAD WEST: PROPOSED ZONING BY-LAW AMENDMENT (ZC0701) - WARD 3</p> <p>"THAT the application by 6&7 Developments Limited for a Zoning -law Amendment from the UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new specialized CC-18 (Community Shopping Centre) Zone (ZC0701) affecting property municipally known as 0 Woodlawn Road West and legally described as Part of Lots 4, 5, 6 and 7, Registered Plan 169, designated as Part 2, 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph, be approved in accordance with the recommendation set out in Schedule 2 of the Community Design and Development Services Report 08-55 dated July 7, 2008."</p>	Approve
<p>2) 168 FIFE ROAD: PROPOSED ZONING BY-LAW AMENDMENT (ZC0615) – WARD 4</p> <p>"THAT Report 08-72 regarding a Zoning By-law Amendment for the property municipally known as 168 Fife Road from Community Design and Development Services dated July 7, 2008, be received;</p> <p>AND THAT the application by Everest Homes for a Zoning By-</p>	Approve

law amendment from the UR (Urban Reserve) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone and a new Specialized R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E in the City of Guelph, be approved, in accordance with the regulations and conditions set out in Schedule 2 of the Community Design and Development Services Report 08-72 dated July 7, 2008;

AND THAT the request by Everest Homes to demolish the detached dwelling located on the property municipally known as 168 Fife Road be approved;

AND THAT City Council directs the Director of Community Design and Development Services to advise property owners directly adjacent to the site in writing when a formal application for site plan approval has been filed with the City to allow residents the opportunity to view the plans and make suggestions, if necessary, for the consideration of the Director of Community Design and Development Services prior to granting site plan approval;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 168 Fife Road (File ZC0615) as set out in Report 08-72 from Community Design and Development Services dated July 7, 2008.

3) AMENDMENT TO BROWNFIELD REDEVELOPMENT COMMUNITY IMPROVEMENT PLAN

THAT the proposed amendment to the Brownfield Redevelopment Community Improvement Plan be approved in accordance with the proposed policies and mapping contained in Schedule 'C' of Community Design and Development Services Report #08-77 dated July 7, 2008;

AND THAT the City actively pursue funding opportunities, where available, from the Provincial and Federal Governments for brownfield remediation.

July 2, 2008

Re: 0 Woodlawn Road West

Madame Mayor and Members of Council:

I am limiting my comments in this submission to two aspects of the staff report since the deadline for inclusion in the agenda distribution is so short. I hope to address some additional issues in the next few days.

Specifically, I am focussing on Sections 1 and 2 of Schedule 8: Staff Review and Planning Analysis on pages 33 and 34 of the Council report.

These sections are entitled:

- 1. Is the application premature? What is the timing of commercial development relative to the commercial space needs identified in the Commercial Policy Review (CPR or OPA 29)?**
- 2. Should the application be phased in relation to the intensification policies in the Provincial Policy Statement (PS) and the Greater Golden Horseshoe Growth Plan?**

In my opinion, Staff response to both these questions is incomplete and inadequate.

- 1. Is the application premature? What is the timing of commercial development relative to the commercial space needs identified in the Commercial Policy Review (CPR or OPA 29)?**

In commenting on the timing of the development, Staff refers to the CPR in which "the timing of development is left to the supply and demand of the market and the principle of healthy competition". I believe this aspect of the OPA #29 was one of its greatest weaknesses. Additional commercial square footage of 1,926,000 square feet was allocated to meet the projected population needs until the year 2021. Under OPA #29, there appears to be nothing which would preclude construction of all this commercial footage within the space of a few years. It is completely left up to the market or rather the developers.

This is not consistent with the requirements of the Provincial Policy Statement. The PPS takes precedence over CPR/OPA#29.

Part II: Legislative Authority

The Provincial Policy Statement is issued under the authority of Section 3 of the *Planning Act* and came into effect on March 1, 2005. It applies to all applications, matters or proceedings commenced on or after March 1, 2005.

In respect of the exercise of any authority that affects a planning matter, Section 3 or the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act.

The following policy has been completely ignored by the Planning Department:

1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*.

The previous Council set specified targets for commercial intensification and redevelopment in their decision of July 25th, 2005 regarding the Allocation of Commercial Space. I have attached the document to this e-mail. The targets specified for "Downtown Intensification Centre, Neighbourhood, Convenience and Existing Centres" were 350,000 square feet under a medium growth scenario and 500,000 square feet under the High Growth scenario.

The PPS indicates that these targets must be achieved prior to, or concurrent with, new development within designated growth areas. It appears that this legislation will also apply to other major commercial nodes identified within OPA #29.

This expansion cannot be permitted to proceed until the downtown and other intensification has been completed.

I would encourage Council to take note of the business approach used by local developers. When "supply and demand of the market and the principle of healthy competition" favours their bottom line, they are fully in support of the flexible market approach. When a flexible market approach will have a negative impact on their bottom line, they quickly rush to invoke Official Plans and Provincial planning legislation.

Council recently witnessed this in the development of the Lafarge property proposed by Silvercreek Developments. In this case, Armel and 6 & 7 are not in favour of allowing the supply and demand of the market and the principle of healthy competition to run its course. They are present at the OMB and are appealing to the Official Plan to protect the investments they have made in their commercial properties. They are arguing that their developments should take priority over any new development on the Lafarge Site. At the March Planning Meeting on the issue, Chris Corosky of Armel Corporation stated that there are a finite number of retail clients in the community. He opposed the Silvercreek proposal on the basis that it would "severely limit Armel's ability to develop their approved commercial property at Paisley & Elmira and would prevent the west end from attaining its proposed purpose of commercial hub."

I expect Council to use the Provincial planning tools at its disposal to take a similar business approach to protect taxpayer investment in the downtown. We are currently in a phase of injecting millions of dollars into downtown infrastructure and renewal: the new City Hall, a public square, the new museum, the Wilson Street parkade and the Baker Street housing/library/commercial complex.

In the case of the Baker Street complex in particular, City Hall will be seeking a private sector partner. The progression of the commercial aspect of this redevelopment will depend on market conditions. Why would Council prejudice the viability of this development by handing priority to expansion of the Woodlawn-Woolwich node?

Downtown development is prioritized in both the Provincial Policy Statement and Places to Grow. In fact the PPS mandates that the intensification allocated by the previous Council will take place before the new development. In addition, Places to Grow requires that Downtown Guelph will be "planned to achieve, by 2031, or earlier, a minimum gross density target of - c) 150 residents and jobs combined per hectare."

Council is well on its way to achieving this target, however our massive taxpayer investment needs to be protected by making sure downtown commercial development is completed first, as mandated by the PPS.

2. Should the application be phased in relation to the intensification policies in the Provincial Policy Statement (PS) and the Greater Golden Horseshoe Growth Plan?

Staff correctly identifies that the PPS promotes intensification in a compact form, however the pretence both from Staff and the developer that this is compact development is stunning. Perhaps the audaciousness of this claim is more stark to me since I just returned from an 8 day trip in Denmark. Copenhagen was a stellar example of compact development: attractive 5-storey buildings with street-level retail, multi-level department stores, dedicated bicycle lanes, pedestrian-only streets and no surface parking lots anywhere in sight.

Big box retail development exemplifies sprawl and its inefficient use of land is a drain on local taxpayers.

Surface parking is one of the most wasteful uses of land in an urban area.

The Places to Grow Growth Plan sets out guidelines for General Intensification.

2.2.3.6 All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification targets. This strategy and policies will --

h) include density targets for urban growth centres where applicable and minimum density targets for other intensification areas consistent with the planned transit service levels, and any transit-supportive land-use guidelines established by the Government of Ontario.

Staff identifies that the subject site is located within the Built-up Area of the City as defined by the Growth Plan's Built Boundary line. If this site is neither located in greenfields, which have a minimum density requirement of 50 jobs/residents per hectare, or in the Urban Growth Centre which has density targets of 150 jobs/residents per hectare, what density targets have been set for this site as required by Places to Grow? 50 jobs/residents per hectare is the absolute minimum required for transit supportive development, but local planning authorities can set higher targets. What have we done? How can Council assess whether or not the site plan meets the requirements of the Places to Grow Growth Plan if we do not know what the targets have been set?

I am greatly disconcerted by the extreme discrepancy in job and density numbers between the presentation by 6 & 7 and the Staff Report. Given that the total site is 12.54 hectares, the development would need to generate 627 full-time jobs to meet the minimum transit-supportive density of 50 jobs/hectare.

At the June 5, 2007 Planning Meeting, Mr. Perakash David stated that the development would generate 200 full-time jobs. The following is an excerpt from the minutes of that meeting:

The Director of Development for 6 & 7 Developments, Mr. P. David, presented information with respect to the concept plan and potential development of the property. He outlined some of the environmentally-friendly aspects of the concept plan and stated they have made a commitment to implement economical and environmentally responsible development. He stated that the property and access will be pedestrian and transit friendly, that the development will pay one million dollars in development charges and have a grocery component. He also stated that the phasing in will not begin before April 2008 and the future development is anticipated to be completed by 2012. He advised that they anticipate the creation of 200 full time jobs once the balance of the site is developed.

It is not clear from Mr. David's presentation whether he is referring to the entire site, or just the 18,200m² of additional floor space sought in the expansion. Assuming the latter, the new development proposed will generate 11 jobs per 1,000m² of retail floor space. If this same ratio is applied to the existing approved floor space, 14,400m², previously approved development would generate another 158 full-time jobs. That would put the total projected jobs for the entire site at 358 jobs. With a total site area of 12.54 hectares, the density would be 28.5 jobs per hectare, just more than half of what is required by minimum Places to Grow density targets.

The staff report states that "The approximate Growth Plan density calculation represents 70 jobs per hectare with the potential for future residential dwellings."

I am not clear whether the 70 jobs per hectare refers to the current site plan? If that is the case, it would require 877 full-time jobs to generate that figure. If the density calculation includes the residential dwellings, then they need to be part of a site plan from the beginning, not simply a future option.

The Places to Grow Growth Plan no longer leaves intensification at the discretion of developers. Municipalities are mandated to set and enforce minimum density targets. On p. 7 and 8, of the Growth Plan the negative impacts it is trying to combat are identified:

- Increasing numbers of automobiles are travelling over longer distances resulting in clogged transportation corridors, including those that provide access to our critical border crossings. Traffic congestion and the delay in movement of goods costs Ontario upwards of \$5 billion in lost GDP each year;
- Attractive and efficient public transit is difficult to introduce into sprawling communities, and this limits our ability to respond effectively to growing traffic congestion issues;
- New infrastructure is being built to service lower-density areas, while existing infrastructure in the older parts of our communities remains underutilized;
- Urban sprawl contributes to the degradation of our natural environment, air quality and water resources, as well as the consumption of agricultural lands and other natural resources so critical to the future economy.

Before approving any development on this site, Council needs to establish what density targets have been set under the Places to Grow Growth Plan. The developer also needs to supply accurate figures for projected full-time employment, based on average employment rates per 1,000 m² of retail space at other power centres.

Any approval of development at this site must conform with the policies of the Places to Grow Growth plan and the minimum density requirements.

Thank you for the opportunity to provide comment.

Sincerely,
Susan Watson

Appendix 5
Allocation of Commercial Space – AS APPROVED BY COUNCIL JULY 25TH, 2005

Commercial Need (in square feet) – Source: RDA 2004			
	Description	Medium Growth	High Growth
Sub-Category	Food	300,000	345,000
	General Retail	1,056,000	1,175,000
	Service Commercial Retail	270,000	300,000
	Services/Other	300,000	400,000
Total		1,926,000	2,220,000
Less Intensification Space*	<i>Downtown, Intensification Centres Neighbourhood, Convenience and Existing Centres</i>	350,000	500,000
Sub-Total		1,576,000	1,720,000
Woodlawn/Woolwich	<i>Commercial cap within the mixed use node</i>	400,000	450,000
West Hills		400,000	450,000
Eastview		300,000	300,000
South Guelph District Centre		500,000	520,000

Madame Mayor and Members of Council:

One of the arguments put forward by 6 & 7 developments for expansion at the Woodline site is a supposed "need" for a grocery store in the north end.

You may be interested in the following list, copied from signage in their existing store. There are 10 aisles dedicated specifically to food in the "My Market" section of the store.

Aisle 1: Bread, Cereal, Granola Bars, Peanut Butter and Jam, Pancake Mix

Aisle 2: Cookies and Crackers, Juice and Drinks

Aisle 3: Frozen Meat and Fish, Ice Cream, Frozen Pizza, Frozen Dinners, Frozen Vegetables

Aisle 4: Milk, Cheese, Dairy Products, Yogurt
(Note: this included fresh eggs, butter and margarine and orange juice)

Aisle 5: Soft Drinks, Potato Chips, Water, Popcorn, Salty Snacks

Aisle 6: Coffee and Tea, Soup, Canned Meat, Salad Dressing, Condiments

Aisle 7: Rice and Beans, Pasta and Sauce, Canned Vegetables, Side Dishes, Ethnic Foods

Aisle 8: Baking Supplies, Sugar and Spices, Foil and Wrap, Paper Plates and Cups
(Note: this included flour and dried fruit)

Aisle 9: Bathroom Tissue, Facial Tissue, Paper Towels, Serviettes, Garbage Bags

Aisle 10: Laundry Detergent, Fabric Softener, Brooms and Mops, Sponges and Brushes

Elsewhere in the store they had pet food, diapers, dish detergent, candy and nuts and the pharmacy items which are now also available in most conventional grocery stores. In fact, other than fresh fruit and vegetables, they seemed to have everything one would purchase in any grocery store in Guelph.

The game being played seems to be one of semantics. The Concise Oxford Dictionary defines "grocer" as "a dealer in food and household provisions". The north end already has a grocery store, in the form of the existing Wal-Mart.

It is evident that north end residents, if they wish, can purchase 90% of the items on their grocery list from the existing Wal-Mart. If Wal-Mart wants to offer fresh fruit and vegetables, they can do so in their existing space, much the same way that MarketFresh in the downtown offers a full range of foodstuffs in less than 5,000 square feet.

Sincerely,
Susan Watson

Barbara and John Buttars
35 Dean Ave.
Guelph, ON N1G 1K6
519-822-8891
bjbuttars@sympatico.ca
bjbuttars@hotmail.com

RECEIVED
JUN 20 2008
CITY CLERK'S OFFICE

June 18, 2008

Lois Giles, City Clerk,
The City of Guelph,
59 Carden St.,
Guelph, ON
N1H 3A1

Dear Ms. Giles:

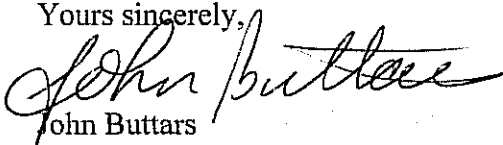
RE: 0 Woodlawn Road West, Proposed Zoning Bylaw Amendment

Previously I have written regarding my concerns for Woodlawn Cemetery. I regard this city property as one of Guelph's jewels. It is the only cemetery in Canada through which the Trans Canada Trails runs. It is filled with a spectacular array of trees. It holds not only the remains of many of Guelph's citizens but is a tangible sign of the history of this community and area.

I realize that a cemetery can sit beside any number of other land uses – roads, housing, retail space, industrial complexes but how the boundaries are designed makes a huge difference. I believe that the developer of 0 Woodlawn Road West should, of their free will preferably, help in mitigation efforts for the cemetery fronting on Woodlawn Road. The increase in traffic on Woodlawn and Woolwich is inevitable with any additional commercial space. Mitigation efforts like a living wall of trees would be one recommendation for the cemetery boundary that fronts Woodlawn Road. Landscape architects might have better options.

I trust that the City Council will do all in its power to preserve the jewel that is in this sole public cemetery of the community.

Yours sincerely,


John Buttars

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE July 7, 2008

**SUBJECT 0 WOODLAWN ROAD WEST - PROPOSED ZONING BYLAW
AMENDMENT (ZC0701) – WARD 3**

REPORT NUMBER 08-55

RECOMMENDATION

"That the application by 6&7 Developments Limited for a Zoning By-law Amendment from the UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new specialized CC-18 (Community Shopping Centre) Zone (ZC0701) affecting property municipally known as 0 Woodlawn Road West and legally described as Part of Lots 4, 5, 6 and 7, Registered Plan 169, designated as Part 2, 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph, BE APPROVED in accordance with the recommendation set out in **Schedule 2** of the Community Design and Development Services Report 08-55 dated July 7, 2008."

SUMMARY

This report provides a recommendation on a Zoning Bylaw Amendment application from 6&7 Developments Limited applying to property at 0 Woodlawn Road West at Woolwich Street North (See **Schedule 1**).

BACKGROUND

The application was deemed by the City to be a complete application on January 4, 2007. A Notice of Application requesting comments on the application was sent to the public and agencies on March 22, 2007 and a Notice of Public Meeting inviting public and agency comments was sent May 15, 2007.

The statutory Public Meeting of Guelph City Council was held on June 5, 2007. Report 07-53 from Community Design and Development Services dated June 5, 2007 provided background information related to the proposed zoning by-law amendment.

Location

The subject property is located at the northwest corner of the intersection of Woodlawn Road and Woolwich Street and is occupied by the recently constructed Wal-Mart department store (See **Schedule 1**). Surrounding land uses include commercial properties to the east and west, Woodlawn Memorial

Park Cemetery to the south across Woodlawn Road and the Guelph Curling Club lands and the Ignatius Jesuit Centre to the north. Several smaller service commercial properties with frontage on Woodlawn Road also abut the site to the south. The subject site has a total site area of 12.54 hectares with frontages on both Woodlawn Road West and Woolwich Street North.

Existing Official Plan

The property is designated 'Mixed Use Node' in the Official Plan (See **Schedule 3**). Mixed Use Nodes are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole. This land use designation is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development and apartments are also permitted.

Section 7.4 (Commercial and Mixed Use) of the Official Plan applies to this application. This section includes urban design policies for commercial centres and mixed use areas (See **Schedule 3**).

This proposed rezoning application as recommended by Staff does not require an amendment to the Official Plan.

Existing Zoning

The subject property is currently zoned UR (Urban Reserve), SC.2-3 (Service Commercial) and CC-18 (Community Shopping Centre). See **Schedule 4** for the permitted uses in each of these zones. The existing zoning, approved by the Ontario Municipal Board (OMB) in 2004, restricts development to a maximum of 14,400m² GFA. This maximum gross floor area cap is comprised of the existing junior department store which is approximately 12,470m² GFA in size and Buildings B and C that are identified on the site concept plan in **Schedule 6**. While the zoning for these two smaller buildings is approved no site plan approval has been given. The combined total GFA of these two buildings will be 1,858m².

REPORT

Description of Proposed Zoning Amendment

The owner proposes that the uses permitted in the existing CC-18 Zone applying to the east part of the site be extended to include the entire subject property (See **Schedule 5**). The proposal will amend the zoning from the existing UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new specialized CC-18 (Community Shopping Centre) Zone.

The proposed zoning will increase the maximum gross floor area (GFA) for the site from 14,400m² to 32,600m² to allow 18,200m² GFA of additional floor space. The 18,200m² GFA of additional floor space is comprised of a 6,000m²

addition to the junior department store in the form of a grocery sales component and 12,200m² for smaller retail and service commercial buildings dispersed across the balance of the site (**Schedule 6**).

The application also requests a reduction in the required parking space ratio for the development from 1 space per 20m² GFA to 4.5 spaces per 100m² GFA which is the equivalent of 1 parking space per 23m² GFA.

Preliminary Site Concept Plan and Building Elevations

Two site plan submissions are being processed by the Site Plan Review Committee. The owner's first submission proposing an addition to the existing Walmart building cannot be approved until the rezoning application is approved. The second site plan application for other commercial buildings on the site which are in the existing CC-18 Zone and do not require a rezoning, is currently being processed by the City. The Preliminary Site Concept Plan and sample Building Elevations of the balance of the proposed development are attached in **Schedule 6**.

Supporting Documents

1. 6&7 Commercial Development Functional Servicing Report, West Expansion Area. Prepared by Pitura Husson Limited. Dated September 2006.
2. Environmental Noise Assessment Woodlawn Road and Woolwich Street, Proposed Expansion to Retail Centre. Prepared by Valcoustics Canada Ltd. Dated December 21, 2006.
3. Woodlawn Road/Woolwich Street Development Traffic Study. Prepared by iTRANS Consulting Inc. Dated December 2006.
4. 6&7 Developments Ltd. Planning and Urban Design Analysis. Prepared by Bousfields Inc. Dated December 21, 2006.

Community Energy Plan (CEP)

Also forming part of the application, the owner has submitted a letter explaining how the proposal supports the objectives of the Guelph Community Energy Plan (CEP). The owner is committed to developing any new buildings on the site to be 25% more energy efficient than similar buildings would be under the standards mandated by the 2006 Ontario Building Code (See **Schedule 7**). **Schedule 7** also contains information from Walmart Canada regarding sustainability and their commitment to the environment.

Staff Review and Planning Analysis

Schedule 8 of this report contains a detailed discussion of the issues and concerns expressed during the processing of the application and include a Staff comment on each issue.

Circulation Comments

The comments received from agencies and City services during the circulation of this application are summarized in **Schedule 9**. All respondents support the application.

The letters from the public received during the circulation of this application are attached in **Schedule 10**. The issues and concerns have been addressed in **Schedule 8** titled 'Staff Review and Planning Analysis'.

Staff Recommendation

Community Design and Development Services support this application subject to the recommendation outlined in **Schedule 2**. The application will introduce a range of uses to the entire site to conform to the mixed use designation and Staff has added additional uses including freestanding residential and institutional uses to support the principle of a 'mixture of land uses'. The application as recommended is consistent with the planned Woodlawn/Woolwich Mixed Use Node land use designation.

The urban design and functioning of this site is extremely important. The application conforms with the policies of the Official Plan and meets the intent of the Plan specifically with respect to Section 7.4.9 "Mixed Use Nodes" and 7.4.39 to 7.4.47 "Urban Design Policies for Commercial and Mixed Use Areas" (See **Schedule 3**)

The rezoning will allow a range of commercial uses and services to serve the surrounding neighbourhoods and the entire community. The approximate Growth Plan density calculation represents 70 jobs per hectare with the potential for future residential dwellings (See **Schedule 11**).

The rezoning, subject to the recommendation highlighted in **Schedule 2**, conforms to the goals and objectives of the Official Plan, is in the public interest and represents good planning.

CORPORATE STRATEGIC PLAN

- Supports Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.
- Supports Economic Opportunity Goal #3: A diverse and prosperous local economy.

FINANCIAL IMPLICATIONS

The financial implications are based on the change from the existing maximum 14,400m² GFA to the proposed maximum 32,600 m² GFA:

Projected Taxation

- Present taxes: City's portion - \$278,000 - current assessment \$13,798,000.
- Future taxes: City's Portion - \$500,000 to \$1 million (based on assessment of low 25 million to high at 50 million dollars).

(This is just an estimate because the increased assessment will be based on income approach depending on the types of tenants that will be occupying the floor space.)

Development Charges

- DCs paid to date: \$871,086.36 in 2006.
- Future DCs: approximately \$1,461,278 (Building expansion would be charged at \$80.29/m² GFA)

DEPARTMENTAL CONSULTATION

See **Schedule 9**.

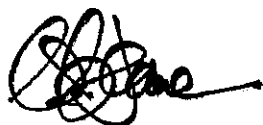
COMMUNICATIONS

The Notice of Application was circulated on March 22, 2007 and the Notice of Public Meeting was circulated on May 15, 2007. The statutory Public Meeting was held on June 5, 2007.

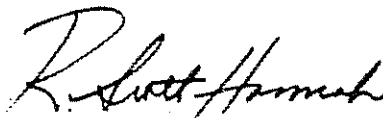
The Notice of the City Council Decision Meeting of July 7, 2008 was mailed on June 16, 2008 to all persons who either provided written comments on this application or attended and registered at the Public Meeting held by Guelph City Council on June 5, 2007.

ATTACHMENTS

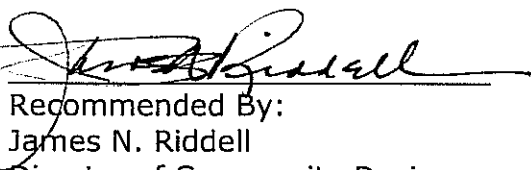
- Schedule 1 – Location Map
- Schedule 2 – Recommended Zoning - Uses, Regulations & Conditions
- Schedule 3 – Existing Official Plan
- Schedule 4 – Existing Zoning
- Schedule 5 – Proposed Zoning
- Schedule 6 – Preliminary Site Concept Plan & Building Elevations
- Schedule 7 – Energy Efficiency Letter of Confirmation
- Schedule 8 – Staff Review and Planning Analysis
- Schedule 9 – Agency Circulation Comments
- Schedule 10 - Public Correspondence
- Schedule 11 - Incremental Redevelopment Scenario



Prepared By:
Allan C. Hearne
Senior Development Planner
519 837-5616, ext. 2362
al.hearne@guelph.ca



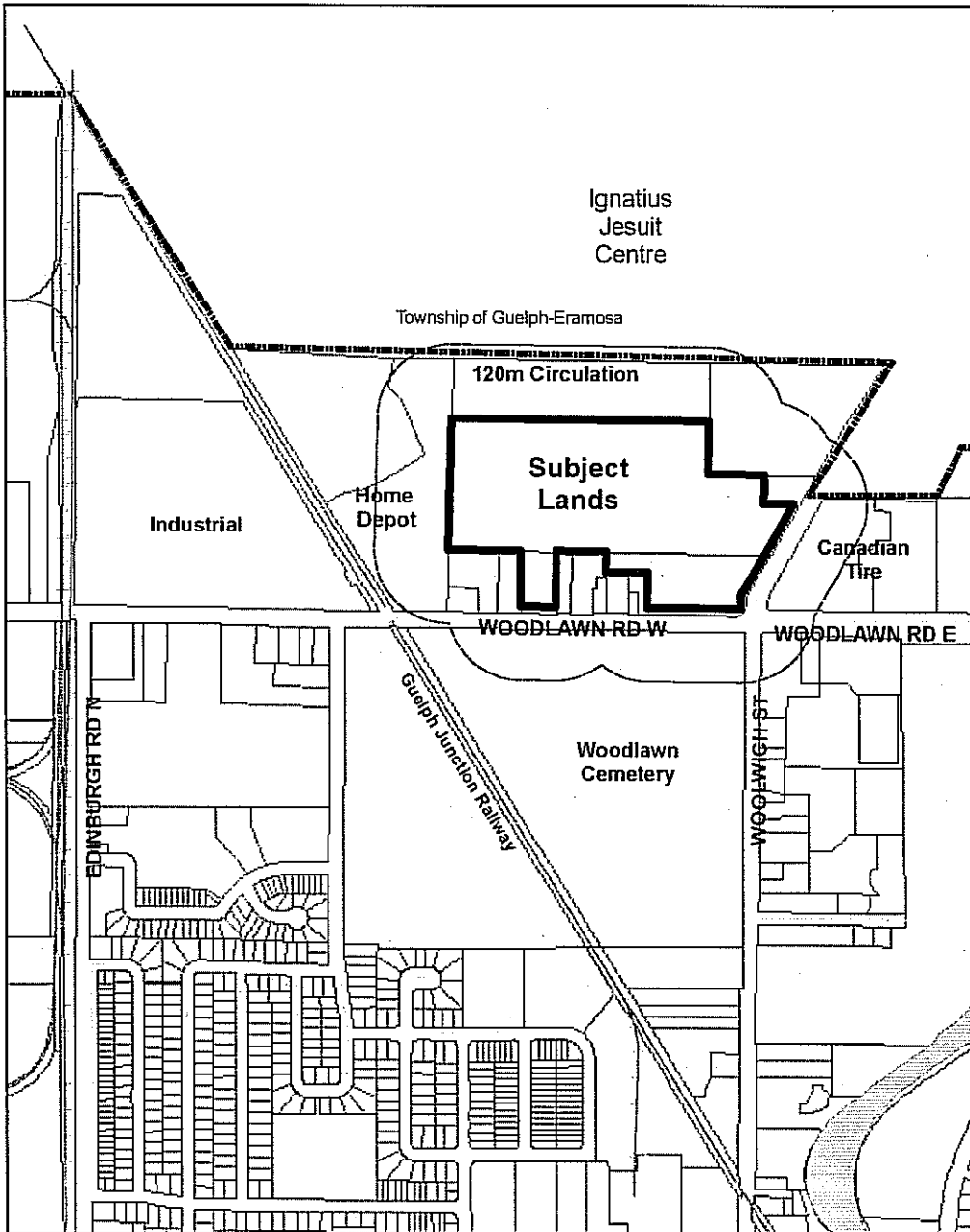
Recommended By:
R. Scott Hannah
Manager of Development and Parks
Planning
519 837-5616, ext. 2359
scott.hannah@guelph.ca



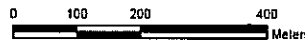
Recommended By:
James N. Riddell
Director of Community Design
and Development Services
519 837- 5616, ext. 2361
jim.riddell@guelph.ca

N:\data\word\documents\Walmart 2\Draft Decision Report. March 31.08 Council.doc

SCHEDULE 1 LOCATION MAP



This is an official development map, and any change to the map must be approved by the Council of the City of Guelph. This map is for informational purposes only and does not constitute a guarantee, warranty, or endorsement of any product or service. The City of Guelph is not responsible for any errors or omissions on this map. For more information, please contact the City of Guelph at 519-825-3100.



SCHEDULE 2

RECOMMENDED ZONING - USES, REGULATIONS & CONDITIONS

The property affected by this zoning bylaw amendment from the UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new Specialized CC-18 (Community Shopping Centre) Zone applies to land municipally known as 0 Woodlawn Road West and legally described as Part of Lots 4, 5, 6 and 7, Registered Plan 169, designated as Part 2, 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph, as owned by 6&7 Developments Limited.

The following zoning is proposed by amending the existing CC-18 Zone as follows:
(Note: ~~strikethrough~~ means 'deleted' and **bolded** means 'added').

A New Specialized CC-18 (Community Shopping Centre) Zone applying to the entire 12.54 hectare subject property in accordance with the following permitted uses, regulations and conditions:

Permitted Uses

- a freestanding (Junior) Department Store
 - Accessory Uses in accordance with Section 4.23
 - Occasional Uses in accordance with Section 4.21
 - Freestanding Multiple Residential Dwellings in accordance with the R.3A (Townhouse) Zone and the R.4A (Apartment) Zone permitted uses and regulations.**
 - Institutional Uses in accordance with Section 8.1.1 of the By-law.**
 - Other permitted Uses in accordance with Section 6.2.1.2 of this Bylaw
- ~~shall be allowed up to a total Maximum Gross Floor Area of 1,858 square metres~~
- Excluding the following Uses:
- Carwash, Automatic
 - Carwash, Manual
 - Dry Cleaning Outlet
 - Laundry
 - Vehicle Gas Bar

The following definitions shall apply in the CC-18 Zone:

~~-(Junior) Department Store shall mean a Retail Establishment engaged primarily in the sale to the public of a wide variety of commodities organized into a number of departments within the Building such as, but not limited to, apparel, jewellery, cosmetics, toiletries, health products, food, home furnishings, housewares, electronics, sporting goods, toys, photographic equipment, hardware and home improvement materials, automotive accessories or other household goods, and may also include an ancillary outdoor Garden Centre and services such as, but not limited to, Financial Establishment, Restaurant, Take-out Restaurant, Vehicle Service Station, Vehicle Specialty Repair Shop, Personal Service Establishment, Pharmacy, Optical Dispensary and Photofinishing Place. (Junior Department~~

Stores are differentiated from full line department stores, in that they typically sell general merchandise items at prices lower than that of the Full Line Department Stores, and are popularly described as a discount operation.

Regulations

In accordance with the regulations of the CC Zone as specified in Sections 4 and 6.2.2 (Community Commercial Zone regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

6.2.3.2.18.2.1 Maximum Gross Floor Area – ~~14,400m²~~. **32,600m²**

6.2.3.2.18.2.2 Maximum Gross Floor Area for a Freestanding (Junior) Department Store **which includes a food/grocery component** – ~~12,542m²~~ - **18,470m²** exclusive of the area associated with any outdoor Garden Centre ancillary thereto.

6.2.3.2.18.2.3 (a) Maximum Gross Floor Area for all **Buildings and** Establishments other than a (Junior) Department Store **which includes a food/grocery component** – ~~1,858m²~~ **14,100 m² GFA.**

6.2.3.2.18.2.3 (b) Maximum Gross Floor Area for all Retail Commercial Buildings and Establishments other than a (Junior) Department Store which includes a food/grocery component – ~~1,858m²~~ **10,990m² GFA.**

6.2.3.2.18.2.4 Maximum Lot Area – ~~90,000m²~~ **12.54 hectares**

~~6.2.3.2.18.2.5 This section was unintentionally omitted~~

6.2.3.2.18.2.6 Minimum Off-Street Parking
The minimum Off-Street Parking required shall be ~~1.0 Parking Spaces per 20m²~~ **1 space per 23m² of Gross Floor Area**

~~6.2.3.2.18.2.7 Buffer Strips
A Buffer Strip shall not be required abutting an Urban Reserve (UR) Zone.~~

6.2.3.2.18.2.8 Severability Provision
The provisions of this By-law shall continue to apply collectively to the whole of the lands identified on Schedule "A" as CC-18, despite any future severance, partition or division for any purpose.

-Maximum Size of Office or Medical Office - 465m² GFA (5,000 square feet).

-Maximum Front and Exterior Side Yard (Build-to-Line)

- 1. Buildings adjacent to Woodlawn Road shall be located a minimum of 3 metres and a maximum of 5.3 metres from Woodlawn Road.**
- 2. Buildings adjacent to Woolwich Street shall be located a minimum of 3 metres and a maximum of 6 metres from Woolwich Street.**

-Uses Prohibited in Specific Locations:

Drive-through Uses shall be prohibited from locating within 100 metres of the road corner intersection of Woodlawn Road and Woolwich Street in the CC-18 Zone.

A drive-through use in the CC-18 Zone shall be:

- 1. Not located between any Building and a public Street.**
- 2. Significantly screened from public view from all public Streets.**
- 3. Safely separated from pedestrian spaces and corridors.**
- 4. Designed in a manner that is compatible with surrounding Uses and activities.**
- 5. Provides a minimum of five (5) vehicular stacking spaces with a maximum of three (3) stacking spaces parallel to the Street Line.**

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

-Minimum Building Height Requirement in Specific Locations

All buildings located within 100 metres of the corner intersection of Woodlawn Road and Woolwich Street shall have a minimum building height of two (2) storeys and in no case less than 8.5 metres.

-Maximum Individual Building GFA Size

A maximum of one (1) individual freestanding building exceeding 5,575m² GFA (60,000 SF) is permitted in this zone.

Conditions

Most conditions relating to the existing development and servicing of the subject lands is covered by conditions in the Site Plan Control Agreement dated March 3, 2006 which applies to the existing CC-18 zoned lands. Through this approval, it is intended that the existing Site Plan Agreement be amended and registered against the title of the total subject property covering the new CC-18 Zone. Existing conditions in the Agreement will therefore apply to the entire site and will address standard conditions regarding payment of costs, servicing, traffic, and environmental conditions.

The following additional conditions shall apply:

- 1. The owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed **site plan**, indicating the location of buildings, landscaping, parking, circulation, access, lighting, building elevations, grading, drainage, and servicing for the said lands, to the satisfaction of the Director of Community Design and Development Services, prior to the issuance of the building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.**
- 2. The owner shall pay to the City, as determined applicable by the City's Director of Finance, **development charges and education development charges**, in accordance with City of Guelph Development Charges By-law, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof,**

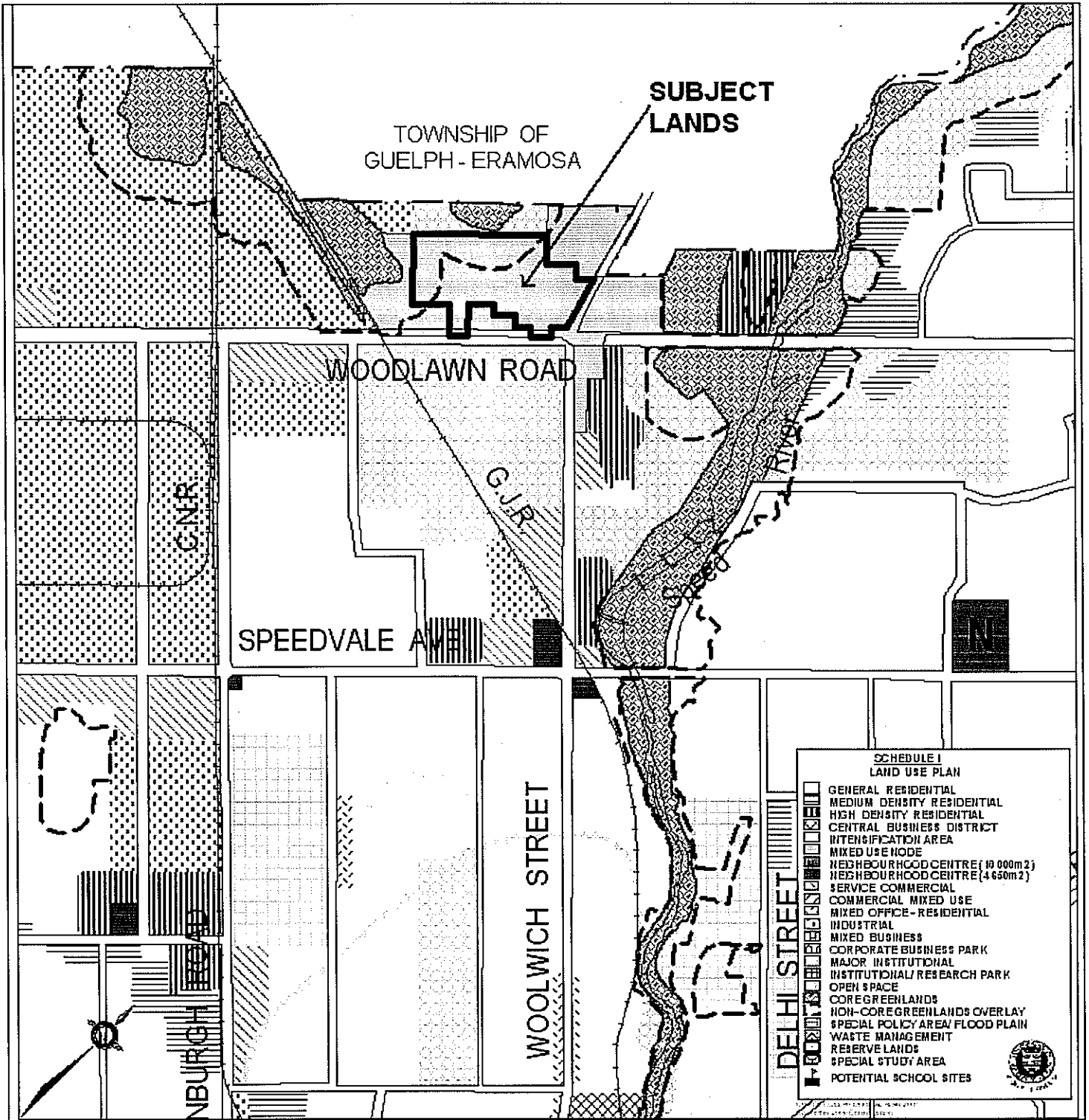
prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.

3. The owner shall commit to and agree that the details of the site layout and design for the development of the subject lands shall be **generally in accordance with the site concept plan** attached as Schedule 6 to the Community Design and Development Services Report 08-55 dated July 7, 2008, to the satisfaction of the Director of Community Design and Development Services.
4. The owner shall provide the City with evidence that the proposed new development will meet the target of being 25% more energy efficient as outlined in the letter by Enermodal Engineering Limited dated April 4, 2008 (Schedule 7) to support the **Community Energy Plan**, to the satisfaction of the Director of Community Design and Development Services, prior to the issuance of a building permit.
5. That prior to site plan approval, the owner shall have a Professional Engineer design a **grading plan and storm water management system** for the site, satisfactory to the City Engineer.
6. That the owner grades, develops and maintains the site including the storm **water management facilities** designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
7. That the owner constructs, installs and maintains **erosion and sediment control facilities**, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer prior to the site plan approval.
8. The owner shall pay the actual cost of constructing and installing any **service laterals**, as determined by the City Engineer, prior to site plan approval.
9. The owner shall pay to the City the actual cost of **designing and constructing road modifications** to the northbound left-turn lane and related works at the Woodlawn Road/Woolwich Street intersection, as determined by the City Engineer.
10. The owner shall pay its proportionate share of the improvements along the south side of Woodlawn Road to address the concerns expressed by **Woodlawn Memorial Park Cemetery** regarding grading, drainage, tree replacement and noise mitigation, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
11. The owner shall set aside and commit an adequate area on the subject site to accommodate a **municipal transit-staging area** for a minimum of six (6)

conventionally-sized City transit buses, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.

12. The owner shall perform best efforts in obtaining a formal **mutual right-of-way driveway and sidewalk connection for vehicles and pedestrians** between the subject property and the adjacent Home Depot lands, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval of Building 'H' illustrated on the latest site plan (Schedule 6).
13. Prior to the issuance of site plan approval, the owner shall enter into an **Agreement or Amending Agreement** with the City, registered on the title to the entire subject property, satisfactory to the City Solicitor, covering the additional conditions noted above."

SCHEDULE 3 EXISTING OFFICIAL PLAN



SCHEDULE 3 EXISTING OFFICIAL PLAN

STAGING OF DEVELOPMENT

4.2.2 *Development and redevelopment*, in accordance with the land use plan, Schedule 1, will be staged relative to a program for the orderly extension, repair and upgrading of municipal trunk storm and sanitary sewers and watermains. For this purpose, the City is divided into a number of staging areas. The approximate limits of the staging areas are indicated on Schedule 4 of this Plan.

a) STAGE 1

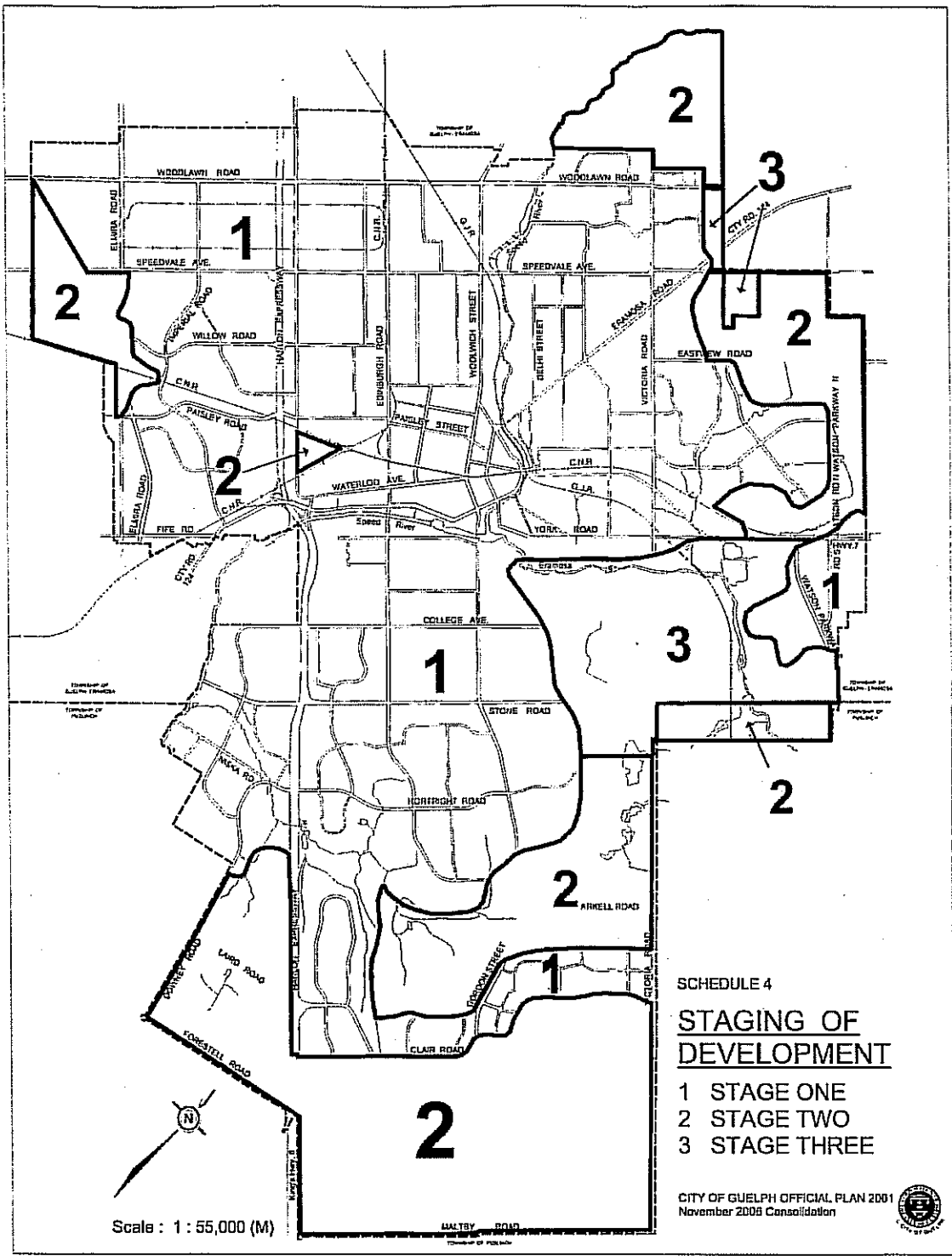
Stage 1 includes those areas in which municipal trunk storm and sanitary sewers and watermains are presently available. *Development* or proposals within Stage 1 areas will be reviewed by the City with regard to their impact on existing municipal services. The City shall restrict or prohibit *development* where municipal services are not of sufficient capacity or are otherwise inadequate to service the proposed use of the lands. The implementing *Zoning By-law* and the amendment process associated with it may be used as a mechanism to control pre-mature development of uses, which do not have adequate municipal services.

b) STAGE 2

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

c) STAGE 3

Development within a Stage 3 servicing area of the City may be considered subject to the adoption of a secondary plan in accordance with the provisions of subsection 9.5 of this Plan. In those areas where a secondary plan has been approved, *development* applications will be considered as services become available to the various parcels and the City is prepared to provide the required trunk services. The implementing *Zoning By-law*, and its associated amendment process, may be used as a regulatory mechanism to prevent the pre-mature zoning of lands for activities that do not have adequate municipal services. Generally, the implementing *Zoning By-law* to this Plan will recognize existing legal uses only.



POLICY DESCRIPTION OF MIXED USE NODE LAND USE DESIGNATION

7.4.5 The 'Mixed Use Nodes' identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within a "node". These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.

7.4.6 The intent of the 'Mixed Use Node' designation is to create a well defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.

7.4.7 It is intended that where there are adjacent properties within the node that the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Mixed Use Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.

7.4.8 The boundaries of the 'Mixed Use Node' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of Section 9.2, proposals to expand a 'Mixed Use Node' beyond these boundaries or to establish a new node shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.

7.4.9 The 'Mixed Use Node' is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and livework studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2. Only small scale professional and medically related offices shall be permitted in this designation in order to direct major offices to the CBD, Intensification Area, Corporate Business Park and Institutional designations.

7.4.10 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of *gross leasable floor area*, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total *gross leasable floor area* within the overall development.

7.4.11 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of *Zoning By-laws* and *site plans* used to regulate *development* within the 'Mixed Use Node' designation to ensure such consistency.

7.4.12 The 'Mixed Use Nodes' incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. In order to promote a mixture of land uses within each 'Mixed Use Node' designation it is the intent of this Plan that new *retail development* will be limited to the following floor area cumulatively of all buildings within the node:

- Woodlawn / Woolwich Street Node: 42,000 sq. m.
- Paisley / Imperial Node: 42,000 sq. m.
- Watson Parkway / Starwood Node 28,000 sq. m.
- Gordon / Clair Node 48,500 sq. m.

7.4.13 No individual 'Mixed Use Node' shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of *gross leasable floor area*.

7.4.14 In accordance with Section 9.2, any proposal to exceed the retail floor area limitations within a 'Mixed Use Node' established in policy 7.4.12 or the number of large retail uses in policy 7.4.13 shall require impact studies as outlined in policies 7.4.48 to 7.4.52."

URBAN DESIGN POLICIES FOR MIXED USE NODES

"7.4.39 In addition to the policies of section 3.6, and any Council approved urban design guidelines, the following urban design policies will be applied to the design and review of commercial and mixed use *development* proposals to create distinctive, functional and high quality commercial and mixed use areas:

7.4.40 Intersections:

7.4.40.1 Where a commercial or mixed use area is located at the intersection of major streets the development or redevelopment of each corner property will incorporate gateway features, prominent landscaping and pedestrian amenities with linkages into the site at the intersection.

7.4.40.2 Emphasize intersections of major streets by placing buildings in close proximity to the intersection and ensuring that building entrances are visually accessible from that intersection.

7.4.40.3 Use corner building placement, massing and roof treatment in combination with landscaping to screen large buildings and parking areas located within the interior of the site from view at the intersection.

7.4.40.4 Corner buildings will be designed as 'signature buildings' to take into account exposure to multiple street frontages and high public visibility by incorporating elements such as

increased height, roof features, building articulation, windows and high quality finishes.

7.4.40.5 Where a use incorporates functions such as open storage, vehicle repair operations, gas bars, garden centres and drive-throughs, these functions shall not be permitted between the building and the street line or the building and an intersection of streets.

7.4.40.6 Surface parking and loading areas shall not be permitted immediately adjacent the four corners of an intersection.

7.4.41 Street Edges:

7.4.41.1 Generously sized landscape strips incorporating combinations of landscaping, berming, and decorative fencing or walls shall be provided adjacent the street edge to provide aesthetically pleasing views into the site and to screen surface parking areas.

7.4.41.2 Locate free-standing buildings close to the street edge and avoid, where possible, surface parking between a building and the street.

7.4.41.3 Avoid locating outdoor storage areas along or adjacent to street edges.

7.4.41.4 Buildings adjacent the street edge will be designed to take into account high public visibility by incorporating elements such as increased height, roof features, building articulation, windows and high quality finishes.

7.4.41.5 Buildings will be designed to screen roof-top mechanical equipment from visibility from the public realm.

7.4.41.6 Avoid locating outdoor storage areas, outdoor display areas or garden centres adjacent to street edges.

7.4.42 Driveways, Internal Roads and Parking Areas:

7.4.42.1 Main driveway entrances will be defined by landscaping on either side of the driveway and / or by landscaped medians.

7.4.42.2 Internal roads will be physically defined by raised landscaped planters where they intersect with parking area driveways.

Internal roads will be used to divide large sites into a grid of blocks and roadways to facilitate safe vehicular movement.

Internal roads will be designed to interconnect with adjacent commercial lands to create an overall cohesive and integrated node.

7.4.42.3 Divide large parking areas into smaller and defined sections through the use of landscaping and pedestrian walkways.

7.4.42.4 Provide bicycle parking in close proximity and convenient to building entrances.

7.4.43 Pedestrian Movement and Comfort:

7.4.43.1 Incorporate decoratively-paved, conveniently located and distinct pedestrian walkways which link to public boulevards, transit stops, trail systems, pedestrian systems in adjacent

developments and which provide a continuous walkway along the frontage and between internal commercial uses.

7.4.43.2 Pedestrian systems shall incorporate landscaping and pedestrian scale lighting and shall be defined by distinct materials and / or grade separation from vehicular movement systems.

7.4.43.3 Pedestrian systems and buildings shall be designed to provide barrier-free accessibility and pedestrian movement systems shall be sufficiently wide enough to be functional and provide comfortable pedestrian movement.

7.4.43.4 Well defined pedestrian systems clearly distinctive from vehicular driveways shall be provided immediately adjacent to the main entrances of commercial buildings.

7.4.43.5 Where possible, main building entrances should incorporate weather protection measures such as canopies, awnings, building projections or colonnades.

7.4.43.6 Large developments will incorporate elements designed for people to rest such as parkettes, gazebos, pergolas, decorative walls that are separate and distinct from vehicular systems and parking areas.

7.4.43.7 Large developments within the nodes identified in the City's 2005 Transportation Study will incorporate a transit transfer terminal facility to the satisfaction of the City. Well defined pedestrian systems shall be provided linking these facilities to pedestrian movement systems internal and external to the site.

7.4.44 Large Buildings:

7.4.44.1 Where building facades are visible from a public street and are greater than 30 metres in length the building facades will incorporate recesses, projections, windows or awnings, colonnades and landscaping along at least 20% of the length of the façade to reduce the mass of such facades.

7.4.44.2 Large buildings will incorporate architectural elements which will reduce the visual effects of flat roof lines and which will conceal roof-top equipment.

7.4.44.3 Large buildings will be designed to enhance the visual built form and character of Guelph by incorporating architectural styles and elements and exterior building materials into building facades that reinforce the heritage character of the City of Guelph.

7.4.44.4 Where outdoor display areas are associated with a large building the use of landscape elements such as plantings, decorative fencing, pergolas and / or architectural elements such as façade extensions, and canopies shall be incorporated for effective integration with the overall development.

7.4.45 Adjacent Development:

7.4.45.1 Where commercial or mixed use development is located in proximity to residential and institutional uses the following urban

design strategies will be employed to ensure compatibility:

7.4.45.1.1 Building massing strategies to reduce the visual effects of flat roof lines and blank facades or building height.

7.4.45.1.2 Where possible, the location of noise-generating activities away from sensitive areas.

7.4.45.1.3 Incorporating screening and noise attenuation for rooftop mechanical equipment and other noise generating activities situated in proximity to sensitive uses.

7.4.45.1.4 Providing perimeter landscape buffering incorporating a generously planted landscape strip, berming and / or fencing to delineate property boundaries and to screen the commercial use from the adjacent use.

7.4.45.1.5 Design exterior lighting and signage to prevent light spillage into the adjacent property.

7.4.45.1.6 Avoid the location of drive-through lanes adjacent a use that would be negatively affected by noise, light and activity levels associated with these facilities.

7.4.46 Environmental Design:

7.4.46.1 The design and orientation of the site and building development will support energy efficiency and water conservation through the use of alternative or renewable energy, storm water infiltration systems, 'green' building designs, landscaping and vegetative materials and similar measures. Stormwater management measures shall address both quantity and quality issues in accordance with recognized Best Management Practices.

7.4.46.2 Where possible buildings will be oriented to maintain vistas of natural features on lands adjacent to the site.

7.4.47 Implementation:

7.4.47.1 To ensure that the aesthetic character of site and building design in commercial and mixed use areas is consistent with the City's urban design objectives and policies, measures shall be incorporated into the Zoning By-law and the approval of site plans used to regulate development."

SCHEDULE 4 EXISTING ZONING

Permitted Uses

UR (URBAN RESERVE) ZONE

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

SC.2-3 (SERVICE COMMERCIAL)

Amusement Arcade
Artisan Studio
Commercial Entertainment
Convenience Store
Dry Cleaning Outlet
Financial Establishment
Hotel
Laundry
Medical Clinic
Medical Office
Office
Print Shop
Recreation Centre
Restaurant
Restaurant (take-out)
Vehicle Parts Establishment
Vehicle Sales Establishment
Veterinary Service
Accessory Uses in accordance with Section 4.23
Occasional Uses in accordance with Section 4.21

CC-18 (SPECIALIZED COMMUNITY SHOPPING CENTRE) ZONE

(Junior) Department Store
Art Gallery
Artisan Studio
Club
Day Care Centre
Financial Establishment
Group Home
Library

Medical Clinic
Medical Office
Office
Personal Service Establishment
Religious Establishment
Restaurant
Restaurant (take-out)
Retail Establishment
Veterinary Service
Amusement Arcade
Commercial Entertainment
Commercial School
Funeral Home
Garden Centre
Public Hall
Recreation Centre
Rental Outlet
Tavern
Taxi Establishment
Dwelling Units with permitted commercial Uses in the same Building in accordance with Section 4.15.2***

The CC-18 Zone excludes the following uses:

Carwash (Automatic and Manual)
Dry Cleaning Outlet
Laundry
Vehicle Gas Bar

***Section 4.15.2 of the Zoning Bylaw mentioned above, which outlines regulations for dwelling units in commercial buildings is as follows:

"4.15.2 *Dwelling Units with Commercial Uses*

No Dwelling Unit contained within a commercial *Use Building* or *Structure* shall be erected, altered, extended, or enlarged except in accordance with the following:

4.15.2.1 Every *Dwelling Unit* shall have a separate private entrance, which shall not be an open exterior stairway, but shall be a side or rear exterior entrance or an interior common vestibule.

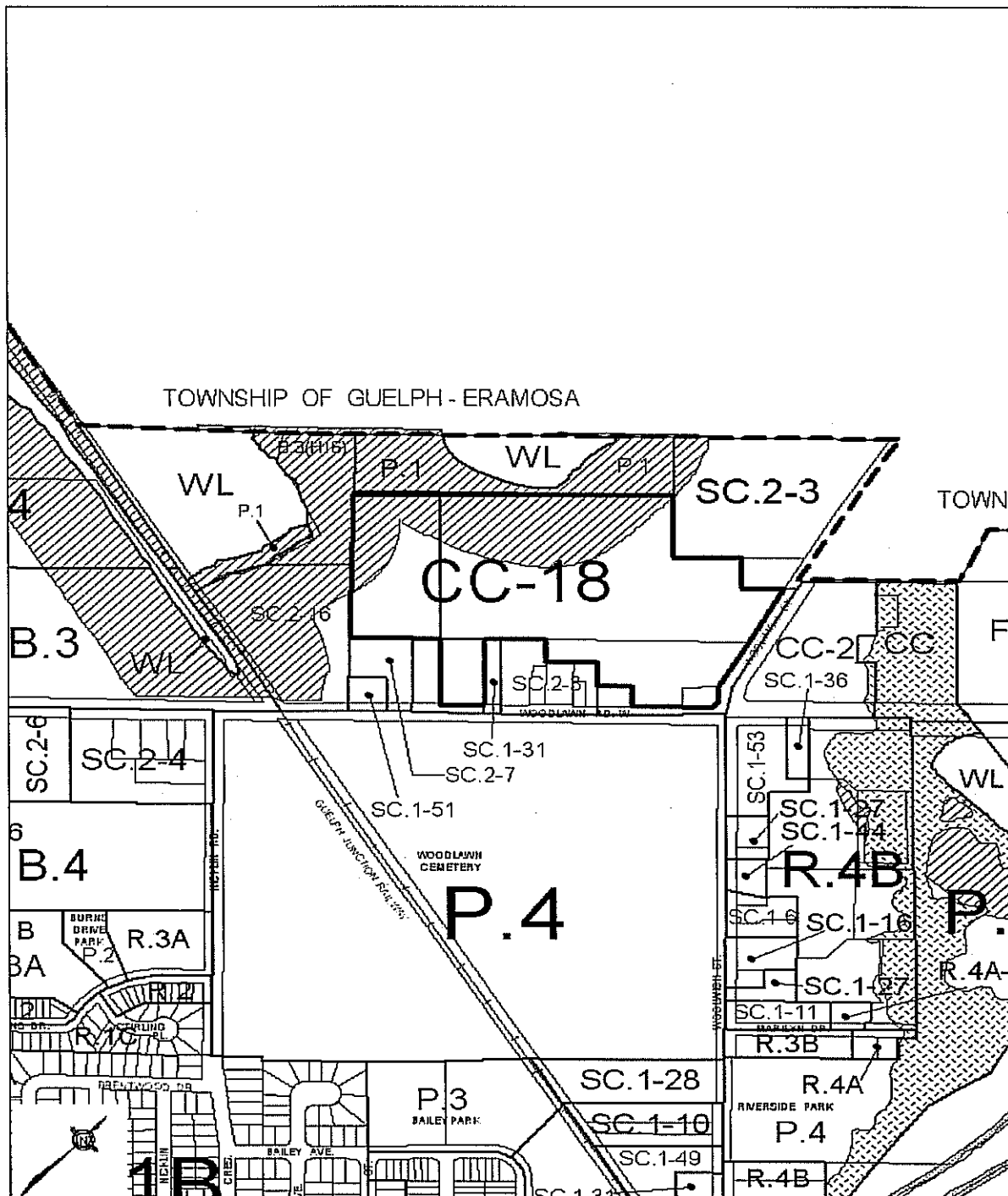
4-21

17187 4.15.2.2 Every *Dwelling Unit* shall comply with all Ontario Building Code, as amended from time to time or any successor thereof, requirements for new *Buildings* including minimum floor area, ceiling height, heating, plumbing, insulation, windows, fire separations, exits, foundation drainage and damp roofing.

4.15.2.3 Every *Dwelling Unit* shall function completely separate from any commercial *Use*.

4.15.2.4 A minimum of 1 off-*Street Parking Space* shall be provided per *Dwelling Unit* in accordance with Section 4.13, exclusive of any required commercial parking."

SCHEDULE 5 PROPOSED ZONING



SCHEDULE 5 PROPOSED ZONING

The following Proposed Zoning Bylaw was submitted in support of the application by the owner:

1. By-law (1995)-14864, as amended, is hereby further amended by transferring a 12.54 hectare (31.0 acre) property located north of Woodlawn Road West and west of Woolwich Street from the Special Community Shopping Centre (CC-18) Zone, the Special Service Commercial (SC.2-3) Zone and the Urban Reserve (UR) Zone to the Special Community Shopping Centre (CC-18) Zone in order to permit a retail commercial development.
2. Section 6 of By-law (1995)-14864, as amended, is hereby further amended by deleting section 6.2.3.2.18 and replacing it with the following:

“6.2.3.2.18 CC-18 Lands located north of Woodlawn Road West and west of Woolwich Street
As shown on Defined Area Map Number 22 of Schedule “A” of this By-law.

6.2.3.2.18.1 **Permitted Uses**

Permitted *Uses* in accordance with Section 6.2.1.2 of this By-law shall be allowed excluding the following uses:

Carwash, Automatic

Carwash, Manual

Dry Cleaning Outlet

Laundry

Vehicle Gas Bar

6.2.3.2.18.2 **Regulations**

In accordance with regulations of the CC Zone as specified in Section 4 and 6.2.2 (Community Shopping Centre Zone Regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

6.2.3.2.18.2.1 **Maximum Gross Floor Area** - 32,600 m²

6.2.3.2.18.2.2 **Minimum Off-Street Parking**

The minimum *Off-Street* Parking shall be 4.5 *Parking Spaces* per 100 m² of *Gross Floor Area*.

6.2.3.2.18.2.3 Build-to Lines – Area A

Within Area A as shown on Schedule CC-18, no building shall be erected or used unless its exterior wall facing Woolwich Street or Woodlawn Road is built to within a maximum of 6.0 metres of the street line.

6.2.3.2.18.2.4 Minimum *Building Height* – Area A

Within Area A as shown on Schedule CC-18, the minimum *Building Height* for any building located within 40 metres of the intersection of Woolwich Street and Woodlawn Road built is 7.0 metres.

6.2.3.2.18.2.5 Build-to Lines – Area B

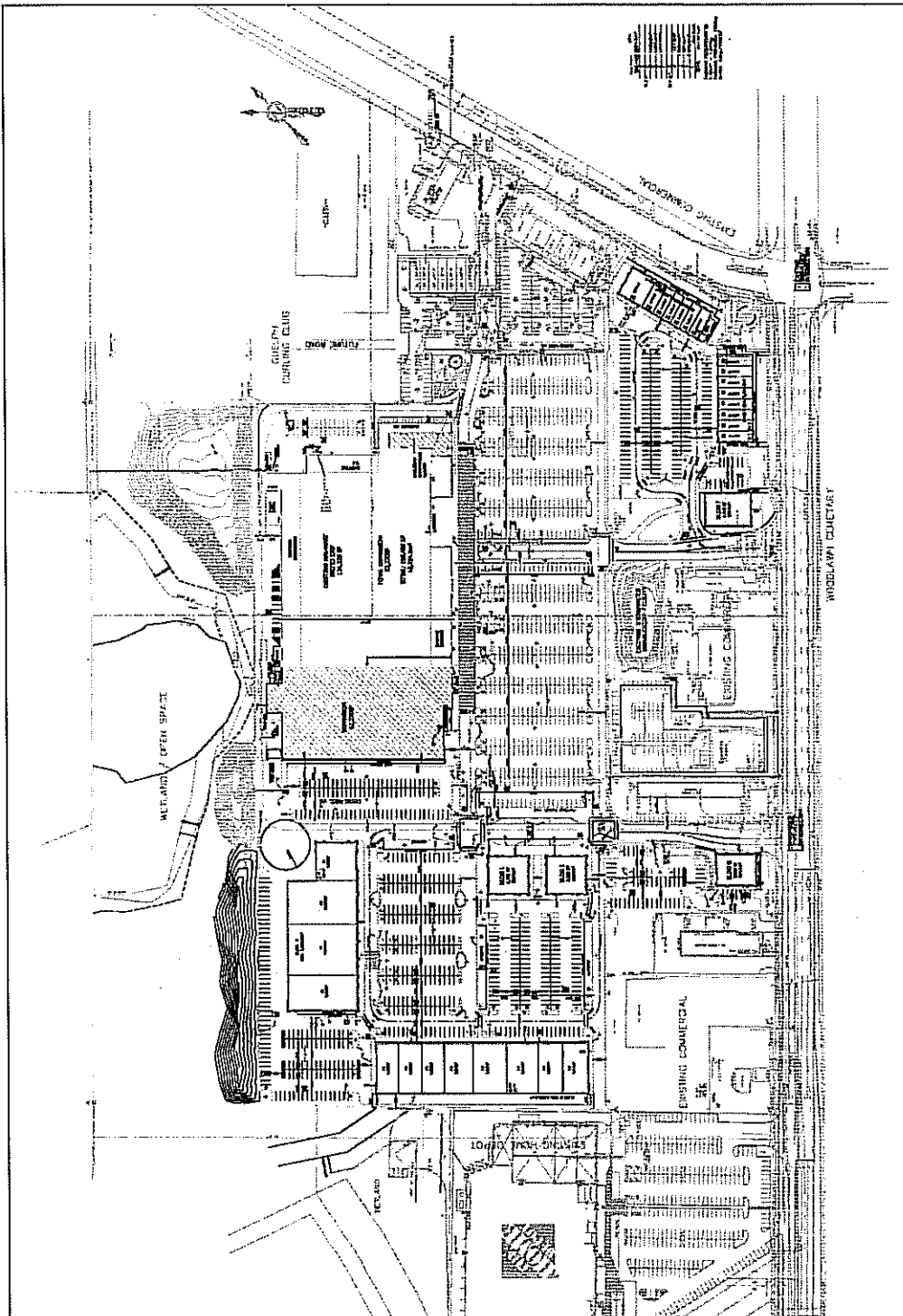
Within Area B as shown on Schedule CC-18, no building shall be erected or used unless its exterior wall facing Driveway A is built to within a maximum of 13.0 metres of the centre line of the driveway.

6.2.3.2.18.2.6 Severability Provision

The provisions of this by-law shall continue to apply collectively to the whole of the lands identified on Schedule "A" as CC-18 despite any future severance, partition or division for any purpose.

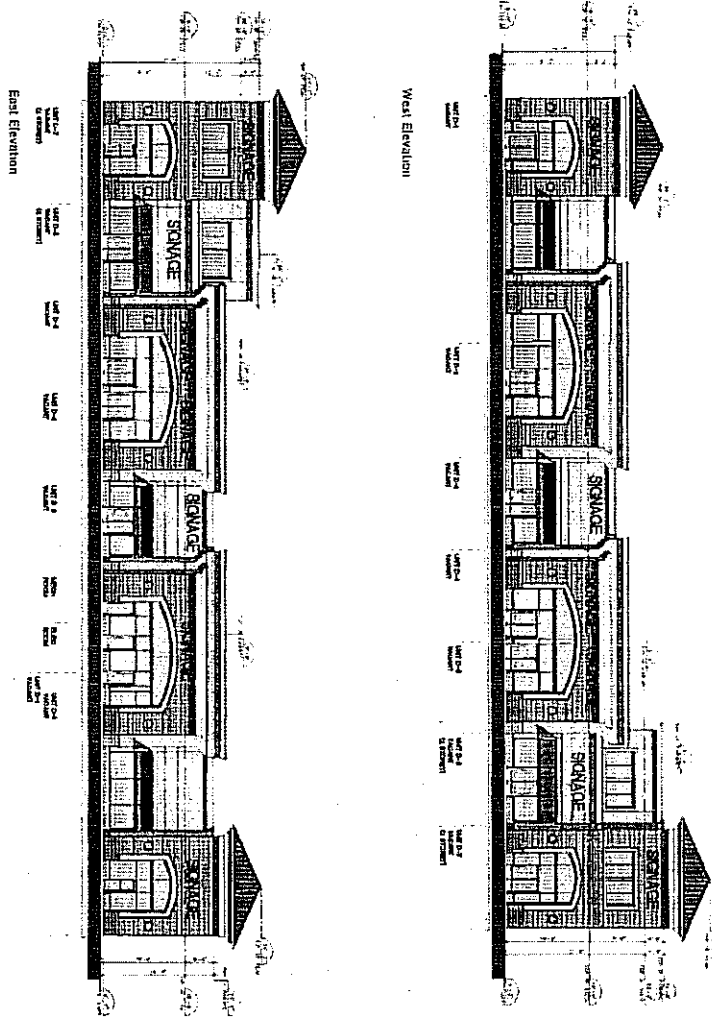
3. Schedule CC-18 as attached to this by-law is hereby adopted as part of Section 6.2.3.2.18.
4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map Number 22 and substituting therefore a new Defined Area Map Number 22 attached hereto as Schedule "A".
5. No part of this by-law shall come into effect until Official Plan Amendment No. 29 comes into effect.

SCHEDULE 6
PRELIMINARY SITE CONCEPT PLAN & BUILDING ELEVATIONS
(Large-scale plans are available for viewing at City of Guelph Planning Services)



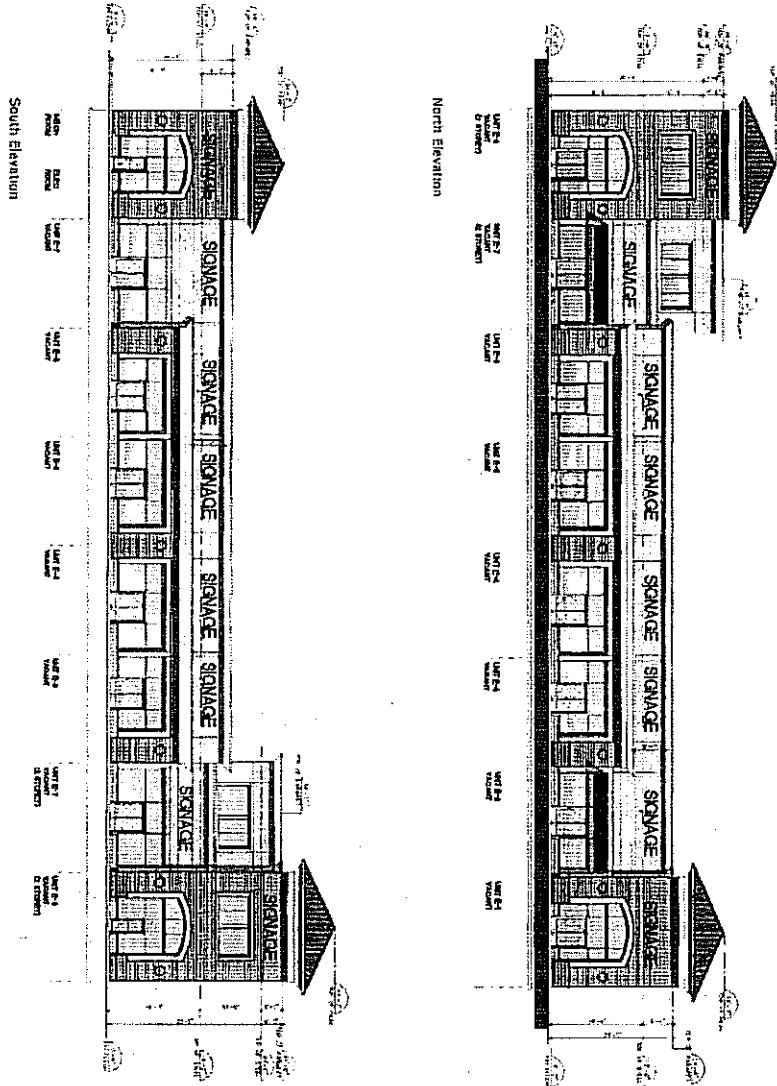
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SCHEDULE 6
PRELIMINARY SITE CONCEPT PLAN & BUILDING ELEVATIONS
Proposed Building D



PROPOSED
6 & 7 DEVELOPMENTS LTD ELEVATIONS BLOCK 'D'

SCHEDULE 6
PRELIMINARY SITE CONCEPT PLAN & BUILDING ELEVATIONS
 Proposed Building E



PROPOSED
 6 & 7 DEVELOPMENTS LTD ELEVATIONS BLOCK 'E'

SCHEDULE 7 ENERGY EFFICIENCY LETTER OF CONFIRMATION

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NFRC/CSA WINDOW ENERGY RATING

April 4, 2008

Mr. Jim Riddell
City of Guelph
City Hall, 59 Carden Street
Guelph, ON
N1H 3A1

Re: 6&7 Developments Limited ("6&7"); Achieving Energy Efficiency for new buildings B, C, D, E, F, G, H, J and K in the proposed expanded commercial development on the 6&7 lands (the "New 6&7 Buildings")

Dear Mr. Riddell:

We have been retained to assist 6&7 in achieving the City of Guelph's energy efficiency targets for the New 6&7 Buildings, as requested by Guelph planning staff as part of its review of 6&7's re-zoning application. Having read and understood Guelph's Community Energy Plan, we agree with, and support, the City's goal of mandating energy efficiency for new commercial developments.

The New 6&7 Buildings will, on the whole, be 25% more energy efficient than similar buildings would be under the standards mandated by the 2006 Ontario Building Code (OBC). To determine compliance with this energy efficiency target, a proposed building is computer modeled using a program developed by Natural Resources Canada ("NRCAN"). First, an energy simulation model of the proposed building is run using the intended building equipment and materials. A large number of parameters are entered into the model including, but not limited to: external environmental assumptions; hours of operation; and internal comfort settings. Once an energy usage figure for the proposed building has been determined, a second energy simulation model is run for the same proposed building using the same parameters, but this time using equipment and materials that just meet the 2006 OBC requirements. This produces a second energy usage figure and the ratio between these two simulations determines the proposed building's efficiency.

As Canada's leading energy and green building consultant, we can perform the required energy simulations to NRCAN protocols and can provide a compliance letter with an engineering stamp. Alternatively, our work can be peer reviewed by NRCAN or by a firm on NRCAN's list of approved energy simulators.

We would like to reiterate that the new 6&7 Buildings will achieve energy efficiency relative to the current OBC and not relative to a pre-determined fixed energy usage target (as Guelph staff had asked us to consider). Since there is no code or energy standard that uses fixed energy intensity as a guideline and since there is no document or protocol on how

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energy intensity should be measured against a fixed target, there is therefore no means of independently verifying whether a fixed energy use target has been met. As well, the predicted energy intensity of a building will vary widely depending on how the input parameters discussed above are set, which would make it extremely difficult to use a computer simulation model to determine whether a fixed target will be met for a proposed building.

Finally, we can report that we have carefully investigated possible alternative energy sources for the New 6&7 Buildings and have been unable to identify any that would be appropriate. That said, regardless of what energy source is ultimately selected, the goal of ensuring energy efficiency for the New 6&7 Buildings will be attained if 6&7 is required to meet the 25% reduction over 2006 OBC, as described above.

Yours truly,

ENERMODAL ENGINEERING LIMITED



per Stephen Carpenter, P.Eng., President

cc. 6&7 Developments Limited

Wal-Mart Canada will be a sustainability leader.

Concern for the environment is growing, in our stores and in our communities. We all agree that Wal-Mart Canada can create positive environmental change.

Wal-Mart Canada has three long-term goals to become a sustainability leader.

- **To produce zero waste, by eliminating, recycling and diverting our garbage.**
- **To use 100% renewable energy, like wind and solar power.**
- **To make more environmentally friendly products available to customers.**

Partnerships and Initiatives : We're good retailers, but not experts on the environment. We turned to people like David Suzuki and groups like Evergreen for direction.

“Wal-Mart’s commitment to sustainability acts as an inspiration and incentive to other corporations to follow suit. The company has enormous influence on corporate thinking and I am delighted with the priorities it has selected.”

- David Suzuki, renowned Canadian environmentalist

- We are a leading supporter of greening programs for Canadian school yards and communities. Our \$2.5 million funding for Evergreen Wal-Mart Green Grants supports groups creating green space in Canadian communities.
- In 2007, on special “environmental education” days our Wal-Mart Greeters will become Wal-Mart “Greeners” offering information on environmental programs and products. We also support youth education through programs like the Robert Bateman contest, Earth Rangers programs, and provincial “waste reduction” weeks.

Products: From products to packaging, everything is under review.

We are working with suppliers to reduce packaging, which means less materials, fewer deliveries, and less waste. When packaging is necessary, we're asking suppliers to pick better materials, like the corn-based plastics we use for fresh food.

With more environmentally friendly products on our shelves, customers have the option to be more sustainable too. We've committed to stocking more of these products and to the profile them with our new Wal-Mart Canada “Greener Good” logo, below.



Sustainability in our Wal-Mart Canada stores.

Fourteen different Wal-Mart teams – from across the business and throughout our chain – are working to improve our environmental sustainability in areas like fuel use for product shipping, store construction, and packaging reduction. We have already accomplished meaningful changes...with many more to come.

Wal-Mart's Canadian stores are now 10-15% more energy-efficient than the Canadian average for non-food retail stores.

- Our new lighting means 25% less energy use for lights, 8% overall.
- Our new HVAC systems have less ozone-depleting properties.
- Our choice of flooring allows us to eliminate corrosive cleaners.
- Our motion-sensing faucets reduce water use by as much as 22%.
- New roof insulation and heat recovery ventilators manage airflow with less energy.
- New nighttime covers for our refrigeration units hold temperatures naturally.
- Redesigned compressors in our pantries use 36% less energy.
- Going forward: LED lights will be installed in our "Wal-Mart" signs and in our refrigerators. LED lights reduce energy use by approximately 90%.

- In summer months, some stores will reduce lighting by 1/3. When we did this in Ontario, we saved enough energy to power 500 homes for a year.

- We are one of Canada's top purchasers of green power, offsetting coal or nuclear power with wind or solar sources provided by BC Hydro, bullfrogpower and others.

In 2007, we will recycle or remove more than 87 million kg of material (the equivalent of nearly 22,000 garbage trucks) previously sent to landfill. New programs capture plastic and cardboard (more than 50% of our waste) and separate store trash into various recyclable streams.

SCHEDULE 8 STAFF REVIEW AND PLANNING ANALYSIS

Issues and questions discussed at the June 5, 2007 Public Meeting of Guelph City Council and highlighted in the circulation responses from interested citizens are summarized as follows. A Staff comment has been included for each issue or concern:

1. Is the application premature? What is the timing of commercial development relative to the commercial space needs identified in the Commercial Policy Review (CPR or OPA 29)?

Staff comment: The timing of the rezoning application is not premature. There were comparatively few additions to Guelph's commercial hierarchy between 1995 and 2005, during a time of steady population and employment growth. It is therefore not surprising that specific commercial proposals came forward to implement the Commercial Policy Review recommendations in the first few years following completion of the CPR review. Recent interest in development has also occurred at the other three mixed use nodes in the City.

The CPR promoted a flexible and balanced approach to new retail development and intensification of the existing nodes. While the CPR identified how much commercial was needed to support the market and where it should locate at convenient and accessible locations to serve residents, the timing of development is left to the supply and demand of the market and the principle of healthy competition.

The CPR market analysis identified an overall need for additional commercial floor space to be allocated on a geographic basis. The commercial policy framework intentionally did not assign GFA distribution to any particular location in any particular year.

The *Guelph Commercial Policy Review: Recommended Approach* (June 2005) included the following:

"A flexible and balanced approach is recommended. A flexible and balanced approach will direct forms of retail uses to convenient and accessible locations that will provide the residents of Guelph with a convenient range of goods and services and at the same time support and contribute to the nature of the City and the strong sense of place. More and more municipalities have moved to a flexible approach in their commercial planning policies. The flexible approach provides a structured and organized commercial hierarchy while providing policies to strengthen the downtown and major commercial centres. The lack of restrictive uses, thresholds and/or caps permits a growing municipality to respond to market needs within its commercial framework without the need to constantly amend policies."

Development of the subject site is already phased in that the subject application represents the second rezoning of the development in anticipation of the site plan approval of the ultimate development.

The Official Plan identifies the subject site as being within Stage One (Staging of Development), together with the remainder of the existing built-up area. Section 4.2.2 (**Schedule 3**) of the Plan titled 'Staging of Development' outlines three stages that are based

on the orderly extension, repair and upgrading of municipal trunk storm and sanitary sewers and watermains. Stage One includes areas of the City in which municipal trunk storm and sanitary sewers and watermains are presently available. Based on comments received from the City Engineer (See **Schedule 9**) the subject application can be supported in terms of existing services and required upgrades.

As stated in Section 7.4.14 of the Official Plan (**Schedule 3**), any further application to exceed the retail floor area limitations or the number of large retail uses at a node will require market, planning and infrastructure impact studies. This application does not exceed either limitation. Both the retail floor area limitations and the number of large retail uses on the subject site have been restricted by the recommended zoning in **Schedule 2**. These restrictions on this site will contribute to the support of the ultimate development of the Woodlawn/Woolwich node within the existing policy framework.

2. Should the application be phased in relation to the intensification policies in the Provincial Policy Statement (PPS) and the Greater Golden Horseshoe Growth Plan?

Staff comment: The phasing of the application is not necessary and the application is supportive of both the PPS and the Growth Plan.

Section 1.1.3 of the **PPS** promotes intensification in a compact form and with a mix of uses and densities that allow for the efficient use of land. Section 1.3 of the PPS promotes economic development and competitiveness by providing for an appropriate mix and range of employment (industrial, commercial and institutional) uses, by providing opportunities for a diversified economic base, by protecting employment areas and by ensuring the necessary infrastructure is provided. The proposed development of the subject site will occupy otherwise vacant lands between the existing Walmart and Home Depot stores. The expanded Walmart and the development of smaller commercial buildings along the Woodlawn Road and Woolwich Street frontages and throughout the site will allow for a more efficient use than an otherwise underutilized site. Sections 1.6 and 1.6.4 of the PPS are also satisfied as the infrastructure and public service facilities are in place to support the proposed development and full municipal services are available to service the proposal.

Section 2.2.2 1a) of the **Growth Plan** encourages a significant portion of new population and employment growth in the built-up areas of a community through intensification. Sections 2.2.3 b) and f) of the Plan provide the same direction. The current Official Plan identifies this site as a mixed use node where a number of uses are permitted. Under the Local Growth Management Strategy, it is recognized that this node will eventually become an area of increased density and intensified use over time. In addition, the subject site is located within the Built-Up Area of the City as defined by the Growth Plan's Built Boundary line. Section 2.2.6 of the Growth Plan, similar to the PPS, promotes economic development and competitiveness by providing a range of employment uses, opportunities for a diversified economic base and the necessary infrastructure. The approximate Growth Plan density calculation represents 70 jobs per hectare with the potential for future residential dwellings.

3. Interface with Woodlawn Memorial Park Cemetery. What is or should be done.

Staff comment: As a result of the Woodlawn Road re-construction and associated upgrades that were completed to service new development along Woodlawn Road, tree removal and re-grading were necessary next to the cemetery to accommodate the retaining wall associated with the road and sidewalk construction. The removal of mature trees effectively eliminated much of the visual screen that existed on the south side of Woodlawn Road between Woodlawn Cemetery and new development on the north side of Woodlawn Road. To address the concerns expressed by Woodlawn Memorial Park officials, Staff added **condition 10 in Schedule 2** to ensure that the concerns with respect to grading, drainage, tree replacement to create an effective privacy screen and noise, are addressed prior to site plan approval. Staff have prepared concept plans for additional landscaped screening and submitted the concepts to the Woodlawn Memorial Park Cemetery for input. 6&7 Limited have indicated they are willing to discuss the remedial works with the Woodlawn Memorial Park Cemetery and City Staff and they are willing to provide a reasonable financial contribution towards the cost of the remedial works.

4. Conformity with the policies of the Mixed Use Node.

Staff comment: Staff's recommendations as outlined in Schedule 2 of this report conform to the Mixed Use Node policies in the Official Plan.

The Woodlawn/Woolwich node is functioning as described in Section 7.4.5 of the Official Plan and is serving the retail shopping needs of residents in nearby neighbourhoods and the City as a whole. As well, the development will provide the opportunity to satisfy additional shopping and service needs at one location as outlined in Section 7.4.9 of the Official Plan. The inclusion of institutional uses, recreation, entertainment and residential uses to the zoning bylaw will help to implement the mixed use node designation.

Section 7.4.12 of the Official Plan identifies size limits for 'new retail development' at the four mixed use nodes in the City. The limits were placed on the nodes to promote a mix of land uses and ensure that other non-retail uses and services are provided. Section 7.4.12 of the Official Plan (Schedule 3) limits new retail development at the Woodlawn/Woolwich Node to a maximum of 42,000m² GFA (452,000 SF).

Since the CPR approval, the development of both the existing Walmart building at 12,470m² retail GFA and the Home Depot building at 7,900m² retail GFA have collectively reduced the available amount of allocated retail floor space at the node from 42,000m²GFA to 21,630m²GFA.

Through this application, the owner has indicated a desire to develop an additional 6,000m² for food/grocery retail and an additional 12,370m² for new retail space which totals 18,370m² of additional retail floor space. This will represent 84.9% of the remaining 21,630m² retail GFA allocation for the node. As a result, approximately 30,840m² GFA of the proposed total commercial floor space cap of 32,600m² GFA for the site, or 94.6% of the subject site will be developed for retail commercial use.

It is Staff's opinion that this high retail ratio is too aggressive and defeats the objective of a mixed use development and zoning. Staff must also consider that the property at 816 Woolwich Street located directly north and east of the subject site is the only remaining sizeable property at this node that has not yet been developed for commercial and mixed uses. This property has a site area of 3.93 hectares (9.7 acres) and at 35% coverage has the

potential to yield a building footprint in the range of 11,330m² GFA (121,968SF). It is reasonable to expect that a future development of this size would request a share of the node's allocated retail floor space component.

A fair and simple way to ultimately achieve the intended mix of uses at both the subject site and the 816 Woolwich Street lands is to retain a reasonable limit on the total amount of retail floor space permitted on the subject site. To help preserve 816 Woolwich for some possible future retail development while still allowing the subject application to proceed, it is suggested that 4,646m² (50,000SF) is a reasonable amount of retail gross floor area to reserve for the balance of the node area. Based on this approach the recommended zoning for the subject site contains a regulation that will limit the retail GFA on the site, aside from a (Junior) Department Store which includes a food/grocery component to a maximum of 10,990m² GFA. This will result in the sharing of the node's retail allocation and will help ensure that both sites are developed with a healthy mix of uses. This approach also ensures that the zoning conforms to Section 7.4.9 of the Plan with respect to range and mix of uses (**Schedule 3**).

The Woodlawn/Woolwich Mixed Use Node retail floor space allocation is summarized as follows:

42,000m²GFA maximum new retail allocation for the node (Section 7.4.12 of the Official Plan).
Then subtract
12,470m² (existing Walmart building)
subtract
7,900m² (existing Home Depot building)
equals
21,630m²GFA remaining allocation of new retail space at the node.
(42,000 m² – 12,470m² – 7,900m² = 21,630m² GFA)

The 6&7 Proposal

21,630m² remaining new retail allocation for the node
minus
6,000m² proposed food/grocery component
minus
12,370m² proposed additional retail in smaller pads
equals
3,260m² (35,000SF) remaining new retail allocation for 816 Woolwich Street.

Staff Recommendation

21,630m² remaining new retail allocation for the node
minus
6,000m² food/grocery component
minus
10,990m² recommended maximum additional retail in smaller pads
equals
4,646m² (50,000SF) minimum new retail allocation for 816 Woolwich Street.

5. Urban Design. Does the concept plan represent good urban design and conform to the Official Plan's urban design policies for mixed use nodes? Do we need conditions or regulations to implement?

Staff comment: The owner's planning consultant has submitted a letter (end of this **Schedule 8**) summarizing how the urban design policies in Section 7.4.39 of the Official Plan (See **Schedule 3**) have been addressed. Staff is in general agreement with the summary and is satisfied with the site concept plan in **Schedule 6** although the plan continues to be processed through the Site Plan Review Committee and can be subject to minor revisions.

The site is proposed to be developed according to the site concept plan in **Schedule 6**. The main junior department store building (Walmart) has been placed at the rear or north end of the site, facing Woodlawn Road and the planned expansion is at the west side of the building. Ten smaller pads or buildings are proposed to be dispersed throughout the balance of the site with either architectural presence to Woodlawn Road and Woolwich Street or the main signalized entrance road off Woodlawn Road. The main feature planned for this entrance road is the proposed transit staging area. This driveway continues north and east to connect to the Woolwich Street entrance. Corner building placement, height, massing and architectural detail has been emphasized at the intersection of Woodlawn and Woolwich. Buildings along the public streets are subject to a range of build-to line regulations that ensure that the buildings relate to the streets and to pedestrians approaching the site. These buildings have been detailed so they invite pedestrians onto the site through the use of transparent windows, doors and sidewalks mixed with highlight landscaping. Driveways are laid out in a grid design and have been divided into smaller segments with landscaped islands, curbs and sidewalks. There has been a focus on creating pedestrian movement on site that promotes direct travel to the store entrances in a safe manner. A network of sidewalks highlighted by landscaped parkettes with outdoor furniture provides pedestrians with convenient access to all areas of the site. This pedestrian network is distinctly separate from the vehicular traffic aisles to promote safety and functions as an extension to the public sidewalk system adjacent to the site.

To implement this plan, **Condition 3** in Schedule 2 has been added to the recommendation to ensure development of the site is generally in accordance with the concept in **Schedule 6** which has embodied all of the urban design discussions between the City and owner to date. **Condition 11** which confirms the City transit staging area on site and **condition 12** which confirms the attempt to connect driveways and sidewalks to the Home Depot site have been added in **Schedule 2** to strengthen the owner's commitment to the latest site concept. Much emphasis has been placed on private sidewalks connecting to public sidewalks on site to accommodate people on foot, on bicycles and in wheelchairs.

In addition, regulations have been added to the zoning that will assist in the implementation of the mixed use node urban design policies of the Official Plan (See **Schedule 2**). These regulations include the maximum size restriction for an office use, the minimum and maximum build-to line setbacks from Woodlawn Road and Woolwich Street, the prohibition of drive-through uses within a specified distance of the intersection, the minimum building height requirement within a specified distance of the intersection and the regulation restricting the site to one large building which would be the junior department store.

6. Range of Uses. What should be allowed and should certain uses be permitted or prescribed....especially residential.

Staff comment: Section 7.4.9 of the Official Plan describes a wide range of uses that are permitted or encouraged in a mixed use node designation (See **Schedule 3**). Similar to the zoning that has been used at the other three mixed nodes in the City the CC (Community Commercial) Zone is the most effective zone that best implements the mixed use node land use designation. The CC Zone allows retail and service type uses in addition to institutional, entertainment and recreation type uses. The CC Zone also permits residential dwelling units within commercial buildings, which meets the intent of the mixed use node policies. In addition, Staff has added the full range of I.1 (Institutional) Zone uses to the proposed zoning to support the principle of a mixed-use development (See **Schedule 2**).

The City's Zoning Bylaw currently and historically lists uses in a permissive form rather than a prescriptive form. These lists of permitted uses in each zone provide for flexibility and a range of uses. Currently, Official Plan policies do not prescribe or insist that a floor area be occupied by a specific use. Although the owner states that residential uses are not practical or feasible at this site today, the function of the mixed use node can evolve and change.

The owner has submitted an Incremental Redevelopment Scenario (See **Schedule 11**) that illustrates how residential uses might be introduced to the site in a redevelopment scheme in the future. This plan illustrates a future scenario where specific commercial buildings in the proposed development could be redeveloped into multiple residential dwellings on this site. While the City may pursue a review of the implications and appropriate policy for this type of mixed use intensification in the future, in the short term, Staff is recommending the addition of freestanding multiple residential townhouse and apartment development as permitted uses in the new zoning (**Schedule 2**). The addition of these residential uses to the zoning will strengthen the proposed Community Commercial Zone to better follow the provincial policies on growth and intensification and the Mixed Use Node policies.

7. Servicing

Staff comment: The site can be adequately serviced. As confirmed by the City Engineer (See **Schedule 9**) the existing development involved new water and wastewater service connections, a storm water management system, an on-site transit facility, and roadway and access improvements. Development on the balance of the site can be accommodated by the infrastructure improvements already in place, with the exception of modifications to the northbound left-turn lane at the Woodlawn/ Woolwich intersection. This requirement is covered in **condition 9** in Schedule 2. The City Engineer also notes that service connections, storm water management system, transit routing and access points will be reviewed prior to approval of the site plan.

8. Connectivity with other sites. What is planned?

Staff comment: The main connectivity on this site is related to land uses to the east and west as the focus is on protecting, screening and buffering the land uses to the north and south. It is very important for good strong linkages to the public sidewalks on Woodlawn Road to be established. The strong connections to the City sidewalks further connect to City trails and distant neighbourhoods. Woolwich Street along the frontage of the site is designated for proposed bicycle lanes in the City Official Plan.

The site plan approvals for both the subject site and the Canadian Tire development at the northeast quadrant were coordinated and approved to ensure the main driveway connections

onto Woolwich Street for both developments were aligned to form a functional and safe intersection involving both sidewalks and driveways.

Regarding Woodlawn Road, connections to adjoining sites is critical to protecting the traffic carrying capacity of the major public road allowance serving the site, being Woodlawn Road. In the case of the new pizza establishment located south of the site, and the adjacent auto-related business, driveway connections were approved between the owners and the City providing for vehicular and pedestrian connections from each development to the other without having to use the busier arterial road. These connections reduce congestion and offer safety to drivers and pedestrians.

Staff asked the owner to arrange to provide the same vehicular and pedestrian connection with the Home Depot development lands to the west. Although preliminary discussions have occurred, there has been no mutual agreement reached to date to secure this driveway and sidewalk connection. Home Depot is concerned about how the additional traffic from the subject site will impact their access driveway. In an effort to pursue this important linkage, Staff has asked through **condition 12** that the owner continues to discuss the issue with Home Depot and makes every effort to reach an agreement prior to the approval of Building H on the site plan. Building H is located directly adjacent to this potential road connection and should be finalized on the site plan when the connection is decided. This connection should be designed to accommodate vehicles, pedestrians including those with disabilities and bicycles.

9. What's happening with the wetland? What are the obligations under the settlement?

Staff comment: Approximately 10 acres of land at the north end of the site has been dedicated to the City for the protection of Provincially Significant Wetlands and buffers associated with the Marden South Wetland Complex. The lands were rezoned to the WL (Wetland) Zone and the P.1 (Conservation Land) Zone for further protection. As part of the approval of the existing development, the earth berm was constructed behind Phase 1 and the living wall was created to act as a visual barrier for the benefit of the Jesuit property to the north. As part of the approval of the application, the owner is required to complete the construction of the berm and living fence to its ultimate extent. Under the terms of the Minutes of Settlement, the owner is required to implement as part of any Phase 2 development, certain obligations with respect to an appropriate lighting system and extension of the noise mitigation berm to the western boundary of the site. These conditions and obligations are already covered in a registered agreement and in the minutes of settlement of the original application.

10. Traffic impact. What is happening on Exhibition and Kathleen Streets.

Staff comment: Regarding traffic infiltration on Kathleen Street due to the Walmart project, the City Engineer reports that the most recent ITRANS traffic impact study for 6 & 7 Developments Limited (October 2007) reviewed 10 years of weekday PM peak hour and Saturday peak hour traffic counts between February 1997 and June 2007 (including after the opening of the Walmart) on Nicklin Road (the only shortcut route from Kathleen). In all counts, peak hour two-way traffic volumes were within 250 vehicles per hour on weekdays and 150 vehicles per hour on Saturdays. Growth in traffic volumes over that period is

estimated at about 2-3 vehicles per hour per year. Staff are satisfied that there is very little shortcutting on Kathleen Street due to the 6 and 7 project.

11. What is the status of Transit on the site. What is happening and when?

Staff comment: The owner has agreed to accommodate a public transit staging area on their private property as it is recognized that the subject development and node will be transit-supportive. The latest site concept illustrates two bus lay-bys straddling the main north-south internal entrance road that will accommodate a total of six City buses. The first half of the lay-by has been constructed in conjunction with the existing phase of development and the balance of the staging area will be completed in conjunction with the final phase of development (See **Condition 11**).

12. Community Energy Plan (CEP). What energy conservation is contemplated?

Staff comment: The owner has constructed stormwater infiltration and green/living wall new technology on site. Within the existing Walmart building, the owner has installed white membrane roofing and R25 roof insulation. This design reflects heat and reduces cooling loads during summer months and produces higher quality insulation. LED lighting has been installed on the exterior of the building that provides 90% energy efficiency over fluorescent lighting. The existing building also contains sensor activated low-flow faucets, environmentally friendly refrigeration systems and HVAC units and a cardboard and plastic recycling program.

The proposed development works towards implementing the Guelph Community Energy Plan as the owner is committed to developing any new buildings on the site to be 25% more energy efficient than similar buildings would be under the standards mandated by the 2006 Ontario Building Code (See letter in **Schedule 7** and **condition 4** in Schedule 2).

13. What is the grocery store status?

Staff comment: The owner has confirmed that the proposed 6,000 square metre additional building area illustrated on the west side of the existing Wal-Mart building on the site concept plan (**Schedule 6**) is planned for a grocery component.

14. Size restrictions on stores. Should we impose? It is suggested we don't allow any store smaller than a certain size (e.g. boutique) to protect core.

Staff comment: The approach taken in the Commercial Policy Review analysis was based on a residual market approach that recognized and protected the CBD and existing commercial nodes, while allowing for their continued expansion and intensification. Consistent with that approach, the policies applying to new retail commercial uses in the *Mixed Use Node* designation contemplate a wide range of retail, service and other commercial uses, with no policy restrictions on the size or function of retail stores within the designation except **Section 7.4.13** applies restrictions related to the size of freestanding individual retail uses exceeding 5,575m² GFA (See Schedule 3) and **Section 7.4.9** states that only small-scale professional and medically-related offices shall be permitted in a mixed-use node to protect

the CBD, Intensification Areas, Business Parks and Institutional designations. The recommended zoning allows only one freestanding individual retail use exceeding 5,575m² GFA and restricts office uses to not exceed 465m² GFA. Both of these policies have been implemented in the recommendation in **Schedule 2** as a zoning regulation.

15. Overall impact on Downtown.

Staff comment: As the Commercial Policy Review was evolving, the CBD, the Intensification Areas and other commercial nodes in the City were considered. When Council approved the Commercial Policy Review framework in July 2005, Council set aside 46,450m² (500,000 square feet) of warranted space for the Downtown, intensification centres, existing commercial centres and neighbourhood/convenience centres. The Mixed Use Nodes were intended to provide a wide range of retail, service, institutional, entertainment and recreational commercial uses as well as complementary uses including residential. In Section 7.4.9 (**Schedule 3**) of the Official Plan, office and medical office uses are intended to be restricted in GFA so that large, major offices are directed to the CBD, Intensification Areas and other centres. A regulation limiting the size of office uses is included in the recommended zoning in **Schedule 2**. Also included in Schedule 2 is a recommended zoning regulation to limit the number of larger freestanding buildings on site to conform to Section 7.4.13 of the Official Plan (Schedule 3) and support **condition 3** (Schedule 2) which confirms the site concept plan in **Schedule 6**.

16. Precedent for future growth. Need to explain size of node.

Staff comment: This rezoning application will not set a precedent for the future growth of this mixed use node. Physical barriers exist that contain the size of this node including wetlands and cemeteries. The size of the node is described earlier in Issue 4 and the boundaries of the node are illustrated in Schedule 1 of the Official Plan (Schedule 3). Section 7.4.14 of the Official Plan (Schedule 3) requires market, planning and infrastructure studies to accompany any application that exceeds the node size limitations or exceeds the number limitations for larger stores, as outlined in Sections 7.4.12 and 7.4.13 (**Schedule 3**).

17. Comparison with Smart Guelph Principles.

Staff comment: The Smart Guelph Principles adopted by Council in February 2003 were meant to form the fundamental basis or reasoning for decision-making in the City. This set of principles reflected what Guelph citizen's value about their community. The principles include: Inviting & Identifiable, Compact & Connected, Distinctive & Diverse, Clean & Conscious, Prosperous & Progressive, Pastoral & Protective, Well-Built & Well-Maintained and Collaborative & Cooperative. The following chart submitted by the owner outlines a response to the Smart Guelph Principles.

To strengthen these principles, the City created the 2007 Strategic Plan which included the City's Vision "To be the City that makes a difference" and the City's Mission Statement "To achieve excellence through leadership, innovation, partnerships and community engagement."

The Official Plan also plays a key role in support of these Smart Guelph Principles (SGP) and they essentially are included in the goals, objectives and policies of the Official Plan.

The applicant's planner has submitted a chart summarizing how the subject zoning bylaw amendment application and 6&7 Developments has been supportive of the Smart Guelph Principles (end of this **Schedule 8**). The summary outlines actions that have contributed towards achieving the Smart Guelph Principles.



Project No. 9351-11

December 21, 2006

Mr. Scott Hannah
Manager of Development Planning
City of Guelph, Planning Division
Planning & Building Services
City Hall, 59 Carden Street
Guelph, Ontario N1H 3A1

Dear Mr. Hannah,

**Re: Applications for Rezoning and Site Plan Approval
6&7 Developments Ltd.
Planning and Urban Design Analysis**

As discussed, we are pleased to submit this planning and urban design analysis of the proposed expansion of the 6&7 commercial development in relation to applicable policies in Official Plan Amendment No. 29. In particular, this letter relates to the overall site rezoning and the site plan application for the Wal-Mart store expansion.

Land Use

In our opinion, the proposed rezoning represents good planning and conforms with the applicable policies in the "Mixed Use Node" designation. The proposal provides for the build-out of the remaining vacant lands within the 6&7 site, consistent with the policies of the Provincial Policy Statement encouraging the development of vacant serviced lands within built-up areas and in conformity with the anticipated range of uses specified in the Guelph Official Plan.

Policy 7.4.9 provides that the Mixed Use Node is intended to provide a wide range of retail, service, entertainment and recreational commercial uses. Complementary uses including open space, institutional, cultural and educational uses, hotels, live-work studios, multiple unit residential and small-scale offices are also permitted.

The proposed uses within the 6&7 development are permitted by the Mixed Use Node designation. The primary use will be retail commercial, with a component of ancillary service commercial uses.

Urban Design

In our opinion, the proposed rezoning conforms with the applicable urban design policies. This opinion is based on both the detailed site plan application submitted for the Wal-Mart expansion as well as the overall conceptual site plan submitted with the

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rezoning application. Within the context of the overall conceptual site plan, additional details will be provided in the future through the submission of detailed site plan applications as the build-out of the development proceeds.

Amendment No. 29 introduced a detailed set of urban design policies applicable to all Commercial and Mixed Use Areas (Policies 7.4.40 to 7.4.47 inclusive). As well, there are a couple of site design/urban design policies included within Mixed Use Node designation policies, notably Policies 7.4.7 and 7.4.11.

Our analysis with respect to each of the applicable policies is set out below:

- The intent of Policy 7.4.7 with respect to ensuring the integration of lands within the Mixed Use Node has been achieved through provision for the interconnection of internal access roads, which will provide for connection among the various entrances to the public street system. The approach to grading, open space and stormwater management has considered the lands within the northwest quadrant of the Woodlawn/Woolwich intersection on a comprehensive basis.
- With respect to Policy 7.4.11, the proposed site and building design will be consistent with the City's urban design objectives and guidelines. Details are set out in the following paragraphs.
- The provisions of Section 7.4.41 with respect to intersections will be satisfied. The conceptual site plan locates a "parkette" feature at the corner of Woodlawn Road and Woolwich Street, incorporating gateway features, prominent landscaping and pedestrian amenities, with linkages into the site. Buildings will be placed in proximity to the intersection along both Woodlawn Road and Woolwich Street framing the parkette. The design of these buildings will reflect their role as "signature buildings", incorporating elements such as increased height and roof features. Details regarding building articulation, windows and finishes will be determined at the detailed site plan stage, however, the draft Zoning By-law submitted with the application specifies a minimum height for any building located within 40 metres of the intersection.
- The provisions of Section 7.4.42 with respect to street edges will be satisfied. Landscape strips will be provided along both the Woodlawn Road and Woolwich Street frontages, while locating buildings close to the street edge. Surface parking will not be located between buildings and the street edges of Woodlawn and Woolwich and, where parking is located to the sides of buildings along the street edge, it will be appropriately screened with landscaping. Details will be determined at the site plan stage.
- The provisions of Section 7.4.43 with respect to driveways, internal roads and parking areas will be satisfied. Main driveways into the site from Woodlawn Road and Woolwich Street will be defined by landscaping. The main internal roads have been structured in a grid pattern, which will divide the parking areas into

smaller, defined sections. In addition, the internal roads have been designed to interconnect with the potential future redevelopment of the Guelph Curling Club lands to north and east, as well as to the existing Home Depot store to the west. In this latter regard, the conceptual site plan provides for an interconnection with the internal roadway system within the Home Depot lands; it is anticipated that, with the City's support, Home Depot will be amenable to providing a linkage between the two sites. The provision of bicycle parking in proximity to building entrances can be addressed at the detailed site plan stage.

- The provisions of Section 7.4.44 with respect to pedestrian movement and comfort will be satisfied. A pedestrian walkway system has been illustrated on the conceptual site plan, linking the Wal-Mart store to the Woodlawn/Woolwich intersection. In addition, a future Guelph Transit bus stop has been provided within the centre of the development. Details regarding paving materials, pedestrian-scale lighting, barrier-free accessibility and the treatment of building entrances will be addressed at the site plan stage.
- The provisions of Section 7.4.45 with respect to large buildings will be satisfied. The existing Wal-Mart department store has been designed in accordance with the principles set out in this section, realizing a "made-in-Guelph" design solution which reinforces the heritage character of the City. The design of the proposed Wal-Mart expansion continues this same design approach. A second main entrance to the store will be provided on the south elevation using the same "Guelph gable" vocabulary as has been employed in the existing store. From there, the front wall of the expansion would be stepped back to provide articulation in the horizontal plane, with a turret feature at the southwest corner of the building mirroring the existing feature at the southeast corner.
- Section 7.4.46 is not directly applicable as it deals with development adjacent to sensitive residential and institutional uses. The interface with the cemetery and the Ignatius Jesuit Centre to the north has been addressed through the provision of a substantial buffer area along the north edge of the site, which was rezoned and dedicated to the City as part of the approvals for Phase 1. The provision of a berm and associated landscaping within the buffer area to the west of the wetland area will be achieved with the development of the 6&7 expansion. The proposal also includes 3.8 hectares of open space, comprising the wetland and buffer areas along the north limit of the property, which has been previously zoned and dedicated to the City as part of the approvals for the first phase of the 6&7 development. An update of the noise report will be submitted as part of this submission. The lighting report has already been updated and submitted.

As set out in Policy 7.4.47, the draft Zoning By-law submitted with the rezoning application incorporates a number of measures that will help implement the urban design vision for the site e.g. build-to lines, minimum building heights. As noted previously, other elements are more appropriately secured through the site plan approval process.



The overall site layout is appropriate and functional, and is responsive to the applicable urban design policies in the Official Plan. In the area to the west of the Wal-Mart, which is intended to accommodate mid-size stores, the proposed building layout ensures that each store is provided with parking that is convenient to the store entrance, while appropriately addressing the policies in Sections 7.4.43 and 7.4.44 with respect to internal site organization. Given that this portion of the site does not front on a public street, the policies in Sections 7.4.41 and 7.4.42 with respect to street edges and intersections do not apply.

Other Matters

In accordance with the policies introduced by Amendment No. 29, an Infrastructure Impact Study addressing, among other matters, transportation capacity and access locations, is required only if the proposal involves the designation or expansion of a Mixed Use Node beyond the boundaries designated on Schedule 1 or if it is proposed to exceed the retail floor area limitations within a "Mixed Use Node" (see Policy 7.4.48). Given that the application does not involve any such changes, an Infrastructure Impact Study is not required by the Official Plan. However, a transportation analysis has been prepared to update the transportation impact study previously prepared for the site and will form part of this submission.

We trust the foregoing is of assistance to the City in its review of the subject application, however, if you wish to discuss any of these matters in greater detail, please do not hesitate to contact us.

Yours truly,

Bousfields Inc.

A handwritten signature in black ink, appearing to read 'Peter F. Smith', written over a faint, illegible printed name.

Peter F. Smith B.E.S. MCIP, RPP

cc: Tom Friedland, Goodmans

SCHEDULE 8
STAFF REVIEW AND PLANNING ANALYSIS
6&7 Submission

Smart Guelph Principles	Actions Taken by SmartCentres
Compact & Connected	Development located next to existing services, technologies that minimize impact on these services proposed, intensification of vacant land and emphasis on pedestrian facilities and connections
Inviting & Identifiable	Emphasis on urban design via strong pedestrian and transit connections, parkettes, high quality façade materials, and a living wall.
Distinctive & Diverse	Pedestrian oriented design, and the possibility to host community events, festivals, etc.
Collaborative & Cooperative	Collaboration with neighbouring Ignatius Jesuit Centre in site design and layout.
Prosperous & Progressive	Innovative stormwater management technology to recharge groundwater and avoid burdening municipal system; employment generation of approximately 500 full-time and part-time jobs; and commercial diversity through wide range of retail and service commercial providers.
Pastoral & Protective	Conveyance of 10.2 acre wetland to the City; on site parkettes to promote greenspace; groundwater infiltration system to protect groundwater; and use of CPTED (Crime Prevention Through Environmental Design) principles throughout site to promote safety.
Well-built & Well-maintained	Use of sustainable development principles.
Clean & Conscous	Building design which focuses on energy conservation and efficiency targetted to only require 50% of energy usage by comparable buildings in Guelph.

**SCHEDULE 9
AGENCY CIRCULATION COMMENTS**

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITION AL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
City Engineering**		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
Finance		✓	<ul style="list-style-type: none"> • Development Charges
Wellington CDSB	✓		
Environmental Planner		✓	<ul style="list-style-type: none"> • Berm & buffer design approved through EIR
GDA	✓		
Economic Development	✓		
Fire/Emergency Services	✓		
Zoning Division	✓		
Guelph Police Services	✓		
Wellington Dufferin Guelph Public Health	✓		
Guelph Chamber of Commerce	✓		

**City Engineering comments are attached.

SCHEDULE 9 AGENCY CIRCULATION COMMENTS

File No. 16.132.069

To: Al Hearne
From: Rajan Philips
Department: Community Design and Development Services Division: Engineering
Date: April 22, 2008
Subject: 0 Woodlawn Road, Proposed Zoning Amendment at Wal-Mart, (ZC 0701)

The proposed Zoning Amendment involves an expansion of 32,600 sq.m. additional commercial space at the current Wal-Mart site including a 6,000 sq.m. expansion of the existing Wal-Mart store. The application for Zoning Amendment was received together with the Site Plan application, which is currently under review. We have also received and reviewed the Functional Servicing Study and Development Traffic Study submitted in support of these applications.

The development of the existing Wal-Mart store involved new water and wastewater service connections, a storm water management system, an on-site transit facility, and roadway and access improvements. Additional developments corresponding to the proposed Zoning Amendment can be accommodated by the infrastructure improvements already in place, with the exception of modifications to the Northbound Left-turn lane at the Woodlawn/Woolwich intersection, as noted below. Service connections, storm water management system, transit routing and access points will also be reviewed prior to approval of the Site Plan application for development.

Based on the foregoing, we recommend the following conditions for approving the proposed zone change:

1. The owner shall submit and receive approval from the City for a site plan under Section 41 of the Planning Act prior to development.
2. That prior to site plan approval, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
3. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water

management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.

5. That the owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer prior to the site plan approval.
6. The owner shall pay the actual cost of constructing and installing any service laterals, as determined by the City Engineer, prior to site plan approval.
7. That the owner shall pay to the City the actual cost of designing and constructing modifications to the Northbound Left-turn lane and related works at the Woodlawn Road/Woolwich Street intersection, as determined by the City Engineer.
8. That prior to the passing of the Zoning Amendment by-law, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above and to develop the site in accordance with approved plans.

**SCHEDULE 10
PUBLIC CORRESPONDENCE**

*Melissa
Castillo*



RECEIVED
MAY 31 2007

CITY CLERK'S OFFICE

762 Woolwich Street
Guelph, Ontario Canada N1H 3Z1
519.822.1271 1.888.730.8199
FAX 519.822.4452
www.woodlawnmemorialpark.ca

*Operated by The Guelph Cemetery Commission
as a not for profit organization.*

May 31, 2007

Crematorium

Traditional
& Cremation Lots

Cremation Gardens

Arbour Walk

Mausoleum

Family Mausoleums

Chapel

Scattering Garden

Chapel Niches

Granite Monuments

Bronze Markers

Inscription Services

Cremation Urns
& Vaults

Public Services
& Events

Children's
Memorial Garden

International
Garden of Peace
& Peace Pole

Mothers' Grove

Dodds
Reflection Garden

University of Guelph
Commemorative Garden

Member of
OACFP
CANA
FSAC

Lois Giles
City Clerk
City of Guelph,
59 Carden Street,
Guelph, ON. N1H3A1

Re: 0 Woodlawn Road West: Proposed Zoning Amendment to permit
commercial buildings (ZC 0701)

Dear Ms. Giles,

The Guelph Cemetery Commission (GCC) has requested that I voice their
concerns about additional commercial development along Woodlawn Road
across from Woodlawn Memorial Park.

Recent commercial zone changes were approved in this area immediately
adjacent to our property. With this approval came upgrades to Woodlawn
Road and the addition of turning lanes, sidewalks and improved lighting for
community safety. These upgrades were necessary to accommodate the
increased traffic of both cars and pedestrians. But with these changes came
problems for Woodlawn Memorial Park. Our community cemetery has been
located in the same location for 153 years. In addition to filling the burial
needs of families in our community over these years and holding many
public events in our cemetery every year, we have also been
accommodating in providing valuable grave space for Guelph's pioneers
who were originally buried in Guelph's first cemetery located off of Baker
Street. I say this for one reason; to illustrate that this cemetery has seen
more changes, and been a good neighbor in this neighborhood, than anyone
over a century and a half. However, the recent changes on Woodlawn have
truly affected us.

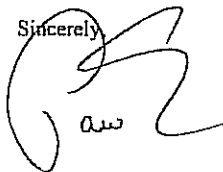
The road was pushed closer to the cemetery property line and a side walk
was added to make it safer for walkers on the south side of Woodlawn
Road. With the curbs and sidewalks closer to the cemetery property line,
our existing fence is now, in places, very low or very high compared to the
new improvements. With increased foot traffic along Woodlawn, this is
now a visual and a safety concern.

Grading stopped at the south edge of the sidewalk. In places, because of the difference in grades, it is very dangerous. This grade difference resulted in damage to our fence from the City's snow removal equipment.

To accommodate the widening of the road, a retaining wall was required. This wall was necessary, but the natural embankment which was home to over 40 trees, some more than 30 feet high, was lost. We all know the value of mature trees. As well, these trees formed a natural site and sound barrier, blocking the new development from visitors to the cemetery. Today, that protective screen is gone.

The GCC requests that before anymore zoning changes take place in the Woodlawn/Woolwich area, that their concerns about grading, drainage, tree replacement and noise be addressed to their satisfaction.

Sincerely,

A handwritten signature in black ink, appearing to be 'Paul Taylor', written over the word 'Sincerely,'.

Paul Taylor,
General Manager & Treasurer,
Woodlawn Memorial Park.

Melissa Castellan

From: RSD [rsd@not-there.ca]
Sent: Tuesday, April 17, 2007 11:13 AM
To: Mellssa Castellan
Cc: Lise Burcher
Subject: Re: wal-mart expansion

April 17, 2007

Re: 0 Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

Dear Ms Castellan,

This correspondence is to place on record that Residents for Sustainable Development in Guelph opposes the zoning amendment sought by 6&7 Developments Ltd. for the above property.

While it is acknowledged the city's commercial policy review recommended this corner be earmarked for future development, the time frame covered by the review takes us to 2021. Given that this site's location is in one of the least populated areas of the city, and that the vast majority of residential growth is to the west, east and south, allowing more commercial development on this site now would only delay or even stop commercial development in areas where shopping and services are more needed. The west end is still underserviced and the east end has waited far too long.

This city has recently undertaken a development priorities plan to control how residential growth should take place and in what order. It would only be prudent therefore to undertake a similar exercise for commercial development, to ensure services are located where the people live and to reduce the environment impact of people accessing those services.

Ben Bennett
Residents for Sustainable Development in Guelph

127 Wyndham St. N, Suite 100
Guelph, Ont. N1H 4E9
Tel: 519-823-1188 Fax: 519 823-0084
Email: rsd@not-there.ca
Web site:<http://www.not-there.ca>

Barbara and John Buttars

20 April 2007 COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

APR 24 2007

Melissa Castellan,
Senior Development Planner,
Community Design and Development Services,
Planning Division,
City Hall,
59 Carden St.,
Guelph, ON
N1H 3A1

Dear Ms. Castellan:

RE: 0 Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

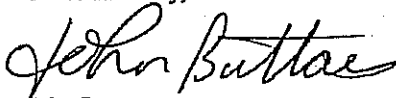
I am writing with a request that before this proposed zoning amendment is granted the City of Guelph develop a plan, in concert with the Cemetery Board, for mitigation of noise and visual concerns for the Woodlawn Cemetery along Woodlawn Road from the intersection with Woolwich St. to past the railway tracks, thus to include the whole of the proposed new section of the cemetery. The increase of traffic noise because of the enormous increase in commercial use on Woodlawn Road has a direct impact on this jewel of a cemetery.

On a number of different occasions over the years, including letters to the editors of our local papers, I have expressed concerns for the impact on people who use the cemetery because of these commercial developments. As one who has conducted many burial services as one of the ministers at Harcourt Memorial United Church (1976-2006) I can attest to the distraction of the traffic. In addition, I have a family member buried in the cremation gardens immediately across from fast food restaurants on Woolwich St. and the beauty of the cemetery and the plastic veneer of those establishments is a jarring contrast.

In addition, I have a concern with Schedule 3: Preliminary Concept Plan for Site Development that is included in the package your office provided. It was my understanding that the berms protecting the Marymount Cemetery and the Ignatian farm were to extend across the full length of the property line. As presently drawn they extend only a little more than half way. I would appreciate an explanation of this.

Thank you for considering my concerns.

Yours sincerely,


John Buttars

Cc Mayor Karen Farbridge
Members of the City Council (e-mail)

Mon Apr. 23/07

APR 23 2007

This note is to comment on the proposed expansion of the Walmart node.

I believe the proposed expansion of the Walmart node is premature.

There is no reason why this needs to be done all at once. The up to 600,000 sq. ft proposal needs to be carefully examined.

As a small business owner I have been affected by the current development of this node. New earth is stressed by many factors and ^{an increased} car oriented shopping is not going to help the environment or local independent retailers.

I believe it would benefit all of us on many fronts to slow down and examine more carefully how this expansion will influence our environment, our local small business and our moral obligations on many levels.

Thoughtful development can only be to our advantage locally and globally.

Sincerely,

Believe Woods

CLOVER WOODS

April 23, 2007

Melissa Castellan

Senior Development Planner
Community Design and Development Services
City of Guelph

Re: 0 Woodland Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

I am writing to register my objection to the proposed zoning amendment for 0 Woodland Road West.

As a neighbour to commercial amendment proposal I believe that we have a voice that should be heard. I have to admit that I am disappointed in the previous City Council for ignoring our interests when Wal-Mart requested an amendment to the zoning to accommodate their current construction of a retail store. Obviously this is all part of the "master plan" to build more and build bigger with no regard for the impact on traffic, the environment or impact on the surrounding community.

I live about two kilometers from the proposed mega shopping zone. We purchased our home in this location because it was handy to most amenities yet not congested or in a dense urban area with ugly commercial nodes like in some cities nearby.

It is my opinion that this is a poor location for such a large commercial development for several reasons: the substantial impact on traffic with congestion on a major thoroughfare (Woodland Road) and Highway #6; this type of development may be better suited to a location that has more current residential development and expansion (ie. closer to the south end of Guelph) with roads designed to accommodate the increased traffic volume at peak times & the negative impact on the community in which I live (including increased traffic congestion & smog).

Sincerely,

Hector Barber & Dawn Gray

April 23, 2007

RE: O Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

Dear Ms. Castellan:

Thank you for the opportunity to provide comment on the application identified above. I would like to submit the following comments in support of the objection to the Amendment already filed by Residents for Sustainable Development.

The concerns I address fall into the following categories:

- Official Plan Amendment #29 and phasing
- Other concerns regarding OPA #29
- Consistency with the Places to Grow Transportation Demand Management Requirements
- 3-Ds of Density, Diversity and Design
- Places to Grow density requirements for minimum 50 jobs and residents combined per hectare of greenfield
- Provincial Policy Statement (PPS) requirements for compact development
- Mixed-use development as required by the PPS.
- Housing requirements of the PPS
- Walkable and bikeable communities
- PPS requirements for energy efficiency.
- Business opportunities for small businesses.
- Potential drain on tax base

COMMUNITY DESIGN
DEVELOPMENT SERVICE
APR 23 2007

1) Official Plan Amendment #29 and phasing:

A report from Planning and Building Services in a Planning, Environment and Transportation Committee report, dated November 14, 2005, stated that: "Council's decision in July, 2005, established the overall direction with respect to: the amount of commercial space to be planned, consistent with the needs of city residents as the community grows to 2021."

The Official Plan Amendment #29 approved by the previous Council never adequately addressed the issue of phasing. Under a medium growth scenario, the additional retail space to be added was identified as 1,926,000 square feet. Under a high growth scenario, this rises to 2,220,000 square feet. My understanding is that these amounts were based on market studies to meet the consumer needs of the population. However, as the planning department identifies, the square footage added is to meet anticipated needs to the year 2021. It is now 2007, 14 years from that date. My question is whether the intent of the OPA #29 was to have all 2 million square feet built within an 18-month period? Careful attention needs to be paid to the impacts on other commercial enterprises in the City if this square footage is added too quickly. Background documents provided for OPA #29 stated that "By the year 2021, Guelph is expected to be a city of

approximately 140,000 people". That is not currently the case. We need to plan carefully so as not to create an over-supply of commercial space which may trigger negative impacts on the existing balance of retail.

The 2005 Provincial Policy Statement specifically mandates that phasing policies be implemented:

1.1.3.8. Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within *designated growth areas* and the timely provision of *infrastructure* and *public service facilities* required to meet current and projected needs. -

According to the definitions section of the PPS, **Designated growth areas:** means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are designated and available for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

The 2005 Provincial Policy Statement also has further implications for the timing of development at the site in question:

1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*.

The previous Council set specified targets for commercial intensification and redevelopment in their decision of July 25th, 2005 regarding the Allocation of Commercial Space. The targets specified for "Downtown Intensification Centre, Neighbourhood, Convenience and Existing Centres" were 350,000 square feet under a medium growth scenario and 500,000 square feet under the High Growth scenario.

The PPS indicates that these targets must be achieved prior to, or concurrent with, new development within designated growth areas. It appears that this legislation will also apply to other major commercial nodes identified within OPA #29.

The Places to Grow Growth Plan also further prioritizes development in our downtown.

2.2.4.4. Urban growth centres will be planned -

- a) as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses
- b) to accommodate and support major transit infrastructure
- c) to serve as high density major employment centres that will attract provincially, nationally or internationally significant employment uses
- d) to accommodate a significant share of population and employment growth.

Downtown Guelph will be "planned to achieve, by 2031, or earlier, a minimum gross density target of - c) 150 residents and jobs combined per hectare."

Perhaps the key principle is that phasing of commercial development should be decided by Council in consultation with the community, not driven by developer timelines.

2) Other concerns about OPA #29

I have a number of other concerns about OPA #29. The Allocation for Commercial Space was set by the previous Council on July 25th, 2005, the culmination of a process which had begun years before. That spring, the Provincial Policy Statement came into effect on March 1, 2005. I remain concerned that OP #29 did not fully take into account the sweeping changes envisioned in the PPS. OPA #29 was also enacted prior to the finalization of the Places to Grow Growth Plan which took effect on June 16, 2006. The Planning Department and the current Council need to make sure that our Official Plan will be consistent with the requirements of Places to Grow.

Perhaps most disturbing is that the framework for OPA #29 was based on a very limited group of predominantly outside developers. The list as provided to me by the Planning Department is as follows:

- Aird & Berlis on behalf of Westminster Woods and Loblaw Properties
- Smith Valeriotte on behalf of a local property owner
- Bousfields Inc. on behalf of 6&7 Developments
- Residents for Sustainable Development in Guelph
- R. Stephen Rodd
- First Gulf Development Corporation
- 6&7 Developments
- Mason Real Estate
- Stone Gate Properties Inc.
- Armel Corporation
- Lloyd Sheiner on behalf of the Stone Square Centre

This narrow group which provided the framework for OPA #29 stands in stark contrast to the extensive public input which is being solicited under the City of Guelph's Local Growth Management Study. This study will be the key vehicle to address Places to Grow Policies. I believe more weight needs to be given to broad public consultation which reflects the new reality of Places to Grow, rather than OPA #29 which was approved prior to the Growth Plan being enacted. Council needs to wait until the Growth Management Study is completed before approving massive additional development at what promises to be *the* biggest commercial node in the city. My understanding is that options generated by the Growth Management Study will be ready for evaluation in the fall of this year.

The other significant consultation which is underway is the Urban Design Action Plan. According to information from Community Design and Development Services, "The results of the Urban Design Action Plan will set the groundwork for process and procedure improvements, more effective urban design standards and guidelines and Official Plan policies to set the framework for effective use of urban design tools under Bill 51, the recent revisions to the Planning Act."

Again, I do not see any urgency to the expansion of commercial space on the 0 Woodlawn site. Over 200,000 new square feet of commercial space came on line within the past year. I believe it would be prudent to wait until the Urban Design Action Plan has been completed before proceeding with any further development at the site.

3) Consistency with the Places to Grow Transportation Demand Management Requirements

The preliminary site plan is not consistent with Places to Grow Transportation Demand Management Requirements.

Places to Grow states the following:

3.2.2. Transportation – General

5. Municipalities will develop and implement *transportation demand management* policies in official plans or other planning documents, to reduce trip distance and time, and increase the *modal share* of alternatives to the automobile.

This is further underlined by the 2005 Provincial Policy Statement.

1.6.5.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.

1.6.5.5 Transportation and land use considerations shall be integrated at all stages of the planning process.

Guelph already has a template for local transportation demand management policies in Chapter 4 of the *Guelph Wellington Transportation Study*.

Here is an excerpt from section 4.2: Land Use and Urban Design Practices

The arrangement of land uses and the urban form of the community are the ***most important and effective long-term influences*** (their emphasis) on how people move throughout the community. The way in which land is used generates trips which in turn lead to the need for construction of transportation facilities. These transportation facilities provide accessibility which in turn influences land value and affects the use of land. Land uses directly influence transportation systems, and in turn, transportation systems directly influence land uses adjacent to the transportation facilities.

Many communities are putting greater emphasis on the relationships between land use and urban form and their transportation system, particularly in relation to supporting increased walking, cycling and public transit use. ***Contemporary community planning promotes mixing of land uses, concentration of activities in nodes and corridors and an emphasis on the "3 Ds" (density, diversity and design) in those areas where public transit is provided.*** (my emphasis). The objective is to create highly pedestrian- and bicycle-friendly urban environments which also support the provision of public transit.

An urban form based on a series of nodes and corridors provides an ideal setting for an efficient transit system and continued investment in transit operations. In this manner, activities are concentrated in certain locations, thereby reducing the need to travel by car given the other choices available (walking, cycling and transit). This urban form also maximizes the number of people living and working in close proximity to transit and provides the support base for higher frequency operations.

The City of Guelph Official Plan contains a series of goals and objectives which promote compact urban form, mixed use development, intensification and increased residential densities, and service by all forms of transportation.

Implementing Transportation Demand Management is not only required by legislation, it is essential to the health and economic well-being of the community. The Guelph-Wellington Transportation Study states that “survey data indicates that travel demands in the study are growing significantly faster than the population, placing accelerated demands on the transportation system...”

As the movement of people and goods through the community slows down, businesses experience a direct impact on their bottom line.

The Ontario College of Family Physicians has also identified a number of adverse impacts generated by low density development and car dependence: air pollution, poor social and mental health, road injuries and fatalities and obesity. Details of their literature review can be found in their “Report on Public Health and Urban Sprawl in Ontario”.

4) 3-Ds of density, diversity and design:

The preliminary site plan does not appear to deliver the 3-Ds of density, diversity and design.

Again, I quote from the Guelph-Wellington Transportation Study

4.2.2 Urban Form

An urban form that is supportive of transportation alternatives to the auto would consist of system of nodes and corridors which provide for concentration of activities and mix of land uses in proximity to each other, thereby minimizing the need to use automobiles for many trips. *Nodes are locations for a diverse concentration of activities at higher densities* (my emphasis) while corridors are areas between nodes along transit routes where higher densities and a mix of uses are also found. The nodes provide catchment areas for transit service and the intersection of transit corridors.

Development in nodes and corridors should orient activity towards the street to create very walkable environments. (My emphasis)

Current Situation

...The general objectives of the Official Plan support the development and strengthening of the concept of nodes, mix of use and compact form. As well, *the Transportation Strategy Update contains a vision statement emphasizing high density multi-use nodes* (my emphasis) and medium density mixed-use development along the connecting corridors.

How do we Implement?

...*The City should also consider shopping centre policies to accommodate high/medium density residential permissions along with a full range of other appropriate uses.* (My emphasis). Medium density mixed-use policies can be prepared for application along the corridors. The nodes and corridors form and uses could be facilitated through proactive zoning changes rather than waiting for individual proposals.

The City's design guidelines for new development generally support buildings being located closer to the street at transit stops and place parking at the side and rear of buildings to support pedestrian movement along the street. (My emphasis). Policy and zoning in the nodes and corridors could provide incentives for this type of development and minimize regulations. Each node and corridor should have an implementation plan to address density, uses, design and implementation.

Recognizing that a municipality's Official Plan policies regarding urban form are not always consistent with short-term market pressures for development in specific locations, the City should work with the development industry to facilitate urban form and intensification objectives at the nodes. (My emphasis)

My concern is that the current Urban Reserve designation actually provides for a more diverse mix of uses at this node, rather than the proposed Specialized CC (Community Shopping Centre Zone). Under the CC-18 Zone, a mix of service uses is permitted, as well as some institutional and recreational uses. What appears to be lost from the Urban Reserve designation is the open space, educational uses, hotels, live-work studios, and in particular, the medium and high-density multiple unit residential development and apartments.

This is not consistent with the Guelph-Wellington Transportation Study recommendations which state:*The City should also consider shopping centre policies to accommodate high/medium density residential permissions along with a full range of other appropriate uses.*

Major nodes in the city should provide for residential uses, as well as commercial, employment, institutional, cultural and recreational uses.

From a design perspective, the preliminary site plan does not locate the major building close to the street with parking at the side or rear to support pedestrian movement along the street.

5) Places to Grow requirement for a minimum combined density of 50 residents and jobs per hectare.

Given the new Places to Grow density requirements, it is important that the Planning Department have a clear understanding of exactly how many full-time jobs will be created at this site.

Places to Grow

2.2.7. Designated Greenfield Area

1. New development taking place in designated Greenfield areas will be planned, designated, zoned and designed in a manner that –
 - a) contributes to creating complete communities
 - b) creates street configurations, densities and an urban form that support walking, cycling, and the early integration and sustained viability of transit services
 - c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
 - d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.
2. The *designated greenfield area* of each upper- or single-tier municipality will be planned to achieve a minimum *density target* that is not less than 50 residents and jobs combined per hectare.
3. This *density target* will be measured over the entire *designated greenfield* area of each upper- or single-tier municipality.....

Since the total area of this site is 12.54 hectares, the minimum number of jobs required to meet the density requirements set out in the Growth Plan would be 627 full-time jobs. Community Design and Development Services needs to get a firm number of jobs which will be created by the proposed site plan in order to ensure compliance with the legislation. If the site does not deliver the minimum density required, more intensive development will be required in other Greenfield areas to meet the minimum targets. Mechanisms for meeting density requirements need to be clarified prior to approval of the proposed zoning change.

Minimum density requirements can be considered as a condition of granting approval of any proposed zoning change.

The Guelph-Wellington Transportation Study also contains some relevant information about density.

4.2.3 Density

By increasing the density of residential and employment land uses, they can be located closer to one another, thereby encouraging walk/cycle trips between them. Increased residential densities provide a larger market, which will help sustain nearby business

establishments without relying as much on access by car. Future development and intensification in Guelph/Wellington will create more walking and cycling.

... Higher density provides a larger market to help support nearby businesses in nodes and corridors, thereby minimizing auto trips to access services. Higher density and a mix of uses are also known to significantly increase the number of walk trips. It provides other benefits such as reduced land consumption, energy use and air pollution.

How do we Implement?

In conjunction with the previous discussion on nodes and corridors, the City of Guelph should identify appropriate areas where higher residential densities should be permitted and consider proactive OP and zoning changes to permit higher densities as of right in these areas. ***Key sites in nodes and corridors should also have minimum densities in addition to maximums in order to achieve desired results.*** (My emphasis) Guidelines and zoning criteria should be prepared to ensure that medium and high density development next to neighbouring low rise areas is sensitively designed and sited to promote compatibility.

The strategy to promote intensification and re-urbanization needs firm political commitment and public acceptance. Strategies to educate and promote intensification may be necessary.

6) PPS requirements for compact development.

The preliminary site plan as submitted does not meet PPS requirements for compact development.

1.1.3.7 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

While some mix of uses is anticipated, the site plan shows very low density use of one-floor big box stores. Much of the site is dedicated to parking.

Places to Grow makes the following statement about Employment Lands:

2.2.6 Employment Lands

10. In planning lands for employment, municipalities will facilitate the development of *transit-supportive*, compact built form and minimize surface parking.

It appears that in the preliminary site plan, surface parking is maximized, not minimized.

7) Mixed-use development as required by the PPS.

1.1.3.7. New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

My concern is that the proposed zoning change will reduce the range of uses allowed on the site, in particular, the medium and high density residential.

The Guelph-Wellington Transportation Study also supports a mix of uses (diversity) in major nodes:

4.2.4 Mix of Uses

Locating a mix of residential, commercial, recreational, institutional and employment land uses in close proximity to each other directly connected by footpaths, sidewalks and bicycle routes reduces the need to drive for many trips. Travel distances are reduced, thereby increasing the probability that trips will be made by walking or cycling rather than by auto. *Locating residential and commercial developments close to the street with parking in behind also creates a more interesting, pedestrian oriented environment which encourages walking and cycling.* (My emphasis) This will reduce the need for auto trips for work, school, shopping, recreation and personal business. *An additional benefit is that both daytime and night time activity is created, promoting safer streets and neighbourhoods.* (My emphasis).

Mixed use development can be vertically integrated in a building, extended along a corridor, or included in a node. (My emphasis) As Guelph matures, opportunities for vertically mixed buildings should increase.

Practicality/Appropriate for Guelph

Many areas of the city could support a mix of uses, particularly the nodes and corridors and sites along the major roads. *Opportunities include intensifying shopping centres by adding residential or office buildings to the site* (my emphasis) and providing for a variety of different land uses along transit routes/arterial roads at medium and high densities, depending on the location.

The primary barriers to promoting mixed use development in Guelph include the current policies' limitations, economic factors and specialization of the development industry, including difficulties in obtaining financing for mixed use projects.

There is a need to influence a change in the prevailing mindset of the development industry and the financial institutions to consider the notion of mixed uses.

How do we Implement?

Firstly, it is necessary to identify appropriate locations for mixed use development, in conjunction with the nodes and corridors review. *The Official Plan can be amended to create new mixed use policies and integrate them with nodes and corridors.* (My

emphasis) This would lead to implementation of new zoning in these areas, including design guidelines to ensure that development supports all modes of transportation and is appropriately scaled to its neighbourhood.

8) Housing requirements of the Provincial Policy Statement.

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households*.

Thirty-three percent of Guelph households are renters. A variety of housing needs to be made available close to the employment lands. Some of the largest areas of employment lands are situated in the north end of the city, within easy travel distance of this node.

Three or four levels of apartments could be built above street level retail oriented to the street along the north side of Woodlawn. This would create a pedestrian friendly environment as well as fostering a truly mixed-use node.

My primary concern is that with the exception of a "Group Home" use, the CC-18 Zoning would eliminate the housing component currently present in the UR zoning. I would advocate that minimum housing and density requirements would be part of any future development on the site.

9) Walkable and bikeable communities.

The preliminary site plan is predominantly oriented towards vehicle use. In general, buildings and their entrances are not oriented towards the street. Parking could be stacked to free up more public space.

10) PPS requirements for energy efficiency.

1.8 ENERGY AND AIR QUALITY

1.8.1 Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas where these exist or are to be developed;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future;
- d) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and

e) promote design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.

It was a great disappointment that the recently constructed Wal-Mart store did not utilize the green design previously developed for the Vancouver Store. I believe that Wal-Mart spokesperson Kevin Groh said something to the effect that market forces in Guelph did not dictate this particular design.

I would suggest that there have been recent significant shifts both politically and in the marketplace regarding concerns about the environment. The environment is now considered to be the number one priority of Canadians across the country. Locally, Guelph citizens elected a Council which is more committed to sustainable development. There have been some very interesting local initiatives in the area of group purchases of solar power and community-based energy plans.

I noticed that Wal-Mart was featured in the April 20th Globe and Mail as a major supporter of Bull-Frog wind power. I think the opportunity exists to go further in Guelph with any new development by implementing the requirements of the PPS and *promoting design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.*

11) The preliminary site plan does not deliver business opportunities for small businesses.

The smallest retail building shown on the preliminary site plan is 6,000 square feet. This is likely to be occupied by chain stores or other big box retailers. No opportunity is provided for independent, small business owners at this location.

12) Size of retail stores

It appears that big box retailers in Guelph are currently in a race to build the biggest stores possible. Total square footage of the Wal-Mart store after expansion will make it 198,469 square feet, the biggest in the city. Council needs to decide whether or not this is in the interests of the community. Demographics need to be taken into account. Studies indicate that stores of this size are not conducive to easy use by seniors.

The option exists for Council to cap the maximum size of individual stores in the City of Guelph.

13) This development may be a net drain on the tax base.

C.N. Watson and Associates generated data based on a case study of Milton comparing the annual costs or benefits of commercial and industrial development. (Property taxes received, versus costs to service the development). Industrial development was a hands down winner, but their research revealed that commercial development is an annual net drain on the tax base.

Based on a 10,000 square foot building, commercial development in Milton incurred an annual operating deficit of (\$2,132.39).


Applying the Milton figures, to this 350,000 square foot site, an annual net loss could be generated in the region of (\$75,000).

This could be dramatically offset by the addition of apartment units to the site. C.N. Watson identified that apartment and condominium dwellings provide a net benefit to the tax base. In Milton, this figure was \$668.77 per unit, per year.

The City of Guelph is currently conducting financial studies to quantify the benefits and costs of different types of development within our city. Given the significant potential annual drain to the tax base that this site could represent, I would like Council to wait until the results of the Guelph study are received before approving further development.

Thank you for the opportunity to provide input.

Sincerely,
Susan Watson



June 18th, 2007

Mayor Karen Farbridge,
City of Guelph,
City Hall,
59 Carden Street,
Guelph, Ontario,
N1H3A1.

Madam Mayor,

I will start out by congratulating you and the rest of Council on your election last November. A little late you say and how right you are; however, as I am away from October of each year until May of the following year, hence the reason for my tardiness. You may not recall me having written to you before so I will refresh your memory as the correspondence between us dates back to the time of your previous incumbency and to be exact the date was June 17th, 2003. I doubt that you have copies of the correspondence at this late date; however, should you wish to see it I have copies on my computer.

Well now that I have covered that bit of trivia I will get to the point of this writing. Firstly I would like to express my sympathies to you and the rest of Council for sitting through the meeting of Tuesday June 5th, 2007; at least I think that was the date of the meeting. I sat in the comfort of my family room and watched this painfully exasperating meeting. It confuses me as to why people did not start nodding off. I applaud Council for hosting this type of forum in order to get the mood and feeling of the community, as well as the reasoning behind the developer's decision to increase the size of the project. I am referring, as you might well have surmised, to the application by Smart Centres to enlarge the Wal-Mart site. The gist of those who chose to speak must have seemed like deja-vu to yourself and the rest of Council. The bleeding hearts, who happen to be the vocal minority I suggest, were out in full force and by enlarge they only reiterated what they have expounded for the last ten years. You will no doubt surmise from this letter that I am a vocal member of the silent majority, a bit of an oxymoron wouldn't you say. I also suggest to you that the vehicular traffic that I have witnessed in both the Wal-Mart parking lot and also that of Home Depot would support my view that the majority, by far, of your constituents are immensely happy these stores are where they are. It sure saves a lot of driving to Kitchener or Cambridge.

The moment I heard that Smart Centres were going to ask for an expansion to the property and in particular the Wal-Mart store I said to my wife "here we go again" and of course this has and will continue to take

place. The one complaint that I heard was that both of the establishments mentioned are surrounded by asphalt jungles and I must say that I agree with this point. There is a very simple solution to this problem and that is that with projects of this type part of the agreement between the city and the developer is that medians be put into the parking lots and that they have trees/shrubs or other types of foliage planted in them. This would take away from the starkness of acres of asphalt ugliness. My observations of the present parking lot there is that the developer has done this to some degree but perhaps more could have been done. The other point that seemed to be of some substance to the objectors was that of the traffic. There is no question that the traffic density is greater than it was years ago. I have been here in Guelph now for 10 years during which time I would guess that the population of the City has grown by at least 20,000 residents, which would probably be a growth of some 20/25%. I live in the south end and it is so obvious that this has taken place, one would have to be brain dead not to realize or expect this. The fact that we are a growing community seems to be lost with some people, they must have been mortified when they saw the old streetcar tracks being ripped up on Gordon Street. I say this with tongue in cheek obviously. The other thing that keeps cropping up is the downtown merchants and the impact ventures of this type will have on them. Frankly downtown is a bit of a joke, mind you there are some very fine boutique/niche type establishments and they will flourish regardless. The planning that you referred me to in your letter of June 26th, 2003 is no farther ahead now than it was then. The downtown seems to be a haven for bars and less than high quality restaurants. The only time I am downtown is to go the church at St. George's on Sundays. There is absolutely nothing downtown to act as a catalyst to draw people into the area.

It seems to me that the whole issue revolves around the "not in my backyard" syndrome. The do gooders as I will refer to the objectors as simply do not want this expansion of the commercial/retail environment in their domain. Well we here in the south end of the City have seen a far greater explosion of expansion of commercial/retail during the last 2/3 years. What have we seen: Expansion to the Stone Road Mall, the creation of the huge Zeller's Superstore, the addition to the Canadian Tire Store on Stone Road, the Future Shop now under construction adjacent to Canadian Tire, the new Fitness Centre, the hotel/convention center under construction at Stone Road and Gordon Street, the new library at Clair Road and Gordon Street, the new shopping center at the same intersection and lastly but by no means least is the Tim Horton's distribution center. Now how is that for a list of new things and to my recollection there has been no beefs or questions regarding the increase in traffic density. I am sure there have been some, I am just not aware of them. What I am really saying is that we are a growing community and with growth there must be expansion of services to serve the needs of the community. If we do not have growth of our retail services then the residents will shop in other

locales, this is a pure and simple fact. The other fact that should not be forgotten is that all and I do mean all of these projects that have been built here in the South end have created jobs. This is particularly important to the well being of the economy.

I am now going to chastise you and the rest of Council for their continual criticizing of the former Council. You might ask, did they make mistakes during their term of office and I say of course they did. Will you and Council make mistakes during your term of office of course you will, for after all to err is human. Council should rise above the pettiness they have shown, I for one think it is unconscionable to be critical of someone who does not have the means to defend themselves. Get on with it and do the jobs you were elected to do. When I look at the list of businesses they attracted during their term of office I say well done. Your Council have yet to make it's mark so let us stop harping about those who went before us. I will drop it at that, but as you can see I am not impressed with this type of second guessing.

Speaking of second guessing I will now just do that very thing; again a bit of an oxymoron. I am quite aware that the government guidelines on urban development call for something along the lines of 33% high density, 33% medium density and 33% low density. I know these are not the exact numbers but suffice it to say they are not that far off. I believe that with our present rate of progress we may very well be, or become, the town house capital of the universe. Certainly I see a fairly good number of single family dwellings springing up, but the number of townhouses is beyond belief. They are everywhere, now this may have been the work of the previous Council for it takes a good deal of time between application etc and the start dates. Frankly some of these may very well go back to your previous term of office. It would be very interesting to see the number of building permits issued this year and last in the various categories. Generally speaking they are of decent design and tastefully landscaped and set well back from the roadways. There is one notable exception to this and that is the latest Reid development on Gordon Street south near the Brock Road Garage. Madam Mayor to put it in the vernacular this is an abortion. I might suggest that if one were to stumble coming out the front door of any of the units facing Gordon Street they may very well fall directly into the line of traffic. Whatever was the Planning Department thinking when they recommended this be approved by Council. Better still what was Council thinking when they approved it, I bet you are going to tell me this was the previous Council. There is one factor that should have negated that, if it is true, and that is that it must have been recommended by Staff.

This is definitely my last point and one that you may find somewhat hypocritical. I recently learned that the major objector to the previous Wal-Mart application was Mr. Ben Bennett, I think I have the name right. I also learned recently that he is not a land owner in the City, rather he is a renter and by no means do I mean to look down on renters, however, it puzzles me as to why a person, whether it be he or not, has the right to question

Council and or it's decision process if they have no vested interest and by that I mean owing property here. I do recall him having said that he really had nothing against Wal-Mart per se; however, it is rather strange that even though he professes not to having anything against the company that he was also the one spearheading the opposition of this same company in Stratford. Makes me chuckle.

Madam Mayor I thank you for indulging me in this epistle but I just felt that there are too many of the silent majority who just sit back and do nothing. I could quote you any number of historical incidents where this type of situation led to disastrous results, but I won't as I have taken enough of your valuable time.

Respectfully,

Frank Maguire.

C.C. Councilor L. Burcherr
Councilor I. Piper
Councilor C. Billings
Councilor K. Wettstein
Planning Dept. S. Hannah

From: Brian Holstein
Sent: Monday, April 23, 2007 3:17 PM
To: Melissa Castellan
Cc: Vicki Beard; Bob Bell; Christine Billings; Lise Burcher; Gloria Kovach; Maggie Laidlaw; Kathleen Farrelly; June Hofland; Ian Findlay; Mayors Office; Leanne Piper; Mike Salisbury; Karl Wettstein
Subject: WalMart Application

re: *Zoning Amendment application from 6&7 Developments Ltd for the property municipally known as 0 Woodlawn Road West and Developments Ltd for the property municipally known as 0 Woodlawn Road West and 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph.*

Dear Melissa,

Three years ago I stood before a special council meeting, held at the Italian Canadian Club, to voice my concerns with the location of the WalMart store at Highways 6 & 7. My rationale at that time was a concern for the increase in traffic first on Speedvale Avenue, and then on residential streets, such as Kathleen Street.

In the last year, the WalMart store has opened, and traffic patterns has changed - substantially.

Speedvale Avenue is now often bumper-to-bumper in both directions. Right-turn entry onto Speedvale from a stop-sign often involves a long wait, sometimes it is impossible. Left hand turns are not even considered during high volume periods: periods that have increased in both time and volume of traffic. Much of this traffic is a direct response to the opening of large format stores along Woodlawn - drivers simply want to find a faster route.

This faster route along Speedvale now gives many more opportunities to make "short-cuts" to the downtown along residential streets. Often there are up to eight city-bound cars at the all-way stop near my home. Often, the cars near the end of this procession of haste ignore the stop signs and roll right through.

Kathleen Street is also a major thoroughfare for a much more precious commodity: schoolchildren. Several dozen children, ranging from primary age to those in high school walk past my home every morning, every afternoon. I applaud the number - these children are not reliant on parents delivering them to the school gate in a vehicle. But these children *are* reliant on safe driving habits by the automobile users of Kathleen Street. They have grown to expect a few cars - mainly people from the neighbourhood. People who are also used to having the children on the street.

But no more can they be complacent. Traffic has more than quadrupled, and the increase has been caused by motorists impatient to reach their destination. They often forget they are travelling on a residential street; they may not watchful for children on Kathleen.

If WalMart, or any store, on Woodlawn increases its size there will continue to be an increase in the overflow of traffic on Speedvale, and therefore on Kathleen and other residential streets leaving to the downtown. This increase will bring with it frustration amongst drivers, causing unnecessary risk-taking, leading to increased danger to our children, both those en route to and from school, or those participating in activities in Exhibition Park.

I therefore oppose any expansion of large format stores on Woodlawn, an area that was not designed for such heavy traffic flow.

Sincerely,

Brian Holstein

From: Tara Treanor
Sent: Monday, April 23, 2007 12:00 PM
To: Melissa Castellan
Subject: Walmart expansion application

Dear Ms. Castellan,

I am writing to express my concern regarding the proposed expansion of Walmart on Woodlawn Road. Please note my objection to the request and if you need further comment/detail, please let me know.

Kind regards,
Tara Treanor

--

"Let the beauty you love be what you do. There are a hundred ways to kneel and kiss the ground." ~ Rumi

Schedule 11 Incremental Redevelopment Scenario

6&7 DEVELOPMENTS LIMITED INCREMENTAL REDEVELOPMENT SCENARIO

Background and Approach

The proposed commercial site plan has been designed so as to allow evolution and intensification of land uses on the 6&7 site over time, potentially including the future introduction of mixed use residential-commercial buildings.

It should be noted that retail and service commercial development represents an ideal form of interim development in circumstances where intensification may become feasible over time in that it allows large parcels of land to be retained in a single ownership. In contrast, the development of a site for condominium townhouses, for example, effectively precludes future intensification due to the resulting fragmentation of ownership.

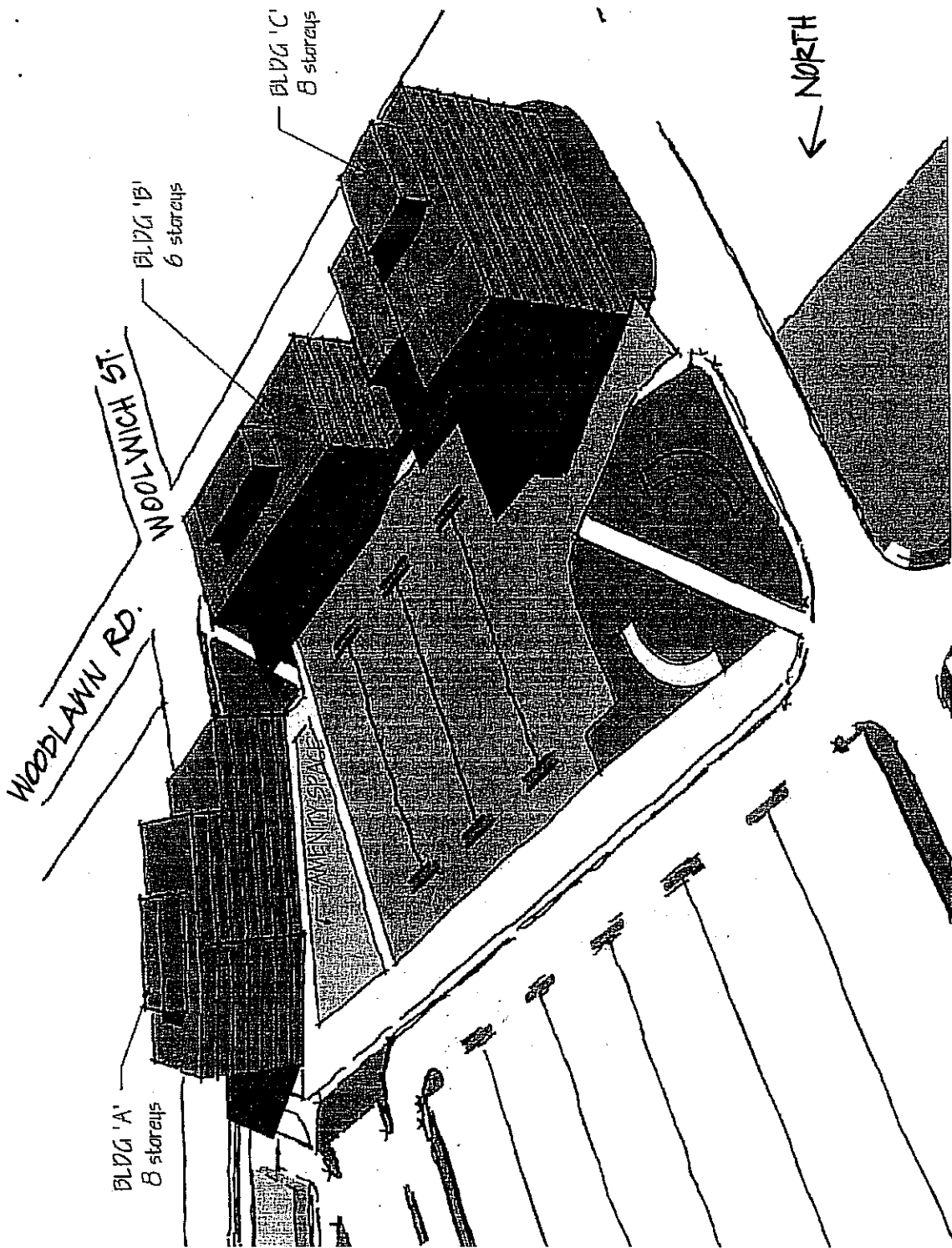
Furthermore, the proposed commercial site plan has been designed with a grid network of internal driveways and development blocks. If redevelopment and intensification were to become feasible in the future, the structure of the site plan would facilitate the incremental redevelopment of individual blocks within the lands by providing appropriately sized and configured development blocks with good access and street frontage.

However, the inclusion of residential uses in the 6&7 development is not realistic or desirable at the present time. The site has limited amenities for residential development. It does not form part of a residential community and is not within easy walking distance of most community services or facilities (e.g. schools, parks). Transportation capacity and economic feasibility are also considerations which would restrict development for residential purposes at the current time. Therefore, any form of residential development on the property is unlikely in the short to medium term.

Description of Redevelopment Scenario

With the above in mind, we have provided an illustration of a potential incremental site redevelopment at the southeast corner of the site (i.e. the northwest quadrant of the Woolwich/Woodlawn intersection). If residential mixed-use development were to become feasible in the future, it is our opinion that this would be the most logical location, given that this block has frontage on two public streets and is the closest portion of the site to the existing residential development to the east.

The illustrated redevelopment scenario shows an 8-storey, 80-unit building along the Woolwich Street frontage, a 6-storey, 60-unit building along the Woodlawn Road frontage, and a stepped 6/8-storey, 70-unit L-shaped building located on Woodlawn Road at the main site entrance.



TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE Monday, July 7, 2008

**SUBJECT 168 Fife Road: Zoning By-law Amendment
(ZC0615) – Ward 4**

REPORT NUMBER 08-72

RECOMMENDATION

"THAT Report 08-72 regarding a Zoning By-law Amendment for the property municipally known as 168 Fife Road from Community Design and Development Services dated July 7, 2008 BE RECEIVED; and

THAT the application by Everest Homes for a Zoning By-law amendment from the UR (Urban Reserve) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone and a new Specialized R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E in the City of Guelph, BE APPROVED, in accordance with the regulations and conditions set out in Schedule 2 of the Community Design and Development Services Report 08-72 dated July 7, 2008; and

THAT the request by Everest Homes to demolish the detached dwelling located on the property municipally known as 168 Fife Road BE APPROVED; and

THAT City Council directs the Director of Community Design and Development Services to advise property owners directly adjacent to the site in writing when a formal application for site plan approval has been filed with the City to allow residents the opportunity to view the plans and make suggestions, if necessary, for the consideration of the Director of Community Design and Development Services prior to granting site plan approval; and

That in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 168 Fife Road (File ZC0615) as set out in Report 08-72 from Community Design and Development Services dated July 7, 2008."

BACKGROUND

The statutory Public Meeting for this Zoning By-law amendment was held December 3, 2007. Community Design and Development Services staff report 07-111 was presented at the Public Meeting with a recommendation for Council's consideration. Staff recommended approval of the application, subject to the regulations and conditions contained in Schedule 2 of staff report 07-111. A copy of this report is included in **Schedule 6**.

At the Public Meeting, City Council passed the following resolution:

"THAT the application regarding a Zoning By-law Amendment for the property municipally known as 168 Fife Road be referred back to staff to work with the community members and the developer to reconcile the issues raised, including but not limited to, a reduced density, a specific building height, the issue of ground level amenities, the use of building materials, the issue of light pollution, the urban tree strategy fit with this application, the issue of a light-activated crosswalk, the issue of drainage, the issue of lighting, and the issue of bicycle lanes."

Following the Public Meeting, the City engaged Glenn Pothier of GLPi to facilitate meetings between neighbouring residents, the applicant and City staff in an effort to resolve the issues raised in association with the proposed development. Meetings were held on February 7, March 19, and May 15, 2008.

At the first facilitated meeting held on February 7, Glenn Pothier consulted with the residents on the issues derived from Planning Report 07-111 and from the Public Meeting to establish the following list of discussion items that would be the focus of the facilitated meetings:

1. Site design / Compatibility
2. Density
3. Neighbour privacy: sight lines/overlook, shadowing and lighting impacts
4. Increased traffic and impacts of onsite parking areas
5. Waste collection and snow removal services
6. Tree/greenspace preservation
7. Stormwater management
8. Pedestrian infrastructure: sidewalks, pedestrian light-activated crosswalk, bicycle lanes
9. Building materials

REPORT

Outcomes of the Facilitated Meetings

The facilitated meetings provided the opportunity for the residents to clarify their concerns and seek resolutions. While the meetings were successful in addressing the majority of concerns, not all of the issues could be fully resolved. The following provides a summary of the outcomes of the facilitated meetings with respect to the identified issues.

Site Design / Compatibility

At the second facilitated meeting held on March 19, 2008, alternative development concepts were presented to area residents for discussion and feedback in response to various site design issues discussed at the initial facilitated session. Three alternative development concepts were prepared by staff to allow residents to review modified site layouts for the proposed townhouse development. One alternative concept, while not supported and endorsed fully by the residents, was determined to be an improved site design and the most acceptable of any other site design prepared. This alternative development concept is shown on **Schedule 3**. As a result, one of the key outcomes of the facilitated meetings was the adoption of the revised site design shown on **Schedule 3** as the applicant's current proposal for Council's consideration. The applicant's previous concept presented at the December 3, 2007 Public Meeting is shown on **Schedule 4**.

The revised site design shifts the private access road to the east approximately 3 metres at the southerly portion of the site. This modification was made to increase the separation distance between the roadway and the adjacent properties to the east along Pamela Place. This will provide further protection to the existing trees that are situated on the Pamela Place properties adjacent to the site (see **Schedule 3**). In addition, the revised concept plan relocates the visitor parking and emergency vehicle turnaround area from the end of the private roadway to the central portion of this site. This revision was implemented in an effort to minimize any impacts this parking area may have on the Pamela Place property line trees at the southern portion of the site. This revision also improves the accessibility of visitor parking to the townhouse units. There was general agreement among residents that these revisions do represent an improved site design.

The revised concept plan and associated modifications to the zoning amendment represent minor changes to the original concept presented at the December 3, 2007 Public Meeting and do not impact the intent of the zoning bylaw amendment. Therefore, it is recommended that in accordance with Section 34(17) no further public notice is required for this application.

Another outcome of these meetings is the recommendation for the Director of Community Design and Development Services to notify the residents when a formal application for site plan approval is received by the City. The residents will be invited to view the plans and provide any comments to the Director for consideration in the site plan approval process. This recommendation provides the residents the opportunity to view the plans and confirm that the final design meets the intent of the resolutions identified during the facilitated meetings.

Density

The resident's concerns regarding the density of the development proposal was the major issue that could not be completely resolved through the facilitated sessions. Residents are still of the opinion that the number of units is too high for this site and incompatible with the adjacent single detached homes in the area. A total of 18 residential units are proposed within the current concept plan shown on **Schedule 3**, which is the same number of units within the concept plan that was presented at

the December 3, 2007 Public Meeting (**Schedule 4**). While a reduction in the number of units was explored by the owner, this option was not considered to be feasible for this financial viability of this project. The net residential density on the area of the site proposed to be rezoned is 25 units per hectare. The density under "Places to Grow" for the area subject to development equates to approximately 65 persons and jobs per hectare.

Planning staff maintain that the proposed density is appropriate and does not represent an over-intensification of this site. A reduction in the number of units would not accomplish any substantial improvements to the overall site design. The proposal represents a functioning site design that can be implemented with more than adequate building setbacks to adjacent residential properties, which are a minimum of 13 metres. This proposal conforms to Official Plan policies for the "General Residential" designation and the intensification policies of the Provincial Policy Statement and Places to Grow Act that focus on increasing density in built-up areas, while being compatible with the surrounding area. This site is within the Built Boundary as per "Places to Grow" and therefore the development will contribute towards meeting the intensification targets of the Growth Plan.

Specific Building Height / Privacy

The specialized R.3A zoning regulations included in staff report 07-111 restricted the height of the townhouse units to two storeys. In response to the issue raised at the Public Meeting, this regulation was revised to stipulate a specific maximum building height of 7.8 metres, which corresponds to a typical two storey building height. This modification has been implemented to provide assurance that the two storey townhouse buildings are not constructed exceeding this height.

Considerations regarding privacy and overlook from the proposed townhouse dwellings continue to be addressed through the revised development concept. Specialized zoning regulations included in **Schedule 2** will continue to ensure that minimum building setbacks of 13 metres are maintained from adjacent property lines. While the roadway has been shifted 3 metres to the east at the southern portion of the site, the reduced building setback at the southern portion of the site is more than adequate given the size and depth of the adjacent pie shaped lots at the end of Gombas Place. Buffer strip plantings combined with a privacy fence will allow for privacy of both existing and future residents. The details regarding these landscaping and fencing requirements will be addressed through the subsequent site plan approval process. In addition, residents will be informed when a formal site plan submission is received to allow the opportunity to provide input with respect to landscaping and fencing details through the site plan approval process.

Light Pollution

Site illumination will be managed during the subsequent site plan approval stage, as an outdoor lighting plan will be required as part of the applicant's site plan submission. Areas of the site will need to be lighted in such a way as to deflect away from nearby properties.

Increased Traffic and Parking

A development of this nature and size is not considered to be a significant traffic generator. A maximum of 18 units is proposed with access onto Fife Road, which is an arterial road designed to accommodate increased traffic demands. It was agreed by the group that other traffic issues related to Fife Road are at the neighbourhood level and should not be dealt with through this development application.

In terms of parking, the proposed townhouse development provides the required parking for each unit, with one designated space within a garage and an additional space accommodated within individual driveways. A total of 7 visitor parking spaces are provided through the revised site design, which is 4 spaces more than what would be required under the existing zoning bylaw regulations. The recommended specialized zoning regulations include the provision that a minimum of 7 visitor parking spaces be provided.

Waste Collection and Snow Removal

The following condition is recommended to resolve the residents' concern regarding waste collection and snow removal and is included in **Schedule 2** as Condition 15:

"The developer acknowledges and agrees that waste collection and snow removal for the proposed townhouse development shall be by private contractor and will be reviewed at the time of site plan approval. The site plan agreement will stipulate the method of collection."

A thorough review of waste material storage and collection areas will occur during the site plan approval process to ensure that all details of the site design promote a functional and attractive development that minimize adverse impacts on the surrounding neighbourhood.

Issue of Ground Level Amenities

The amount of private amenity space provided for each townhouse unit within the proposed development exceeds the zoning bylaw requirement of 20 m² per unit. A specialized zoning regulation has also been included in **Schedule 2** to ensure that all private amenity areas are at grade.

The remaining triangular portion of the property adjacent to the rail line that is not subject to this application and will remain within the current Urban Reserve (UR) Zone. This area will not be developed as a formal park or amenity area in association with the proposed development. The resident's concerns regarding the maintenance of the adjacent UR zoned parcel has been satisfied through the inclusion of Condition 14 in **Schedule 2**. This condition stipulates that any future condominium corporation would be responsible for the ongoing maintenance of this portion of the property.

Urban Tree Strategy

Condition 11 in **Schedule 2** outlines the requirement of the owner to conduct a tree conservation and preservation plan. The proposed site design, which includes increased setbacks from the Gombas Place and Pamela Place properties will allow

the existing property line trees to be preserved. The Developer did conduct a tree survey to identify the exact location of the existing mature trees within the context of the proposed site design, as shown on **Schedule 5**. This plan indicates the potential to retain two mature maple trees on the site. As shown on **Schedule 5**, one is located in the rear yard of the most westerly proposed semi-detached lot and one is within the easterly side yard to the rear of the most northerly townhouse unit. Condition 11 in **Schedule 2** directs specific efforts to be made through the required tree conservation plan to retain these mature trees.

It is also noted that an approved landscape plan is a requirement of site plan approval, which will provide additional plantings in association with the new development. The proposed site design provides significant open space areas in which to accommodate substantial new tree plantings. The proposed development will not impact the Pamela Place property line trees at the southern portion of the site. The revised concept plan will provide even greater separation between these trees and the private roadway with the road being shifted further to the east.

Stormwater Management

The issue of stormwater drainage would be addressed at the site plan approval stage. Engineering Services require that all development sites must control post-development stormwater flows to the level of pre-development flows and that it must be controlled on-site without impact to neighbouring properties. Conditions are included in **Schedule 2** to address these concerns (Conditions 7 and 8).

Pedestrian Infrastructure

Currently, the sidewalk along the frontage of the subject property does not include a boulevard and is directly adjacent to Fife Road. The location of the sidewalk was expressed as a safety concern by area residents at the Public Meeting. However, this existing situation would be addressed prior to any development of the subject property through a required road widening dedication to the City (see Condition 3 in **Schedule 2**) and the reconstruction of the sidewalk and the incorporation of a proper boulevard (see Condition 5 in **Schedule 2**). This would implement a continuous and aligned sidewalk and boulevard in association with the street frontage of adjacent developments along Fife Road.

In terms of pedestrian crossings, the scale of this 18 unit proposed development would not trigger the need for the installation of an additional pedestrian activated crosswalk across Fife Road. There is an existing pedestrian activated crosswalk less than 135 metres to the east of the subject site that could be utilized by the new residents of the proposed development.

Bicycle Lanes

The issue of the implementation of bicycle lanes along Fife Road is beyond the scope of this development application. Schedule 9c of the Official Plan outlines the City's Bicycle Network Plan, illustrating the existing and proposed on-road bike lanes. While bike lanes are currently not identified along Fife Road, this could potentially be considered as a future City initiative through an amendment to the Official Plan.

Use of Building Materials

Site plan approval will be required to examine the design and technical aspects of the proposed development, including ensuring a high quality building design and meeting all City requirements for servicing the site. Building construction will be regulated through the requirements of the Ontario Building Code.

Planning Analysis

Planning staff recommend approval of the proposed zoning by-law amendment in accordance with the regulations and conditions in **Schedule 2** of this report.

The revisions made to the site design and the inclusion of new and revised conditions in **Schedule 2** have addressed many of the outstanding issues raised at the initial December 3, 2007 Council meeting. Residents are in general agreement that the revised concept plan shown on **Schedule 3** represents an improved site design. The facilitated meetings did assist residents in understanding the planning process and the role of the specialized zoning regulations and conditions to achieve desired outcomes on the development site.

Planning staff continue to support this application for an infill residential development. This proposal conforms to Official Plan policies for the "General Residential" designation and the intensification policies of the Provincial Policy Statement and Places to Grow Act that focus on increasing density in built-up areas. The proposed site design is considered to be fully functional in terms of setbacks, access, parking, and amenity areas.

COMMUNITY ENERGY PLAN (CEP)

The proposed development will contribute towards implementing the Community Energy Plan 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 subject site is located within the built-up area of the City and the proposal provides infill residential development on vacant and underutilized lands. City transit services are available along Fife Road to serve the development.

The proposed site design represents a compact form of development on a narrow north/south oriented private roadway that will allow good solar access to the development. Condition 16 in **Schedule 2** will secure the owner's commitment to construct the new dwellings to the Energy Star standard.

CORPORATE STRATEGIC PLAN

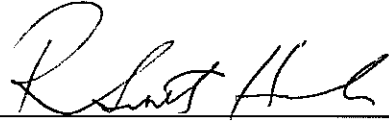
Supports Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

ATTACHMENTS

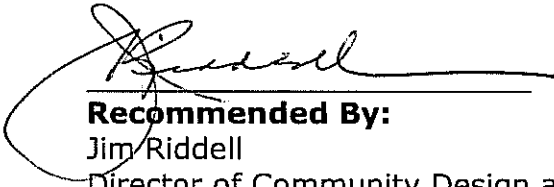
- Schedule 1 – Location Map
- Schedule 2 – Regulations and Conditions
- Schedule 3 – Revised Concept Plan
- Schedule 4 – Previous Concept Plan presented at December 3, 2007 Public Meeting
- Schedule 5 – Tree Inventory
- Schedule 6 – December 3, 2007 Staff Report 07-111



Prepared By:
Chris DeVriendt
Senior Development Planner



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

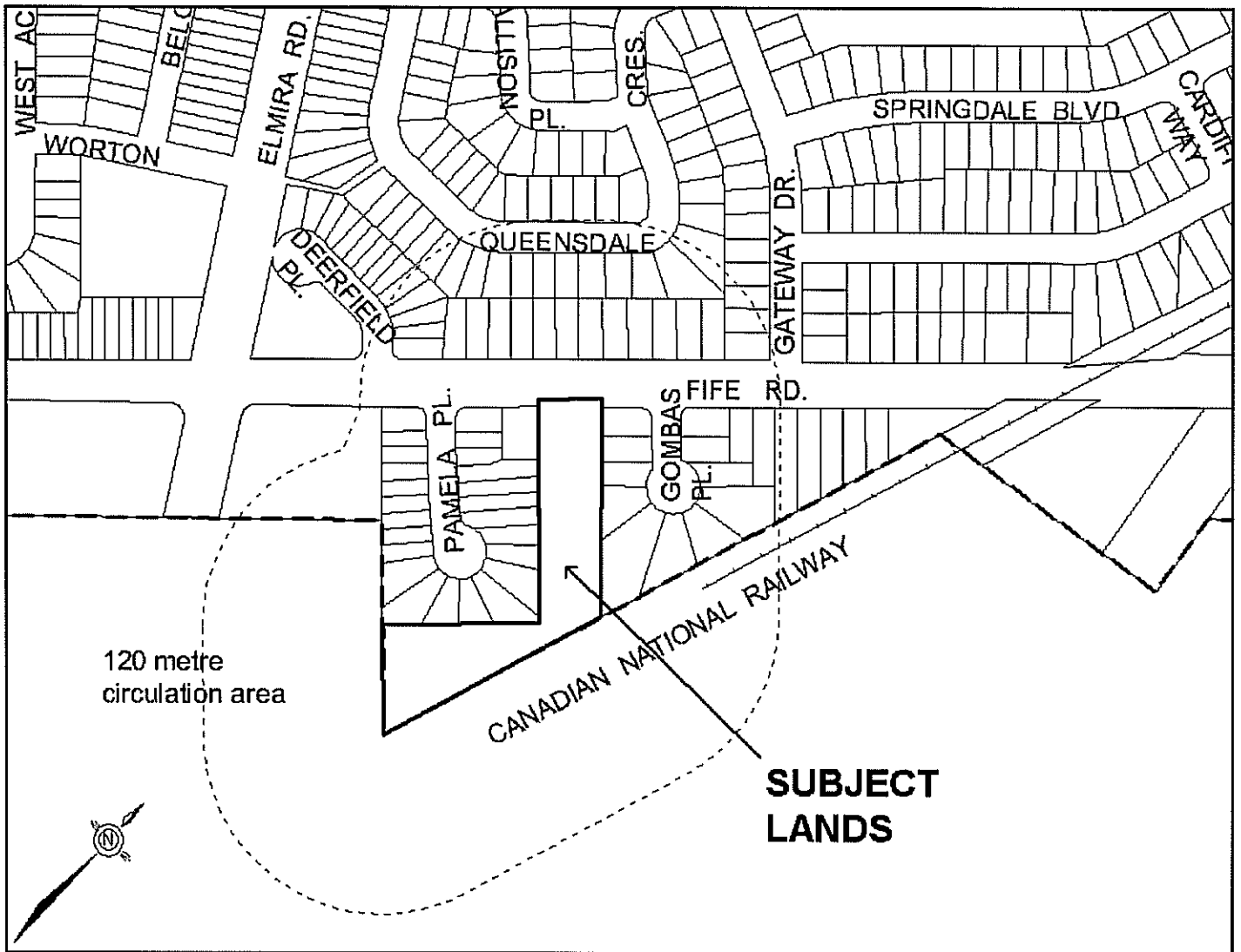


Recommended By:
Jim Riddell
Director of Community Design and Development Services

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SCHEDULE 1

Location Map



SCHEDULE 2

Proposed Zoning By-law Amendment Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E, City of Guelph.

The following zoning is proposed:

R.2 (Residential Semi-detached) Zone

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

Regulations

For the Specialized R.3A Zone

Permitted Uses

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

Regulations

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

Minimum Number of Dwellings

A maximum of 14 dwelling units shall be permitted.

Maximum Building Height

2 Storeys and a maximum of 7.8 metres

Minimum Side Yard

Despite Section 5.3.2.2, the minimum side yard setback shall be:

- 13 metres

Minimum Distance between Buildings

Despite Section 5.3.2.3.1, the minimum distance between one Building and the face of another Building, each of which contain windows to Habitable Rooms, shall be 3 metres.

Minimum Setback from Railway Right-of-Way

15 metres

Buffer Strips

Notwithstanding Row 14, Table 5.3.2, the Buffer Strips shall be:

- a minimum of 10 metres along the easterly property limit; and
- a minimum of 3.0 metres along the westerly property limit.

Minimum Number of Visitor Parking Spaces

Despite Section 4.13.6, a minimum of 7 visitor parking spaces shall be provided at a minimum distance of 9 metres from the westerly property line.

Private Amenity Areas

In addition to Section 5.3.2.5.1, the private amenity areas shall be at grade or equal to the main floor level

For the R.2 Zone

Permitted Uses

In accordance with the provisions of Section 5.2.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.2.2 of Zoning By-law (1995) – 14864, as amended.

Conditions

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

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Community Design and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a. Further, the Owner commits and agrees that the design for development of the subject lands shall be generally in accordance with and conform to the concept plan attached as Schedule 3 to the July 7, 2008 Planning Staff Report 08-72.
2. That the necessary consent applications receive approval in accordance with the Planning Act and that the registration of the deeds occurs in a proper sequence to create the separate parcels for development to the satisfaction of the City Solicitor prior to the issuance of any building permits.
3. That prior to any severance of the property or prior to site plan approval, the owner shall deed to the City a 5.182 metre road widening to the City.
4. That prior to any severance of the property or prior to site plan approval, the owner shall pay to the City the owner's share of the cost of the existing municipal services on Fife Road, as determined by the City Engineer.
5. That the owner pays the actual cost of reconstructing the sidewalk with a boulevard across the Fife Road frontage of the property and furthermore, prior to any severance of the property or prior to site plan approval, the owner shall pay to the City the estimated cost as determined by the City Engineer.
6. That the owner pays the actual cost of constructing and installing any service laterals required and furthermore, prior to any severance of the property or site plan approval, the owner shall pay to the City the estimate for the cost of the service laterals, as determined by the City Engineer.
7. That prior to site plan approval, the owner shall have a Professional Engineer design a grading plan and stormwater management system for the site, satisfactory to the City Engineer.
8. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

-
9. That prior to any severance of the property or prior to site plan approval, any domestic wells located within the lands shall be properly abandoned in accordance with current Ministry of Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
 10. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
 11. That the owner prepares a tree conservation plan to identify trees to be retained and removed. Specific efforts shall be made to retain two mature trees located on the site; one within the rear yard of the most westerly semi-detached lot and one within the easterly side yard adjacent to the rear amenity area of the most northerly townhouse unit, as identified in **Schedule 4** of Planning Staff Report 08-72. The tree conservation plan shall be prepared to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
 12. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval or prior to the endorsation of the deeds, at the rate in effect at the time of the endorsation.
 13. Prior to the site plan approval, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 14. That the Owner shall agree in the Development Agreement to maintain the portion of the property that will remain within the UR (Urban Reserve) Zone in accordance with the City's Property Standards Bylaw.
 15. The developer acknowledges and agrees that waste collection and snow removal for the proposed townhouse development shall be by private contractor and will be reviewed at the time of site plan approval. The site plan agreement will stipulate the method of collection.
 16. The owner acknowledges and agrees that the 18 dwelling units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 17. The Owner is required to engage a consultant to undertake an analysis of noise and vibration in order to recommend abatement measures necessary to achieve the maximum level limits set by the Ministry of Environment and Canadian National Railway

prior to site plan approval. Upon review and approval of the noise and vibration reports, all recommendations provided should be included in the Development Agreement.

18. The Owner shall agree in the Development Agreement, in wording satisfactory to CN, to the following:
 - (a) Construct and maintain an earthen berm a minimum of 2.0 metres above grade at the property line, having side slopes not steeper than 2.5 to 1, adjoining and parallel to the railway right-of-way with returns at the ends.
 - (b) Install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line. The Railway may consider other measures, subject to the review of the noise report.
 - (c) That any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.

19. The following warning clause shall be included in the Development Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CN will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."

20. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Condominium Corporation shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.

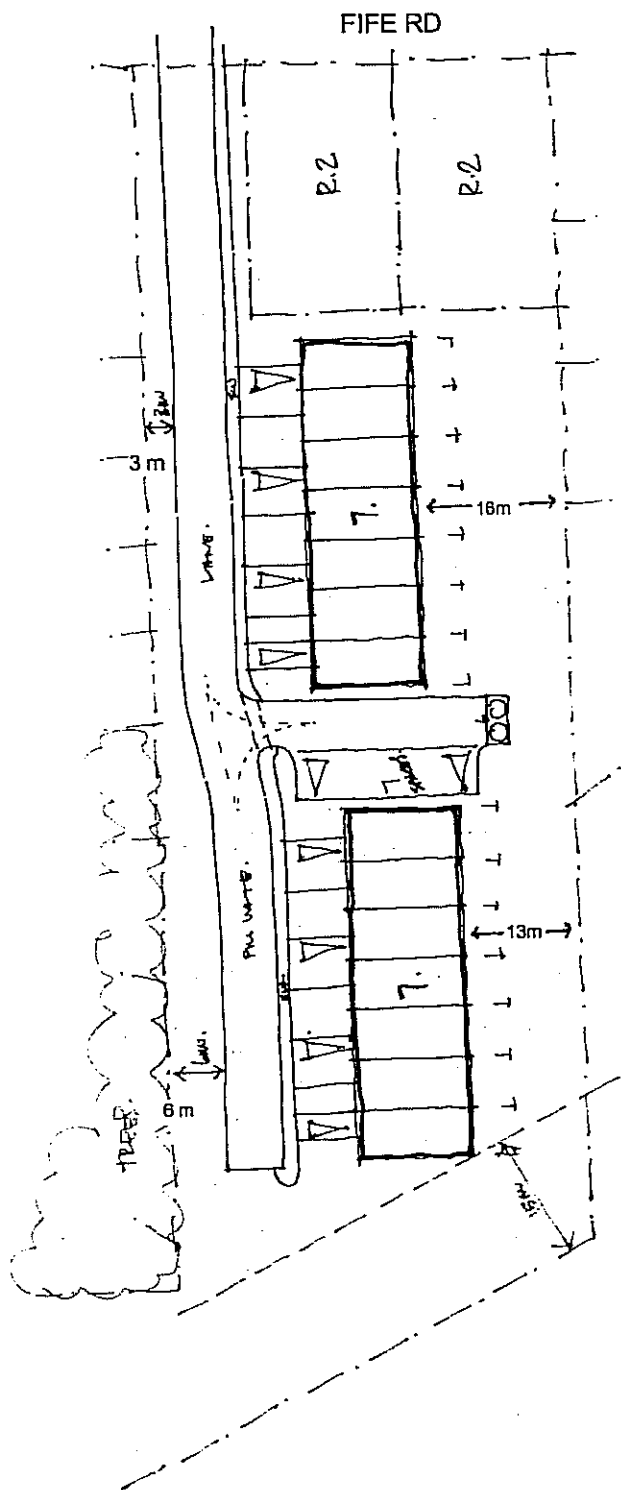
21. The Owner may be required to grant CN an easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

22. The Owner enter into an Agreement with CN, stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement prior to site plan approval.

23. That the owner enters into an agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.

SCHEDULE 3

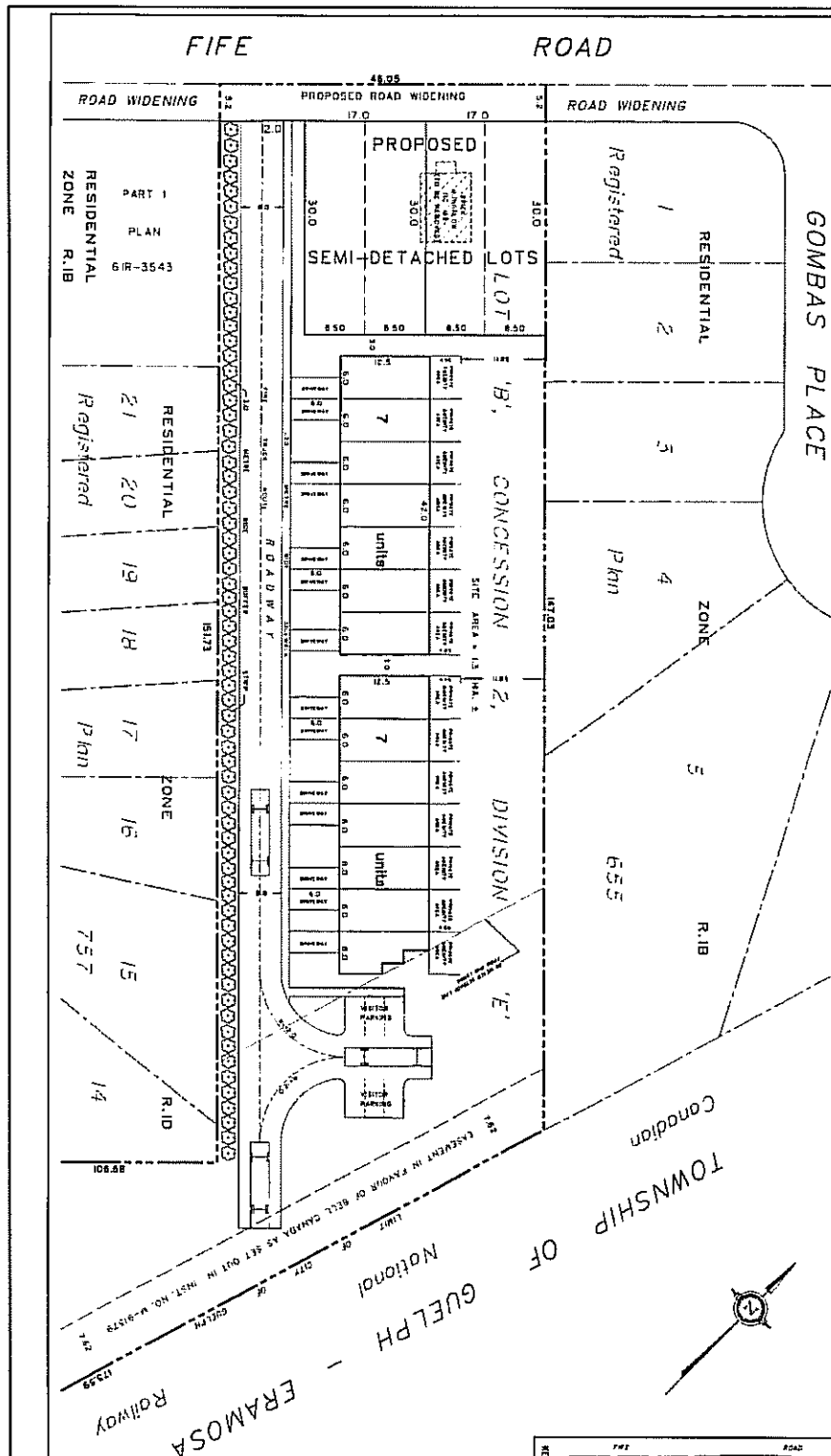
Revised Concept Plan



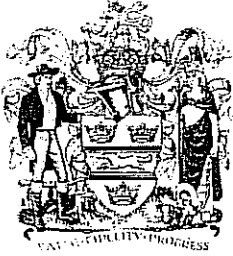
* OFFSET INNER ROW: 7:300-

SCHEDULE 4

Previous Concept Plan Presented at
December 3, 2007 Public Meeting



SCHEDULE 6
Planning and Development Services Report (07-111)



City of Guelph

Report: 07-111

COMMUNITY DESIGN & DEVELOPMENT SERVICES

COMMUNITY DESIGN AND DEVELOPMENT SERVICES

TO: Council

DEC 10 2007

DATE: 2007/12/03

SUBJECT: 168 FIFE ROAD: ZONING BY-LAW AMENDMENT (ZC0615) – WARD 4

RECOMMENDATION:

“THAT Report 07-111 regarding a Zoning By-law Amendment for property municipally known as 168 Fife Road from Community Design and Development Services dated December 3, 2007 BE RECEIVED; and

THAT the application by Everest Homes for a Zoning By-law amendment from the UR (Urban Reserve) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone and a new Specialized R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E in the City of Guelph, BE APPROVED, in accordance with the regulations and conditions set out in Schedule 2 of the Community Design and Development Services Report 07-111 dated December 3, 2007; and

THAT the request by Everest Homes to demolish the detached dwelling located on the property municipally known as 168 Fife Road BE APPROVED”.

BACKGROUND:

Location

The subject property is located on the south side of Fife Road between Pamela Place to the west and Gombas Place to the east (see **Location Map** in **Schedule 1**).

The subject property is an irregular shaped parcel with a lot frontage of 46 metres along Fife Road. The property currently contains a one storey detached dwelling adjacent to Fife Road. The site is bounded by existing residential development to the west and east and the Canadian National Railway and the City boundary to the south.

Official Plan Designation

The subject property is designated "General Residential" in the Official Plan. This designation permits residential uses in low rise housing forms at a maximum density of 100 units per hectare, which includes detached, semi-detached, townhouses and walk-up apartments. The "General Residential" policies of the Official Plan are attached in **Schedule 3**.

Existing Zoning

The subject property is currently zoned UR (Urban Reserve). This zone is applied to lands where there may be servicing, access or other development limitations that must be addressed prior to conversion to urban uses. The following uses are permitted in the Urban Reserve Zone:

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

Application Background

The current zoning by-law amendment application, submitted in February of 2007, applies only to the 0.73 hectare portion of the subject site that fronts onto Fife Road. The remaining 0.57 hectare triangular portion of the property to the south of Pamela Place adjacent to the railway is not proposed to be rezoned (see **Schedule 4**).

The subject lands were not included in the development plans for the surrounding area and have remained vacant as adjacent residential development has occurred to the west along Pamela Place (Plan 757 registered in 1987) and to the east along Gombas Place (Plan 655 registered in 1974) (see **Schedule 4**). The request to develop the vacant portion of the property is now being pursued. The current zoning by-law amendment application is required to accommodate the proposed infill development on the subject site.

REPORT:

Description of the Proposed Zoning By-law Amendment

The applicant proposes to amend the zoning on the subject property from the UR (Urban Reserve) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone and a new Specialized R.3A (Residential Cluster Townhouse) Zone. The proposed zoning concept is shown on **Schedule 5**. This application does not affect the 0.54 hectare triangular southwestern portion of the property directly south of Pamela Place (see **Schedule 5**). This portion of the property would remain within the current Urban Reserve (UR) Zone, which would continue to restrict development on these lands adjacent to the Canadian National Railway lands. Future development of this remnant portion would need to occur as a land assembly to the western lands fronting on the southerly extension of Elmira Road.

A total of 18 residential units are proposed with this application, consisting of 4 semi-detached units and 14 townhouse units. The semi-detached units would have frontage on Fife Road, while access to the 14 townhouse units to the south would be provided from a 6 metre wide private road from Fife Road (see proposed concept plan on **Schedule 6**).

The existing house on the property is proposed to be removed to accommodate the development of the semi-detached dwellings. Heritage Guelph has reviewed the application and has expressed no concerns with the removal of this dwelling.

The lots for the semi-detached dwellings and the parcel for the cluster townhouse development are proposed to be created through a subsequent application for severance through the Committee of Adjustment. These future applications to the Committee of Adjustment will only be considered following a Council decision on the current zoning by-law amendment application.

Specialized regulations are being requested for the proposed R.3A-? Cluster Townhouse Zone. This includes:

- A 15 metre setback from the Canadian National Railway right-of-way. Due to the proximity of the Canadian National Railway, the units abutting the railway require a safety setback from the railway right-of-way. This setback has been approved by the Canadian National Railway;
- A maximum building height of 2 storeys, whereas the standard R.3A zoning regulation specifies a maximum building height of 3 storeys;
- A maximum of 14 townhouse dwellings permitted within the proposed R.3A-? Zone, whereas the maximum density permitted in the standard R.3A Zone is 37.5 dwellings per hectare, which would permit a maximum of 27 townhouse units on the subject site;
- A minimum side yard setback of 16 metres, whereas the standard R.3A zoning regulation requires a minimum side yard setback equal to on-half the building height, and in no case less than 3 metres from any rear or side lot line;
- A minimum landscaped buffer strip of 10 metres along the easterly property line and 3 metres along the westerly property limit, whereas the standard zoning regulation requires a minimum buffer width of 1.5 metres;
- A minimum of 6 visitor parking spaces located a minimum of 9 metres from the western property line, whereas the standard R.3A zoning regulation would require a minimum of 3 visitor parking spaces to be located a minimum of 3 metres from the property line; and
- permitting the distance between buildings which contain windows of habitable rooms to be located 3 metres from each other.

Public Comments:

The notice of application was circulated to agencies and area residents on February 3, 2006. A public information meeting was held on May 11, 2006. City staff also met with area residents adjacent to the site and the applicant on September 13, 2007 in an attempt to resolve specific site design matters with the proposed development.

Through the circulation of the application and at the Public Information Meetings held on May 11, 2006 and September 13, 2007, residents raised the following:

1. Density of development
2. Compatibility with adjacent properties
3. Privacy impacts
4. Traffic and parking
5. Tree preservation and protection
6. Stormwater management
7. Emergency services

Resident's letters are included in **Schedule 7**. Planning staff have considered comments received and a detailed staff response is provided in **Schedule 8**.

Planning Analysis:

Planning staff support this application for an infill residential development. This proposal conforms to Official Plan policies for the "General Residential" designation and the intensification policies of the Provincial Policy Statement and Places to Grow Act that focus on increasing density in built-up areas. This site is expected to be within the Built Boundary as per "Places to Grow" and therefore the development will contribute towards meeting the intensification targets of the Growth Plan. The net residential density on the area of the site proposed to be rezoned is 25 units per hectare.

The proposed site design includes two semi-detached dwellings (4 units) fronting onto Fife Road that will reinforce the existing streetscape. A 5.2 metre road widening dedication to the City is accommodated within the proposal and improvements to the Fife Road frontage will be required. This includes the reconstruction of the sidewalk with a boulevard across the Fife Road frontage, which is recommended in **Condition 5** of **Schedule 2**.

The proposed 14 unit cluster townhouse development on the rear portion of the property will maximize the use of the land for residential intensification, utilizing a 6 metre wide private roadway to allow greater land area for buffer strips, parking and private amenity areas.

The application is in conformity with Section 7.2.7 of the Official Plan that outlines specific criteria for permitting multiple unit residential buildings in the General Residential designation (see General Residential / Housing Policies in **Schedule 3**). The massing, appearance and siting of the proposed townhouse units is considered to be compatible with the adjacent residential land uses. The proposal includes specialized zoning regulations to enhance compatibility with neighbouring properties. This includes limiting the height of the townhouse units to 2 storeys, where the standard zoning regulation permits a maximum building height of 3 storeys, and to provide a minimum landscaped buffer strip of 10 metres between the proposed townhouse units and the eastern property line, where the standard zoning regulations stipulate a minimum buffer width strip of 1.5 metres. The townhouse units will be setback significantly from the detached dwellings located along Gombas Place to the east.

An increased 3 metre wide buffer strip between the private roadway and the western property line has also been proposed to provide the appropriate fencing and landscaping screening to minimize the impact of vehicles on the adjacent properties along Pamela Place. Detailed fencing and landscaping within this buffer strip would be reviewed and implemented through the subsequent site plan approval process.

This proposed development will increase the availability of housing in an area that is well served by existing municipal services, local neighbourhood shopping facilities, schools, parks and public transit. The vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections while adequate vehicular circulation, access and parking are provided on the conceptual site plan.

The Canadian National Railway has recently provided information stating that a principal branch line safety setback of 15 metres would apply to this development. As a result, the originally anticipated 30 metre setback shown on the current concept plan would no longer pose any constraints for the development of the 14 townhouse units. **Conditions 14 to 19 in Schedule 2** are included to ensure that any requirements regarding safety setbacks, noise and vibration studies and associated fencing and berming are reviewed and addressed through the subsequent site plan approval process.

CORPORATE STRATEGIC PLAN:

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

FINANCIAL IMPLICATIONS:

For the proposed townhouse development; based on a maximum of 18 Residential Units

Population Projections

- 46 persons (based on 2.58 persons per unit)

Projected Taxation

- \$36 933 (based on average values from 2003 to 2005 assessment data)

Development Charges

- \$168,174 Residential (Maximum of 4 Semi-detached units and 14 Townhouse Units)

DEPARTMENTAL CONSULTATION/CONCURRENCE:

The comments received in the review of the application are included on **Schedule 7**.

ATTACHMENTS:

Schedule 1 – Location Map

Schedule 2 – Proposed Zoning Amendment, Regulations and Conditions

Schedule 3 – “General Residential” Official Plan Policies

Schedule 4 – Registered Plans 757 and 655

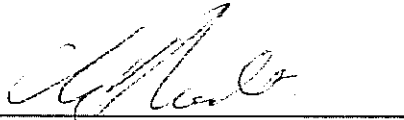
Schedule 5 – Existing and Proposed Zoning

Schedule 6 – Preliminary Concept Plan

Schedule 7 – Circulation Comments

Schedule 8 – Staff Comments

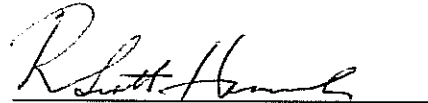
Schedule 9 – Public Notification Summary



Prepared By:

Chris DeVriendt

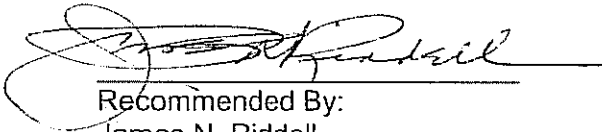
Senior Development Planner



Recommended By:

R. Scott Hannah

Manager of Development Planning



Recommended By:

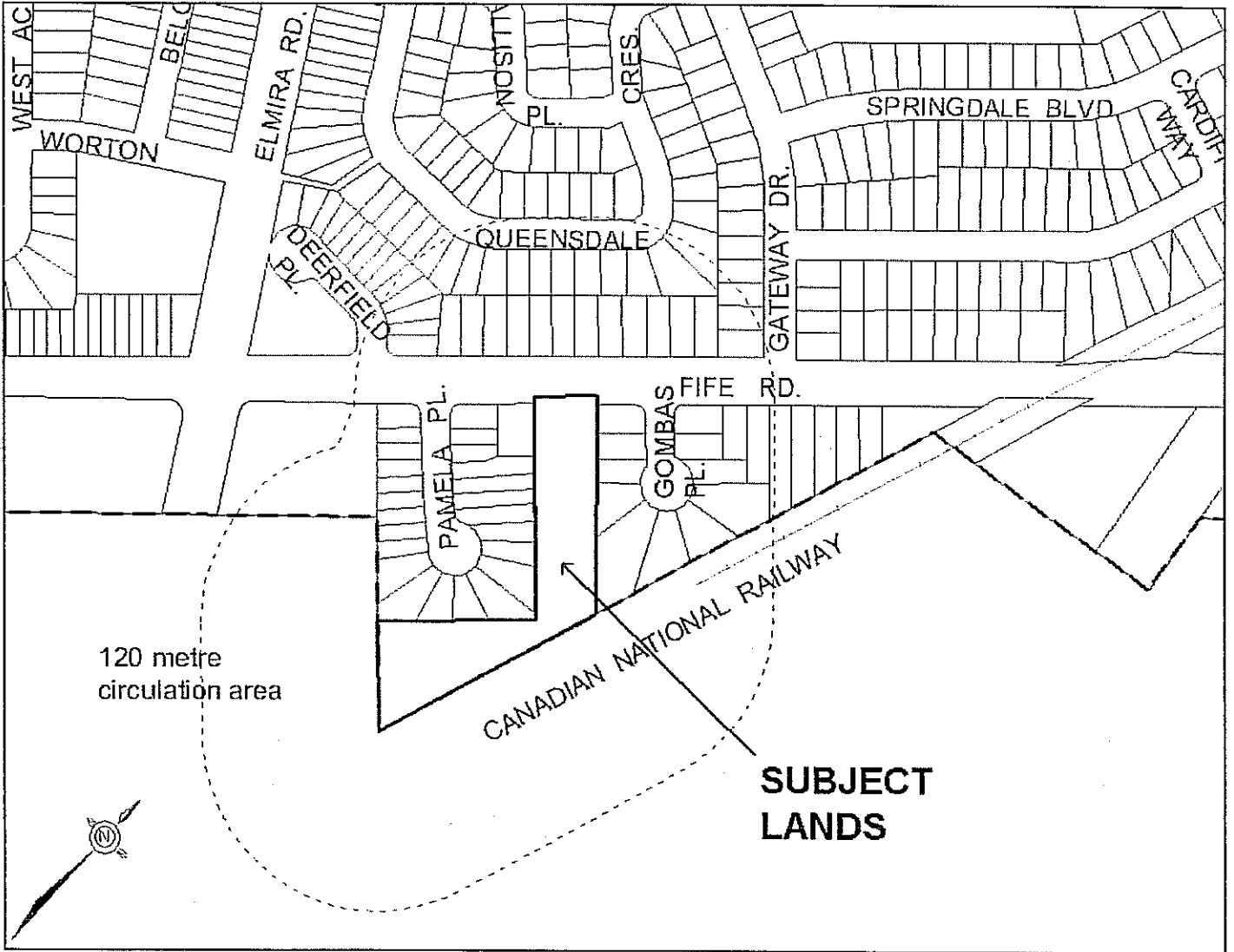
James N. Riddell

Director of Planning and Development Services

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SCHEDULE 1

Location Map



SCHEDULE 2

Proposed Zoning By-law Amendment Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E, City of Guelph.

The following zoning is proposed:

R.2 (Residential Semi-detached) Zone
Specialized R.3A-? (Residential Cluster Townhouse) Zone

Regulations

For the Specialized R.3A Zone

Permitted Uses

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

Regulations

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

Minimum Number of Dwellings

A maximum of 14 dwelling units shall be permitted.

Maximum Building Height

2 Storeys

Minimum Side Yard

Despite Section 5.3.2.2, the minimum side yard setback shall be 16 metres

Minimum Distance between Buildings

Despite Section 5.3.2.3.1, the minimum distance between one Building and the face of another Building, each of which contain windows to Habitable Rooms, shall be 3 metres.

Minimum Setback from Railway Right-of-Way

15 metres

Buffer Strips

Notwithstanding Row 14, Table 5.3.2, the Buffer Strips shall be a minimum of 10 metres along the easterly property limit and 3.0 metres along the westerly property limit.

Minimum Number of Visitor Parking Spaces

Despite Section 4.13.6, a minimum of 6 visitor parking spaces shall be provided at a minimum distance of 9 metres from the westerly property line.

For the R.2 Zone

Permitted Uses

In accordance with the provisions of Section 5.2.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.2.2 of Zoning By-law (1995) – 14864, as amended.

Conditions

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

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Community Design and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a. Further, the Owner commits and agrees that the design for development of the subject lands shall be generally in accordance with and conform to the Owner's concept plans attached to the December 2, 2007 Planning Staff Report (Site Plan, prepared by BSRD Project 06-7019-4).
2. That the necessary consent applications receive approval in accordance with the Planning Act and that the registration of the deeds occurs in a proper sequence to create the separate parcels for development to the satisfaction of the City Solicitor prior to the issuance of any building permits.
3. That prior to any severance of the property or prior to site plan approval, the owner shall deed to the City a 5.182 metre road widening to the City.
4. That prior to any severance of the property or prior to site plan approval, the owner shall pay to the City the owner's share of the cost of the existing municipal services on Fife Road, as determined by the City Engineer.
5. That the owner pays the actual cost of reconstructing the sidewalk with a boulevard across the Fife Road frontage of the property and furthermore, prior to any severance of the property or prior to site plan approval, the owner shall pay to the City the estimated cost as determined by the City Engineer.
6. That the owner pays the actual cost of constructing and installing any service laterals required and furthermore, prior to any severance of the property or site plan approval, the owner shall pay to the City the estimate for the cost of the service laterals, as determined by the City Engineer.
7. That prior to site plan approval, the owner shall have a Professional Engineer design a grading plan and stormwater management system for the site, satisfactory to the City Engineer.
8. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the

construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

9. That prior to any severance of the property or prior to site plan approval, any domestic wells located within the lands shall be properly abandoned in accordance with current Ministry of Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
10. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
11. That the owner prepares a tree conservation plan identify trees to be retained and removed, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
12. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval or prior to the endorstation of the deeds, at the rate in effect at the time of the endorstation.
13. Prior to the site plan approval, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
14. The Owner is required to engage a consultant to undertake an analysis of noise and vibration in order to recommend abatement measures necessary to achieve the maximum level limits set by the Ministry of Environment and Canadian National Railway prior to site plan approval. Upon review and approval of the noise and vibration reports, all recommendations provided should be included in the Development Agreement.
15. The Owner shall agree in the Development Agreement, in wording satisfactory to CN, to the following:
 - (a) . Construct and maintain an earthen berm a minimum of 2.0 metres above grade at the property line, having side slopes not steeper than 2.5 to 1, adjoining and parallel to the railway right-of-way with returns at the ends.

- (b) Install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line. The Railway may consider other measures, subject to the review of the noise report.
 - (c) That any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
16. The following warning clause shall be included in the Development Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:
- "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CN will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
17. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Condominium Corporation shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
18. The Owner may be required to grant CN an easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
19. The Owner enter into an Agreement with CN, stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement prior to site plan approval.
20. That the owner enters into an agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.

SCHEDULE 3

Official Plan Policies

'General Residential' Land Use Designation

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).

1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:

- a) The form and scale of existing residential development;
- b) Existing building design and height;
- c) Setbacks;
- d) Landscaping and amenity areas;
- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

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

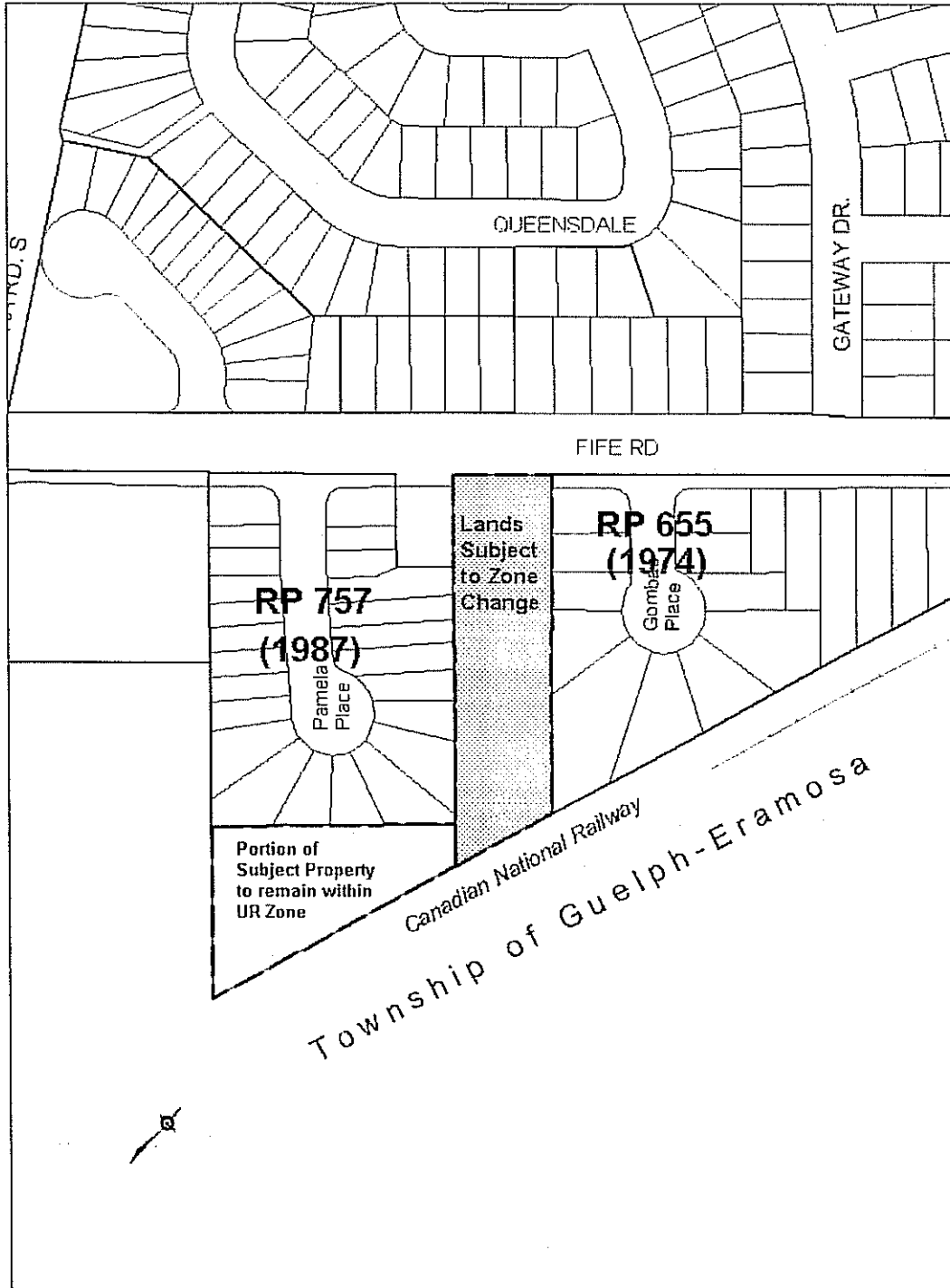
General Residential / Housing Policies

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.

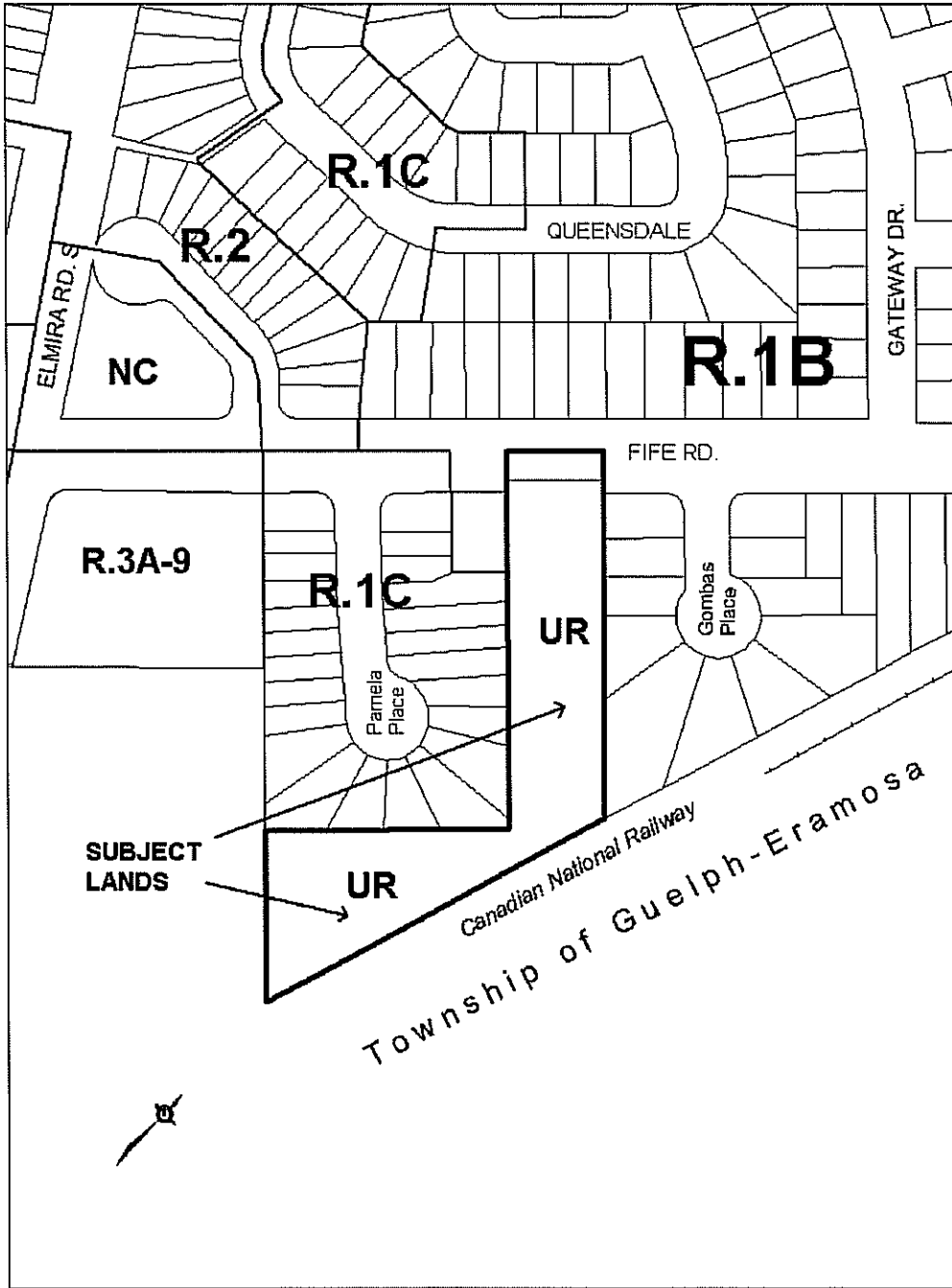
SCHEDULE 4

Registered Plans Illustrating Adjacent Residential Development



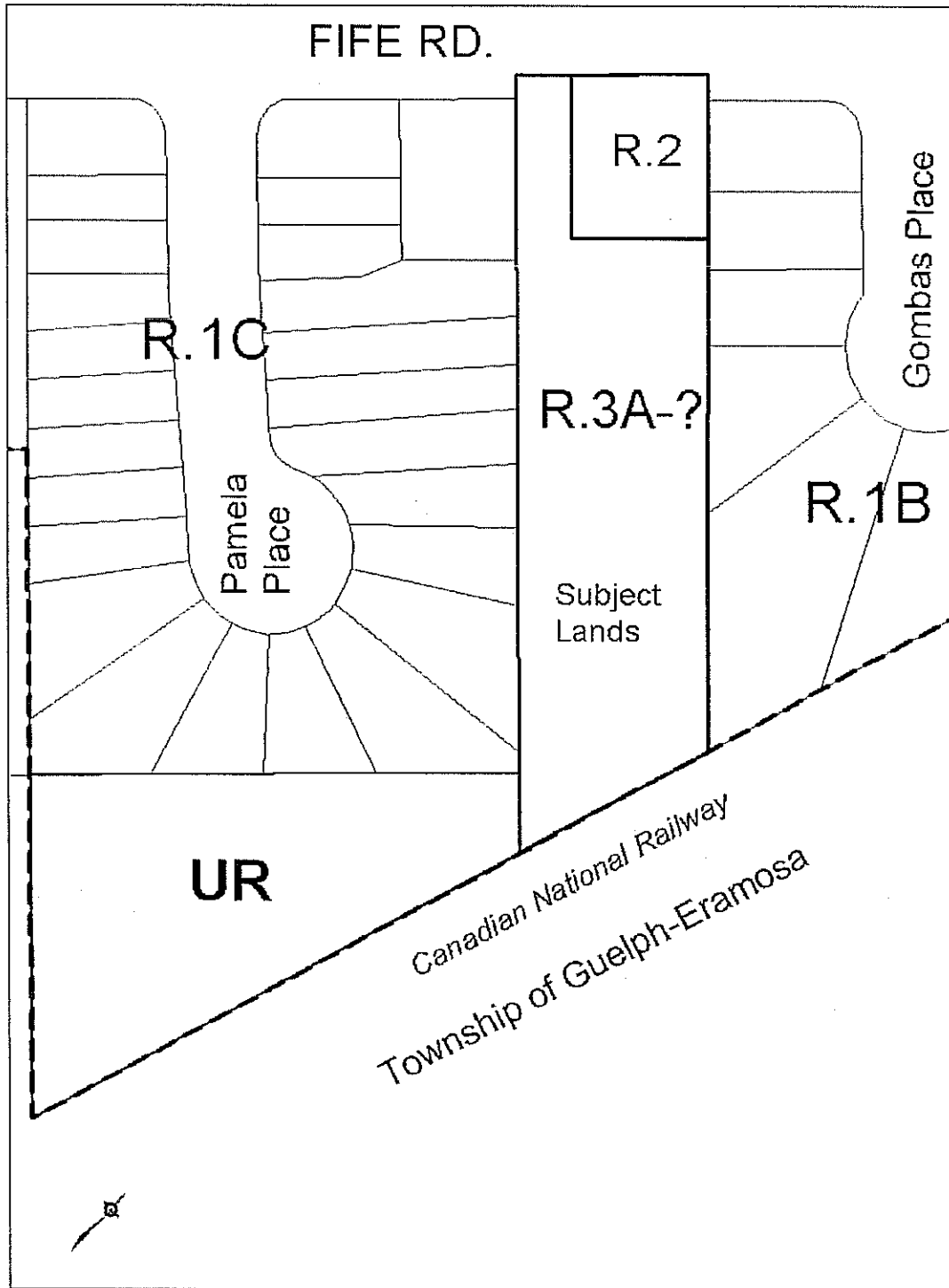
SCHEDULE 5

Existing Zoning



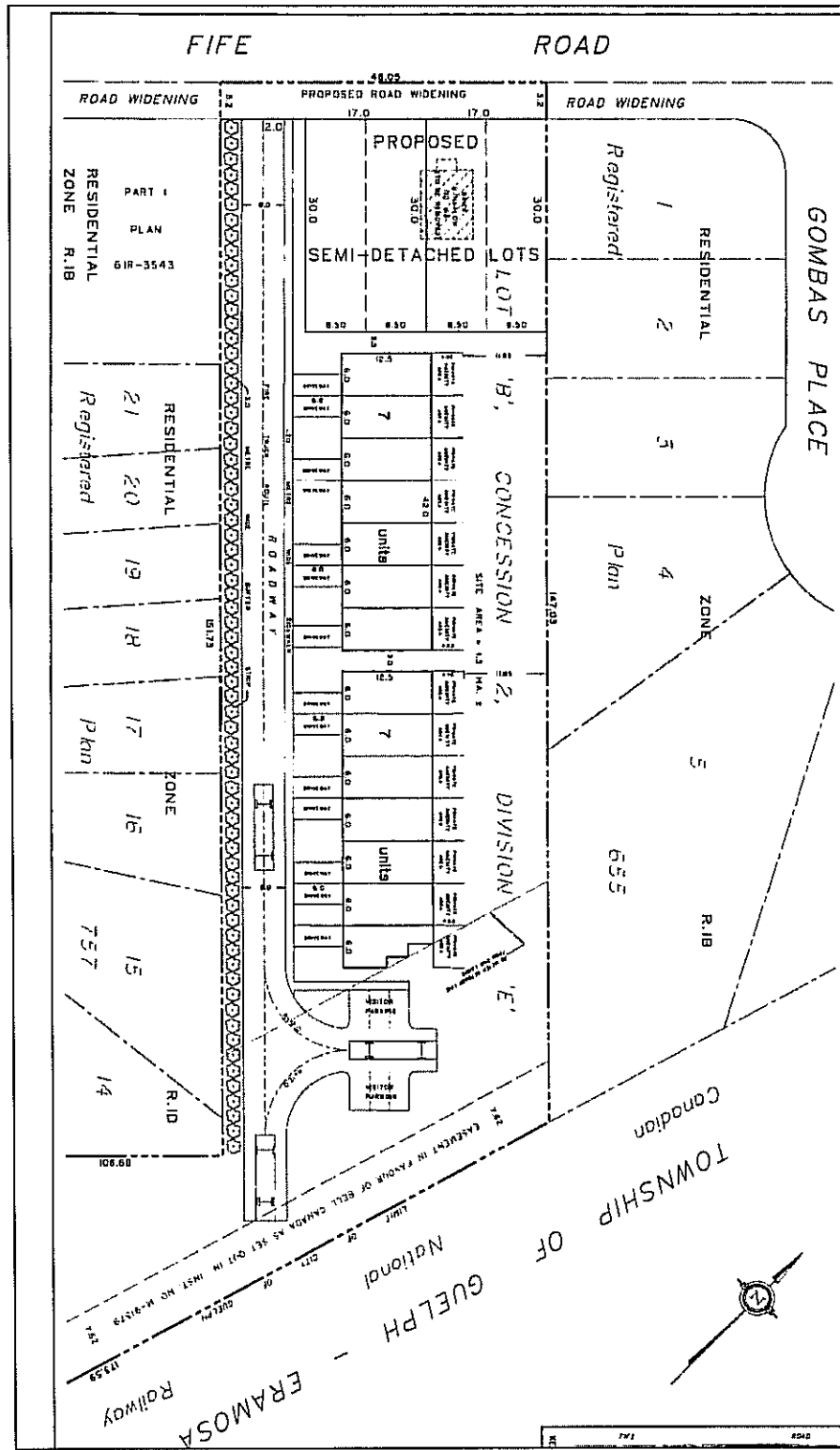
SCHEDULE 5 (continued)

Proposed Zoning



SCHEDULE 6

Preliminary Concept Plan



SCHEDULE 7

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning and Development Services		✓	<ul style="list-style-type: none"> Subject to Schedule 2
Engineering Services*		✓	<ul style="list-style-type: none"> Subject to Schedule 2
Community Services (Recreation and Parks) *		✓	<ul style="list-style-type: none"> Cash-in-lieu of parkland
Finance		✓	<ul style="list-style-type: none"> Development Charges
Emergency Services / Fire	✓		
Guelph Police Service	✓		
Zoning Services*	✓		
Canada Post	✓		
Wellington Dufferin Guelph Public Health	✓		
Heritage Guelph	✓		
Guelph Development Association	✓		
Guelph Hydro		✓	<ul style="list-style-type: none"> Easements for hydro facilities
Conseil Scolaire de district Catholique Centre-Sud	✓		

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Wellington Catholic District School Board	✓		<ul style="list-style-type: none"> • Education Development Charges
Upper Grand District School Board		✓	<ul style="list-style-type: none"> • Education Development Charges
Economic Development	✓		
Priscilla Matthews * 24 Pamela Place			<ul style="list-style-type: none"> • Objects to proposal
Doris Orr* 21 Pamela Place			<ul style="list-style-type: none"> • Objects to density of development, traffic and safety concerns and lack of visitor parking
Roberto Andurray and Lorna Schwartzentruber* 20 Pamela Place			<ul style="list-style-type: none"> • Concerns about new roadway, increased traffic, density and loss of trees
Rosemarie and John McKinnon* 5 Gombas Place			<ul style="list-style-type: none"> • Concerns about privacy, noise and traffic, density of townhouse development
Lee Anne and Mike McClymont* 22 Pamela Place			<ul style="list-style-type: none"> • Objects to proposal

*Comments attached

SCHEDULE 7 (continued)

CIRCULATION COMMENTS ATTACHED

March 3, 2007

City of Guelph
Community Design and Development Services
2 Wyndham St. N., 3rd Floor,
Guelph, ON
N1H 4E3

Dear Sirs:

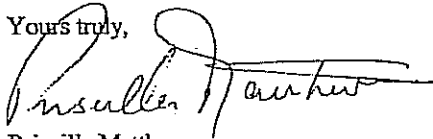
Re: 168 Fife Road By-Law Amendment Application (ZC0615)

It is obvious that the "consultation process" is simply "following prescribed form" as the decision would appear, as seems usual, to have already been made and you are now fitting the process to the decision. In this instance, the decision will likely impact our "property values" and hence our "property taxes". Perhaps, this will result in some or a substantial loss of revenue for the City should we appeal [as a group] our assessments "next year".

As a number of home owners (taxpayers) are affected this would entail substantial incurred time and expense but I believe this may be our only recourse in the type of process you have initiated. I do not expect any changes, that would satisfy our interests, will occur, as you seem bent on maximizing City revenues and minimizing our property values. Hopefully, my belief is inaccurate but my experience with this municipality indicates otherwise.

At best, I would like to see a development of "single family homes" and at worst "substantial sight and sound barriers" between the "expected development" and the surrounding "single family homes". Considering that this area was largely developed as "single family homes" we were misled and obviously abandoned to "other considerations" by our City government.

Yours truly,

A handwritten signature in black ink, appearing to read 'Priscilla Matthews', written over a horizontal line.

Priscilla Matthews

Doris Orr

26th February, 2007.

Chris DeVriendt
Community Design & Development Services
City of Guelph
59 Carden Street
Guelph, ON. N1H 3A1.

COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

FEB 27 2007

Dear Mr. DeVriendt

Re: 168 Fife Road proposed zoning By-Law amendment.

I was in attendance at your information meeting on the above subject land, held on 15th February, 2007. I wish to voice my concerns as follows:-

I really feel that the proposed density of this development is too high for this particular site, and I can sympathize very well with the residents living on the east side of Pamela and west side of Gombas. Most of them bought their properties at high cost because of the privacy of their back gardens, as I also did! All of a sudden, there will be a large influx of people on their "back doorstep", so to speak! Their gardens will be overlooked by, in some cases, four townhouses! I do not see this as being a "good thing!!"

The extra noise of cars revving, coming and going will impact on all the neighbourhood residents, but particularly those mentioned above, not to mention the extra air pollution generated by this influx of cars.

Page 1 of 2.

2.

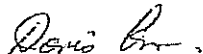
As brought out at the meeting, developer has not planned for safety concerns such as fire hydrants, or even proper access for Fire Engines or garbage trucks, etc. in and out of this private road. What else perhaps hasn't he taken into consideration safety-wise?

Having "no visitor parking" at the proposed site will, without a doubt, impact on Gombas and Pamela Place, as they will be used for parking areas for visitors and "overflow" townhouse residents' cars. Pamela Place already looks like a "parking lot" on most weekends, when residents have visitors of their own!! Gombas is an even smaller street! This matter of visitor parking should be resolved before anything is built!

And finally, once again I do bring up the matter of our water supply. Mr. DeVriendt, at the meeting, you said this was not a concern since Guelph "has plenty of water", yet frequently in our local papers I read of the "water woes" in Guelph, and I know the existing residents have been subjected to water rationing for years. So I am concerned.

I do hope these matters can be addressed and amicably settled for all the parties involved.

Sincerely,



Doris Orr.

Comment Sheet

168 Fife Road: Zoning By-law Amendment Application (ZC0615)

Name: Lorna Schwartzentruber and Roberto Andurray

Comments: We have considerable concerns regarding the development plans for this property.

Roadway and parking: Our home backs onto what in the original drawings would become a parking lot. The identified roadway would follow along our property line. Our lot is a wooded lot and the development along the property line would endanger our trees which would in turn alter the landscape of our property. Roadways and Parking lots also require lighting and we believe that the lighting would negatively impact the houses that back onto the lot. We also have grave concerns about the fire hazards from such a narrow roadway and turnaround area. We experienced a fire on Pamela Place a few years ago which was quite traumatic to the residents. It appears that safety and access could become a serious problem with the size of this development.

Increased Traffic and Car Use: We also would imagine that each of the units would have at minimum 2 cars per unit. This could increase should any of the proposed units rent to multiple dwellers. The fact that they are condominiums does not assure that they will be owner occupied. On Pamela Place, for example, it often feels we live in a parking lot because of the numbers of cars per household. If anyone has a guest and parks on the street, that also causes a problem for the street. To look out to the parking lot in the front of our house, and now to the back as well, is unacceptable.

It seems to us that if Guelph is trying to plan for responsible in-fill development in the City, this lot raises some serious concerns. To build a 16 home/townhome development will only attract people who are dependent on cars, increasing car pollutions which we as residents on Fife and Gombas will have the most direct exposure to. Yes, the developer indicated that Fife is a bus route, however, it is impossible to take a bus to the grocery store in the area, to the recreation Centre and so on. The bus takes you downtown to make any further transfers. Therefore, this development will not attract people who are not car dependent. The problems of increased car usage in the City is only being encouraged, not addressed in this type of planning. This is the wrong location for multiple housing dwellings. If this plan proceeds, sitting in our back yard, or our young son and his friends playing in the yard, will become difficult for us through the noise of the numbers of potential vehicles, and the exhaust fumes and air pollutants. We chose this location in Guelph so that we could enjoy a more relaxed environment. Our son also suffers from asthma, which has certainly been under control since moving here from Toronto a number of years ago. We have concerns again that the numbers of potential vehicles along with the size of the development will cause health problems for us again. Each of those cars that will go along our fence line to park or turn around in a very tight place will be spewing their exhaust right into the only outdoor space we have on our

property to enjoy. It will be very difficult to mitigate the impacts of these cars on the people currently living on the two adjacent streets, Pamela Pl. and Gombas.

Size of the development: The number of proposed units is quite large for the lot in terms of density not only to the lot, but in respect to Fife Road. We understand that according to the City planning department the footage of the lot is within acceptable guidelines for such a building project. The City, however, should not just consider the size of the immediate lot, but the street density as well, with town homes primarily from Hwy 24 to Whitelaw. A development plan for Fife Road should consider the density of the current townhouses as well. A mixed neighbourhood is a healthier neighbourhood and it is our concern that another townhouse development will tip the balance for our community along Fife.

Destruction of Wildlife habitat: We have viewed a range of animals in the back of the proposed lot, including deer, fox, opossum, raccoons, skunk, rabbits and various birds and hawks. It has been a pleasure to know that in the City, these animals are still able to be seen.

This size of a development would surely mean the end to this habitat for these animals.

Services: We have concerns about garbage collection. With this type of private development, City services will not be applicable. Again, the concern relates to volume of units and the amount of garbage that would be generated. We already live with garbage collection along Fife being haphazard with the amount of bags and garbage left on the street from the current townhouses. It often seems no one is responsible as bags are left to blow around in the wind, wrong bags are put out on the wrong week and sometime bags are left days at a time. Should there be storage of garbage on the site of the development, this will contribute again to the inability to use our properties if the smell becomes an issue, particularly in the summer months.

In conclusion, we do not oppose development of the lot in general. What we do object to is the amount of housing units that are being proposed in this plan. We hope that any development would take into consideration the concerns of this immediate community and reconsider how effective development, where all the neighbours share in some of the benefits (i.e. continued enjoyment of their homes and properties) could take place.

Thank You.

February 21, 2007

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

COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

FEB 23 2007

Re: 168 Fife Road proposed zoning By-Law amendment

Dear Mr. De Vriendt:

My husband John & I attended the meeting held in Council Chambers on Thursday February 15, 2007. As you are well aware of, we are not in favour of the proposed rezoning amendment from Urban Reserve (UR) to Residential Single Detached Zone (R.1B) and a Specialized R.3A (cluster townhouse) zone. Our home is Lot number 3 on Gombas Place.

We purchased our home in April 1999. One of the main reasons we bought our home is that it backs onto an open area that provides us with nature, privacy and a peaceful environment. We enjoy the trees and the wild life and we especially enjoy it the summer due to the fact that we have a swimming pool in our backyard that we spend most of our recreation time enjoying with family and friends.

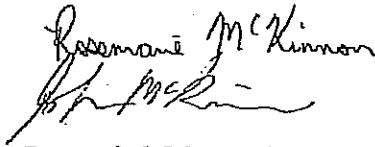
Our concerns for this rezoning are shared with our neighbours on Gombas Place, Fife Road and Pamela Place. All the concerns that were discussed at the meeting including, the number of townhouses (density), the access to the townhouses, the noise and traffic created, fire safety, accessibility, lighting, privacy etc. are all viable concerns. What I want to express is the effect this rezoning would have to our quality of living. Our backyard is a huge part of our lives. To have someone's bedroom window looking into it is a violation of our privacy and quality of living. There is also the possibility that the height of the buildings may cause us to be in the shade in the afternoon, reducing our enjoyment of our pool area. This would also make it very difficult to sell our home if we decided to move. We may have to severely reduce our selling price due to the effect having a townhouse "in our back yard" may have.

I understand that the policy for the city is to "in-fill". Regardless of what the acceptable allowances are for that policy, shouldn't it also be appropriate in relation to the properties' surrounding it? You only have to look at the concept plan to see how inappropriate the townhouses are in relation to the spacious single dwelling homes in the surrounding area.

My point is this; after all is said and done, Mrs. Farley's family will have made their money, the developer for Everest Homes will make his money, the city of Guelph will collect more property taxes...but the residents of Gombas Place, Fife Road and Pamela Place will FOREVER be affected by this proposal and will pay the ultimate price with the reduced quality of living that will ensue as a result this "lucrative" business transaction. We implore you to please consider the effect this development will have on our lives and to PLEASE RECONSIDER THIS PROPOSAL.

You are in a position to make an ethically responsible decision in spite of a few individuals' personal gains. Our only hope is that you choose wisely, as we believe that the laws of the universe will ultimately prevail.

Sincerely,

Handwritten signatures of Rosemarie and John McKinnon. The signature for Rosemarie is written in a cursive style, and the signature for John is also cursive and appears to be written below or next to hers.

Rosemarie & John McKinnon

Chris DeVriendt

From: Mckinnon, Rosemarie
Sent: Thursday, February 01, 2007 11:30 AM
To: Chris DeVriendt
Subject: RE: 168 Fife Road

Hi Chris,

My husband and I will most definitely be at that meeting. When we were speaking, you thought we were property number 1 on [redacted], but we are actually number [redacted]. One of our many concerns is that with the height of these buildings, by three in the afternoon they will cast a shadow on our backyard which will be devastating considering we have a swimming pool. You can't imagine how upset we are over this proposal. It is a ridiculous proposal in my opinion and completely inappropriate compared with the other homes in the area.

In your experience, have you ever seen proposals like this rejected or at the very least modified to take others concerns into consideration?

Thanks,
Rosemarie

Rosemarie McKinnon

2/1/2007



Memo

Comment Sheet

168 Fife Road: Zoning By-law Amendment Application (ZC0615)

NAME: Lee Anne & M^cClaymont / Mike M^cClaymont

ADDRESS:

COMMENTS:

We are opposed to the building of the townhouses & ~~the~~ single family dwelling. Along Fife Road we already have townhouses at 50 & 60 Fife Road & also at 186 & 190 Fife Road. I question the need for another dense townhouse cluster on Fife Road. Currently the existing lots on Pamela & Gamba are large, and by building dense cluster townhouses, it will detract from the spaciousness & privacy of the properties. In conclusion we do not support the rezoning application by Subhash Chugh of Everest Homes.

Please return your comments by March 9, 2007.

Fax: (519) 837-5640

Mail: Community Design and Development Services
2 Wyndham Street North, 3rd Floor
Guelph, ON N1H 4E3

Email: planning@guelph.ca



To: Chris DeVriendt
From: Pat Sheehy
Department: Zoning Services
Date: February 27, 2007
Subject: Zoning Comments application ZC-0615

Zoning has the following comments with respect to application ZC 0615.

Zoning encourages the use of existing zoning regulations where possible to lessen the amount of specialized zones in Zoning By-law No.(1995)-14864.

This application uses existing generic regulations for the single detached dwellings. The lot fabric as shown for lot #2 does not conform to the minimum lot area of 460m² (only 450m²) Lot # 1 conforms to the generic R.1B zoning regulations (the side yard is to be a minimum 1.5m).

Specialized Zoning regulations are required for the proposed R.3A cluster townhouse development. Zoning supports the 3m interior separation distance between the two blocks. No habitable room windows should be designed between the two blocks. The R.3A zone requires a minimum lot frontage of 18 metres. Only 12 metres has been requested, therefore requiring a specialized regulation.

Other concerns are as follows:

- a) a minimum side yard of 3.0 m is proposed for the block adjacent to the newly created lot #2. Again, no habitable room windows are permitted as per section 5.3.2.2.2.
- b) Zoning would recommend a redesign of the visitor parking to create additional spaces
- c) A buffer strip should be developed along the side lot line abutting the single detached dwellings on Gombas Place
- d) Is municipal pickup of garbage proposed or should a garbage location be shown on the plan?

Zoning supports the required specialized regulations.

City — of Guelph

Community Design and Development Services
Working Together to Build Our Community



Memo

To: Chris DeVriendt – Senior Development Planner
From: Rory Barr Templeton – Park Planner
C.C:
Department: Community Design and Development Services
Date: February 2, 2007
Subject: 168 Fife Road – File ZC0615

Community Design and Development Services – Park Planning, has reviewed the application for the above noted Zoning By-Law Amendment (dated January 26, 2007) and offers the following comments:

A. Zoning By-law Amendment Review

Park Planning has no objections to the proposed amendment to the Zoning By-law.

B. Parkland Dedication Requirement

It is recommended that the applicant satisfy the Parkland Dedication requirement through a cash-in-lieu payment based on the below calculations, if it has not been received to date. This is in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the issuance of any permits.

a) 5 percent of the land area to be rezoned (0.65ha @ 5% = .0325ha)

Sincerely,



RORY BARR TEMPLETON

Phone: (519) 822-1260 ext. 2436 Fax: (519) 837-5640 Email: rory.templeton@guelph.ca Web: www.city.guelph.on.ca

T:\ParksPlanning\Park Planning\PLANNING\WEST DISTRICT\Zoning By Law & Official Plan Amendments



COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

FEB 16 2007

February 8, 2007

Mr. Chris DeVriendt
Senior Development Planner
Community Design and Development Services
City of Guelph
59 Carden Street
GUELPH, Ontario N1H 3A1

Dear Mr. DeVriendt:

Re: 168 Fife Road: Proposed Zoning By-law Amendment to permit two detached residential dwellings and a cluster townhouse development - (File: ZC0615)

Thank you for your notice of January 26, 2007. The Guelph Development Association supports this application.

This "infill" project will create two detached residential dwellings fronting onto Fife Road and a 14-unit townhouse project internal to the site. The design of the site addresses the existing detached residential streetscape along this section of Fife Road, while promoting intensification internal to the property. The concept plan does allow for significant buffering between abutting residential properties, although it is important to note that townhouses and detached dwellings should be viewed as compatible land uses.

This proposal conforms to the Provincial Policy Statement and the Growth Plan that promotes residential intensification within the "built up" area of the City.

We encourage staff to expedite the processing of this application.

Yours truly

Tom Krizsan
President

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

SCHEDULE 8

Staff Response to Issues:

Density and compatibility of housing form

Residents expressed concerns that the density proposed on the site was too high and that the development of townhouse units would be incompatible with the neighbouring single detached dwellings. General opposition to the development of townhouse units was expressed, with statements that there were already too many multiple unit developments in the area.

Staff Comments: The subject property conforms to the policies of the Official Plan and Section 7.2.7 that outlines criteria for permitting multiple unit residential development in the "General Residential" designation. The 18 residential units proposed will result in a maximum density of 25 units per hectare. The maximum net density permitted within the "General Residential" designation is 100 units per hectare. The original February 2007 proposal, which included a total of 17 dwelling units, was revised to add one additional dwelling unit through the requested replacement of the existing detached dwelling with a semi-detached dwelling. In response to area resident concerns, specialized zoning regulations have been implemented within the proposal to implement significant buffering between the proposed townhouse units and adjacent properties. In addition, specialized zoning regulations are included that would limit the maximum number of townhouse units to 14.

The proposed townhouse units are considered compatible with the surrounding residential neighbourhood. The proposed townhouse units are a low rise housing form that is permitted within detached, semi-detached and townhouse zones.

Privacy concerns and height of buildings

Adjacent residents have expressed concerns that their existing privacy will be significantly impacted by the proposed development. Issues regarding shadowing and overlook from the height of the proposed townhouse units were raised by area residents.

Staff Comments: Planning staff recognize that the introduction of new homes onto a previously vacant site causes some concerns with privacy for existing homeowners, therefore the maintenance of privacy has been considered in the review of the proposal. The 46 metre width of the subject property is substantial to allow the proposed row of 14 townhouse units and the private roadway to be accommodated with significant building separations from adjacent properties.

In order to ensure a minimum separation distance is maintained between the proposed townhouse units and the existing residences, specialized zoning regulations are proposed. This includes a minimum setback of 16 metres from the easterly property line. The standard rear yard setback for R.3A lots would permit a minimum rear yard setback distance equal to one-half the building height and in no case less than 3 metres from the rear lot line. Given this significant buffer, no shadow or overlook impacts would result from the new dwellings on the existing properties along Gombas Place. Buffer strip plantings

combined with a privacy fence will allow for privacy of both existing and future residents. The increased 3 metre buffer strip proposed along the easterly property line will also accommodate the appropriate fencing and landscaping to screen adjacent properties along Pamela Place from the site. The details regarding these landscaping and fencing requirements will be addressed through the subsequent site plan approval process.

Traffic Impacts

Concerns expressed by area residents that there will be a significant increase in traffic from the proposed development that will have a negative impact on the neighbourhood.

Staff Comments: The maximum of 18 units proposed through this application is not considered to be a significant traffic generator. Fife Road is an arterial road that is designed to accommodate increased traffic demands. In addition, fencing and plantings along the 3 metre buffer strip adjacent to the proposed private roadway abutting Pamela Place lands will be required as part of the site plan approval process.

Impact on existing trees and loss of green space

Concerns were raised regarding the impact of the proposed development on existing trees and the loss of green space.

Staff comments: **Condition 11** in **Schedule 2** includes the requirement for the applicant to prepare a tree conservation plan to identify trees to be retained and removed on the site. The site design incorporates larger buffers from the adjacent property lines that will allow for the proper protection and retention of existing property line trees.

The site is not identified as a Natural Heritage Feature and therefore does not require an Environmental Impact Study. A landscape plan outlining the planting of trees and other landscape treatments will be a requirement of site plan approval.

Location and Amount of Visitor Parking Area

Pamela Place residents adjacent to the visitor parking area at the southern portion of the site expressed concerns that this parking area would negatively impact their properties. Concerns were also expressed that insufficient visitor parking was being provided in the proposal.

Staff comments: In response to these concerns, the concept plan was revised to shift the location of the visitor parking area further east towards the centre of the site. A specialized zoning regulation has also been recommended to ensure that a minimum setback of 9 metres for the visitor parking area is maintained.

The proposal was also revised to double the amount of visitor parking provided on site from the 3 spaces shown on the original concept to the 6 spaces shown on the current concept plan in **Schedule 6**.

Emergency Services

Concerns regarding emergency vehicle access to the site were expressed following the circulation of the applicant's original concept plan. Initial comments submitted by the Fire Department in February 2007 following their review of the applicant's original concept plan noted indicated that an adequate emergency vehicle turnaround was not provided at the end of the private roadway.

Staff comments: In response to these comments, the applicant's concept plan was revised to accommodate an adequate emergency vehicle turning radius at the end of the private roadway. The Fire Department provided comments in April 2007 indicating that the emergency vehicle turn around shown on the revised concept plan was acceptable.

Grading and Stormwater Management

Residents expressed concerns regarding grading of the site and how stormwater management would be addressed.

Staff comments: A full engineering review is required to address grading and stormwater issues and to ensure that all stormwater is accommodated onsite. The owner will be required to have a Professional Engineer design a grading and stormwater system for the site satisfactory to the City Engineer prior to site plan approval (see Condition 8 in Schedule 2).

SCHEDULE 9

Public Notification Summary

December 5, 2006	Application submitted to the City of Guelph
December 14, 2006	Notice of Application sign erected on the property.
January 26, 2007	Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres.
February 15, 2007	Public Information Meeting.
September 13, 2007	City staff meeting with residents adjacent to proposal.
November 9, 2007	Notice of Public Meeting advertised in the City News pages of the Guelph Tribune.
November 9, 2007	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres.
December 3, 2007	Public Meeting of City Council.



THE CITY OF
Guelph

CORPORATE SERVICES DEPARTMENT
CITY CLERK'S DIVISION
City Hall, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1
Inquiries: (519) 837-5603 Fax: (519) 763-1269
Website: guelph.ca

COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

DEC 10 2007

December 10, 2007

Mr. Jim Riddell
Director of Community Design &
Development Services

Dear Mr. Riddell:

At a meeting of Guelph City Council held December 3, 2007, the following resolution was adopted:

“THAT the application regarding a Zoning By-law Amendment for property municipally known as 168 Fife Road be referred back to staff to work with the community members and the developer to reconcile the issues raised, including but not limited to, a reduced density, a specific building height, the issue of ground level amenities, the use of building materials, the issue of light pollution, the urban tree strategy fit with this application, the issue of a light-activated crosswalk, the issue of drainage, the issue of lighting, and the issue of bicycle lanes.”

Yours truly,

Tina Agnello
Deputy Clerk

TA:db



TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE July 7, 2008

**SUBJECT 0 WOODLAWN ROAD WEST - PROPOSED ZONING BYLAW
AMENDMENT (ZC0701) – WARD 3**

REPORT NUMBER 08-55

RECOMMENDATION

"That the application by 6&7 Developments Limited for a Zoning By-law Amendment from the UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new specialized CC-18 (Community Shopping Centre) Zone (ZC0701) affecting property municipally known as 0 Woodlawn Road West and legally described as Part of Lots 4, 5, 6 and 7, Registered Plan 169, designated as Part 2, 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph, BE APPROVED in accordance with the recommendation set out in **Schedule 2** of the Community Design and Development Services Report 08-55 dated July 7, 2008."

SUMMARY

This report provides a recommendation on a Zoning Bylaw Amendment application from 6&7 Developments Limited applying to property at 0 Woodlawn Road West at Woolwich Street North (See **Schedule 1**).

BACKGROUND

The application was deemed by the City to be a complete application on January 4, 2007. A Notice of Application requesting comments on the application was sent to the public and agencies on March 22, 2007 and a Notice of Public Meeting inviting public and agency comments was sent May 15, 2007.

The statutory Public Meeting of Guelph City Council was held on June 5, 2007. Report 07-53 from Community Design and Development Services dated June 5, 2007 provided background information related to the proposed zoning by-law amendment.

Location

The subject property is located at the northwest corner of the intersection of Woodlawn Road and Woolwich Street and is occupied by the recently constructed Wal-Mart department store (See **Schedule 1**). Surrounding land uses include commercial properties to the east and west, Woodlawn Memorial

Park Cemetery to the south across Woodlawn Road and the Guelph Curling Club lands and the Ignatius Jesuit Centre to the north. Several smaller service commercial properties with frontage on Woodlawn Road also abut the site to the south. The subject site has a total site area of 12.54 hectares with frontages on both Woodlawn Road West and Woolwich Street North.

Existing Official Plan

The property is designated 'Mixed Use Node' in the Official Plan (See **Schedule 3**). Mixed Use Nodes are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole. This land use designation is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development and apartments are also permitted.

Section 7.4 (Commercial and Mixed Use) of the Official Plan applies to this application. This section includes urban design policies for commercial centres and mixed use areas (See **Schedule 3**).

This proposed rezoning application as recommended by Staff does not require an amendment to the Official Plan.

Existing Zoning

The subject property is currently zoned UR (Urban Reserve), SC.2-3 (Service Commercial) and CC-18 (Community Shopping Centre). See **Schedule 4** for the permitted uses in each of these zones. The existing zoning, approved by the Ontario Municipal Board (OMB) in 2004, restricts development to a maximum of 14,400m² GFA. This maximum gross floor area cap is comprised of the existing junior department store which is approximately 12,470m² GFA in size and Buildings B and C that are identified on the site concept plan in **Schedule 6**. While the zoning for these two smaller buildings is approved no site plan approval has been given. The combined total GFA of these two buildings will be 1,858m².

REPORT

Description of Proposed Zoning Amendment

The owner proposes that the uses permitted in the existing CC-18 Zone applying to the east part of the site be extended to include the entire subject property (See **Schedule 5**). The proposal will amend the zoning from the existing UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new specialized CC-18 (Community Shopping Centre) Zone.

The proposed zoning will increase the maximum gross floor area (GFA) for the site from 14,400m² to 32,600m² to allow 18,200m² GFA of additional floor space. The 18,200m² GFA of additional floor space is comprised of a 6,000m²

addition to the junior department store in the form of a grocery sales component and 12,200m² for smaller retail and service commercial buildings dispersed across the balance of the site (**Schedule 6**).

The application also requests a reduction in the required parking space ratio for the development from 1 space per 20m² GFA to 4.5 spaces per 100m² GFA which is the equivalent of 1 parking space per 23m² GFA.

Preliminary Site Concept Plan and Building Elevations

Two site plan submissions are being processed by the Site Plan Review Committee. The owner's first submission proposing an addition to the existing Walmart building cannot be approved until the rezoning application is approved. The second site plan application for other commercial buildings on the site which are in the existing CC-18 Zone and do not require a rezoning, is currently being processed by the City. The Preliminary Site Concept Plan and sample Building Elevations of the balance of the proposed development are attached in **Schedule 6**.

Supporting Documents

1. 6&7 Commercial Development Functional Servicing Report, West Expansion Area. Prepared by Pitura Husson Limited. Dated September 2006.
2. Environmental Noise Assessment Woodlawn Road and Woolwich Street, Proposed Expansion to Retail Centre. Prepared by Valcoustics Canada Ltd. Dated December 21, 2006.
3. Woodlawn Road/Woolwich Street Development Traffic Study. Prepared by iTRANS Consulting Inc. Dated December 2006.
4. 6&7 Developments Ltd. Planning and Urban Design Analysis. Prepared by Bousfields Inc. Dated December 21, 2006.

Community Energy Plan (CEP)

Also forming part of the application, the owner has submitted a letter explaining how the proposal supports the objectives of the Guelph Community Energy Plan (CEP). The owner is committed to developing any new buildings on the site to be 25% more energy efficient than similar buildings would be under the standards mandated by the 2006 Ontario Building Code (See **Schedule 7**). **Schedule 7** also contains information from Walmart Canada regarding sustainability and their commitment to the environment.

Staff Review and Planning Analysis

Schedule 8 of this report contains a detailed discussion of the issues and concerns expressed during the processing of the application and include a Staff comment on each issue.

Circulation Comments

The comments received from agencies and City services during the circulation of this application are summarized in **Schedule 9**. All respondents support the application.

The letters from the public received during the circulation of this application are attached in **Schedule 10**. The issues and concerns have been addressed in **Schedule 8** titled 'Staff Review and Planning Analysis'.

Staff Recommendation

Community Design and Development Services support this application subject to the recommendation outlined in **Schedule 2**. The application will introduce a range of uses to the entire site to conform to the mixed use designation and Staff has added additional uses including freestanding residential and institutional uses to support the principle of a 'mixture of land uses'. The application as recommended is consistent with the planned Woodlawn/Woolwich Mixed Use Node land use designation.

The urban design and functioning of this site is extremely important. The application conforms with the policies of the Official Plan and meets the intent of the Plan specifically with respect to Section 7.4.9 "Mixed Use Nodes" and 7.4.39 to 7.4.47 "Urban Design Policies for Commercial and Mixed Use Areas" (See **Schedule 3**)

The rezoning will allow a range of commercial uses and services to serve the surrounding neighbourhoods and the entire community. The approximate Growth Plan density calculation represents 70 jobs per hectare with the potential for future residential dwellings (See **Schedule 11**).

The rezoning, subject to the recommendation highlighted in **Schedule 2**, conforms to the goals and objectives of the Official Plan, is in the public interest and represents good planning.

CORPORATE STRATEGIC PLAN

- Supports Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.
- Supports Economic Opportunity Goal #3: A diverse and prosperous local economy.

FINANCIAL IMPLICATIONS

The financial implications are based on the change from the existing maximum 14,400m² GFA to the proposed maximum 32,600 m² GFA:

Projected Taxation

- Present taxes: City's portion - \$278,000 - current assessment \$13,798,000.
- Future taxes: City's Portion - \$500,000 to \$1 million (based on assessment of low 25 million to high at 50 million dollars).

(This is just an estimate because the increased assessment will be based on income approach depending on the types of tenants that will be occupying the floor space.)

Development Charges

- DCs paid to date: \$871,086.36 in 2006.
- Future DCs: approximately \$1,461,278 (Building expansion would be charged at \$80.29/m² GFA)

DEPARTMENTAL CONSULTATION

See **Schedule 9**.

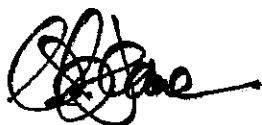
COMMUNICATIONS

The Notice of Application was circulated on March 22, 2007 and the Notice of Public Meeting was circulated on May 15, 2007. The statutory Public Meeting was held on June 5, 2007.

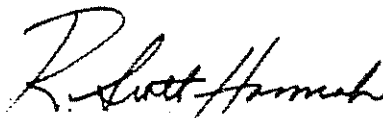
The Notice of the City Council Decision Meeting of July 7, 2008 was mailed on June 16, 2008 to all persons who either provided written comments on this application or attended and registered at the Public Meeting held by Guelph City Council on June 5, 2007.

ATTACHMENTS

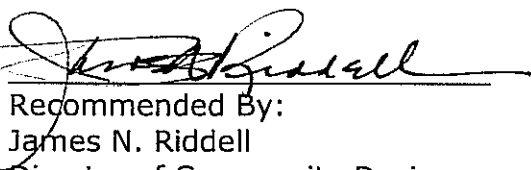
- Schedule 1 – Location Map
- Schedule 2 – Recommended Zoning - Uses, Regulations & Conditions
- Schedule 3 – Existing Official Plan
- Schedule 4 – Existing Zoning
- Schedule 5 – Proposed Zoning
- Schedule 6 – Preliminary Site Concept Plan & Building Elevations
- Schedule 7 – Energy Efficiency Letter of Confirmation
- Schedule 8 – Staff Review and Planning Analysis
- Schedule 9 – Agency Circulation Comments
- Schedule 10 - Public Correspondence
- Schedule 11 - Incremental Redevelopment Scenario



Prepared By:
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Senior Development Planner
519 837-5616, ext. 2362
al.hearne@guelph.ca



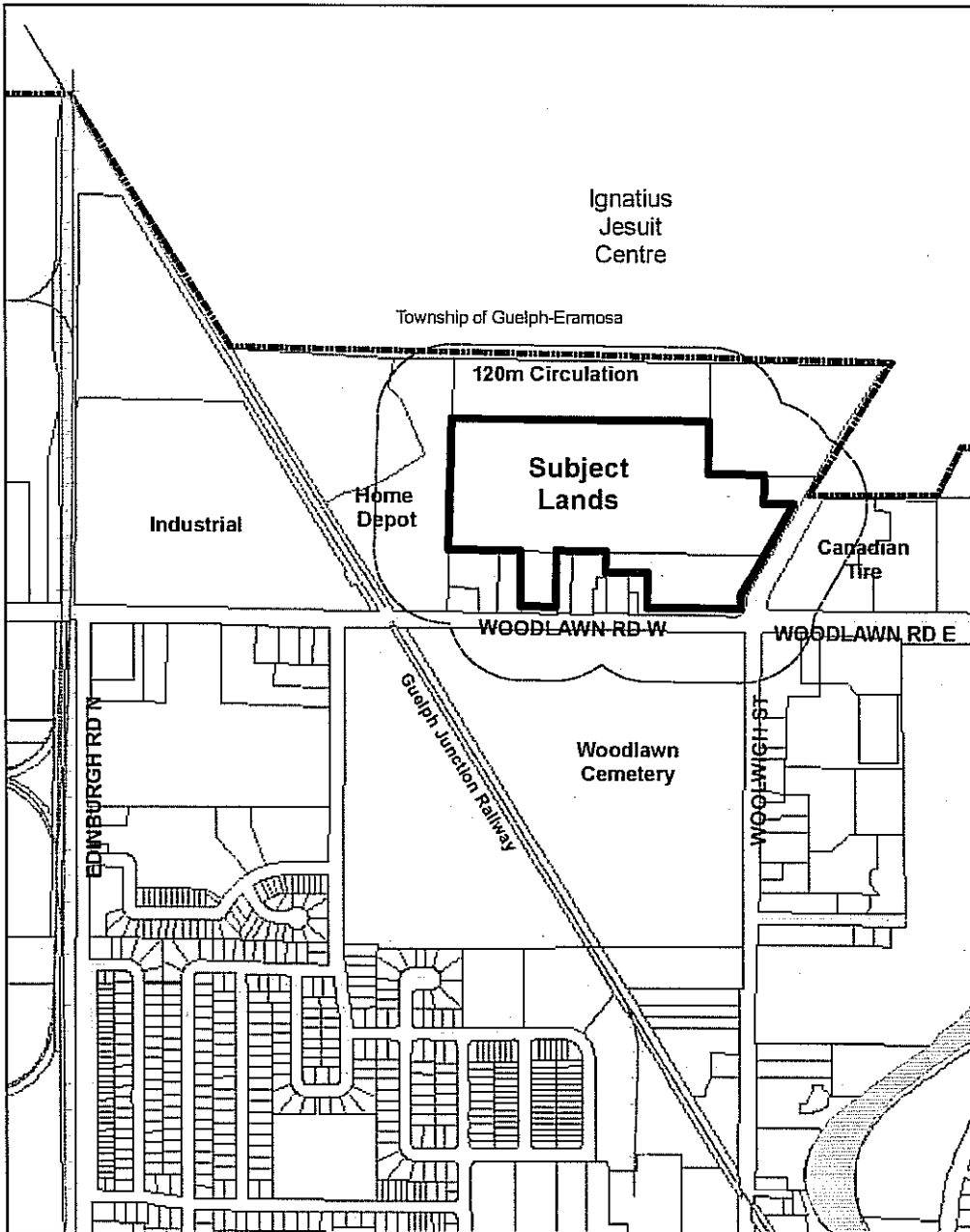
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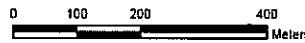
Recommended By:
James N. Riddell
Director of Community Design
and Development Services
519 837- 5616, ext. 2361
jim.riddell@guelph.ca

N:\data\word\documents\Walmart 2\Draft Decision Report. March 31.08 Council.doc

SCHEDULE 1 LOCATION MAP



This is all Guelph. The development needs, services, and other information are provided for the purpose of the map. It is not intended to be used as a legal document. For more information, please contact the City of Guelph at 519-825-3100. This map was prepared for the purpose of the map and is not intended to be used as a legal document. For more information, please contact the City of Guelph at 519-825-3100.



SCHEDULE 2

RECOMMENDED ZONING - USES, REGULATIONS & CONDITIONS

The property affected by this zoning bylaw amendment from the UR (Urban Reserve) Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new Specialized CC-18 (Community Shopping Centre) Zone applies to land municipally known as 0 Woodlawn Road West and legally described as Part of Lots 4, 5, 6 and 7, Registered Plan 169, designated as Part 2, 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph, as owned by 6&7 Developments Limited.

The following zoning is proposed by amending the existing CC-18 Zone as follows:
(Note: ~~strikethrough~~ means 'deleted' and **bolded** means 'added').

A New Specialized CC-18 (Community Shopping Centre) Zone applying to the entire 12.54 hectare subject property in accordance with the following permitted uses, regulations and conditions:

Permitted Uses

- a freestanding (Junior) Department Store
 - Accessory Uses in accordance with Section 4.23
 - Occasional Uses in accordance with Section 4.21
 - Freestanding Multiple Residential Dwellings in accordance with the R.3A (Townhouse) Zone and the R.4A (Apartment) Zone permitted uses and regulations.**
 - Institutional Uses in accordance with Section 8.1.1 of the By-law.**
 - Other permitted Uses in accordance with Section 6.2.1.2 of this Bylaw
- ~~shall be allowed up to a total Maximum Gross Floor Area of 1,858 square metres~~
- Excluding the following Uses:
- Carwash, Automatic
 - Carwash, Manual
 - Dry Cleaning Outlet
 - Laundry
 - Vehicle Gas Bar

The following definitions shall apply in the CC-18 Zone:

~~-(Junior) Department Store shall mean a Retail Establishment engaged primarily in the sale to the public of a wide variety of commodities organized into a number of departments within the Building such as, but not limited to, apparel, jewellery, cosmetics, toiletries, health products, food, home furnishings, housewares, electronics, sporting goods, toys, photographic equipment, hardware and home improvement materials, automotive accessories or other household goods, and may also include an ancillary outdoor Garden Centre and services such as, but not limited to, Financial Establishment, Restaurant, Take-out Restaurant, Vehicle Service Station, Vehicle Specialty Repair Shop, Personal Service Establishment, Pharmacy, Optical Dispensary and Photofinishing Place. (Junior Department~~

Stores are differentiated from full line department stores, in that they typically sell general merchandise items at prices lower than that of the Full Line Department Stores, and are popularly described as a discount operation.

Regulations

In accordance with the regulations of the CC Zone as specified in Sections 4 and 6.2.2 (Community Commercial Zone regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

6.2.3.2.18.2.1 Maximum Gross Floor Area – ~~14,400m²~~. **32,600m²**

6.2.3.2.18.2.2 Maximum Gross Floor Area for a Freestanding (Junior) Department Store **which includes a food/grocery component** – ~~12,542m²~~ - **18,470m²** exclusive of the area associated with any outdoor Garden Centre ancillary thereto.

6.2.3.2.18.2.3 **(a)** Maximum Gross Floor Area for all **Buildings and** Establishments other than a (Junior) Department Store **which includes a food/grocery component** – ~~1,858m²~~ **14,100 m² GFA.**

6.2.3.2.18.2.3 (b) Maximum Gross Floor Area for all Retail Commercial Buildings and Establishments other than a (Junior) Department Store which includes a food/grocery component – ~~1,858m²~~ **10,990m² GFA.**

6.2.3.2.18.2.4 Maximum Lot Area – ~~90,000m²~~ **12.54 hectares**

~~6.2.3.2.18.2.5 This section was unintentionally omitted~~

6.2.3.2.18.2.6 Minimum Off-Street Parking
The minimum Off-Street Parking required shall be ~~1.0 Parking Spaces per 20m²~~ **1 space per 23m² of Gross Floor Area**

~~6.2.3.2.18.2.7 Buffer Strips
A Buffer Strip shall not be required abutting an Urban Reserve (UR) Zone.~~

6.2.3.2.18.2.8 Severability Provision
The provisions of this By-law shall continue to apply collectively to the whole of the lands identified on Schedule "A" as CC-18, despite any future severance, partition or division for any purpose.

-Maximum Size of Office or Medical Office - 465m² GFA (5,000 square feet).

-Maximum Front and Exterior Side Yard (Build-to-Line)

- 1. Buildings adjacent to Woodlawn Road shall be located a minimum of 3 metres and a maximum of 5.3 metres from Woodlawn Road.**
- 2. Buildings adjacent to Woolwich Street shall be located a minimum of 3 metres and a maximum of 6 metres from Woolwich Street.**

-Uses Prohibited in Specific Locations:

Drive-through Uses shall be prohibited from locating within 100 metres of the road corner intersection of Woodlawn Road and Woolwich Street in the CC-18 Zone.

A drive-through use in the CC-18 Zone shall be:

- 1. Not located between any Building and a public Street.**
- 2. Significantly screened from public view from all public Streets.**
- 3. Safely separated from pedestrian spaces and corridors.**
- 4. Designed in a manner that is compatible with surrounding Uses and activities.**
- 5. Provides a minimum of five (5) vehicular stacking spaces with a maximum of three (3) stacking spaces parallel to the Street Line.**

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

-Minimum Building Height Requirement in Specific Locations

All buildings located within 100 metres of the corner intersection of Woodlawn Road and Woolwich Street shall have a minimum building height of two (2) storeys and in no case less than 8.5 metres.

-Maximum Individual Building GFA Size

A maximum of one (1) individual freestanding building exceeding 5,575m² GFA (60,000 SF) is permitted in this zone.

Conditions

Most conditions relating to the existing development and servicing of the subject lands is covered by conditions in the Site Plan Control Agreement dated March 3, 2006 which applies to the existing CC-18 zoned lands. Through this approval, it is intended that the existing Site Plan Agreement be amended and registered against the title of the total subject property covering the new CC-18 Zone. Existing conditions in the Agreement will therefore apply to the entire site and will address standard conditions regarding payment of costs, servicing, traffic, and environmental conditions.

The following additional conditions shall apply:

- 1. The owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed **site plan**, indicating the location of buildings, landscaping, parking, circulation, access, lighting, building elevations, grading, drainage, and servicing for the said lands, to the satisfaction of the Director of Community Design and Development Services, prior to the issuance of the building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.**
- 2. The owner shall pay to the City, as determined applicable by the City's Director of Finance, **development charges and education development charges**, in accordance with City of Guelph Development Charges By-law, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof,**

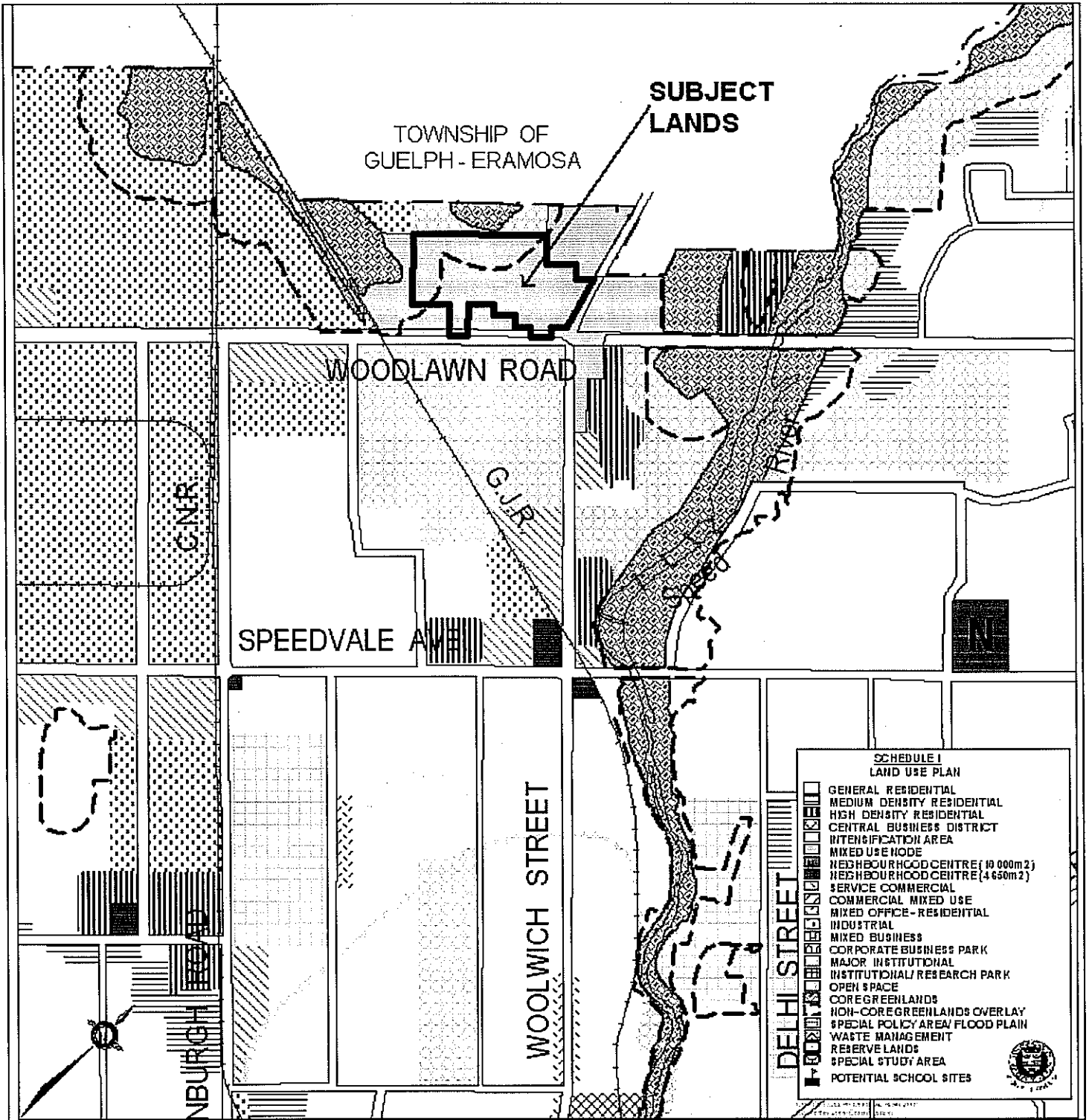
prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.

3. The owner shall commit to and agree that the details of the site layout and design for the development of the subject lands shall be **generally in accordance with the site concept plan** attached as Schedule 6 to the Community Design and Development Services Report 08-55 dated July 7, 2008, to the satisfaction of the Director of Community Design and Development Services.
4. The owner shall provide the City with evidence that the proposed new development will meet the target of being 25% more energy efficient as outlined in the letter by Enermodal Engineering Limited dated April 4, 2008 (Schedule 7) to support the **Community Energy Plan**, to the satisfaction of the Director of Community Design and Development Services, prior to the issuance of a building permit.
5. That prior to site plan approval, the owner shall have a Professional Engineer design a **grading plan and storm water management system** for the site, satisfactory to the City Engineer.
6. That the owner grades, develops and maintains the site including the storm **water management facilities** designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
7. That the owner constructs, installs and maintains **erosion and sediment control facilities**, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer prior to the site plan approval.
8. The owner shall pay the actual cost of constructing and installing any **service laterals**, as determined by the City Engineer, prior to site plan approval.
9. The owner shall pay to the City the actual cost of **designing and constructing road modifications** to the northbound left-turn lane and related works at the Woodlawn Road/Woolwich Street intersection, as determined by the City Engineer.
10. The owner shall pay its proportionate share of the improvements along the south side of Woodlawn Road to address the concerns expressed by **Woodlawn Memorial Park Cemetery** regarding grading, drainage, tree replacement and noise mitigation, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
11. The owner shall set aside and commit an adequate area on the subject site to accommodate a **municipal transit-staging area** for a minimum of six (6)

conventionally-sized City transit buses, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.

12. The owner shall perform best efforts in obtaining a formal **mutual right-of-way driveway and sidewalk connection for vehicles and pedestrians** between the subject property and the adjacent Home Depot lands, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval of Building 'H' illustrated on the latest site plan (Schedule 6).
13. Prior to the issuance of site plan approval, the owner shall enter into an **Agreement or Amending Agreement** with the City, registered on the title to the entire subject property, satisfactory to the City Solicitor, covering the additional conditions noted above."

SCHEDULE 3 EXISTING OFFICIAL PLAN



SCHEDULE 3 EXISTING OFFICIAL PLAN

STAGING OF DEVELOPMENT

4.2.2 *Development and redevelopment*, in accordance with the land use plan, Schedule 1, will be staged relative to a program for the orderly extension, repair and upgrading of municipal trunk storm and sanitary sewers and watermains. For this purpose, the City is divided into a number of staging areas. The approximate limits of the staging areas are indicated on Schedule 4 of this Plan.

a) STAGE 1

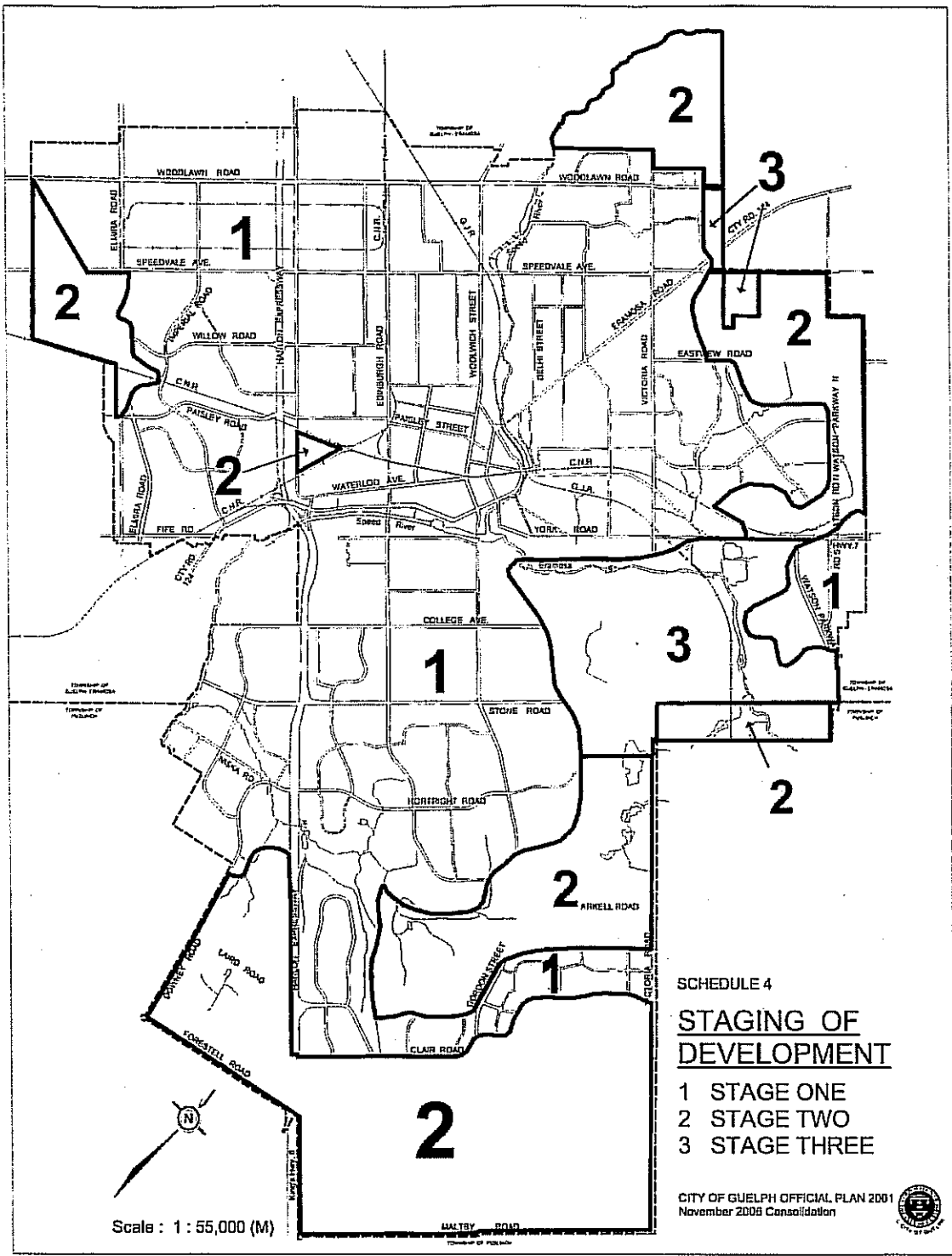
Stage 1 includes those areas in which municipal trunk storm and sanitary sewers and watermains are presently available. *Development* or proposals within Stage 1 areas will be reviewed by the City with regard to their impact on existing municipal services. The City shall restrict or prohibit *development* where municipal services are not of sufficient capacity or are otherwise inadequate to service the proposed use of the lands. The implementing *Zoning By-law* and the amendment process associated with it may be used as a mechanism to control pre-mature development of uses, which do not have adequate municipal services.

b) STAGE 2

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

c) STAGE 3

Development within a Stage 3 servicing area of the City may be considered subject to the adoption of a secondary plan in accordance with the provisions of subsection 9.5 of this Plan. In those areas where a secondary plan has been approved, *development* applications will be considered as services become available to the various parcels and the City is prepared to provide the required trunk services. The implementing *Zoning By-law*, and its associated amendment process, may be used as a regulatory mechanism to prevent the pre-mature zoning of lands for activities that do not have adequate municipal services. Generally, the implementing *Zoning By-law* to this Plan will recognize existing legal uses only.



POLICY DESCRIPTION OF MIXED USE NODE LAND USE DESIGNATION

7.4.5 The 'Mixed Use Nodes' identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within a "node". These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.

7.4.6 The intent of the 'Mixed Use Node' designation is to create a well defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.

7.4.7 It is intended that where there are adjacent properties within the node that the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Mixed Use Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.

7.4.8 The boundaries of the 'Mixed Use Node' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of Section 9.2, proposals to expand a 'Mixed Use Node' beyond these boundaries or to establish a new node shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.

7.4.9 The 'Mixed Use Node' is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and livework studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2. Only small scale professional and medically related offices shall be permitted in this designation in order to direct major offices to the CBD, Intensification Area, Corporate Business Park and Institutional designations.

7.4.10 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of *gross leasable floor area*, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total *gross leasable floor area* within the overall development.

7.4.11 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of *Zoning By-laws* and *site plans* used to regulate *development* within the 'Mixed Use Node' designation to ensure such consistency.

7.4.12 The 'Mixed Use Nodes' incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. In order to promote a mixture of land uses within each 'Mixed Use Node' designation it is the intent of this Plan that new *retail development* will be limited to the following floor area cumulatively of all buildings within the node:

- Woodlawn / Woolwich Street Node: 42,000 sq. m.
- Paisley / Imperial Node: 42,000 sq. m.
- Watson Parkway / Starwood Node 28,000 sq. m.
- Gordon / Clair Node 48,500 sq. m.

7.4.13 No individual 'Mixed Use Node' shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of *gross leasable floor area*.

7.4.14 In accordance with Section 9.2, any proposal to exceed the retail floor area limitations within a 'Mixed Use Node' established in policy 7.4.12 or the number of large retail uses in policy 7.4.13 shall require impact studies as outlined in policies 7.4.48 to 7.4.52."

URBAN DESIGN POLICIES FOR MIXED USE NODES

"7.4.39 In addition to the policies of section 3.6, and any Council approved urban design guidelines, the following urban design policies will be applied to the design and review of commercial and mixed use *development* proposals to create distinctive, functional and high quality commercial and mixed use areas:

7.4.40 Intersections:

7.4.40.1 Where a commercial or mixed use area is located at the intersection of major streets the development or redevelopment of each corner property will incorporate gateway features, prominent landscaping and pedestrian amenities with linkages into the site at the intersection.

7.4.40.2 Emphasize intersections of major streets by placing buildings in close proximity to the intersection and ensuring that building entrances are visually accessible from that intersection.

7.4.40.3 Use corner building placement, massing and roof treatment in combination with landscaping to screen large buildings and parking areas located within the interior of the site from view at the intersection.

7.4.40.4 Corner buildings will be designed as 'signature buildings' to take into account exposure to multiple street frontages and high public visibility by incorporating elements such as

increased height, roof features, building articulation, windows and high quality finishes.

7.4.40.5 Where a use incorporates functions such as open storage, vehicle repair operations, gas bars, garden centres and drive-throughs, these functions shall not be permitted between the building and the street line or the building and an intersection of streets.

7.4.40.6 Surface parking and loading areas shall not be permitted immediately adjacent the four corners of an intersection.

7.4.41 Street Edges:

7.4.41.1 Generously sized landscape strips incorporating combinations of landscaping, berming, and decorative fencing or walls shall be provided adjacent the street edge to provide aesthetically pleasing views into the site and to screen surface parking areas.

7.4.41.2 Locate free-standing buildings close to the street edge and avoid, where possible, surface parking between a building and the street.

7.4.41.3 Avoid locating outdoor storage areas along or adjacent to street edges.

7.4.41.4 Buildings adjacent the street edge will be designed to take into account high public visibility by incorporating elements such as increased height, roof features, building articulation, windows and high quality finishes.

7.4.41.5 Buildings will be designed to screen roof-top mechanical equipment from visibility from the public realm.

7.4.41.6 Avoid locating outdoor storage areas, outdoor display areas or garden centres adjacent to street edges.

7.4.42 Driveways, Internal Roads and Parking Areas:

7.4.42.1 Main driveway entrances will be defined by landscaping on either side of the driveway and / or by landscaped medians.

7.4.42.2 Internal roads will be physically defined by raised landscaped planters where they intersect with parking area driveways.

Internal roads will be used to divide large sites into a grid of blocks and roadways to facilitate safe vehicular movement.

Internal roads will be designed to interconnect with adjacent commercial lands to create an overall cohesive and integrated node.

7.4.42.3 Divide large parking areas into smaller and defined sections through the use of landscaping and pedestrian walkways.

7.4.42.4 Provide bicycle parking in close proximity and convenient to building entrances.

7.4.43 Pedestrian Movement and Comfort:

7.4.43.1 Incorporate decoratively-paved, conveniently located and distinct pedestrian walkways which link to public boulevards, transit stops, trail systems, pedestrian systems in adjacent

developments and which provide a continuous walkway along the frontage and between internal commercial uses.

7.4.43.2 Pedestrian systems shall incorporate landscaping and pedestrian scale lighting and shall be defined by distinct materials and / or grade separation from vehicular movement systems.

7.4.43.3 Pedestrian systems and buildings shall be designed to provide barrier-free accessibility and pedestrian movement systems shall be sufficiently wide enough to be functional and provide comfortable pedestrian movement.

7.4.43.4 Well defined pedestrian systems clearly distinctive from vehicular driveways shall be provided immediately adjacent to the main entrances of commercial buildings.

7.4.43.5 Where possible, main building entrances should incorporate weather protection measures such as canopies, awnings, building projections or colonnades.

7.4.43.6 Large developments will incorporate elements designed for people to rest such as parkettes, gazebos, pergolas, decorative walls that are separate and distinct from vehicular systems and parking areas.

7.4.43.7 Large developments within the nodes identified in the City's 2005 Transportation Study will incorporate a transit transfer terminal facility to the satisfaction of the City. Well defined pedestrian systems shall be provided linking these facilities to pedestrian movement systems internal and external to the site.

7.4.44 Large Buildings:

7.4.44.1 Where building facades are visible from a public street and are greater than 30 metres in length the building facades will incorporate recesses, projections, windows or awnings, colonnades and landscaping along at least 20% of the length of the façade to reduce the mass of such facades.

7.4.44.2 Large buildings will incorporate architectural elements which will reduce the visual effects of flat roof lines and which will conceal roof-top equipment.

7.4.44.3 Large buildings will be designed to enhance the visual built form and character of Guelph by incorporating architectural styles and elements and exterior building materials into building facades that reinforce the heritage character of the City of Guelph.

7.4.44.4 Where outdoor display areas are associated with a large building the use of landscape elements such as plantings, decorative fencing, pergolas and / or architectural elements such as façade extensions, and canopies shall be incorporated for effective integration with the overall development.

7.4.45 Adjacent Development:

7.4.45.1 Where commercial or mixed use development is located in proximity to residential and institutional uses the following urban

design strategies will be employed to ensure compatibility:

7.4.45.1.1 Building massing strategies to reduce the visual effects of flat roof lines and blank facades or building height.

7.4.45.1.2 Where possible, the location of noise-generating activities away from sensitive areas.

7.4.45.1.3 Incorporating screening and noise attenuation for rooftop mechanical equipment and other noise generating activities situated in proximity to sensitive uses.

7.4.45.1.4 Providing perimeter landscape buffering incorporating a generously planted landscape strip, berming and / or fencing to delineate property boundaries and to screen the commercial use from the adjacent use.

7.4.45.1.5 Design exterior lighting and signage to prevent light spillage into the adjacent property.

7.4.45.1.6 Avoid the location of drive-through lanes adjacent a use that would be negatively affected by noise, light and activity levels associated with these facilities.

7.4.46 Environmental Design:

7.4.46.1 The design and orientation of the site and building development will support energy efficiency and water conservation through the use of alternative or renewable energy, storm water infiltration systems, 'green' building designs, landscaping and vegetative materials and similar measures. Stormwater management measures shall address both quantity and quality issues in accordance with recognized Best Management Practices.

7.4.46.2 Where possible buildings will be oriented to maintain vistas of natural features on lands adjacent to the site.

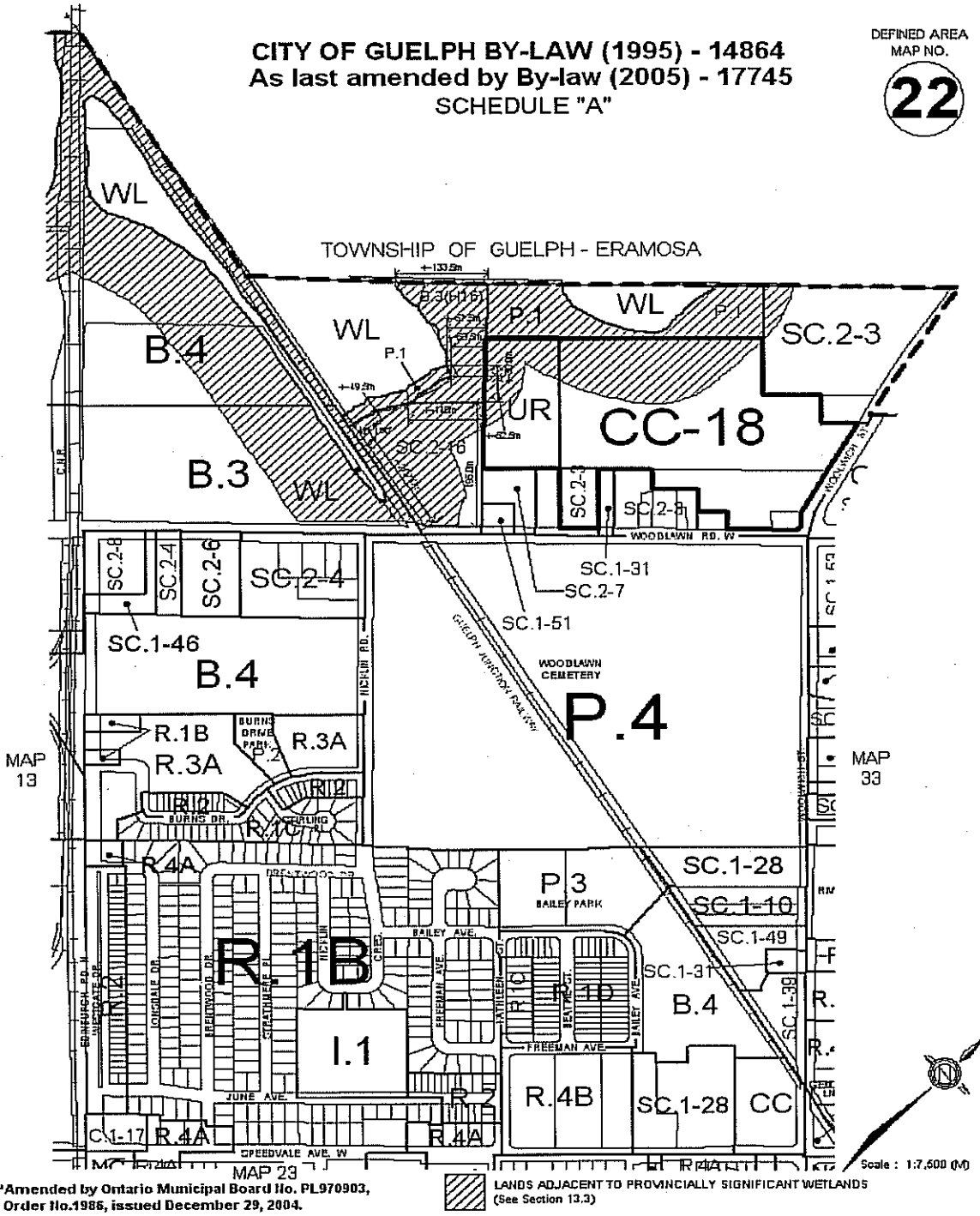
7.4.47 Implementation:

7.4.47.1 To ensure that the aesthetic character of site and building design in commercial and mixed use areas is consistent with the City's urban design objectives and policies, measures shall be incorporated into the Zoning By-law and the approval of site plans used to regulate development."

SCHEDULE 4 EXISTING ZONING

**CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-law (2005) - 17745
SCHEDULE "A"**

DEFINED AREA
MAP NO.
22



*Amended by Ontario Municipal Board No. PL970903, Order No.1986, issued December 29, 2004.

SCHEDULE 4 EXISTING ZONING

Permitted Uses

UR (URBAN RESERVE) ZONE

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

SC.2-3 (SERVICE COMMERCIAL)

Amusement Arcade
Artisan Studio
Commercial Entertainment
Convenience Store
Dry Cleaning Outlet
Financial Establishment
Hotel
Laundry
Medical Clinic
Medical Office
Office
Print Shop
Recreation Centre
Restaurant
Restaurant (take-out)
Vehicle Parts Establishment
Vehicle Sales Establishment
Veterinary Service
Accessory Uses in accordance with Section 4.23
Occasional Uses in accordance with Section 4.21

CC-18 (SPECIALIZED COMMUNITY SHOPPING CENTRE) ZONE

(Junior) Department Store
Art Gallery
Artisan Studio
Club
Day Care Centre
Financial Establishment
Group Home
Library

Medical Clinic
Medical Office
Office
Personal Service Establishment
Religious Establishment
Restaurant
Restaurant (take-out)
Retail Establishment
Veterinary Service
Amusement Arcade
Commercial Entertainment
Commercial School
Funeral Home
Garden Centre
Public Hall
Recreation Centre
Rental Outlet
Tavern
Taxi Establishment
Dwelling Units with permitted commercial Uses in the same Building in accordance with Section 4.15.2***

The CC-18 Zone excludes the following uses:

Carwash (Automatic and Manual)
Dry Cleaning Outlet
Laundry
Vehicle Gas Bar

***Section 4.15.2 of the Zoning Bylaw mentioned above, which outlines regulations for dwelling units in commercial buildings is as follows:

"4.15.2 *Dwelling Units with Commercial Uses*

No Dwelling Unit contained within a commercial *Use Building* or *Structure* shall be erected, altered, extended, or enlarged except in accordance with the following:

4.15.2.1 Every *Dwelling Unit* shall have a separate private entrance, which shall not be an open exterior stairway, but shall be a side or rear exterior entrance or an interior common vestibule.

4-21

17187 4.15.2.2 Every *Dwelling Unit* shall comply with all Ontario Building Code, as amended from time to time or any successor thereof, requirements for new *Buildings* including minimum floor area, ceiling height, heating, plumbing, insulation, windows, fire separations, exits, foundation drainage and damp roofing.

4.15.2.3 Every *Dwelling Unit* shall function completely separate from any commercial *Use*.

4.15.2.4 A minimum of 1 off-*Street Parking Space* shall be provided per *Dwelling Unit* in accordance with Section 4.13, exclusive of any required commercial parking."

SCHEDULE 5 PROPOSED ZONING

The following Proposed Zoning Bylaw was submitted in support of the application by the owner:

1. By-law (1995)-14864, as amended, is hereby further amended by transferring a 12.54 hectare (31.0 acre) property located north of Woodlawn Road West and west of Woolwich Street from the Special Community Shopping Centre (CC-18) Zone, the Special Service Commercial (SC.2-3) Zone and the Urban Reserve (UR) Zone to the Special Community Shopping Centre (CC-18) Zone in order to permit a retail commercial development.

2. Section 6 of By-law (1995)-14864, as amended, is hereby further amended by deleting section 6.2.3.2.18 and replacing it with the following:

“6.2.3.2.18 CC-18 Lands located north of Woodlawn Road West and west of Woolwich Street
As shown on Defined Area Map Number 22 of Schedule “A” of this By-law.

6.2.3.2.18.1 **Permitted Uses**

Permitted *Uses* in accordance with Section 6.2.1.2 of this By-law shall be allowed excluding the following uses:

Carwash, Automatic

Carwash, Manual

Dry Cleaning Outlet

Laundry

Vehicle Gas Bar

6.2.3.2.18.2 **Regulations**

In accordance with regulations of the CC Zone as specified in Section 4 and 6.2.2 (Community Shopping Centre Zone Regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

6.2.3.2.18.2.1 **Maximum Gross Floor Area** - 32,600 m²

6.2.3.2.18.2.2 **Minimum Off-Street Parking**

The minimum *Off-Street* Parking shall be 4.5 *Parking Spaces* per 100 m² of *Gross Floor Area*.

6.2.3.2.18.2.3 Build-to Lines – Area A

Within Area A as shown on Schedule CC-18, no building shall be erected or used unless its exterior wall facing Woolwich Street or Woodlawn Road is built to within a maximum of 6.0 metres of the street line.

6.2.3.2.18.2.4 Minimum *Building Height* – Area A

Within Area A as shown on Schedule CC-18, the minimum *Building Height* for any building located within 40 metres of the intersection of Woolwich Street and Woodlawn Road built is 7.0 metres.

6.2.3.2.18.2.5 Build-to Lines – Area B

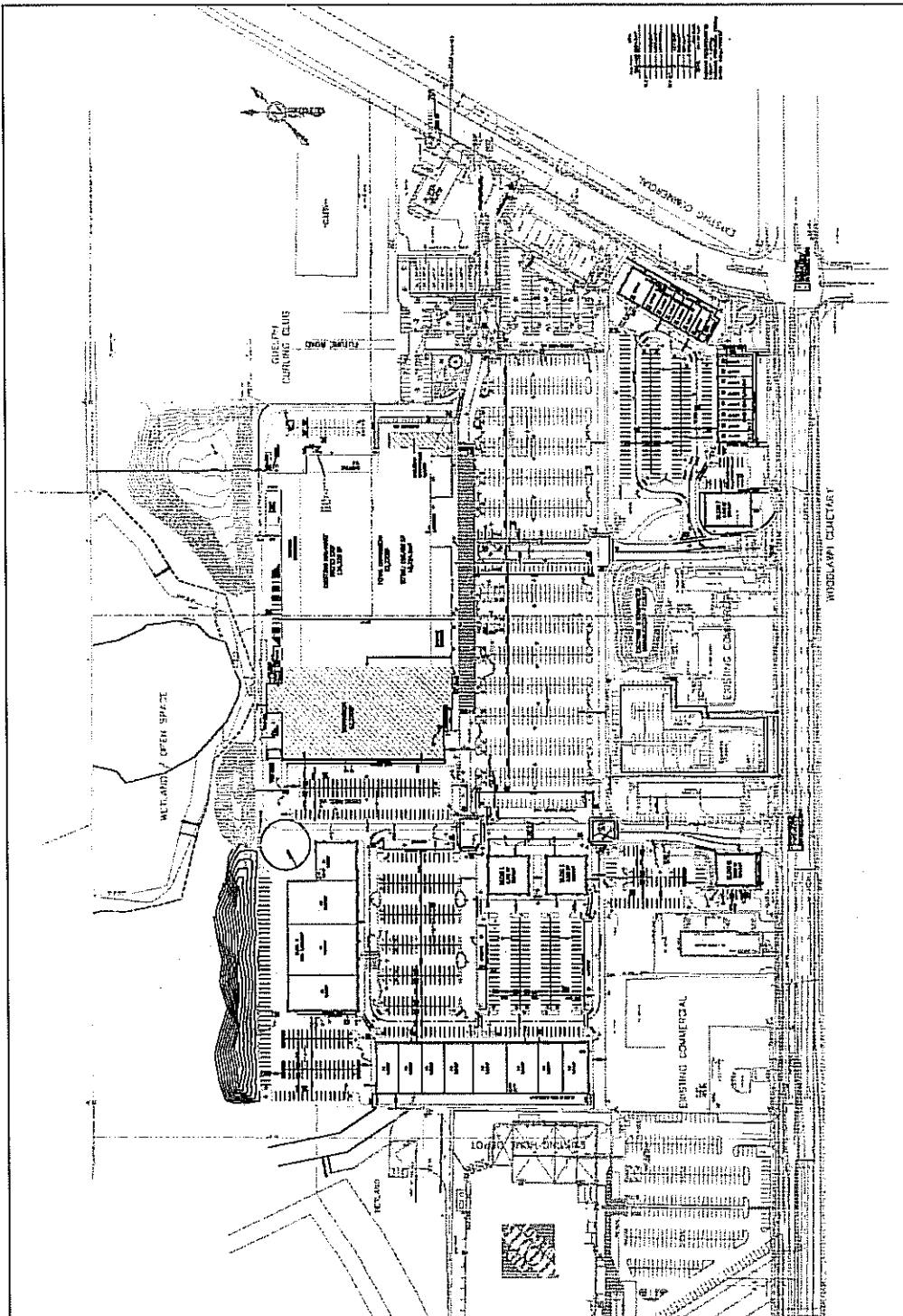
Within Area B as shown on Schedule CC-18, no building shall be erected or used unless its exterior wall facing Driveway A is built to within a maximum of 13.0 metres of the centre line of the driveway.

6.2.3.2.18.2.6 Severability Provision

The provisions of this by-law shall continue to apply collectively to the whole of the lands identified on Schedule "A" as CC-18 despite any future severance, partition or division for any purpose.

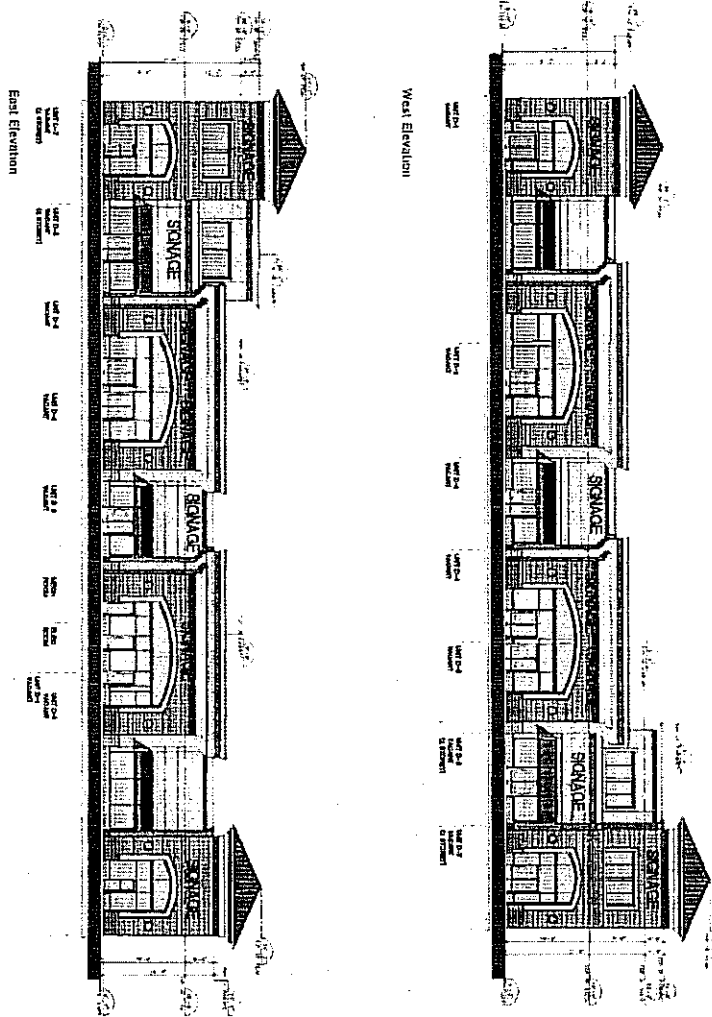
3. Schedule CC-18 as attached to this by-law is hereby adopted as part of Section 6.2.3.2.18.
4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map Number 22 and substituting therefore a new Defined Area Map Number 22 attached hereto as Schedule "A".
5. No part of this by-law shall come into effect until Official Plan Amendment No. 29 comes into effect.

SCHEDULE 6
PRELIMINARY SITE CONCEPT PLAN & BUILDING ELEVATIONS
(Large-scale plans are available for viewing at City of Guelph Planning Services)



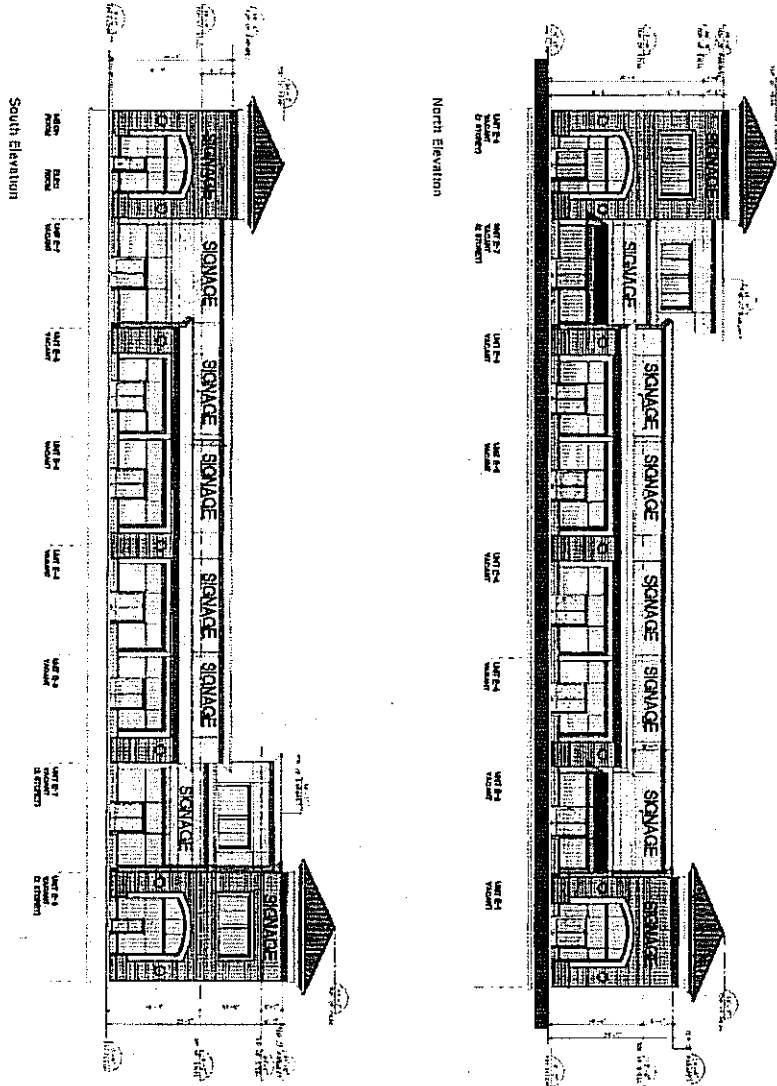
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SCHEDULE 6
PRELIMINARY SITE CONCEPT PLAN & BUILDING ELEVATIONS
Proposed Building D



PROPOSED
6 & 7 DEVELOPMENTS LTD ELEVATIONS BLOCK 'D'

SCHEDULE 6
PRELIMINARY SITE CONCEPT PLAN & BUILDING ELEVATIONS
 Proposed Building E



PROPOSED
 6 & 7 DEVELOPMENTS LTD ELEVATIONS BLOCK 'E'

SCHEDULE 7 ENERGY EFFICIENCY LETTER OF CONFIRMATION

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April 4, 2008

Mr. Jim Riddell
City of Guelph
City Hall, 59 Carden Street
Guelph, ON
N1H 3A1

Re: 6&7 Developments Limited ("6&7"); Achieving Energy Efficiency for new buildings B, C, D, E, F, G, H, J and K in the proposed expanded commercial development on the 6&7 lands (the "New 6&7 Buildings")

Dear Mr. Riddell:

We have been retained to assist 6&7 in achieving the City of Guelph's energy efficiency targets for the New 6&7 Buildings, as requested by Guelph planning staff as part of its review of 6&7's re-zoning application. Having read and understood Guelph's Community Energy Plan, we agree with, and support, the City's goal of mandating energy efficiency for new commercial developments.

The New 6&7 Buildings will, on the whole, be 25% more energy efficient than similar buildings would be under the standards mandated by the 2006 Ontario Building Code (OBC). To determine compliance with this energy efficiency target, a proposed building is computer modeled using a program developed by Natural Resources Canada ("NRCan"). First, an energy simulation model of the proposed building is run using the intended building equipment and materials. A large number of parameters are entered into the model including, but not limited to: external environmental assumptions; hours of operation; and internal comfort settings. Once an energy usage figure for the proposed building has been determined, a second energy simulation model is run for the same proposed building using the same parameters, but this time using equipment and materials that just meet the 2006 OBC requirements. This produces a second energy usage figure and the ratio between these two simulations determines the proposed building's efficiency.

As Canada's leading energy and green building consultant, we can perform the required energy simulations to NRCan protocols and can provide a compliance letter with an engineering stamp. Alternatively, our work can be peer reviewed by NRCan or by a firm on NRCan's list of approved energy simulators.

We would like to reiterate that the new 6&7 Buildings will achieve energy efficiency relative to the current OBC and not relative to a pre-determined fixed energy usage target (as Guelph staff had asked us to consider). Since there is no code or energy standard that uses fixed energy intensity as a guideline and since there is no document or protocol on how

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energy intensity should be measured against a fixed target, there is therefore no means of independently verifying whether a fixed energy use target has been met. As well, the predicted energy intensity of a building will vary widely depending on how the input parameters discussed above are set, which would make it extremely difficult to use a computer simulation model to determine whether a fixed target will be met for a proposed building.

Finally, we can report that we have carefully investigated possible alternative energy sources for the New 6&7 Buildings and have been unable to identify any that would be appropriate. That said, regardless of what energy source is ultimately selected, the goal of ensuring energy efficiency for the New 6&7 Buildings will be attained if 6&7 is required to meet the 25% reduction over 2006 OBC, as described above.

Yours truly,

ENERMODAL ENGINEERING LIMITED



per Stephen Carpenter, P.Eng., President

cc. 6&7 Developments Limited

Wal-Mart Canada will be a sustainability leader.

Concern for the environment is growing, in our stores and in our communities. We all agree that Wal-Mart Canada can create positive environmental change.

Wal-Mart Canada has three long-term goals to become a sustainability leader.

- **To produce zero waste, by eliminating, recycling and diverting our garbage.**
- **To use 100% renewable energy, like wind and solar power.**
- **To make more environmentally friendly products available to customers.**

Partnerships and Initiatives : We're good retailers, but not experts on the environment. We turned to people like David Suzuki and groups like Evergreen for direction.

“Wal-Mart’s commitment to sustainability acts as an inspiration and incentive to other corporations to follow suit. The company has enormous influence on corporate thinking and I am delighted with the priorities it has selected.”

- David Suzuki, renowned Canadian environmentalist

- We are a leading supporter of greening programs for Canadian school yards and communities. Our \$2.5 million funding for Evergreen Wal-Mart Green Grants supports groups creating green space in Canadian communities.
- In 2007, on special “environmental education” days our Wal-Mart Greeters will become Wal-Mart “Greeners” offering information on environmental programs and products. We also support youth education through programs like the Robert Bateman contest, Earth Rangers programs, and provincial “waste reduction” weeks.

Products: From products to packaging, everything is under review.

We are working with suppliers to reduce packaging, which means less materials, fewer deliveries, and less waste. When packaging is necessary, we're asking suppliers to pick better materials, like the corn-based plastics we use for fresh food.

With more environmentally friendly products on our shelves, customers have the option to be more sustainable too. We've committed to stocking more of these products and to the profile them with our new Wal-Mart Canada “Greener Good” logo, below.



Sustainability in our Wal-Mart Canada stores.

Fourteen different Wal-Mart teams – from across the business and throughout our chain – are working to improve our environmental sustainability in areas like fuel use for product shipping, store construction, and packaging reduction. We have already accomplished meaningful changes...with many more to come.

Wal-Mart's Canadian stores are now 10-15% more energy-efficient than the Canadian average for non-food retail stores.

- Our new lighting means 25% less energy use for lights, 8% overall.
- Our new HVAC systems have less ozone-depleting properties.
- Our choice of flooring allows us to eliminate corrosive cleaners.
- Our motion-sensing faucets reduce water use by as much as 22%.
- New roof insulation and heat recovery ventilators manage airflow with less energy.
- New nighttime covers for our refrigeration units hold temperatures naturally.
- Redesigned compressors in our pantries use 36% less energy.
- Going forward: LED lights will be installed in our "Wal-Mart" signs and in our refrigerators. LED lights reduce energy use by approximately 90%.

- In summer months, some stores will reduce lighting by 1/3. When we did this in Ontario, we saved enough energy to power 500 homes for a year.

- We are one of Canada's top purchasers of green power, offsetting coal or nuclear power with wind or solar sources provided by BC Hydro, bullfrogpower and others.

In 2007, we will recycle or remove more than 87 million kg of material (the equivalent of nearly 22,000 garbage trucks) previously sent to landfill. New programs capture plastic and cardboard (more than 50% of our waste) and separate store trash into various recyclable streams.

SCHEDULE 8 STAFF REVIEW AND PLANNING ANALYSIS

Issues and questions discussed at the June 5, 2007 Public Meeting of Guelph City Council and highlighted in the circulation responses from interested citizens are summarized as follows. A Staff comment has been included for each issue or concern:

1. Is the application premature? What is the timing of commercial development relative to the commercial space needs identified in the Commercial Policy Review (CPR or OPA 29)?

Staff comment: The timing of the rezoning application is not premature. There were comparatively few additions to Guelph's commercial hierarchy between 1995 and 2005, during a time of steady population and employment growth. It is therefore not surprising that specific commercial proposals came forward to implement the Commercial Policy Review recommendations in the first few years following completion of the CPR review. Recent interest in development has also occurred at the other three mixed use nodes in the City.

The CPR promoted a flexible and balanced approach to new retail development and intensification of the existing nodes. While the CPR identified how much commercial was needed to support the market and where it should locate at convenient and accessible locations to serve residents, the timing of development is left to the supply and demand of the market and the principle of healthy competition.

The CPR market analysis identified an overall need for additional commercial floor space to be allocated on a geographic basis. The commercial policy framework intentionally did not assign GFA distribution to any particular location in any particular year.

The *Guelph Commercial Policy Review: Recommended Approach* (June 2005) included the following:

"A flexible and balanced approach is recommended. A flexible and balanced approach will direct forms of retail uses to convenient and accessible locations that will provide the residents of Guelph with a convenient range of goods and services and at the same time support and contribute to the nature of the City and the strong sense of place. More and more municipalities have moved to a flexible approach in their commercial planning policies. The flexible approach provides a structured and organized commercial hierarchy while providing policies to strengthen the downtown and major commercial centres. The lack of restrictive uses, thresholds and/or caps permits a growing municipality to respond to market needs within its commercial framework without the need to constantly amend policies."

Development of the subject site is already phased in that the subject application represents the second rezoning of the development in anticipation of the site plan approval of the ultimate development.

The Official Plan identifies the subject site as being within Stage One (Staging of Development), together with the remainder of the existing built-up area. Section 4.2.2 (**Schedule 3**) of the Plan titled 'Staging of Development' outlines three stages that are based

on the orderly extension, repair and upgrading of municipal trunk storm and sanitary sewers and watermains. Stage One includes areas of the City in which municipal trunk storm and sanitary sewers and watermains are presently available. Based on comments received from the City Engineer (See **Schedule 9**) the subject application can be supported in terms of existing services and required upgrades.

As stated in Section 7.4.14 of the Official Plan (**Schedule 3**), any further application to exceed the retail floor area limitations or the number of large retail uses at a node will require market, planning and infrastructure impact studies. This application does not exceed either limitation. Both the retail floor area limitations and the number of large retail uses on the subject site have been restricted by the recommended zoning in **Schedule 2**. These restrictions on this site will contribute to the support of the ultimate development of the Woodlawn/Woolwich node within the existing policy framework.

2. Should the application be phased in relation to the intensification policies in the Provincial Policy Statement (PPS) and the Greater Golden Horseshoe Growth Plan?

Staff comment: The phasing of the application is not necessary and the application is supportive of both the PPS and the Growth Plan.

Section 1.1.3 of the **PPS** promotes intensification in a compact form and with a mix of uses and densities that allow for the efficient use of land. Section 1.3 of the PPS promotes economic development and competitiveness by providing for an appropriate mix and range of employment (industrial, commercial and institutional) uses, by providing opportunities for a diversified economic base, by protecting employment areas and by ensuring the necessary infrastructure is provided. The proposed development of the subject site will occupy otherwise vacant lands between the existing Walmart and Home Depot stores. The expanded Walmart and the development of smaller commercial buildings along the Woodlawn Road and Woolwich Street frontages and throughout the site will allow for a more efficient use than an otherwise underutilized site. Sections 1.6 and 1.6.4 of the PPS are also satisfied as the infrastructure and public service facilities are in place to support the proposed development and full municipal services are available to service the proposal.

Section 2.2.2 1a) of the **Growth Plan** encourages a significant portion of new population and employment growth in the built-up areas of a community through intensification. Sections 2.2.3 b) and f) of the Plan provide the same direction. The current Official Plan identifies this site as a mixed use node where a number of uses are permitted. Under the Local Growth Management Strategy, it is recognized that this node will eventually become an area of increased density and intensified use over time. In addition, the subject site is located within the Built-Up Area of the City as defined by the Growth Plan's Built Boundary line. Section 2.2.6 of the Growth Plan, similar to the PPS, promotes economic development and competitiveness by providing a range of employment uses, opportunities for a diversified economic base and the necessary infrastructure. The approximate Growth Plan density calculation represents 70 jobs per hectare with the potential for future residential dwellings.

3. Interface with Woodlawn Memorial Park Cemetery. What is or should be done.

Staff comment: As a result of the Woodlawn Road re-construction and associated upgrades that were completed to service new development along Woodlawn Road, tree removal and re-grading were necessary next to the cemetery to accommodate the retaining wall associated with the road and sidewalk construction. The removal of mature trees effectively eliminated much of the visual screen that existed on the south side of Woodlawn Road between Woodlawn Cemetery and new development on the north side of Woodlawn Road. To address the concerns expressed by Woodlawn Memorial Park officials, Staff added **condition 10 in Schedule 2** to ensure that the concerns with respect to grading, drainage, tree replacement to create an effective privacy screen and noise, are addressed prior to site plan approval. Staff have prepared concept plans for additional landscaped screening and submitted the concepts to the Woodlawn Memorial Park Cemetery for input. 6&7 Limited have indicated they are willing to discuss the remedial works with the Woodlawn Memorial Park Cemetery and City Staff and they are willing to provide a reasonable financial contribution towards the cost of the remedial works.

4. Conformity with the policies of the Mixed Use Node.

Staff comment: Staff's recommendations as outlined in Schedule 2 of this report conform to the Mixed Use Node policies in the Official Plan.

The Woodlawn/Woolwich node is functioning as described in Section 7.4.5 of the Official Plan and is serving the retail shopping needs of residents in nearby neighbourhoods and the City as a whole. As well, the development will provide the opportunity to satisfy additional shopping and service needs at one location as outlined in Section 7.4.9 of the Official Plan. The inclusion of institutional uses, recreation, entertainment and residential uses to the zoning bylaw will help to implement the mixed use node designation.

Section 7.4.12 of the Official Plan identifies size limits for 'new retail development' at the four mixed use nodes in the City. The limits were placed on the nodes to promote a mix of land uses and ensure that other non-retail uses and services are provided. Section 7.4.12 of the Official Plan (Schedule 3) limits new retail development at the Woodlawn/Woolwich Node to a maximum of 42,000m² GFA (452,000 SF).

Since the CPR approval, the development of both the existing Walmart building at 12,470m² retail GFA and the Home Depot building at 7,900m² retail GFA have collectively reduced the available amount of allocated retail floor space at the node from 42,000m²GFA to 21,630m²GFA.

Through this application, the owner has indicated a desire to develop an additional 6,000m² for food/grocery retail and an additional 12,370m² for new retail space which totals 18,370m² of additional retail floor space. This will represent 84.9% of the remaining 21,630m² retail GFA allocation for the node. As a result, approximately 30,840m² GFA of the proposed total commercial floor space cap of 32,600m² GFA for the site, or 94.6% of the subject site will be developed for retail commercial use.

It is Staff's opinion that this high retail ratio is too aggressive and defeats the objective of a mixed use development and zoning. Staff must also consider that the property at 816 Woolwich Street located directly north and east of the subject site is the only remaining sizeable property at this node that has not yet been developed for commercial and mixed uses. This property has a site area of 3.93 hectares (9.7 acres) and at 35% coverage has the

potential to yield a building footprint in the range of 11,330m² GFA (121,968SF). It is reasonable to expect that a future development of this size would request a share of the node's allocated retail floor space component.

A fair and simple way to ultimately achieve the intended mix of uses at both the subject site and the 816 Woolwich Street lands is to retain a reasonable limit on the total amount of retail floor space permitted on the subject site. To help preserve 816 Woolwich for some possible future retail development while still allowing the subject application to proceed, it is suggested that 4,646m² (50,000SF) is a reasonable amount of retail gross floor area to reserve for the balance of the node area. Based on this approach the recommended zoning for the subject site contains a regulation that will limit the retail GFA on the site, aside from a (Junior) Department Store which includes a food/grocery component to a maximum of 10,990m² GFA. This will result in the sharing of the node's retail allocation and will help ensure that both sites are developed with a healthy mix of uses. This approach also ensures that the zoning conforms to Section 7.4.9 of the Plan with respect to range and mix of uses (**Schedule 3**).

The Woodlawn/Woolwich Mixed Use Node retail floor space allocation is summarized as follows:

42,000m²GFA maximum new retail allocation for the node (Section 7.4.12 of the Official Plan).
Then subtract
12,470m² (existing Walmart building)
subtract
7,900m² (existing Home Depot building)
equals
21,630m²GFA remaining allocation of new retail space at the node.
(42,000 m² – 12,470m² – 7,900m² = 21,630m² GFA)

The 6&7 Proposal

21,630m² remaining new retail allocation for the node
minus
6,000m² proposed food/grocery component
minus
12,370m² proposed additional retail in smaller pads
equals
3,260m² (35,000SF) remaining new retail allocation for 816 Woolwich Street.

Staff Recommendation

21,630m² remaining new retail allocation for the node
minus
6,000m² food/grocery component
minus
10,990m² recommended maximum additional retail in smaller pads
equals
4,646m² (50,000SF) minimum new retail allocation for 816 Woolwich Street.

5. Urban Design. Does the concept plan represent good urban design and conform to the Official Plan's urban design policies for mixed use nodes? Do we need conditions or regulations to implement?

Staff comment: The owner's planning consultant has submitted a letter (end of this **Schedule 8**) summarizing how the urban design policies in Section 7.4.39 of the Official Plan (See **Schedule 3**) have been addressed. Staff is in general agreement with the summary and is satisfied with the site concept plan in **Schedule 6** although the plan continues to be processed through the Site Plan Review Committee and can be subject to minor revisions.

The site is proposed to be developed according to the site concept plan in **Schedule 6**. The main junior department store building (Walmart) has been placed at the rear or north end of the site, facing Woodlawn Road and the planned expansion is at the west side of the building. Ten smaller pads or buildings are proposed to be dispersed throughout the balance of the site with either architectural presence to Woodlawn Road and Woolwich Street or the main signalized entrance road off Woodlawn Road. The main feature planned for this entrance road is the proposed transit staging area. This driveway continues north and east to connect to the Woolwich Street entrance. Corner building placement, height, massing and architectural detail has been emphasized at the intersection of Woodlawn and Woolwich. Buildings along the public streets are subject to a range of build-to line regulations that ensure that the buildings relate to the streets and to pedestrians approaching the site. These buildings have been detailed so they invite pedestrians onto the site through the use of transparent windows, doors and sidewalks mixed with highlight landscaping. Driveways are laid out in a grid design and have been divided into smaller segments with landscaped islands, curbs and sidewalks. There has been a focus on creating pedestrian movement on site that promotes direct travel to the store entrances in a safe manner. A network of sidewalks highlighted by landscaped parkettes with outdoor furniture provides pedestrians with convenient access to all areas of the site. This pedestrian network is distinctly separate from the vehicular traffic aisles to promote safety and functions as an extension to the public sidewalk system adjacent to the site.

To implement this plan, **Condition 3** in Schedule 2 has been added to the recommendation to ensure development of the site is generally in accordance with the concept in **Schedule 6** which has embodied all of the urban design discussions between the City and owner to date. **Condition 11** which confirms the City transit staging area on site and **condition 12** which confirms the attempt to connect driveways and sidewalks to the Home Depot site have been added in **Schedule 2** to strengthen the owner's commitment to the latest site concept. Much emphasis has been placed on private sidewalks connecting to public sidewalks on site to accommodate people on foot, on bicycles and in wheelchairs.

In addition, regulations have been added to the zoning that will assist in the implementation of the mixed use node urban design policies of the Official Plan (See **Schedule 2**). These regulations include the maximum size restriction for an office use, the minimum and maximum build-to line setbacks from Woodlawn Road and Woolwich Street, the prohibition of drive-through uses within a specified distance of the intersection, the minimum building height requirement within a specified distance of the intersection and the regulation restricting the site to one large building which would be the junior department store.

6. Range of Uses. What should be allowed and should certain uses be permitted or prescribed....especially residential.

Staff comment: Section 7.4.9 of the Official Plan describes a wide range of uses that are permitted or encouraged in a mixed use node designation (See **Schedule 3**). Similar to the zoning that has been used at the other three mixed nodes in the City the CC (Community Commercial) Zone is the most effective zone that best implements the mixed use node land use designation. The CC Zone allows retail and service type uses in addition to institutional, entertainment and recreation type uses. The CC Zone also permits residential dwelling units within commercial buildings, which meets the intent of the mixed use node policies. In addition, Staff has added the full range of I.1 (Institutional) Zone uses to the proposed zoning to support the principle of a mixed-use development (See **Schedule 2**).

The City's Zoning Bylaw currently and historically lists uses in a permissive form rather than a prescriptive form. These lists of permitted uses in each zone provide for flexibility and a range of uses. Currently, Official Plan policies do not prescribe or insist that a floor area be occupied by a specific use. Although the owner states that residential uses are not practical or feasible at this site today, the function of the mixed use node can evolve and change.

The owner has submitted an Incremental Redevelopment Scenario (See **Schedule 11**) that illustrates how residential uses might be introduced to the site in a redevelopment scheme in the future. This plan illustrates a future scenario where specific commercial buildings in the proposed development could be redeveloped into multiple residential dwellings on this site. While the City may pursue a review of the implications and appropriate policy for this type of mixed use intensification in the future, in the short term, Staff is recommending the addition of freestanding multiple residential townhouse and apartment development as permitted uses in the new zoning (**Schedule 2**). The addition of these residential uses to the zoning will strengthen the proposed Community Commercial Zone to better follow the provincial policies on growth and intensification and the Mixed Use Node policies.

7. Servicing

Staff comment: The site can be adequately serviced. As confirmed by the City Engineer (See **Schedule 9**) the existing development involved new water and wastewater service connections, a storm water management system, an on-site transit facility, and roadway and access improvements. Development on the balance of the site can be accommodated by the infrastructure improvements already in place, with the exception of modifications to the northbound left-turn lane at the Woodlawn/ Woolwich intersection. This requirement is covered in **condition 9** in Schedule 2. The City Engineer also notes that service connections, storm water management system, transit routing and access points will be reviewed prior to approval of the site plan.

8. Connectivity with other sites. What is planned?

Staff comment: The main connectivity on this site is related to land uses to the east and west as the focus is on protecting, screening and buffering the land uses to the north and south. It is very important for good strong linkages to the public sidewalks on Woodlawn Road to be established. The strong connections to the City sidewalks further connect to City trails and distant neighbourhoods. Woolwich Street along the frontage of the site is designated for proposed bicycle lanes in the City Official Plan.

The site plan approvals for both the subject site and the Canadian Tire development at the northeast quadrant were coordinated and approved to ensure the main driveway connections

onto Woolwich Street for both developments were aligned to form a functional and safe intersection involving both sidewalks and driveways.

Regarding Woodlawn Road, connections to adjoining sites is critical to protecting the traffic carrying capacity of the major public road allowance serving the site, being Woodlawn Road. In the case of the new pizza establishment located south of the site, and the adjacent auto-related business, driveway connections were approved between the owners and the City providing for vehicular and pedestrian connections from each development to the other without having to use the busier arterial road. These connections reduce congestion and offer safety to drivers and pedestrians.

Staff asked the owner to arrange to provide the same vehicular and pedestrian connection with the Home Depot development lands to the west. Although preliminary discussions have occurred, there has been no mutual agreement reached to date to secure this driveway and sidewalk connection. Home Depot is concerned about how the additional traffic from the subject site will impact their access driveway. In an effort to pursue this important linkage, Staff has asked through **condition 12** that the owner continues to discuss the issue with Home Depot and makes every effort to reach an agreement prior to the approval of Building H on the site plan. Building H is located directly adjacent to this potential road connection and should be finalized on the site plan when the connection is decided. This connection should be designed to accommodate vehicles, pedestrians including those with disabilities and bicycles.

9. What's happening with the wetland? What are the obligations under the settlement?

Staff comment: Approximately 10 acres of land at the north end of the site has been dedicated to the City for the protection of Provincially Significant Wetlands and buffers associated with the Marden South Wetland Complex. The lands were rezoned to the WL (Wetland) Zone and the P.1 (Conservation Land) Zone for further protection. As part of the approval of the existing development, the earth berm was constructed behind Phase 1 and the living wall was created to act as a visual barrier for the benefit of the Jesuit property to the north. As part of the approval of the application, the owner is required to complete the construction of the berm and living fence to its ultimate extent. Under the terms of the Minutes of Settlement, the owner is required to implement as part of any Phase 2 development, certain obligations with respect to an appropriate lighting system and extension of the noise mitigation berm to the western boundary of the site. These conditions and obligations are already covered in a registered agreement and in the minutes of settlement of the original application.

10. Traffic impact. What is happening on Exhibition and Kathleen Streets.

Staff comment: Regarding traffic infiltration on Kathleen Street due to the Walmart project, the City Engineer reports that the most recent ITRANS traffic impact study for 6 & 7 Developments Limited (October 2007) reviewed 10 years of weekday PM peak hour and Saturday peak hour traffic counts between February 1997 and June 2007 (including after the opening of the Walmart) on Nicklin Road (the only shortcut route from Kathleen). In all counts, peak hour two-way traffic volumes were within 250 vehicles per hour on weekdays and 150 vehicles per hour on Saturdays. Growth in traffic volumes over that period is

estimated at about 2-3 vehicles per hour per year. Staff are satisfied that there is very little shortcutting on Kathleen Street due to the 6 and 7 project.

11. What is the status of Transit on the site. What is happening and when?

Staff comment: The owner has agreed to accommodate a public transit staging area on their private property as it is recognized that the subject development and node will be transit-supportive. The latest site concept illustrates two bus lay-bys straddling the main north-south internal entrance road that will accommodate a total of six City buses. The first half of the lay-by has been constructed in conjunction with the existing phase of development and the balance of the staging area will be completed in conjunction with the final phase of development (See **Condition 11**).

12. Community Energy Plan (CEP). What energy conservation is contemplated?

Staff comment: The owner has constructed stormwater infiltration and green/living wall new technology on site. Within the existing Walmart building, the owner has installed white membrane roofing and R25 roof insulation. This design reflects heat and reduces cooling loads during summer months and produces higher quality insulation. LED lighting has been installed on the exterior of the building that provides 90% energy efficiency over fluorescent lighting. The existing building also contains sensor activated low-flow faucets, environmentally friendly refrigeration systems and HVAC units and a cardboard and plastic recycling program.

The proposed development works towards implementing the Guelph Community Energy Plan as the owner is committed to developing any new buildings on the site to be 25% more energy efficient than similar buildings would be under the standards mandated by the 2006 Ontario Building Code (See letter in **Schedule 7** and **condition 4** in Schedule 2).

13. What is the grocery store status?

Staff comment: The owner has confirmed that the proposed 6,000 square metre additional building area illustrated on the west side of the existing Wal-Mart building on the site concept plan (**Schedule 6**) is planned for a grocery component.

14. Size restrictions on stores. Should we impose? It is suggested we don't allow any store smaller than a certain size (e.g. boutique) to protect core.

Staff comment: The approach taken in the Commercial Policy Review analysis was based on a residual market approach that recognized and protected the CBD and existing commercial nodes, while allowing for their continued expansion and intensification. Consistent with that approach, the policies applying to new retail commercial uses in the *Mixed Use Node* designation contemplate a wide range of retail, service and other commercial uses, with no policy restrictions on the size or function of retail stores within the designation except **Section 7.4.13** applies restrictions related to the size of freestanding individual retail uses exceeding 5,575m² GFA (See Schedule 3) and **Section 7.4.9** states that only small-scale professional and medically-related offices shall be permitted in a mixed-use node to protect

the CBD, Intensification Areas, Business Parks and Institutional designations. The recommended zoning allows only one freestanding individual retail use exceeding 5,575m² GFA and restricts office uses to not exceed 465m² GFA. Both of these policies have been implemented in the recommendation in **Schedule 2** as a zoning regulation.

15. Overall impact on Downtown.

Staff comment: As the Commercial Policy Review was evolving, the CBD, the Intensification Areas and other commercial nodes in the City were considered. When Council approved the Commercial Policy Review framework in July 2005, Council set aside 46,450m² (500,000 square feet) of warranted space for the Downtown, intensification centres, existing commercial centres and neighbourhood/convenience centres. The Mixed Use Nodes were intended to provide a wide range of retail, service, institutional, entertainment and recreational commercial uses as well as complementary uses including residential. In Section 7.4.9 (**Schedule 3**) of the Official Plan, office and medical office uses are intended to be restricted in GFA so that large, major offices are directed to the CBD, Intensification Areas and other centres. A regulation limiting the size of office uses is included in the recommended zoning in **Schedule 2**. Also included in Schedule 2 is a recommended zoning regulation to limit the number of larger freestanding buildings on site to conform to Section 7.4.13 of the Official Plan (Schedule 3) and support **condition 3** (Schedule 2) which confirms the site concept plan in **Schedule 6**.

16. Precedent for future growth. Need to explain size of node.

Staff comment: This rezoning application will not set a precedent for the future growth of this mixed use node. Physical barriers exist that contain the size of this node including wetlands and cemeteries. The size of the node is described earlier in Issue 4 and the boundaries of the node are illustrated in Schedule 1 of the Official Plan (Schedule 3). Section 7.4.14 of the Official Plan (Schedule 3) requires market, planning and infrastructure studies to accompany any application that exceeds the node size limitations or exceeds the number limitations for larger stores, as outlined in Sections 7.4.12 and 7.4.13 (**Schedule 3**).

17. Comparison with Smart Guelph Principles.

Staff comment: The Smart Guelph Principles adopted by Council in February 2003 were meant to form the fundamental basis or reasoning for decision-making in the City. This set of principles reflected what Guelph citizen's value about their community. The principles include: Inviting & Identifiable, Compact & Connected, Distinctive & Diverse, Clean & Conscious, Prosperous & Progressive, Pastoral & Protective, Well-Built & Well-Maintained and Collaborative & Cooperative. The following chart submitted by the owner outlines a response to the Smart Guelph Principles.

To strengthen these principles, the City created the 2007 Strategic Plan which included the City's Vision "To be the City that makes a difference" and the City's Mission Statement "To achieve excellence through leadership, innovation, partnerships and community engagement."

The Official Plan also plays a key role in support of these Smart Guelph Principles (SGP) and they essentially are included in the goals, objectives and policies of the Official Plan.

The applicant's planner has submitted a chart summarizing how the subject zoning bylaw amendment application and 6&7 Developments has been supportive of the Smart Guelph Principles (end of this **Schedule 8**). The summary outlines actions that have contributed towards achieving the Smart Guelph Principles.



Project No. 9351-11

December 21, 2006

Mr. Scott Hannah
Manager of Development Planning
City of Guelph, Planning Division
Planning & Building Services
City Hall, 59 Carden Street
Guelph, Ontario N1H 3A1

Dear Mr. Hannah,

**Re: Applications for Rezoning and Site Plan Approval
6&7 Developments Ltd.
Planning and Urban Design Analysis**

As discussed, we are pleased to submit this planning and urban design analysis of the proposed expansion of the 6&7 commercial development in relation to applicable policies in Official Plan Amendment No. 29. In particular, this letter relates to the overall site rezoning and the site plan application for the Wal-Mart store expansion.

Land Use

In our opinion, the proposed rezoning represents good planning and conforms with the applicable policies in the "Mixed Use Node" designation. The proposal provides for the build-out of the remaining vacant lands within the 6&7 site, consistent with the policies of the Provincial Policy Statement encouraging the development of vacant serviced lands within built-up areas and in conformity with the anticipated range of uses specified in the Guelph Official Plan.

Policy 7.4.9 provides that the Mixed Use Node is intended to provide a wide range of retail, service, entertainment and recreational commercial uses. Complementary uses including open space, institutional, cultural and educational uses, hotels, live-work studios, multiple unit residential and small-scale offices are also permitted.

The proposed uses within the 6&7 development are permitted by the Mixed Use Node designation. The primary use will be retail commercial, with a component of ancillary service commercial uses.

Urban Design

In our opinion, the proposed rezoning conforms with the applicable urban design policies. This opinion is based on both the detailed site plan application submitted for the Wal-Mart expansion as well as the overall conceptual site plan submitted with the

3 Church Street, Suite 200, Toronto, Ontario M5E 1M2 T 416-947-9744 F 416-947-0781

rezoning application. Within the context of the overall conceptual site plan, additional details will be provided in the future through the submission of detailed site plan applications as the build-out of the development proceeds.

Amendment No. 29 introduced a detailed set of urban design policies applicable to all Commercial and Mixed Use Areas (Policies 7.4.40 to 7.4.47 inclusive). As well, there are a couple of site design/urban design policies included within Mixed Use Node designation policies, notably Policies 7.4.7 and 7.4.11.

Our analysis with respect to each of the applicable policies is set out below:

- The intent of Policy 7.4.7 with respect to ensuring the integration of lands within the Mixed Use Node has been achieved through provision for the interconnection of internal access roads, which will provide for connection among the various entrances to the public street system. The approach to grading, open space and stormwater management has considered the lands within the northwest quadrant of the Woodlawn/Woolwich intersection on a comprehensive basis.
- With respect to Policy 7.4.11, the proposed site and building design will be consistent with the City's urban design objectives and guidelines. Details are set out in the following paragraphs.
- The provisions of Section 7.4.41 with respect to intersections will be satisfied. The conceptual site plan locates a "parkette" feature at the corner of Woodlawn Road and Woolwich Street, incorporating gateway features, prominent landscaping and pedestrian amenities, with linkages into the site. Buildings will be placed in proximity to the intersection along both Woodlawn Road and Woolwich Street framing the parkette. The design of these buildings will reflect their role as "signature buildings", incorporating elements such as increased height and roof features. Details regarding building articulation, windows and finishes will be determined at the detailed site plan stage, however, the draft Zoning By-law submitted with the application specifies a minimum height for any building located within 40 metres of the intersection.
- The provisions of Section 7.4.42 with respect to street edges will be satisfied. Landscape strips will be provided along both the Woodlawn Road and Woolwich Street frontages, while locating buildings close to the street edge. Surface parking will not be located between buildings and the street edges of Woodlawn and Woolwich and, where parking is located to the sides of buildings along the street edge, it will be appropriately screened with landscaping. Details will be determined at the site plan stage.
- The provisions of Section 7.4.43 with respect to driveways, internal roads and parking areas will be satisfied. Main driveways into the site from Woodlawn Road and Woolwich Street will be defined by landscaping. The main internal roads have been structured in a grid pattern, which will divide the parking areas into

smaller, defined sections. In addition, the internal roads have been designed to interconnect with the potential future redevelopment of the Guelph Curling Club lands to north and east, as well as to the existing Home Depot store to the west. In this latter regard, the conceptual site plan provides for an interconnection with the internal roadway system within the Home Depot lands; it is anticipated that, with the City's support, Home Depot will be amenable to providing a linkage between the two sites. The provision of bicycle parking in proximity to building entrances can be addressed at the detailed site plan stage.

- The provisions of Section 7.4.44 with respect to pedestrian movement and comfort will be satisfied. A pedestrian walkway system has been illustrated on the conceptual site plan, linking the Wal-Mart store to the Woodlawn/Woolwich intersection. In addition, a future Guelph Transit bus stop has been provided within the centre of the development. Details regarding paving materials, pedestrian-scale lighting, barrier-free accessibility and the treatment of building entrances will be addressed at the site plan stage.
- The provisions of Section 7.4.45 with respect to large buildings will be satisfied. The existing Wal-Mart department store has been designed in accordance with the principles set out in this section, realizing a "made-in-Guelph" design solution which reinforces the heritage character of the City. The design of the proposed Wal-Mart expansion continues this same design approach. A second main entrance to the store will be provided on the south elevation using the same "Guelph gable" vocabulary as has been employed in the existing store. From there, the front wall of the expansion would be stepped back to provide articulation in the horizontal plane, with a turret feature at the southwest corner of the building mirroring the existing feature at the southeast corner.
- Section 7.4.46 is not directly applicable as it deals with development adjacent to sensitive residential and institutional uses. The interface with the cemetery and the Ignatius Jesuit Centre to the north has been addressed through the provision of a substantial buffer area along the north edge of the site, which was rezoned and dedicated to the City as part of the approvals for Phase 1. The provision of a berm and associated landscaping within the buffer area to the west of the wetland area will be achieved with the development of the 6&7 expansion. The proposal also includes 3.8 hectares of open space, comprising the wetland and buffer areas along the north limit of the property, which has been previously zoned and dedicated to the City as part of the approvals for the first phase of the 6&7 development. An update of the noise report will be submitted as part of this submission. The lighting report has already been updated and submitted.

As set out in Policy 7.4.47, the draft Zoning By-law submitted with the rezoning application incorporates a number of measures that will help implement the urban design vision for the site e.g. build-to lines, minimum building heights. As noted previously, other elements are more appropriately secured through the site plan approval process.



The overall site layout is appropriate and functional, and is responsive to the applicable urban design policies in the Official Plan. In the area to the west of the Wal-Mart, which is intended to accommodate mid-size stores, the proposed building layout ensures that each store is provided with parking that is convenient to the store entrance, while appropriately addressing the policies in Sections 7.4.43 and 7.4.44 with respect to internal site organization. Given that this portion of the site does not front on a public street, the policies in Sections 7.4.41 and 7.4.42 with respect to street edges and intersections do not apply.

Other Matters

In accordance with the policies introduced by Amendment No. 29, an Infrastructure Impact Study addressing, among other matters, transportation capacity and access locations, is required only if the proposal involves the designation or expansion of a Mixed Use Node beyond the boundaries designated on Schedule 1 or if it is proposed to exceed the retail floor area limitations within a "Mixed Use Node" (see Policy 7.4.48). Given that the application does not involve any such changes, an Infrastructure Impact Study is not required by the Official Plan. However, a transportation analysis has been prepared to update the transportation impact study previously prepared for the site and will form part of this submission.

We trust the foregoing is of assistance to the City in its review of the subject application, however, if you wish to discuss any of these matters in greater detail, please do not hesitate to contact us.

Yours truly,

Bousfields Inc.

A handwritten signature in black ink, appearing to read 'Peter F. Smith', written over a faint, illegible printed name.

Peter F. Smith B.E.S. MCIP, RPP

cc: Tom Friedland, Goodmans

SCHEDULE 8
STAFF REVIEW AND PLANNING ANALYSIS
 6&7 Submission

Smart Guelph Principles	Actions Taken by SmartCentres
Compact & Connected	Development located next to existing services, technologies that minimize impact on these services proposed, intensification of vacant land and emphasis on pedestrian facilities and connections
Inviting & Identifiable	Emphasis on urban design via strong pedestrian and transit connections, parkettes, high quality façade materials, and a living wall.
Distinctive & Diverse	Pedestrian oriented design, and the possibility to host community events, festivals, etc.
Collaborative & Cooperative	Collaboration with neighbouring Ignatius Jesuit Centre in site design and layout.
Prosperous & Progressive	Innovative stormwater management technology to recharge groundwater and avoid burdening municipal system; employment generation of approximately 500 full-time and part-time jobs; and commercial diversity through wide range of retail and service commercial providers.
Pastoral & Protective	Conveyance of 10.2 acre wetland to the City; on site parkettes to promote greenspace; groundwater infiltration system to protect groundwater; and use of CPTED (Crime Prevention Through Environmental Design) principles throughout site to promote safety.
Well-built & Well-maintained	Use of sustainable development principles.
Clean & Conscous	Building design which focuses on energy conservation and efficiency targetted to only require 50% of energy usage by comparable buildings in Guelph.

**SCHEDULE 9
AGENCY CIRCULATION COMMENTS**

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITION AL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
City Engineering**		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
Finance		✓	<ul style="list-style-type: none"> • Development Charges
Wellington CDSB	✓		
Environmental Planner		✓	<ul style="list-style-type: none"> • Berm & buffer design approved through EIR
GDA	✓		
Economic Development	✓		
Fire/Emergency Services	✓		
Zoning Division	✓		
Guelph Police Services	✓		
Wellington Dufferin Guelph Public Health	✓		
Guelph Chamber of Commerce	✓		

**City Engineering comments are attached.

SCHEDULE 9 AGENCY CIRCULATION COMMENTS

File No. 16.132.069

To: Al Hearne
From: Rajan Philips
Department: Community Design and Development Services Division: Engineering
Date: April 22, 2008
Subject: 0 Woodlawn Road, Proposed Zoning Amendment at Wal-Mart, (ZC 0701)

The proposed Zoning Amendment involves an expansion of 32,600 sq.m. additional commercial space at the current Wal-Mart site including a 6,000 sq.m. expansion of the existing Wal-Mart store. The application for Zoning Amendment was received together with the Site Plan application, which is currently under review. We have also received and reviewed the Functional Servicing Study and Development Traffic Study submitted in support of these applications.

The development of the existing Wal-Mart store involved new water and wastewater service connections, a storm water management system, an on-site transit facility, and roadway and access improvements. Additional developments corresponding to the proposed Zoning Amendment can be accommodated by the infrastructure improvements already in place, with the exception of modifications to the Northbound Left-turn lane at the Woodlawn/Woolwich intersection, as noted below. Service connections, storm water management system, transit routing and access points will also be reviewed prior to approval of the Site Plan application for development.

Based on the foregoing, we recommend the following conditions for approving the proposed zone change:

1. The owner shall submit and receive approval from the City for a site plan under Section 41 of the Planning Act prior to development.
2. That prior to site plan approval, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
3. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water

management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.

5. That the owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer prior to the site plan approval.
6. The owner shall pay the actual cost of constructing and installing any service laterals, as determined by the City Engineer, prior to site plan approval.
7. That the owner shall pay to the City the actual cost of designing and constructing modifications to the Northbound Left-turn lane and related works at the Woodlawn Road/Woolwich Street intersection, as determined by the City Engineer.
8. That prior to the passing of the Zoning Amendment by-law, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above and to develop the site in accordance with approved plans.

**SCHEDULE 10
PUBLIC CORRESPONDENCE**

*Melissa
Castillo*



RECEIVED
MAY 31 2007

CITY CLERK'S OFFICE

762 Woolwich Street
Guelph, Ontario Canada N1H 3Z1
519.822.1271 1.888.730.8199
FAX 519.822.4452
www.woodlawnmemorialpark.ca

*Operated by The Guelph Cemetery Commission
as a not for profit organization.*

May 31, 2007

Crematorium

Traditional
& Cremation Lots

Cremation Gardens

Arbour Walk

Mausoleum

Family Mausoleums

Chapel

Scattering Garden

Chapel Niches

Granite Monuments

Bronze Markers

Inscription Services

Cremation Urns
& Vaults

Public Services
& Events

Children's
Memorial Garden

International
Garden of Peace
& Peace Pole

Mothers' Grove

Dodds
Reflection Garden

University of Guelph
Commemorative Garden

Member of
OACFP
CANA
FSAC

Lois Giles
City Clerk
City of Guelph,
59 Carden Street,
Guelph, ON. N1H3A1

Re: 0 Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

Dear Ms. Giles,

The Guelph Cemetery Commission (GCC) has requested that I voice their concerns about additional commercial development along Woodlawn Road across from Woodlawn Memorial Park.

Recent commercial zone changes were approved in this area immediately adjacent to our property. With this approval came upgrades to Woodlawn Road and the addition of turning lanes, sidewalks and improved lighting for community safety. These upgrades were necessary to accommodate the increased traffic of both cars and pedestrians. But with these changes came problems for Woodlawn Memorial Park. Our community cemetery has been located in the same location for 153 years. In addition to filling the burial needs of families in our community over these years and holding many public events in our cemetery every year, we have also been accommodating in providing valuable grave space for Guelph's pioneers who were originally buried in Guelph's first cemetery located off of Baker Street. I say this for one reason; to illustrate that this cemetery has seen more changes, and been a good neighbor in this neighborhood, than anyone over a century and a half. However, the recent changes on Woodlawn have truly affected us.

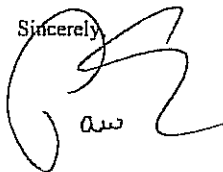
The road was pushed closer to the cemetery property line and a side walk was added to make it safer for walkers on the south side of Woodlawn Road. With the curbs and sidewalks closer to the cemetery property line, our existing fence is now, in places, very low or very high compared to the new improvements. With increased foot traffic along Woodlawn, this is now a visual and a safety concern.

Grading stopped at the south edge of the sidewalk. In places, because of the difference in grades, it is very dangerous. This grade difference resulted in damage to our fence from the City's snow removal equipment.

To accommodate the widening of the road, a retaining wall was required. This wall was necessary, but the natural embankment which was home to over 40 trees, some more than 30 feet high, was lost. We all know the value of mature trees. As well, these trees formed a natural site and sound barrier, blocking the new development from visitors to the cemetery. Today, that protective screen is gone.

The GCC requests that before anymore zoning changes take place in the Woodlawn/Woolwich area, that their concerns about grading, drainage, tree replacement and noise be addressed to their satisfaction.

Sincerely,

A handwritten signature in black ink, appearing to be 'Paul Taylor', with a large, stylized flourish extending to the right.

Paul Taylor,
General Manager & Treasurer,
Woodlawn Memorial Park.

Melissa Castellan

From: RSD [rsd@not-there.ca]
Sent: Tuesday, April 17, 2007 11:13 AM
To: Mellssa Castellan
Cc: Lise Burcher
Subject: Re: wal-mart expansion

April 17, 2007

Re: 0 Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

Dear Ms Castellan,

This correspondence is to place on record that Residents for Sustainable Development in Guelph opposes the zoning amendment sought by 6&7 Developments Ltd. for the above property.

While it is acknowledged the city's commercial policy review recommended this corner be earmarked for future development, the time frame covered by the review takes us to 2021. Given that this site's location is in one of the least populated areas of the city, and that the vast majority of residential growth is to the west, east and south, allowing more commercial development on this site now would only delay or even stop commercial development in areas where shopping and services are more needed. The west end is still underserviced and the east end has waited far too long.

This city has recently undertaken a development priorities plan to control how residential growth should take place and in what order. It would only be prudent therefore to undertake a similar exercise for commercial development, to ensure services are located where the people live and to reduce the environment impact of people accessing those services.

Ben Bennett
Residents for Sustainable Development in Guelph

127 Wyndham St. N, Suite 100
Guelph, Ont. N1H 4E9
Tel: 519-823-1188 Fax: 519 823-0084
Email: rsd@not-there.ca
Web site:<http://www.not-there.ca>

Barbara and John Buttars

20 April 2007 COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

APR 24 2007

Melissa Castellan,
Senior Development Planner,
Community Design and Development Services,
Planning Division,
City Hall,
59 Carden St.,
Guelph, ON
N1H 3A1

Dear Ms. Castellan:

RE: 0 Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

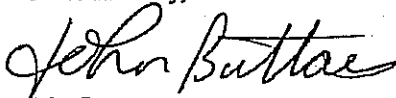
I am writing with a request that before this proposed zoning amendment is granted the City of Guelph develop a plan, in concert with the Cemetery Board, for mitigation of noise and visual concerns for the Woodlawn Cemetery along Woodlawn Road from the intersection with Woolwich St. to past the railway tracks, thus to include the whole of the proposed new section of the cemetery. The increase of traffic noise because of the enormous increase in commercial use on Woodlawn Road has a direct impact on this jewel of a cemetery.

On a number of different occasions over the years, including letters to the editors of our local papers, I have expressed concerns for the impact on people who use the cemetery because of these commercial developments. As one who has conducted many burial services as one of the ministers at Harcourt Memorial United Church (1976-2006) I can attest to the distraction of the traffic. In addition, I have a family member buried in the cremation gardens immediately across from fast food restaurants on Woolwich St. and the beauty of the cemetery and the plastic veneer of those establishments is a jarring contrast.

In addition, I have a concern with Schedule 3: Preliminary Concept Plan for Site Development that is included in the package your office provided. It was my understanding that the berms protecting the Marymount Cemetery and the Ignatian farm were to extend across the full length of the property line. As presently drawn they extend only a little more than half way. I would appreciate an explanation of this.

Thank you for considering my concerns.

Yours sincerely,



John Buttars

Cc Mayor Karen Farbridge
Members of the City Council (e-mail)

Mon Apr. 23/07

APR 23 2007

This note is to comment on the proposed expansion of the Walmart node.

I believe the proposed expansion of the Walmart node is premature.

There is no reason why this needs to be done all at once. The up to 600,000 sq. ft. proposal needs to be carefully examined.

As a small business owner I have been affected by the current development of this node. Our earth is stressed by many factors and ^{an increased} car oriented shopping is not going to help the environment or local independent retailers.

I believe it would benefit all of us on many fronts to slow down and examine more carefully how this expansion will influence our environment, our local small business and our moral obligations on many levels.

Thoughtful development can only be to our advantage locally and globally.

Sincerely,

Believe Woods

CLOVER WOODS

April 23, 2007

Melissa Castellan

Senior Development Planner
Community Design and Development Services
City of Guelph

Re: 0 Woodland Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

I am writing to register my objection to the proposed zoning amendment for 0 Woodland Road West.

As a neighbour to commercial amendment proposal I believe that we have a voice that should be heard. I have to admit that I am disappointed in the previous City Council for ignoring our interests when Wal-Mart requested an amendment to the zoning to accommodate their current construction of a retail store. Obviously this is all part of the "master plan" to build more and build bigger with no regard for the impact on traffic, the environment or impact on the surrounding community.

I live about two kilometers from the proposed mega shopping zone. We purchased our home in this location because it was handy to most amenities yet not congested or in a dense urban area with ugly commercial nodes like in some cities nearby.

It is my opinion that this is a poor location for such a large commercial development for several reasons: the substantial impact on traffic with congestion on a major thoroughfare (Woodland Road) and Highway #6; this type of development may be better suited to a location that has more current residential development and expansion (ie. closer to the south end of Guelph) with roads designed to accommodate the increased traffic volume at peak times & the negative impact on the community in which I live (including increased traffic congestion & smog).

Sincerely,

Hector Barber & Dawn Gray

April 23, 2007

RE: O Woodlawn Road West: Proposed Zoning Amendment to permit commercial buildings (ZC 0701)

Dear Ms. Castellan:

Thank you for the opportunity to provide comment on the application identified above. I would like to submit the following comments in support of the objection to the Amendment already filed by Residents for Sustainable Development.

The concerns I address fall into the following categories:

- Official Plan Amendment #29 and phasing
- Other concerns regarding OPA #29
- Consistency with the Places to Grow Transportation Demand Management Requirements
- 3-Ds of Density, Diversity and Design
- Places to Grow density requirements for minimum 50 jobs and residents combined per hectare of greenfield
- Provincial Policy Statement (PPS) requirements for compact development
- Mixed-use development as required by the PPS.
- Housing requirements of the PPS
- Walkable and bikeable communities
- PPS requirements for energy efficiency.
- Business opportunities for small businesses.
- Potential drain on tax base

COMMUNITY DESIGN
DEVELOPMENT SERVICE
APR 23 2007

1) Official Plan Amendment #29 and phasing:

A report from Planning and Building Services in a Planning, Environment and Transportation Committee report, dated November 14, 2005, stated that: "Council's decision in July, 2005, established the overall direction with respect to: the amount of commercial space to be planned, consistent with the needs of city residents as the community grows to 2021."

The Official Plan Amendment #29 approved by the previous Council never adequately addressed the issue of phasing. Under a medium growth scenario, the additional retail space to be added was identified as 1,926,000 square feet. Under a high growth scenario, this rises to 2,220,000 square feet. My understanding is that these amounts were based on market studies to meet the consumer needs of the population. However, as the planning department identifies, the square footage added is to meet anticipated needs to the year 2021. It is now 2007, 14 years from that date. My question is whether the intent of the OPA #29 was to have all 2 million square feet built within an 18-month period? Careful attention needs to be paid to the impacts on other commercial enterprises in the City if this square footage is added too quickly. Background documents provided for OPA #29 stated that "By the year 2021, Guelph is expected to be a city of

approximately 140,000 people". That is not currently the case. We need to plan carefully so as not to create an over-supply of commercial space which may trigger negative impacts on the existing balance of retail.

The 2005 Provincial Policy Statement specifically mandates that phasing policies be implemented:

1.1.3.8. Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within *designated growth areas* and the timely provision of *infrastructure* and *public service facilities* required to meet current and projected needs. -

According to the definitions section of the PPS, **Designated growth areas:** means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are designated and available for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

The 2005 Provincial Policy Statement also has further implications for the timing of development at the site in question:

1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*.

The previous Council set specified targets for commercial intensification and redevelopment in their decision of July 25th, 2005 regarding the Allocation of Commercial Space. The targets specified for "Downtown Intensification Centre, Neighbourhood, Convenience and Existing Centres" were 350,000 square feet under a medium growth scenario and 500,000 square feet under the High Growth scenario.

The PPS indicates that these targets must be achieved prior to, or concurrent with, new development within designated growth areas. It appears that this legislation will also apply to other major commercial nodes identified within OPA #29.

The Places to Grow Growth Plan also further prioritizes development in our downtown.

2.2.4.4. Urban growth centres will be planned -

- a) as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses
- b) to accommodate and support major transit infrastructure
- c) to serve as high density major employment centres that will attract provincially, nationally or internationally significant employment uses
- d) to accommodate a significant share of population and employment growth.

Downtown Guelph will be "planned to achieve, by 2031, or earlier, a minimum gross density target of - c) 150 residents and jobs combined per hectare."

Perhaps the key principle is that phasing of commercial development should be decided by Council in consultation with the community, not driven by developer timelines.

2) Other concerns about OPA #29

I have a number of other concerns about OPA #29. The Allocation for Commercial Space was set by the previous Council on July 25th, 2005, the culmination of a process which had begun years before. That spring, the Provincial Policy Statement came into effect on March 1, 2005. I remain concerned that OP #29 did not fully take into account the sweeping changes envisioned in the PPS. OPA #29 was also enacted prior to the finalization of the Places to Grow Growth Plan which took effect on June 16, 2006. The Planning Department and the current Council need to make sure that our Official Plan will be consistent with the requirements of Places to Grow.

Perhaps most disturbing is that the framework for OPA #29 was based on a very limited group of predominantly outside developers. The list as provided to me by the Planning Department is as follows:

- Aird & Berlis on behalf of Westminster Woods and Loblaw Properties
- Smith Valeriote on behalf of a local property owner
- Bousfields Inc. on behalf of 6&7 Developments
- Residents for Sustainable Development in Guelph
- R. Stephen Rodd
- First Gulf Development Corporation
- 6&7 Developments
- Mason Real Estate
- Stone Gate Properties Inc.
- Armel Corporation
- Lloyd Sheiner on behalf of the Stone Square Centre

This narrow group which provided the framework for OPA #29 stands in stark contrast to the extensive public input which is being solicited under the City of Guelph's Local Growth Management Study. This study will be the key vehicle to address Places to Grow Policies. I believe more weight needs to be given to broad public consultation which reflects the new reality of Places to Grow, rather than OPA #29 which was approved prior to the Growth Plan being enacted. Council needs to wait until the Growth Management Study is completed before approving massive additional development at what promises to be *the* biggest commercial node in the city. My understanding is that options generated by the Growth Management Study will be ready for evaluation in the fall of this year.

The other significant consultation which is underway is the Urban Design Action Plan. According to information from Community Design and Development Services, "The results of the Urban Design Action Plan will set the groundwork for process and procedure improvements, more effective urban design standards and guidelines and Official Plan policies to set the framework for effective use of urban design tools under Bill 51, the recent revisions to the Planning Act."

Again, I do not see any urgency to the expansion of commercial space on the 0 Woodlawn site. Over 200,000 new square feet of commercial space came on line within the past year. I believe it would be prudent to wait until the Urban Design Action Plan has been completed before proceeding with any further development at the site.

3) Consistency with the Places to Grow Transportation Demand Management Requirements

The preliminary site plan is not consistent with Places to Grow Transportation Demand Management Requirements.

Places to Grow states the following:

3.2.2. Transportation – General

5. Municipalities will develop and implement *transportation demand management* policies in official plans or other planning documents, to reduce trip distance and time, and increase the *modal share* of alternatives to the automobile.

This is further underlined by the 2005 Provincial Policy Statement.

1.6.5.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.

1.6.5.5 Transportation and land use considerations shall be integrated at all stages of the planning process.

Guelph already has a template for local transportation demand management policies in Chapter 4 of the *Guelph Wellington Transportation Study*.

Here is an excerpt from section 4.2: Land Use and Urban Design Practices

The arrangement of land uses and the urban form of the community are the ***most important and effective long-term influences*** (their emphasis) on how people move throughout the community. The way in which land is used generates trips which in turn lead to the need for construction of transportation facilities. These transportation facilities provide accessibility which in turn influences land value and affects the use of land. Land uses directly influence transportation systems, and in turn, transportation systems directly influence land uses adjacent to the transportation facilities.

Many communities are putting greater emphasis on the relationships between land use and urban form and their transportation system, particularly in relation to supporting increased walking, cycling and public transit use. ***Contemporary community planning promotes mixing of land uses, concentration of activities in nodes and corridors and an emphasis on the "3 Ds" (density, diversity and design) in those areas where public transit is provided.*** (my emphasis). The objective is to create highly pedestrian- and bicycle-friendly urban environments which also support the provision of public transit.

An urban form based on a series of nodes and corridors provides an ideal setting for an efficient transit system and continued investment in transit operations. In this manner, activities are concentrated in certain locations, thereby reducing the need to travel by car given the other choices available (walking, cycling and transit). This urban form also maximizes the number of people living and working in close proximity to transit and provides the support base for higher frequency operations.

The City of Guelph Official Plan contains a series of goals and objectives which promote compact urban form, mixed use development, intensification and increased residential densities, and service by all forms of transportation.

Implementing Transportation Demand Management is not only required by legislation, it is essential to the health and economic well-being of the community. The Guelph-Wellington Transportation Study states that “survey data indicates that travel demands in the study are growing significantly faster than the population, placing accelerated demands on the transportation system...”

As the movement of people and goods through the community slows down, businesses experience a direct impact on their bottom line.

The Ontario College of Family Physicians has also identified a number of adverse impacts generated by low density development and car dependence: air pollution, poor social and mental health, road injuries and fatalities and obesity. Details of their literature review can be found in their “Report on Public Health and Urban Sprawl in Ontario”.

4) 3-Ds of density, diversity and design:

The preliminary site plan does not appear to deliver the 3-Ds of density, diversity and design.

Again, I quote from the Guelph-Wellington Transportation Study

4.2.2 Urban Form

An urban form that is supportive of transportation alternatives to the auto would consist of system of nodes and corridors which provide for concentration of activities and mix of land uses in proximity to each other, thereby minimizing the need to use automobiles for many trips. ***Nodes are locations for a diverse concentration of activities at higher densities*** (my emphasis) while corridors are areas between nodes along transit routes where higher densities and a mix of uses are also found. The nodes provide catchment areas for transit service and the intersection of transit corridors.

Development in nodes and corridors should orient activity towards the street to create very walkable environments. (My emphasis)

Current Situation

...The general objectives of the Official Plan support the development and strengthening of the concept of nodes, mix of use and compact form. As well, *the Transportation Strategy Update contains a vision statement emphasizing high density multi-use nodes* (my emphasis) and medium density mixed-use development along the connecting corridors.

How do we Implement?

...*The City should also consider shopping centre policies to accommodate high/medium density residential permissions along with a full range of other appropriate uses.* (My emphasis). Medium density mixed-use policies can be prepared for application along the corridors. The nodes and corridors form and uses could be facilitated through proactive zoning changes rather than waiting for individual proposals.

The City's design guidelines for new development generally support buildings being located closer to the street at transit stops and place parking at the side and rear of buildings to support pedestrian movement along the street. (My emphasis). Policy and zoning in the nodes and corridors could provide incentives for this type of development and minimize regulations. Each node and corridor should have an implementation plan to address density, uses, design and implementation.

Recognizing that a municipality's Official Plan policies regarding urban form are not always consistent with short-term market pressures for development in specific locations, the City should work with the development industry to facilitate urban form and intensification objectives at the nodes. (My emphasis)

My concern is that the current Urban Reserve designation actually provides for a more diverse mix of uses at this node, rather than the proposed Specialized CC (Community Shopping Centre Zone). Under the CC-18 Zone, a mix of service uses is permitted, as well as some institutional and recreational uses. What appears to be lost from the Urban Reserve designation is the open space, educational uses, hotels, live-work studios, and in particular, the medium and high-density multiple unit residential development and apartments.

This is not consistent with the Guelph-Wellington Transportation Study recommendations which state:*The City should also consider shopping centre policies to accommodate high/medium density residential permissions along with a full range of other appropriate uses.*

Major nodes in the city should provide for residential uses, as well as commercial, employment, institutional, cultural and recreational uses.

From a design perspective, the preliminary site plan does not locate the major building close to the street with parking at the side or rear to support pedestrian movement along the street.

5) Places to Grow requirement for a minimum combined density of 50 residents and jobs per hectare.

Given the new Places to Grow density requirements, it is important that the Planning Department have a clear understanding of exactly how many full-time jobs will be created at this site.

Places to Grow

2.2.7. Designated Greenfield Area

1. New development taking place in designated Greenfield areas will be planned, designated, zoned and designed in a manner that –
 - a) contributes to creating complete communities
 - b) creates street configurations, densities and an urban form that support walking, cycling, and the early integration and sustained viability of transit services
 - c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
 - d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.
2. The *designated greenfield area* of each upper- or single-tier municipality will be planned to achieve a minimum *density target* that is not less than 50 residents and jobs combined per hectare.
3. This *density target* will be measured over the entire *designated greenfield* area of each upper- or single-tier municipality.....

Since the total area of this site is 12.54 hectares, the minimum number of jobs required to meet the density requirements set out in the Growth Plan would be 627 full-time jobs. Community Design and Development Services needs to get a firm number of jobs which will be created by the proposed site plan in order to ensure compliance with the legislation. If the site does not deliver the minimum density required, more intensive development will be required in other Greenfield areas to meet the minimum targets. Mechanisms for meeting density requirements need to be clarified prior to approval of the proposed zoning change.

Minimum density requirements can be considered as a condition of granting approval of any proposed zoning change.

The Guelph-Wellington Transportation Study also contains some relevant information about density.

4.2.3 Density

By increasing the density of residential and employment land uses, they can be located closer to one another, thereby encouraging walk/cycle trips between them. Increased residential densities provide a larger market, which will help sustain nearby business

establishments without relying as much on access by car. Future development and intensification in Guelph/Wellington will create more walking and cycling.

... Higher density provides a larger market to help support nearby businesses in nodes and corridors, thereby minimizing auto trips to access services. Higher density and a mix of uses are also known to significantly increase the number of walk trips. It provides other benefits such as reduced land consumption, energy use and air pollution.

How do we Implement?

In conjunction with the previous discussion on nodes and corridors, the City of Guelph should identify appropriate areas where higher residential densities should be permitted and consider proactive OP and zoning changes to permit higher densities as of right in these areas. *Key sites in nodes and corridors should also have minimum densities in addition to maximums in order to achieve desired results.* (My emphasis) Guidelines and zoning criteria should be prepared to ensure that medium and high density development next to neighbouring low rise areas is sensitively designed and sited to promote compatibility.

The strategy to promote intensification and re-urbanization needs firm political commitment and public acceptance. Strategies to educate and promote intensification may be necessary.

6) PPS requirements for compact development.

The preliminary site plan as submitted does not meet PPS requirements for compact development.

1.1.3.7 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

While some mix of uses is anticipated, the site plan shows very low density use of one-floor big box stores. Much of the site is dedicated to parking.

Places to Grow makes the following statement about Employment Lands:

2.2.6 Employment Lands

10. In planning lands for employment, municipalities will facilitate the development of *transit-supportive*, compact built form and minimize surface parking.

It appears that in the preliminary site plan, surface parking is maximized, not minimized.

7) Mixed-use development as required by the PPS.

1.1.3.7. New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

My concern is that the proposed zoning change will reduce the range of uses allowed on the site, in particular, the medium and high density residential.

The Guelph-Wellington Transportation Study also supports a mix of uses (diversity) in major nodes:

4.2.4 Mix of Uses

Locating a mix of residential, commercial, recreational, institutional and employment land uses in close proximity to each other directly connected by footpaths, sidewalks and bicycle routes reduces the need to drive for many trips. Travel distances are reduced, thereby increasing the probability that trips will be made by walking or cycling rather than by auto. *Locating residential and commercial developments close to the street with parking in behind also creates a more interesting, pedestrian oriented environment which encourages walking and cycling.* (My emphasis) This will reduce the need for auto trips for work, school, shopping, recreation and personal business. *An additional benefit is that both daytime and night time activity is created, promoting safer streets and neighbourhoods.* (My emphasis).

Mixed use development can be vertically integrated in a building, extended along a corridor, or included in a node. (My emphasis) As Guelph matures, opportunities for vertically mixed buildings should increase.

Practicality/Appropriate for Guelph

Many areas of the city could support a mix of uses, particularly the nodes and corridors and sites along the major roads. *Opportunities include intensifying shopping centres by adding residential or office buildings to the site* (my emphasis) and providing for a variety of different land uses along transit routes/arterial roads at medium and high densities, depending on the location.

The primary barriers to promoting mixed use development in Guelph include the current policies' limitations, economic factors and specialization of the development industry, including difficulties in obtaining financing for mixed use projects.

There is a need to influence a change in the prevailing mindset of the development industry and the financial institutions to consider the notion of mixed uses.

How do we Implement?

Firstly, it is necessary to identify appropriate locations for mixed use development, in conjunction with the nodes and corridors review. *The Official Plan can be amended to create new mixed use policies and integrate them with nodes and corridors.* (My

emphasis) This would lead to implementation of new zoning in these areas, including design guidelines to ensure that development supports all modes of transportation and is appropriately scaled to its neighbourhood.

8) Housing requirements of the Provincial Policy Statement.

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households*.

Thirty-three percent of Guelph households are renters. A variety of housing needs to be made available close to the employment lands. Some of the largest areas of employment lands are situated in the north end of the city, within easy travel distance of this node.

Three or four levels of apartments could be built above street level retail oriented to the street along the north side of Woodlawn. This would create a pedestrian friendly environment as well as fostering a truly mixed-use node.

My primary concern is that with the exception of a "Group Home" use, the CC-18 Zoning would eliminate the housing component currently present in the UR zoning. I would advocate that minimum housing and density requirements would be part of any future development on the site.

9) Walkable and bikeable communities.

The preliminary site plan is predominantly oriented towards vehicle use. In general, buildings and their entrances are not oriented towards the street. Parking could be stacked to free up more public space.

10) PPS requirements for energy efficiency.

1.8 ENERGY AND AIR QUALITY

1.8.1 Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas where these exist or are to be developed;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future;
- d) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and

e) promote design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.

It was a great disappointment that the recently constructed Wal-Mart store did not utilize the green design previously developed for the Vancouver Store. I believe that Wal-Mart spokesperson Kevin Groh said something to the effect that market forces in Guelph did not dictate this particular design.

I would suggest that there have been recent significant shifts both politically and in the marketplace regarding concerns about the environment. The environment is now considered to be the number one priority of Canadians across the country. Locally, Guelph citizens elected a Council which is more committed to sustainable development. There have been some very interesting local initiatives in the area of group purchases of solar power and community-based energy plans.

I noticed that Wal-Mart was featured in the April 20th Globe and Mail as a major supporter of Bull-Frog wind power. I think the opportunity exists to go further in Guelph with any new development by implementing the requirements of the PPS and *promoting design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.*

11) The preliminary site plan does not deliver business opportunities for small businesses.

The smallest retail building shown on the preliminary site plan is 6,000 square feet. This is likely to be occupied by chain stores or other big box retailers. No opportunity is provided for independent, small business owners at this location.

12) Size of retail stores

It appears that big box retailers in Guelph are currently in a race to build the biggest stores possible. Total square footage of the Wal-Mart store after expansion will make it 198,469 square feet, the biggest in the city. Council needs to decide whether or not this is in the interests of the community. Demographics need to be taken into account. Studies indicate that stores of this size are not conducive to easy use by seniors.

The option exists for Council to cap the maximum size of individual stores in the City of Guelph.

13) This development may be a net drain on the tax base.

C.N. Watson and Associates generated data based on a case study of Milton comparing the annual costs or benefits of commercial and industrial development. (Property taxes received, versus costs to service the development). Industrial development was a hands down winner, but their research revealed that commercial development is an annual net drain on the tax base.

Based on a 10,000 square foot building, commercial development in Milton incurred an annual operating deficit of (\$2,132.39).


Applying the Milton figures, to this 350,000 square foot site, an annual net loss could be generated in the region of (\$75,000).

This could be dramatically offset by the addition of apartment units to the site. C.N. Watson identified that apartment and condominium dwellings provide a net benefit to the tax base. In Milton, this figure was \$668.77 per unit, per year.

The City of Guelph is currently conducting financial studies to quantify the benefits and costs of different types of development within our city. Given the significant potential annual drain to the tax base that this site could represent, I would like Council to wait until the results of the Guelph study are received before approving further development.

Thank you for the opportunity to provide input.

Sincerely,
Susan Watson



June 18th, 2007

Mayor Karen Farbridge,
City of Guelph,
City Hall,
59 Carden Street,
Guelph, Ontario,
N1H3A1.

Madam Mayor,

I will start out by congratulating you and the rest of Council on your election last November. A little late you say and how right you are; however, as I am away from October of each year until May of the following year, hence the reason for my tardiness. You may not recall me having written to you before so I will refresh your memory as the correspondence between us dates back to the time of your previous incumbency and to be exact the date was June 17th, 2003. I doubt that you have copies of the correspondence at this late date; however, should you wish to see it I have copies on my computer.

Well now that I have covered that bit of trivia I will get to the point of this writing. Firstly I would like to express my sympathies to you and the rest of Council for sitting through the meeting of Tuesday June 5th, 2007; at least I think that was the date of the meeting. I sat in the comfort of my family room and watched this painfully exasperating meeting. It confuses me as to why people did not start nodding off. I applaud Council for hosting this type of forum in order to get the mood and feeling of the community, as well as the reasoning behind the developer's decision to increase the size of the project. I am referring, as you might well have surmised, to the application by Smart Centres to enlarge the Wal-Mart site. The gist of those who chose to speak must have seemed like deja-vu to yourself and the rest of Council. The bleeding hearts, who happen to be the vocal minority I suggest, were out in full force and by enlarge they only reiterated what they have expounded for the last ten years. You will no doubt surmise from this letter that I am a vocal member of the silent majority, a bit of an oxymoron wouldn't you say. I also suggest to you that the vehicular traffic that I have witnessed in both the Wal-Mart parking lot and also that of Home Depot would support my view that the majority, by far, of your constituents are immensely happy these stores are where they are. It sure saves a lot of driving to Kitchener or Cambridge.

The moment I heard that Smart Centres were going to ask for an expansion to the property and in particular the Wal-Mart store I said to my wife "here we go again" and of course this has and will continue to take

place. The one complaint that I heard was that both of the establishments mentioned are surrounded by asphalt jungles and I must say that I agree with this point. There is a very simple solution to this problem and that is that with projects of this type part of the agreement between the city and the developer is that medians be put into the parking lots and that they have trees/shrubs or other types of foliage planted in them. This would take away from the starkness of acres of asphalt ugliness. My observations of the present parking lot there is that the developer has done this to some degree but perhaps more could have been done. The other point that seemed to be of some substance to the objectors was that of the traffic. There is no question that the traffic density is greater than it was years ago. I have been here in Guelph now for 10 years during which time I would guess that the population of the City has grown by at least 20,000 residents, which would probably be a growth of some 20/25%. I live in the south end and it is so obvious that this has taken place, one would have to be brain dead not to realize or expect this. The fact that we are a growing community seems to be lost with some people, they must have been mortified when they saw the old streetcar tracks being ripped up on Gordon Street. I say this with tongue in cheek obviously. The other thing that keeps cropping up is the downtown merchants and the impact ventures of this type will have on them. Frankly downtown is a bit of a joke, mind you there are some very fine boutique/niche type establishments and they will flourish regardless. The planning that you referred me to in your letter of June 26th, 2003 is no farther ahead now than it was then. The downtown seems to be a haven for bars and less than high quality restaurants. The only time I am downtown is to go the church at St. George's on Sundays. There is absolutely nothing downtown to act as a catalyst to draw people into the area.

It seems to me that the whole issue revolves around the "not in my backyard" syndrome. The do gooders as I will refer to the objectors as simply do not want this expansion of the commercial/retail environment in their domain. Well we here in the south end of the City have seen a far greater explosion of expansion of commercial/retail during the last 2/3 years. What have we seen: Expansion to the Stone Road Mall, the creation of the huge Zeller's Superstore, the addition to the Canadian Tire Store on Stone Road, the Future Shop now under construction adjacent to Canadian Tire, the new Fitness Centre, the hotel/convention center under construction at Stone Road and Gordon Street, the new library at Clair Road and Gordon Street, the new shopping center at the same intersection and lastly but by no means least is the Tim Horton's distribution center. Now how is that for a list of new things and to my recollection there has been no beefs or questions regarding the increase in traffic density. I am sure there have been some, I am just not aware of them. What I am really saying is that we are a growing community and with growth there must be expansion of services to serve the needs of the community. If we do not have growth of our retail services then the residents will shop in other

locales, this is a pure and simple fact. The other fact that should not be forgotten is that all and I do mean all of these projects that have been built here in the South end have created jobs. This is particularly important to the well being of the economy.

I am now going to chastise you and the rest of Council for their continual criticizing of the former Council. You might ask, did they make mistakes during their term of office and I say of course they did. Will you and Council make mistakes during your term of office of course you will, for after all to err is human. Council should rise above the pettiness they have shown, I for one think it is unconscionable to be critical of someone who does not have the means to defend themselves. Get on with it and do the jobs you were elected to do. When I look at the list of businesses they attracted during their term of office I say well done. Your Council have yet to make it's mark so let us stop harping about those who went before us. I will drop it at that, but as you can see I am not impressed with this type of second guessing.

Speaking of second guessing I will now just do that very thing; again a bit of an oxymoron. I am quite aware that the government guidelines on urban development call for something along the lines of 33% high density, 33% medium density and 33% low density. I know these are not the exact numbers but suffice it to say they are not that far off. I believe that with our present rate of progress we may very well be, or become, the town house capital of the universe. Certainly I see a fairly good number of single family dwellings springing up, but the number of townhouses is beyond belief. They are everywhere, now this may have been the work of the previous Council for it takes a good deal of time between application etc and the start dates. Frankly some of these may very well go back to your previous term of office. It would be very interesting to see the number of building permits issued this year and last in the various categories. Generally speaking they are of decent design and tastefully landscaped and set well back from the roadways. There is one notable exception to this and that is the latest Reid development on Gordon Street south near the Brock Road Garage. Madam Mayor to put it in the vernacular this is an abortion. I might suggest that if one were to stumble coming out the front door of any of the units facing Gordon Street they may very well fall directly into the line of traffic. Whatever was the Planning Department thinking when they recommended this be approved by Council. Better still what was Council thinking when they approved it, I bet you are going to tell me this was the previous Council. There is one factor that should have negated that, if it is true, and that is that it must have been recommended by Staff.

This is definitely my last point and one that you may find somewhat hypocritical. I recently learned that the major objector to the previous Wal-Mart application was Mr. Ben Bennett, I think I have the name right. I also learned recently that he is not a land owner in the City, rather he is a renter and by no means do I mean to look down on renters, however, it puzzles me as to why a person, whether it be he or not, has the right to question

Council and or it's decision process if they have no vested interest and by that I mean owing property here. I do recall him having said that he really had nothing against Wal-Mart per se; however, it is rather strange that even though he professes not to having anything against the company that he was also the one spearheading the opposition of this same company in Stratford. Makes me chuckle.

Madam Mayor I thank you for indulging me in this epistle but I just felt that there are too many of the silent majority who just sit back and do nothing. I could quote you any number of historical incidents where this type of situation led to disastrous results, but I won't as I have taken enough of your valuable time.

Respectfully,

Frank Maguire.

C.C. Councilor L. Burcherr
Councilor I. Piper
Councilor C. Billings
Councilor K. Wettstein
Planning Dept. S. Hannah

From: Brian Holstein
Sent: Monday, April 23, 2007 3:17 PM
To: Melissa Castellan
Cc: Vicki Beard; Bob Bell; Christine Billings; Lise Burcher; Gloria Kovach; Maggie Laidlaw; Kathleen Farrelly; June Hofland; Ian Findlay; Mayors Office; Leanne Piper; Mike Salisbury; Karl Wettstein
Subject: WalMart Application

re: *Zoning Amendment application from 6&7 Developments Ltd for the property municipally known as 0 Woodlawn Road West and Developments Ltd for the property municipally known as 0 Woodlawn Road West and 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph.*

Dear Melissa,

Three years ago I stood before a special council meeting, held at the Italian Canadian Club, to voice my concerns with the location of the WalMart store at Highways 6 & 7. My rationale at that time was a concern for the increase in traffic first on Speedvale Avenue, and then on residential streets, such as Kathleen Street.

In the last year, the WalMart store has opened, and traffic patterns has changed - substantially.

Speedvale Avenue is now often bumper-to-bumper in both directions. Right-turn entry onto Speedvale from a stop-sign often involves a long wait, sometimes it is impossible. Left hand turns are not even considered during high volume periods: periods that have increased in both time and volume of traffic. Much of this traffic is a direct response to the opening of large format stores along Woodlawn - drivers simply want to find a faster route.

This faster route along Speedvale now gives many more opportunities to make "short-cuts" to the downtown along residential streets. Often there are up to eight city-bound cars at the all-way stop near my home. Often, the cars near the end of this procession of haste ignore the stop signs and roll right through.

Kathleen Street is also a major thoroughfare for a much more precious commodity: schoolchildren. Several dozen children, ranging from primary age to those in high school walk past my home every morning, every afternoon. I applaud the number - these children are not reliant on parents delivering them to the school gate in a vehicle. But these children *are* reliant on safe driving habits by the automobile users of Kathleen Street. They have grown to expect a few cars - mainly people from the neighbourhood. People who are also used to having the children on the street.

But no more can they be complacent. Traffic has more than quadrupled, and the increase has been caused by motorists impatient to reach their destination. They often forget they are travelling on a residential street; they may not watchful for children on Kathleen.

If WalMart, or any store, on Woodlawn increases its size there will continue to be an increase in the overflow of traffic on Speedvale, and therefore on Kathleen and other residential streets leaving to the downtown. This increase will bring with it frustration amongst drivers, causing unnecessary risk-taking, leading to increased danger to our children, both those en route to and from school, or those participating in activities in Exhibition Park.

I therefore oppose any expansion of large format stores on Woodlawn, an area that was not designed for such heavy traffic flow.

Sincerely,

Brian Holstein

From: Tara Treanor
Sent: Monday, April 23, 2007 12:00 PM
To: Melissa Castellan
Subject: Walmart expansion application

Dear Ms. Castellan,

I am writing to express my concern regarding the proposed expansion of Walmart on Woodlawn Road. Please note my objection to the request and if you need further comment/detail, please let me know.

Kind regards,
Tara Treanor

--

"Let the beauty you love be what you do. There are a hundred ways to kneel and kiss the ground." ~ Rumi

Schedule 11 Incremental Redevelopment Scenario

6&7 DEVELOPMENTS LIMITED INCREMENTAL REDEVELOPMENT SCENARIO

Background and Approach

The proposed commercial site plan has been designed so as to allow evolution and intensification of land uses on the 6&7 site over time, potentially including the future introduction of mixed use residential-commercial buildings.

It should be noted that retail and service commercial development represents an ideal form of interim development in circumstances where intensification may become feasible over time in that it allows large parcels of land to be retained in a single ownership. In contrast, the development of a site for condominium townhouses, for example, effectively precludes future intensification due to the resulting fragmentation of ownership.

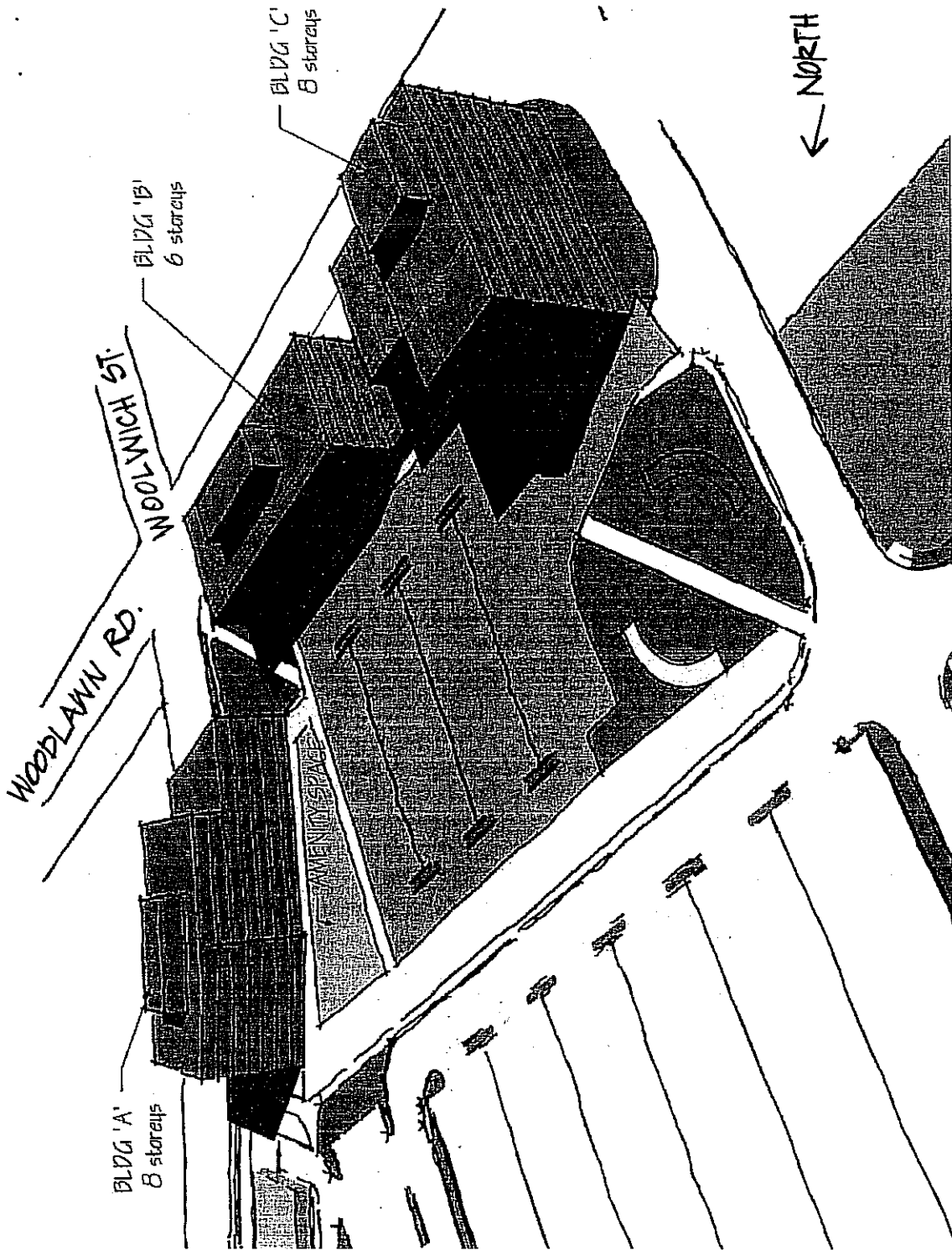
Furthermore, the proposed commercial site plan has been designed with a grid network of internal driveways and development blocks. If redevelopment and intensification were to become feasible in the future, the structure of the site plan would facilitate the incremental redevelopment of individual blocks within the lands by providing appropriately sized and configured development blocks with good access and street frontage.

However, the inclusion of residential uses in the 6&7 development is not realistic or desirable at the present time. The site has limited amenities for residential development. It does not form part of a residential community and is not within easy walking distance of most community services or facilities (e.g. schools, parks). Transportation capacity and economic feasibility are also considerations which would restrict development for residential purposes at the current time. Therefore, any form of residential development on the property is unlikely in the short to medium term.

Description of Redevelopment Scenario

With the above in mind, we have provided an illustration of a potential incremental site redevelopment at the southeast corner of the site (i.e. the northwest quadrant of the Woolwich/Woodlawn intersection). If residential mixed-use development were to become feasible in the future, it is our opinion that this would be the most logical location, given that this block has frontage on two public streets and is the closest portion of the site to the existing residential development to the east.

The illustrated redevelopment scenario shows an 8-storey, 80-unit building along the Woolwich Street frontage, a 6-storey, 60-unit building along the Woodlawn Road frontage, and a stepped 6/8-storey, 70-unit L-shaped building located on Woodlawn Road at the main site entrance.



COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE July 7, 2008

SUBJECT Amendment to Brownfield Redevelopment Community Improvement Plan

REPORT NUMBER 08-77

RECOMMENDATION

"That the proposed amendment to the Brownfield Redevelopment Community Improvement Plan BE APPROVED in accordance with the proposed policies and mapping contained in Schedule C of Community Design and Development Services Report # 08-77 dated July 7, 2008; and

THAT the City actively pursue funding opportunities, where available, from the Provincial and Federal Governments for brownfield remediation."

BACKGROUND

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

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

At the statutory public meeting held on May 5, 2008, Council received Report No 08-42 from Community Design and Development Services (see Schedule B), which provided background and described the proposed amendments to the City's Brownfield Redevelopment Community Improvement Plan.

REPORT

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

- (1) the Community Improvement Plan text be amended to indicate that the Tax Increment-Based Grant Program applies City wide;
- (2) the Community Improvement Project Area be amended to include all land within the municipal boundaries of the City of Guelph (see Schedule C); and
- (3) the City actively pursue funding opportunities, where available, from the Provincial and Federal Governments for brownfield remediation.

Relationship to Official Plan Amendment No 37

The expansion of the Community Improvement Project Area within the Brownfield Redevelopment Community Improvement Plan (CIP) is consistent with Official Plan Amendment No 37 (OPA 37), which contains a similar amendment. However, since this amendment is preceding the approval of OPA 37, the CIP amendment (once approved) will expand the Tax Increment-Based Grant Program from the Central Business District to the Current Community Improvement Project Area (See Schedule B). Once OPA 37 is approved, the Tax Increment-Based Grant program (and all other financial incentive programs within the CIP) would apply City wide.

Comments Received

Staff received no public comments following the May 5, 2008, statutory meeting of Council and formal circulation/notification of the proposed amendment other than the presentation made by Mr. Andrew Lambden to Council at the meeting. In addition, staff met with The Guelph and Wellington Development Association (GWDA) to discuss the proposed amendment and current challenges to the redevelopment of brownfield sites.

Staff received comments from the Ministry of Municipal Affairs and Housing suggesting that the City update Schedule 4 of the CIP, which describes the Tax Assistance During Rehabilitation program, to recognize that it is now permitted under the Municipal Act. The CIP currently indicates that this program is available City wide pending the proclamation of brownfield legislation. Staff has incorporated this suggestion into the CIP amendment attached in Schedule C.

CORPORATE STRATEGIC PLAN

The amendments to the Brownfield Redevelopment Community Improvement Plan support a number of Strategic Plan goals, including:

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

FINANCIAL IMPLICATIONS

The amendments to the Brownfield Redevelopment Community Improvement Plan will make it available to a larger number of properties, however no additional funds are requested at this time because the programs contained within the Community Improvement Plan are available on a first come basis. The City currently has \$101,150 in its Brownfield Reserve Fund, which provides funds for all municipal brownfield initiatives.

DEPARTMENTAL CONSULTATION

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

COMMUNICATIONS

A Notice of Public Meeting was published in the City News section of the Guelph Tribune on Friday, March 14, 2008 for the April 7, 2008 Planning Council Meeting, which was subsequently cancelled. A revised Notice of Public Meeting was published in the City News section of the Guelph Tribune on Friday, April 4, 2008, announcing that the meeting date had been changed to May 5, 2008. A Notice of Public Meeting was also mailed to prescribed public bodies and persons requesting notice on April 7, 2007. A notice of Council's consideration of the Brownfield Redevelopment Community Improvement Plan was sent to those persons and agencies that requested notice.

ATTACHMENTS

Schedule A: Comments Received From the Ministry of Municipal Affairs and Housing

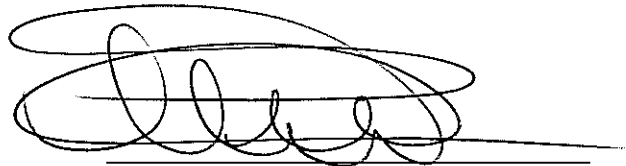
Schedule B: Community Design and Development Services Report No 08-42

Schedule C: Amendment to the City of Guelph Brownfield Redevelopment Community Improvement Plan



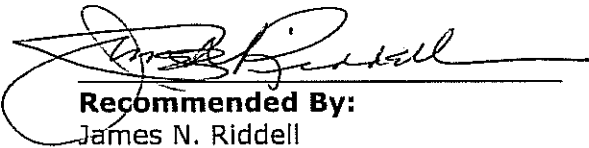
Prepared By:

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



Recommended By:

Marion Plaunt
Manager of Policy Planning and
Urban Design
519-837-5616 ext. 2426
marion.plaunt@guelph.ca



Recommended By:

James N. Riddell
Director of Community Design and Development Services
519-837-5616 ext. 2361
jim.riddell@guelph.ca

Schedule A: Comments Received From the Ministry of Municipal Affairs and Housing

Ministry of
Municipal Affairs
and Housing

Ministère des
Affaires municipales
et du Logement



Municipal Services Office -
Western

Bureau des services aux municipalités -
région de l'Ouest

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London ON N6E 1L3
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Toll Free 1-800-265-4736
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June 18, 2008

Community Design
and Development Services

Mr. Greg Atkinson
Policy Planner
Community Design and Development Services
Planning Division
City of Guelph
59 Carden Street
Guelph, ON N1H 3A1

JUN 20 2008

Dear Greg,

**Re: Proposed Brownfield Community Improvement Plan Amendment
City of Guelph**

Thank you for your recent circulation of the above-noted matter. It is understood the purpose of the proposed amendment is to expand the existing City of Guelph Brownfield Redevelopment Community Improvement Plan project area to assist in the redevelopment of contaminated properties throughout the entire City of Guelph. In addition, the proposed amendment expands the applicability of the Tax-Increment-Based Grant Program from the Central Business District to City-wide.

As a result of changes made to Section 28(8) of the *Planning Act* and Section 365.1 of the *Municipal Act* and provided community improvement policies exist in the Official Plan, municipalities are no longer required to submit community improvement plans, or amendments to the Ministry for approval. However, municipalities are still required to pre-consult with the Ministry prior to adoption (as per ss. 28 (5) of the *Planning Act*).

The proposed CIP amendments have been reviewed by Ministry of Municipal Affairs and Housing staff. The Ministry's pre-consultation comments on the proposed CIP amendments are provided below for your consideration.

Proposed CIP Amendment

As drafted, 'ITEM 1' proposes to describe the area to which the Tax Increment-Based (or Equivalent) Grant Program applies by deleting the words 'Area' and 'Currently applicable only in the downtown area' and replace them with 'City-Wide'. The Ministry also notes 'ITEM 2' defines the proposed Community Improvement Project Area as the City of Guelph municipal boundary. Further, it appears 'ITEM 3' refers to the City of Guelph municipal boundary as the 'Older built up area of the City'. The Ministry understands both the existing Brownfield Redevelopment Community Plan and the associated Tax Increment-Based Grant Program are intended to apply 'City-Wide'. For clarification purposes, the Ministry recommends the terminology used to describe the area to which the CIP applies be consistent. It is also noteworthy that the by-law designating the community improvement project area will need to be amended accordingly.

During the Ministry's review of the existing City of Guelph Brownfield Redevelopment Community Improvement Plan which was approved by the Ministry in March 2004, Ministry staff noted other areas of the CIP which require updating. The updates pertain to current legislative references.

Section 3.2 (Objectives) contains a 'Note' which states that, "Until legislation exists to permit activities relating to Tax Arrears Cancellation Policy and Tax Assistance Policy During Rehabilitation, the City of Guelph is not eligible to provide services under these programs". Please be advised that the cancellation of Tax Arrears in the event of an unsuccessful tax sale and the provision of Tax Assistance is currently provided for under Section 365.1 of *The Municipal Act*. On this basis, the Ministry offers the following comments for the City's consideration.

With respect to the provision of Tax Assistance, the Brownfield Financial Tax Incentive Program (BFTIP) is an initiative of the government of Ontario to encourage the cleanup and redevelopment of brownfield properties. It provides provincial education property tax assistance to match municipal property tax assistance for cleanup of eligible brownfield properties. Under the program, the province can cancel all, or a portion of the education property taxes of a property for up to three years. Municipalities can apply for an extension prior to the termination of the tax assistance.

To utilize the Brownfield Financial Tax Incentive Program, the CIP must contain such a program and the by-law adopting the CIP must contain a reference to the effect that Section 365.1 of *The Municipal Act, 2001* which enables municipalities to provide municipal property tax assistance in connection with a community improvement plan. Minister of Finance approval is required before matching education property tax assistance will be provided.

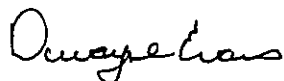
For ease of reference, please find attached publications on the requirements of the Brownfields Financial Tax Assistance Program. To utilize the BFTIP program, these requirements, together with *Municipal Act* references, need to be incorporated into the CIP. The Ministry suggests the requirements and *The Municipal Act* references could be incorporated as an update to Schedule 7 of the CIP, which is outdated. If the City decides to incorporate the BFTIP into the CIP, the City is encouraged to obtain legal advice in developing and/or passing a by-law, in particular a by-law under Section 365.1 of the *Municipal Act, 2001*, for the purposes of BFTIP.

With respect to the cancellation of Tax Arrears in the event of a unsuccessful sale (Section 3.4.2 of the City of Guelph Brownfield Redevelopment Community Improvement Plan), please be advised that Section 386.1 of *The Municipal Act* states that "For the purpose of assisting a municipality to determine whether it is desirable to acquire land that has been offered for public sale under subsection 379(2) but for which there is no successful purchases, the municipality may, during the 24 months following the public sale referred to in subsection 379(5), enter on and inspect the land". The City may wish to consider incorporating this authority into Section 3.4.2 of the CIP.

It is also noteworthy that Section 354 of *The Municipal Act, 2001* provides increased flexibility to municipalities in dealing with properties in tax arrears. More specifically, Section 354 (2) and 354(4)(b) provides council, upon the recommendation of the treasurer, to write-off taxes without conducting a tax sale, provided a written explanation is given as to why a tax sale would be inappropriate or ineffective. The City of Guelph may wish to consider recognizing this authority in the CIP.

I trust these comments are of assistance to you. If you have any questions or comments, please telephone me at (519) 873-4695.

Sincerely,



Dwayne Evans
Planner
Municipal Services Office-Western

c.c Janice Willis, Senior Municipal Finance Advisor, MAH
Saif Sumbal, Municipal Government Advisor, MAH
Carol Healy, Policy Advisor, MAH
Marcia Wallace, Brownfield Coordinator, MAH

COUNCIL REPORT



TO Guelph City Council

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

SUBJECT Amendments to Brownfield Redevelopment Community Improvement Plan

REPORT NUMBER 08-42

RECOMMENDATION

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

SUMMARY

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

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

BACKGROUND

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

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

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

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

REPORT

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

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

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

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

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

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

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

CORPORATE STRATEGIC PLAN

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

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

FINANCIAL IMPLICATIONS

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

DEPARTMENTAL CONSULTATION

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

COMMUNICATIONS

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

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

ATTACHMENTS

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

Schedule B: Current Community Improvement Project Area

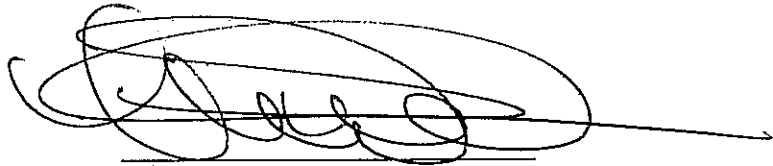
Schedule C: Proposed Changes to the Brownfield Redevelopment Community Improvement Plan Text

Schedule D: Proposed Community Improvement Project Area



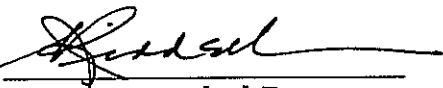
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Recommended By:

Jim Riddell, Director, Community Design and Development Services
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Schedule A: Change to Community Improvement Project Area Proposed in Official plan Amendment No 37

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

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

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

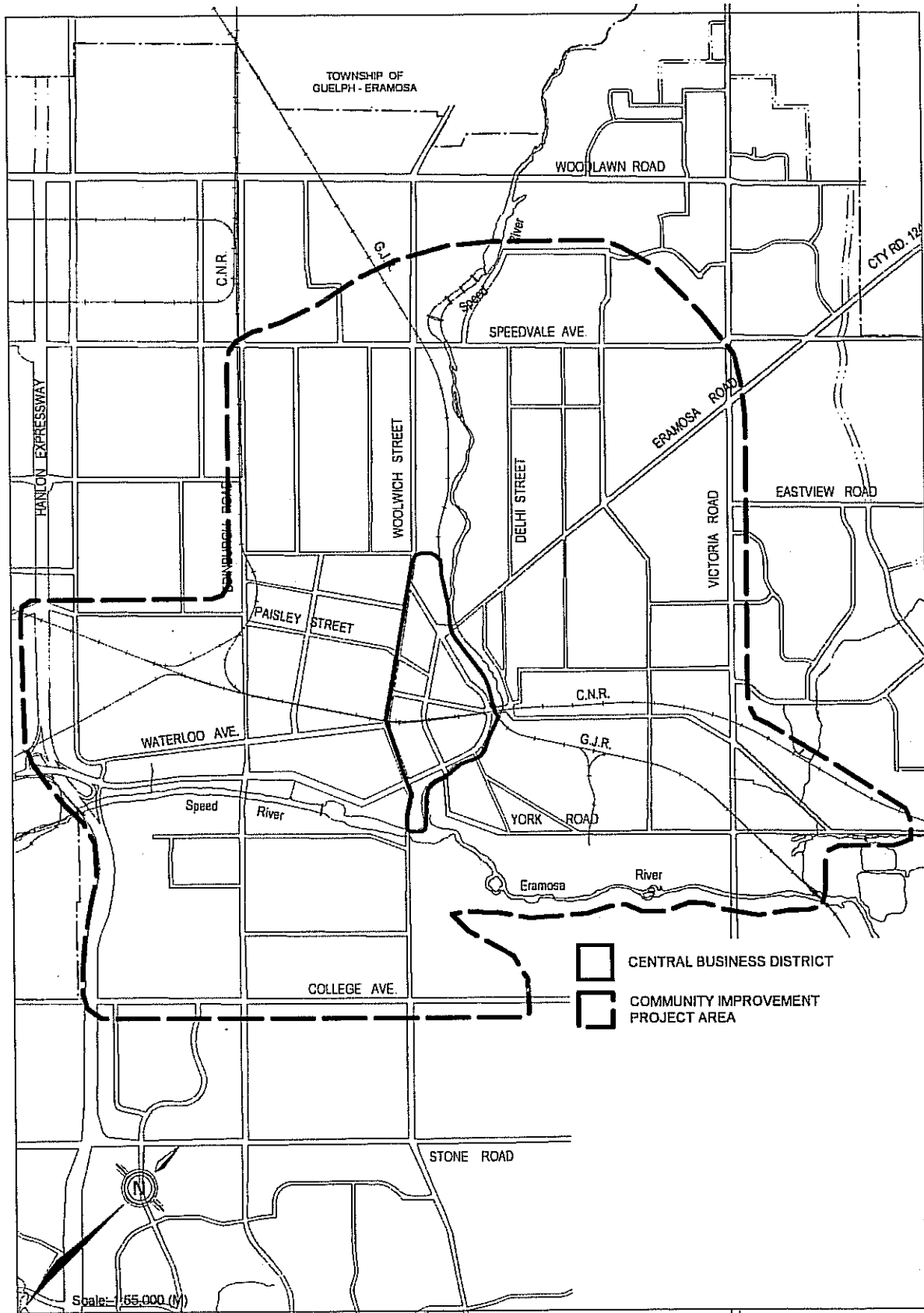
- a) St. Patrick's Ward Community Reinvestment Strategy as **adopted by Council** (Area 2 on Schedule 5);
- b) **Old University and Centennial Neighbourhoods, which was received by Council and should be applied to the evaluation of development proposals and used to identify potential capital projects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

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

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

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

Schedule B: Current Community Improvement Project Area



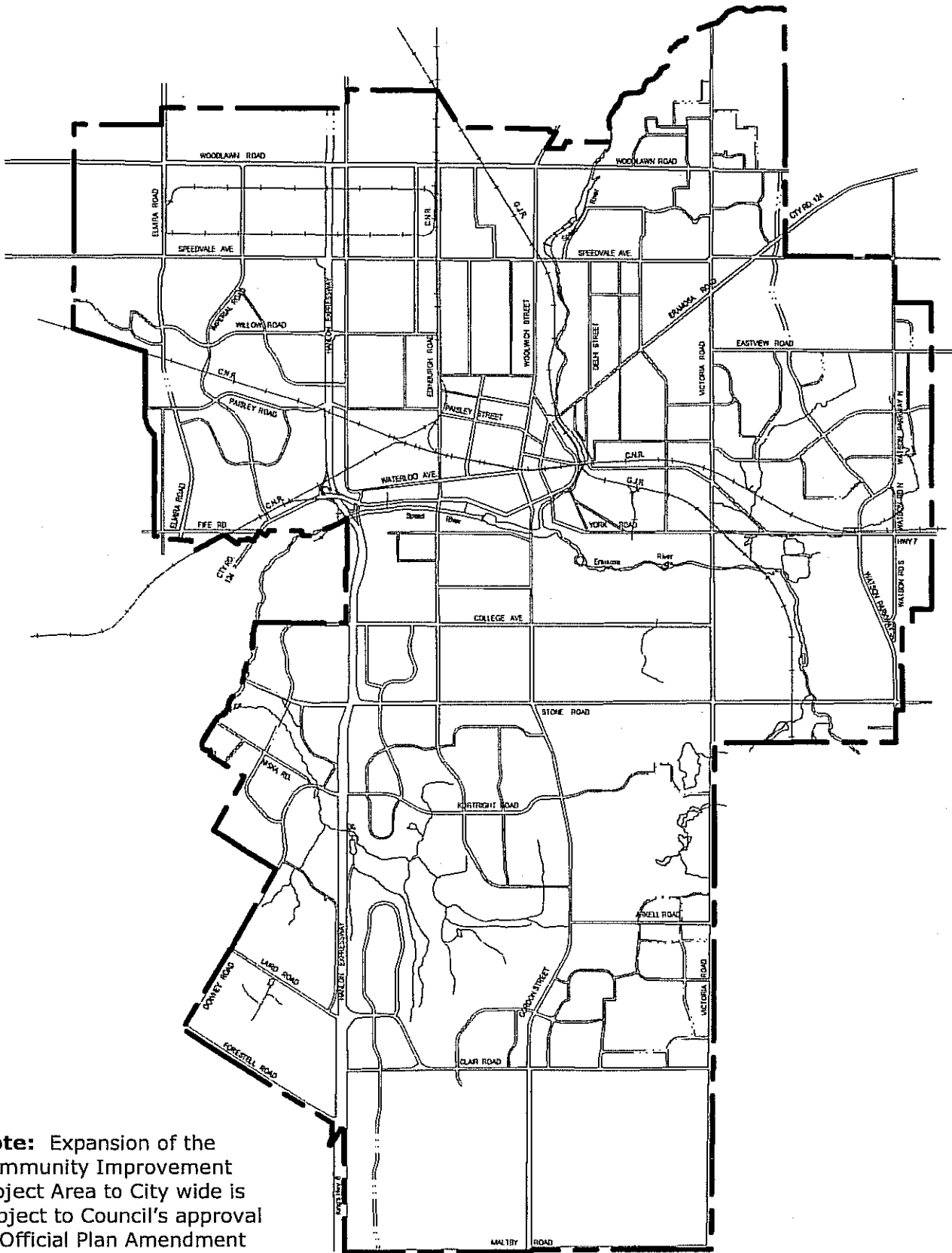
Schedule C: Proposed Changes to the Brownfield Redevelopment Community Improvement Plan Text

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

Area:

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

Schedule D: Proposed Community Improvement Project Area



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

AMENDMENT TO THE CITY OF GUELPH BROWNFIELD REDEVELOPMENT COMMUNITY IMPROVEMENT PLAN

INDEX

PART A - THE PREAMBLE

The Preamble provides an explanation of the proposed amendment including the purpose, location, basis, public participation and background information, but does not form part of this amendment.

	PAGE
Title and Components	1
Purpose	1
Background	1
Location	2
Basis	2
Public Participation	3

PART B - THE AMENDMENT

The Amendment describes the additions and/or modifications to the City of Guelph Brownfield Redevelopment Community Improvement Plan, which constitute the Community Improvement Plan Amendment.

	PAGE
ITEM 1 Description of Changes to the Tax Increment-Based Grant Program.....	4
ITEM 2 Description of Changes to the Community Improvement Project Area... ..	4
ITEM 3 Description of Administrative Text Changes.....	5
ITEM 4 Description of Changes to the Taxation During Rehabilitation Program	6

- Schedule A: Changes to the Tax Increment Based Grant Program
- Schedule B: Community Improvement Project Area
- Schedule C: Text Changes Relating to the Community Improvement Project Area
- Schedule D: Changes to the Taxation Assistance During Rehabilitation Program

PART A - THE PREAMBLE

TITLE AND COMPONENTS

This document is entitled 'Amendment to the City of Guelph Brownfield Redevelopment Community Improvement Plan' and shall be referred to as the 'CIP Amendment'.

Part A, the Preamble provides a summary of background information regarding the CIP Amendment but does not form part of this amendment. Part B includes the amendment to the text and figures of the Brownfield Redevelopment Community Improvement Plan and forms the CIP Amendment.

PURPOSE

The purpose of the proposed amendment is to assist in the redevelopment of contaminated properties throughout the entire City. The proposed CIP Amendment is being undertaken in conjunction with proposed Official Plan Amendment No 37 (OPA 37), which was presented at a statutory meeting of Council in accordance with the Planning Act on February 4, 2008. OPA 37 proposes to expand the Brownfield Redevelopment Community Improvement Project Area, as shown on Schedule A.

BACKGROUND

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

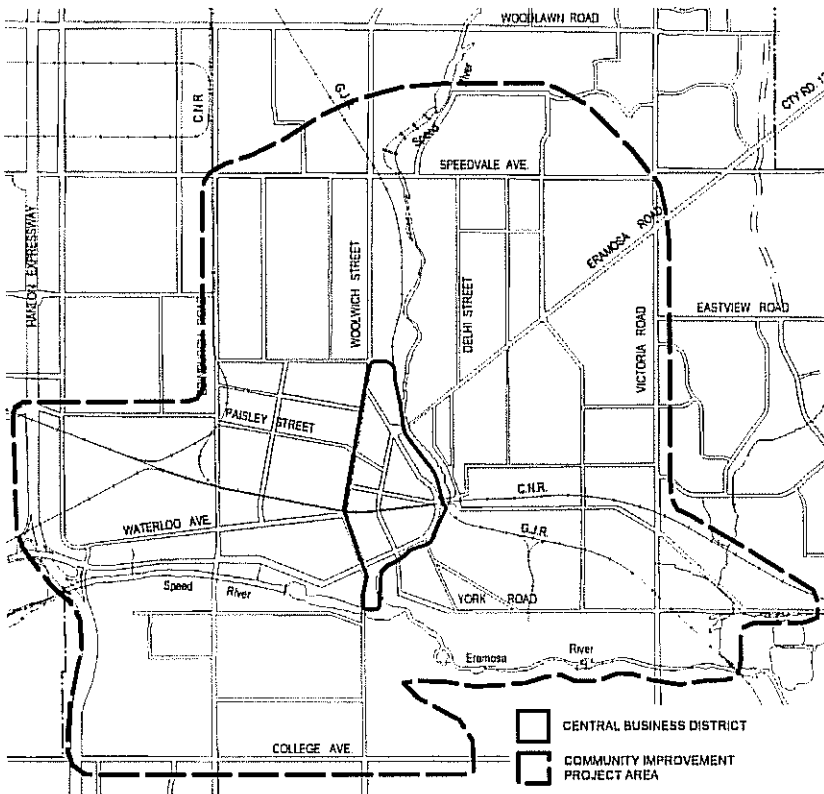
The CIP implements key financial components of the City's Brownfields Strategy, which was adopted by City Council in May 2002. The Brownfield Redevelopment CIP contains a number of financial incentive programs that are intended to stimulate private sector investment in the reuse/redevelopment of brownfield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

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

The Tax Increment-Based Program is a significant incentive to the successful redevelopment of brownfield sites and a key component of the City's overall Brownfield Strategy.

LOCATION

The proposed changes to the City's Brownfield Redevelopment Community Improvement Plan apply to all lands within the City of Guelph. The CIP Amendment would expand the applicability of the Tax Increment-Based Grant Program from the Central Business District (shown below) to City-wide. The CIP Amendment would also expand the Community Improvement Project Area from the current boundary (shown below), which generally encompasses the older built-up part of Guelph, to City-wide.



BASIS

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

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

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

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

- PPS Policy 3.2.2, requires that contaminated sites be remediated prior to any activity on the site associated with the proposed use;
- PPS Policy 1.1.3.3, directs planning authorities to identify and promote opportunities for intensification and redevelopment, specifically in areas with existing building stock, including brownfield sites; and
- Growth Plan Policy 2.2.2.1 b), requires that population and employment growth will be accommodated by focusing intensification in intensification areas, which include brownfield sites.

PUBLIC PARTICIPATION

A Notice of Public Meeting was published in the City News section of the Guelph Tribune on Friday, March 14, 2008 for the April 7, 2008 Planning Council Meeting, which was subsequently cancelled. A revised Notice of Public Meeting was published in the City News section of the Guelph Tribune on Friday, April 4, 2008, announcing that the meeting date has been changed to May 5, 2008. A similar notice was mailed to persons requesting notice and prescribed public bodies on Monday, April 7, 2008.

A public meeting of City Council was held on May 5, 2008 for the purpose of hearing representations and receiving public comments with respect to proposed amendments to the City's Brownfield Redevelopment Community Improvement Plan.

PART B - THE AMENDMENT

Format of the Amendment

The following section outlines the specific amendments to the City of Guelph Brownfield Redevelopment Community Improvement Plan. Individual elements for the amendment are referred to as an 'ITEM', with each 'ITEM' representing a sub-component of the overall amendment. For clarity, a brief statement regarding the purpose for each 'ITEM' has been included and is displayed in *italic font*. Text which is being amended will appear within quotation symbols (e.g. " ") and will be preceded by a formal statement (**shown in bold text**) describing the section to be amended, and the mechanics of the amendment.

For greater clarity, sections of the Brownfield Redevelopment Community Improvement Plan that are being amended are show on Schedules A, B, and C. Text to be deleted is illustrated with ~~strikeout font~~ and text to be added is illustrated with bordered font on Schedules A, B, C, and D.

THE BROWNFIELD REDEVELOPMENT PLAN FOR THE CITY OF GUELPH IS HEREBY AMENDED AS FOLLOWS:

ITEM 1: *The purpose of 'ITEM 1' is to amend the area to which the Tax Increment-Based Grant Program is applicable. Currently, Schedule 2 of the Brownfield Redevelopment Community Improvement Plan limits the applicability of this program to the Central Business District (downtown area). The amendment would make the program applicable on a City-wide basis, which is consistent with the other financial incentive programs contained with the Community Improvement Plan.*

The text describing the area to which the Tax Increment-Based (or Equivalent) Grant Program is available in Schedule 2 on Page 21 is amended by deleting the words 'Area' and 'Currently applicable only in the downtown area' and replacing them with the following (text changes are also shown on Schedule A):

- "Application:
- City-wide."

ITEM 2: *The purpose of 'ITEM 2' is to amend the Community Improvement Project Area to include all land within the City of Guelph. Figure 1 shows the current Community Improvement Project Area, which generally corresponds to the older built up area of the City (i.e. the City's boundary established in 1854). The boundary amendment would make all programs within the Community Improvement Plan available on a City-wide basis, which is consistent with Official Plan Amendment No 37.*

"Figure 1 is amended by deleting the dashed line that delineates the current Community Improvement Project Area and replacing it with a dashed line that follows the municipal boundary of the City of Guelph in accordance with Schedule B".

ITEM 3: *The purpose of 'ITEM 3' is to replace any references to the current 'Community Improvement Project Area' with 'older built up area of the City'. The Brownfield Redevelopment Community Improvement Plan provides a description of the current Community Improvement Project Area, which generally corresponds to the older built up area of the City. References to this information must be renamed to avoid confusion with the expanded Community Improvement Project Area. For greater clarity, the changes described below are shown on Schedule C to this amendment.*

i) The Table of Contents on page 2 is amended by adding the following words to the title of Section 2.1.3:

"Within the Older Built Up Area of the City"

ii) The Table of Contents on page 2 is amended by deleting the words 'Community Improvement Project Area', as they relate to Figures 1 and 2, and replacing them with the following:

"Older Built Up Area of the City"

iii) The title of Section 2.1.3 on page 6 is amended by adding the following words:

"Within the Older Built Up Area of the City"

iv) References to the Community Improvement Project Area in Section 2.1.3 on pages 6 and 9 are amended by deleting the words 'Community Improvement Project Area' and replacing them with the following:

"older built up area of the City"

v) The title and legend of Figure 2 on page 8 is amended by deleting the words 'Community Improvement Project Area' and replacing them with the following:

"OLDER BUILT UP AREA OF THE CITY"

vi) The title and legend of Figure 3 on page 10 is amended by deleting the words 'Community Improvement Project Area' and replacing them with the following:

"OLDER BUILT UP AREA OF THE CITY"

ITEM 4: *The purpose of 'ITEM 4' is to update the Taxation Assistance During Rehabilitation program to recognize that legislation has been proclaimed, which permits the City to freeze or cancel all of a percentage of municipal and education taxes (with approval from the Mister of Finance for the latter) during rehabilitation and redevelopment time periods. For greater clarity, the changes described below are shown on Schedule D to this amendment.*

i) The text describing the Taxation Assistance During Rehabilitation program on Page 15 is amended by:

a) deleting the words 'Although it has not yet been proclaimed, the brownfields legislation establishes a new financial tool' and replacing it with the following:

"Tax assistance during rehabilitation may be provided by municipalities"

b) adding the following text immediately after the word 'under' and preceding the words 'the Municipal Act':

"section 365.1 of"

c) adding a period immediately following the word 'Act'.

d) deleting the word 'which'.

e) adding the following text immediately after the word 'which':

"This"

f) adding the following letter immediately after the word 'allow':

"s"

g) deleting the words 'including site assessment'.

ii) The text describing the Taxation Assistance During Rehabilitation program in Schedule 4 on Page 25 and 26 is amended by:

i) deleting the words '(pending proclamation)' under the Application heading.

ii) deleting the words 'site assessments and' under the Purpose heading.

iii) adding the following words immediately following 'Permitted pursuant to' under the Details heading:

"section 365.1 of the Municipal Act"

iv) deleting the words 'brownfields legislation' under the Details heading.

v) adding the following words as a new bullet under the Details heading:

"Under this program it is acknowledged that the timing of and conditions that apply to municipal property tax assistance may vary from those for matching education property tax assistance."

SCHEDULE A: Changes to the Tax Increment Based Grant Program

- The Environmental Study Grant Program funding will only be available to properties where a Minister's Order for clean-up has not been issued.
- Grants must be approved prior to the start of any applicable environmental study. It is the intent of this program that applications may not be made retroactively
- Purchasers must provide written consent to conduct the environmental study from the owner of the property;
- The City will not forward funds until the city receives the results of the study. If the environmental study is not submitted to the City of Guelph within 2 years the grant allocation will be reallocated to other projects.
- No more than two (2) Environmental Study Grants will be awarded for any brownfield property (i.e. for the Phase 2 environmental site assessment and for the remedial action plan).
- Brownfield properties in tax arrears are not eligible for the Environmental Study Grant. All property taxes must be paid or cancelled in accordance with s.354 of the Municipal Act.
- Grants will be awarded based on strategic priority of the redevelopment of a site, on a first come, first served basis.
- If grant funds remain unallocated, the City reserves the right to roll leftover funds from the annual operating budget into a reserve fund for brownfield initiatives. The contents of this reserve fund will pay for environmental site assessments of city-owned and/or strategic land parcels.
- The amount of any Environmental Study Grant(s) will be deducted from the Eligible Redevelopment Costs available for tax increment-based funding for the same property. It is the intent of this program that other brownfields incentives may be used to off-set site assessment costs not reimbursed by the Environmental Study Grant.
- Program eligibility will be determined by the Planning Department, in consultation with other departments as necessary.
- Applications will be reviewed and approved by the Planning Department.
- The City reserves the right to independently audit the costs of the Environmental Site Assessment studies.

Schedule 2. Tax Increment-Based (or Equivalent) Grant Program

Legislative Authority:

- Section 28 of the Planning Act

Application Area:

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

Theme:

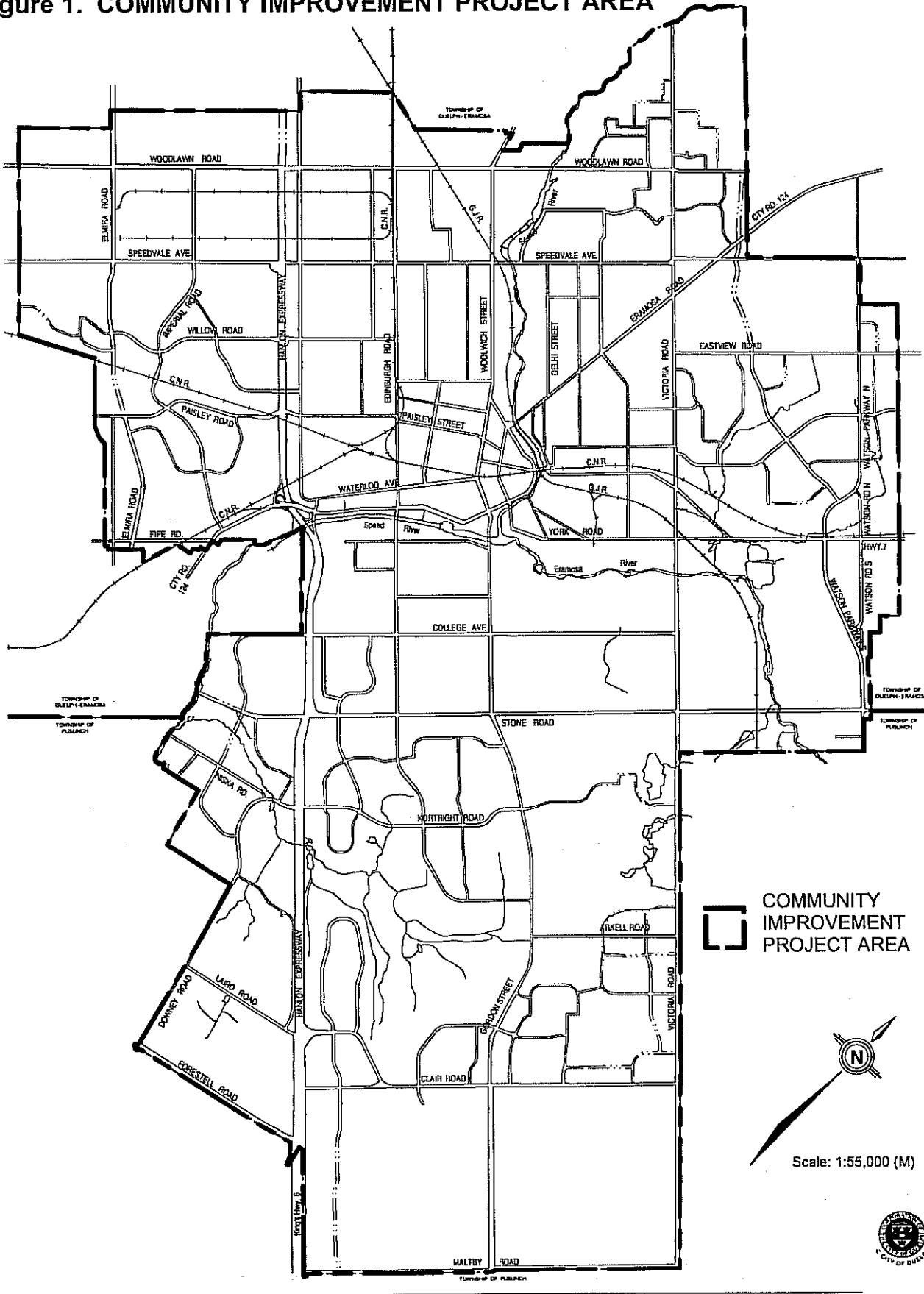
- Reducing financial barriers

Purpose

- To stimulate private sector investment in redevelopment
- To reimburse private sector clean-up costs without incurring debt to the municipality
- To increase the long-term municipal tax base
- To reward remediation and redevelopment of brownfield properties

SCHEDULE B: Community Improvement Project Area

Figure 1. COMMUNITY IMPROVEMENT PROJECT AREA



SCHEDULE C: Text Changes Relating to the Community Improvement Project Area

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- Table 2. Age of Houses in the Community Improvement Project Area Compared to those in the City as a Whole
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- Figure 3. Potential Brownfield Sites in the Older Built Up Area of the City Community Improvement Project Area

designation of a 'Community Improvement Project Area', the City will prepare and implement community improvement plans, which outline the specific projects and programs that are designed to bring about the improvements.

The Community Improvement Plan detailed in this report is consistent with OP Section 4.7, Community Improvement and Renewal, which has the following objectives:

- a) To maintain the quality, safety and stability of the community.
- b) To encourage the renewal, rehabilitation or redevelopment of private and public properties in order to maintain a safe and pleasant built environment within the community.
- c) To upgrade the municipal physical and community facility infrastructure.
- d) To reduce or eliminate deficiencies in public recreational and park facilities.
- e) To guide and prioritize the expenditure of public funds on community improvements.
- f) To encourage community partners to maintain, upgrade and/or add community facilities and services.

Furthermore, Section 4.7.6 (c) contemplates the use of incentives to assist in implementing Community Improvement Plans:

In order to achieve its community improvement objectives and policies, the City will use all available means, including...outlining programs and incentives to assist in rejuvenation efforts.

Figure 1 shows a schedule from the City Official Plan that shows the extent of the Community Improvement Project Area associated with the established areas of the City.

2.1.2 The Community Improvement Project Area

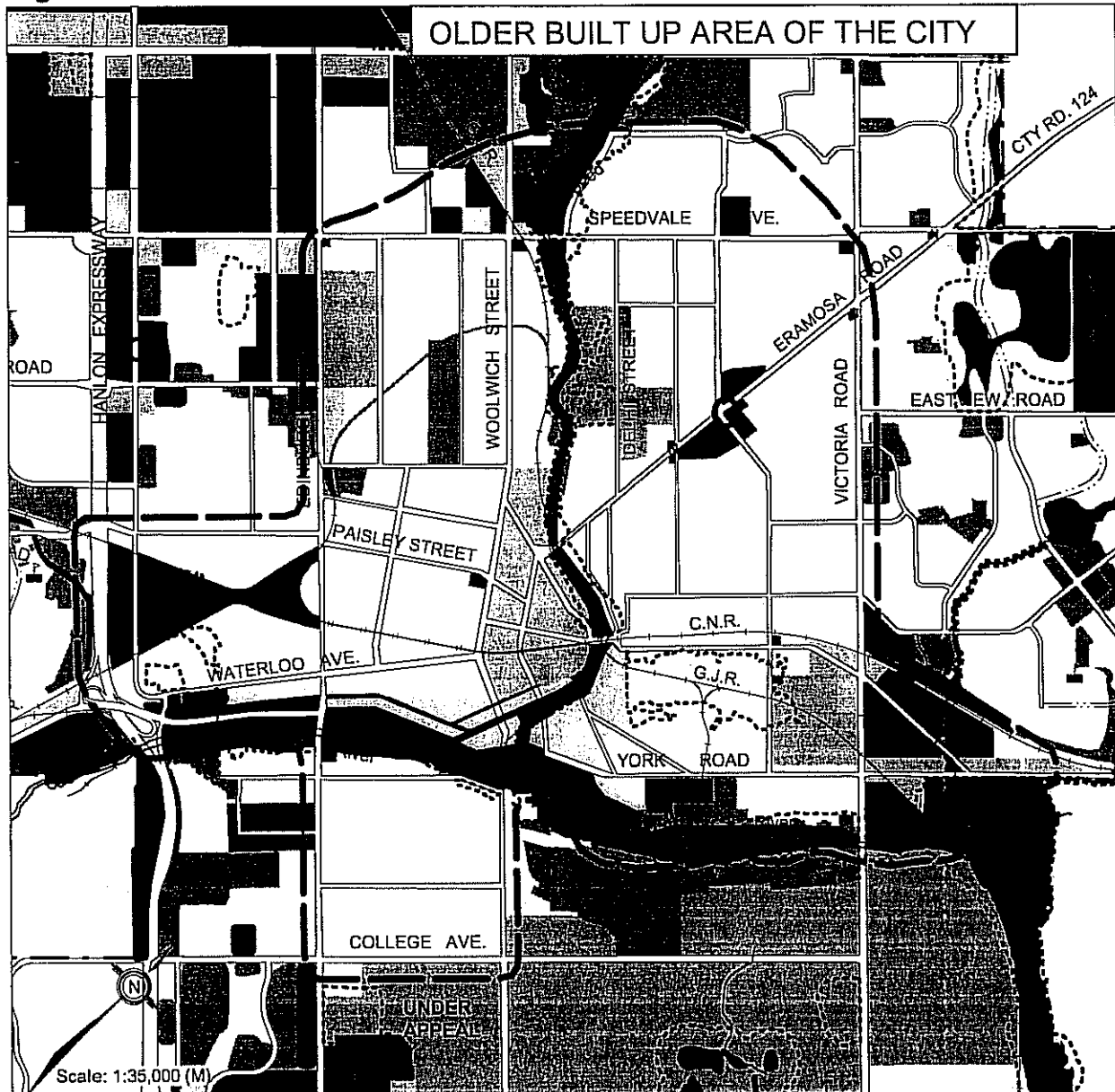
Subsection 28(4) of the Planning Act requires the City to designate by by-law a "Community Improvement Project Area". When the by-law is passed under ss.28(2), Council can then provide for the preparation of a plan, which is then adopted in accordance with the procedures under the Planning Act.

2.1.3 Area Characteristics Within the Older Built Up Area of the City

















The major land use designations in the older built up area of the City Community Improvement Project Area as defined by the Guelph Official Plan are General Residential, Central Business District, Major Institutional and Core Greenlands. Other designations include Special Policy Area/Flood Plain, the Non-core Greenlands Overlay, Mixed Residential, Industrial, and Open Space.

See Figure 2 Land Use in the older built up area of the City Community Improvement Project Area.

Figure 2. LAND USE IN THE COMMUNITY IMPROVEMENT PROJECT AREA



OFFICIAL PLAN Schedule 1: LAND USE PLAN (June 2002 Consolidation)

	GENERAL RESIDENTIAL		INDUSTRIAL
	MEDIUM DENSITY RESIDENTIAL		MIXED INDUSTRIAL-RESIDENTIAL
	HIGH DENSITY RESIDENTIAL		MAJOR INSTITUTIONAL
	CENTRAL BUSINESS DISTRICT		OPEN SPACE
	COMMUNITY COMMERCIAL CENTRE		CORE GREENLANDS
	SERVICE COMMERCIAL		NON-CORE GREENLANDS OVERLAY
	COMMERCIAL MIXED USE		SPECIAL POLICY AREA/ FLOOD PLAIN
	MIXED OFFICE-RESIDENTIAL		COMMUNITY IMPROVEMENT PROJECT AREA
			OLDER BUILT UP AREA OF THE CITY



The older built up area of the City Community Improvement Project Area is characterized by the older neighbourhoods, establishments and infrastructure. The area roughly correlates to the City's boundary established in 1854 and as such contains a high proportion of older dwellings and industrial lands. **Table 2** illustrates this by comparing the housing starts by various age groups in the older built up area of the City Community Improvement Project Area to the City as a whole.

Table 2. Age of Houses in the older built up area of the City Community Improvement Project Area Compared to those in the City as a Whole

DATE OF CONSTRUCTION	FRACTION OF TOTAL HOUSING IN GUELPH	FRACTION OF TOTAL HOUSING IN GIP AREA
Pre-1900	6.8%	15.5%
1901-1929	8.9%	23.7%
1930-1949	4.8%	12.0%
1950-1969	26.5%	40.4%
1970-1979	17.1%	4.0%
1980-1989	18.6%	19%
1990-2000	18.4%	2.6%

*Total housing starts in year 2000, City of Guelph

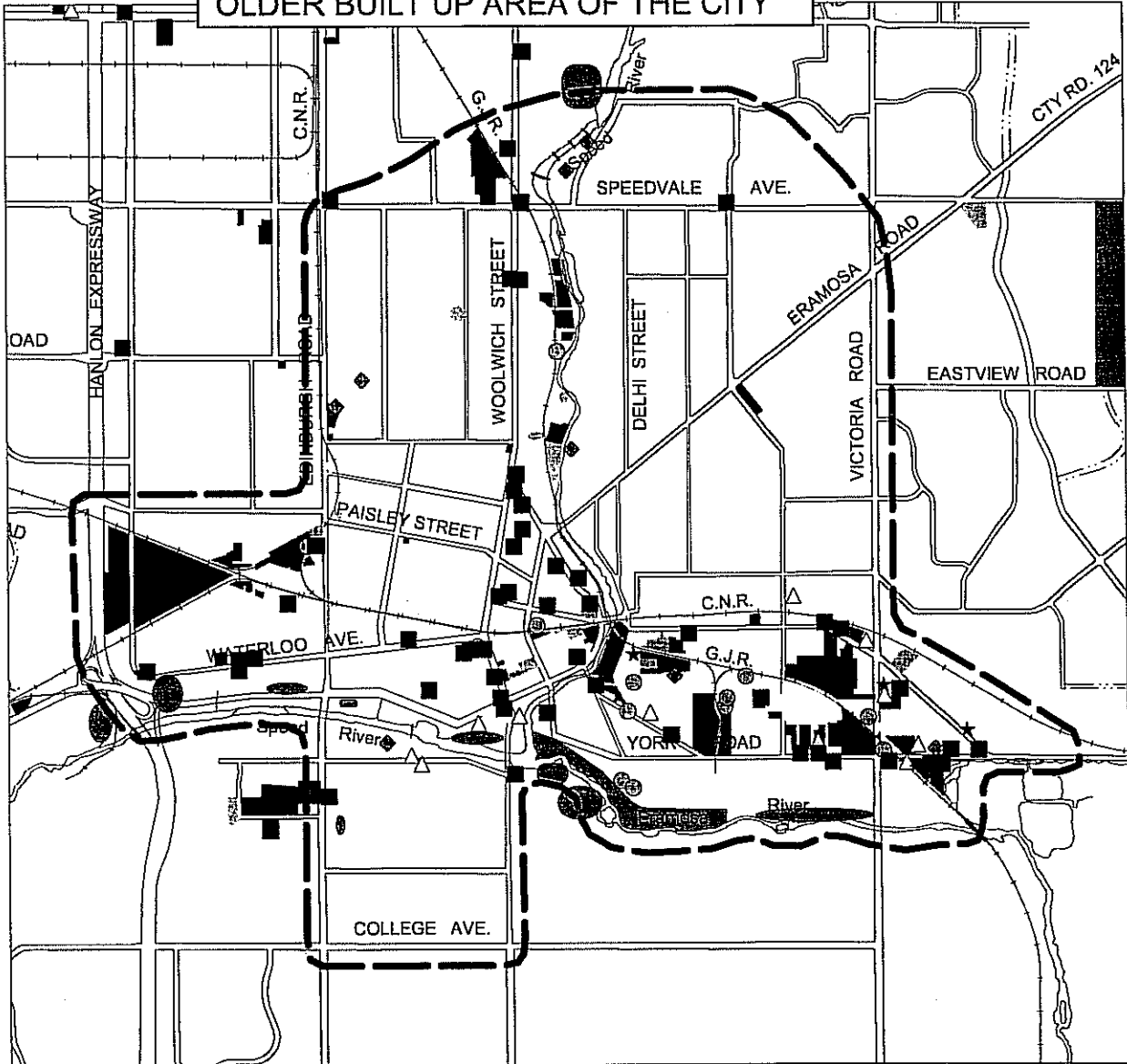
Based upon historical business and fire insurance maps, potential 'brownfield' lands have been identified within the City. Of the estimated 175 sites identified through this analysis, approximately 82% are located within the older built up area of the City Community Improvement Project Area designated by the municipal by-law passed under ss.28(2) of the Planning Act and illustrated in the Official Plan. See **Figure 3** Potential Brownfield Sites in the older built up area of the City Community Improvement Project Area.

To maintain this established area as a viable multiple use, vibrant area, it is particularly important to invest in improvement and renewal.

2.2 Smart Growth

The redevelopment of brownfield sites is consistent with the City's local Smart Growth initiative that is currently underway (known as SmartGuelph). The SmartGuelph process is an ambitious and innovative public consultation process focused on future growth and development. The SmartGuelph process will result in a strategy to guide the City's future development. Such a strategy will help to ensure that Guelph grows in ways that are economically, environmentally and socially healthy – a new "triple bottom line." The clean-up and redevelopment of brownfield sites is integral to achieving the triple bottom line and the initial findings from the consultation effort to date show a high level of community support for facilitating brownfield development.

Figure 3. POTENTIAL BROWNFIELDS SITES IN THE COMMUNITY IMPROVEMENT PROJECT AREA- OLDER BUILT UP AREA OF THE CITY



TYPES OF BROWNFIELD SITES

Scale 1:35,000 metres

MANUFACTURING / CHEMICAL PLANT



LANDFILL SITES



AUTO WRECKING YARD / SCRAP METAL / FOUNDARIES



ESTABLISHED & VACANT INDUSTRIAL USES



COAL, OIL, FUEL, SALT STORAGE



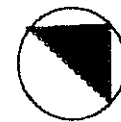
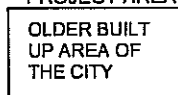
COMMUNITY IMPROVEMENT PROJECT AREA



AUTO SERVICE / GAS STATIONS



OLDER BUILT UP AREA OF THE CITY



Prepared by the Planning Division July 2002

SCHEDULE D: Changes to the Taxation Assistance During Rehabilitation Program

ownership under a failed tax sale situation. This option reduces municipal “exposure” to the risk of ownership and all the attendant costs and liabilities that go with ownership. A tax sale failure would then allow a municipality to write off tax arrears in conformity with the new Municipal Act. This approach would apply to properties where the cost of environmental remediation and the property taxes plus penalties outstanding on the lands exceeds the market value of the property as a ‘clean’ site. The approach recognizes that it would be highly unlikely that a purchaser would pay more in site clean-up and outstanding taxes than the property is worth as a ‘clean’ site given the availability of other non-contaminated sites elsewhere. The tax write off approach would apply as follows:

- The market value of the property as a ‘clean’ site would be determined assuming no contamination exists;
- The cost of site assessment and remediation would be determined;
- The difference between the market value of the property and the site assessment / remediation costs would be established as the amount of the outstanding taxes that would be paid; and
- The balance of the outstanding taxes would be written-off.

The use of this approach would include a requirement to enter into an agreement with the municipality setting out the terms and conditions to be applied to the write-off including a requirement for a Record of Site Condition to be registered.

Schedule 3 to this Community Improvement Plan outlines details relating to this action item and is contained in Section 7.0 List of Schedules.

Program 3. Taxation Assistance During Rehabilitation:

Tax assistance during rehabilitation may be provided by municipalities ~~Although it has not yet been proclaimed, the brownfields legislation establishes a new financial tool under section 365.1 of the Municipal Act, which This would allow s municipalities to freeze or cancel all or a percentage of municipal and education taxes (with Ministry of Finance approval for the latter) during the rehabilitation and redevelopment time periods. The legislation allows tax relief to be initiated during the period of time when clean-up is being done until such time as is either specified by municipal by-law or when the assistance equals the cost of rehabilitation. The intent of the tax assistance is to reduce or cover the remediation costs, including site assessment. A municipal by-law is required for each property to which the assistance is to be applied.~~

Schedule 4 to this Community Improvement Plan outlines details relating to this action item and is contained in Section 7.0 List of Schedules.

Program 4. Development Charge Related Incentives:

NOTE: This Policy does not constitute part of the Community Improvement Plan, but is intended to augment the CIP programs under section 28 of the Planning Act.

While not a power under section 28 of the Planning Act, some municipalities in Ontario have used the provisions of the Development Charges Act to pass a by-law that

- The amount of tax arrears plus estimated clean up costs must exceed the clean land value of the property. The purchaser must enter into an agreement with the City where the purchaser agrees to obtain an appraisal of the property as if there was no environmental contamination (to determine whether the tax arrears are significant in relation to the value of the uncontaminated property).
- The purchaser must be a *bona fide* arm's length purchaser or lien-holder.
- For the purpose of this program, a bona fide purchaser is defined as a person who submits:
 - A copy of a signed offer to purchase; and,
 - A declaration that the individual is not selling to a related interest.
- The purchaser must agree to prepare a site remediation plan and the purchaser must also agree to clean up the site to Provincial standards and submit a Record of Site Condition certifying that the clean-up has been completed within a defined time period. The Record of Site Condition must be acknowledged by the Ministry of the Environment. The agreement with the City will identify the extent and expected costs of the clean-up as identified in remedial clean-up plan.
- It is the intent of the City that tax cancellation agreements may be used in conjunction with other brownfield incentives provided that the cumulative application of these incentives does not exceed site assessment and site remediation costs.
- Grant applications cannot be retroactively applied.
- If the property remediation is not initiated within the specified time period, any grants will be forfeited and repayable to the municipality.
- The City and the property owner will enter into a Tax Cancellation Agreement. This agreement will specify the terms of the tax cancellation, such as the total amount of the grant; the owner's obligations should the owner default on the Agreement, and any other requirements specified by the City.
- Tax cancellation applications will be reviewed by the Planning and Finance Departments for a joint recommendation to Council.
- Each tax cancellation requires council approval

Schedule 4. Taxation Assistance During Rehabilitation

Application:

- City-wide (~~pending proclamation~~)

Theme: Reducing Financial Barriers

Purpose:

- To promote ~~site assessments and~~ remediation of brownfield sites.
- To encourage new development in existing built-up areas of the City.
- To gain information relating to environmental contamination.

Rationale:

- Brownfield sites have increased costs associated with the need to undertake Environmental Site Assessments and for the cost of site rehabilitation. If these up front costs can be reduced the financial feasibility for redevelopment / reuse can be increased.

Departments:

- Finance

- Planning
- Legal

Priority:

- Year 2

Costs:

- Loss of taxation revenue during the time period the incentive applies.

Details:

- Permitted pursuant to section 365.1 of the Municipal Act brownfields legislation.
- Requires the property to be within an area affected by a Community Improvement Plan pursuant to the Planning Act.
- Applicant would apply to City to freeze or cancel all or a percentage of municipal and education taxes during site clean-up and redevelopment after a Phase 2 Environmental Assessment is completed and submitted to the City demonstrating that Provincial standards cannot be met in order to file a Record of Site Condition;
- Applicant would be required to enter into an agreement with the City specifying the terms of the relief, the duration of relief, the owner's obligations and other requirements specified by the City.
- City would request the Province to provide relief from Education portion of taxes.
- Under this program it is acknowledged that the timing of and conditions that apply to municipal property tax assistance may vary from those for matching education property tax assistance.

Schedule 5. Review Development Charges Policy**Legislative Authority:**

- NOTE: This Policy does not constitute part of the Community Improvement Plan, but is intended to augment the Community Improvement Plan programs under section 28 of the Planning Act.

Application:

- City-wide

Theme:

- Reducing Financial Barriers

Purpose:

- To stimulate private sector investment in brownfield redevelopment by reducing up front costs equal to additional site assessment and remediation costs

Rationale:

- Brownfield sites have increased costs associated with the need to undertake Environmental Site Assessments and for the cost of site rehabilitation. If these up front costs can be reduced the financial feasibility for redevelopment / reuse can be increased. Development charges can represent a significant up front cost which could be applied to off-setting site assessment / remediation costs.

Please recycle!

- **BYLAWS** -

- **July 7, 2008** -

By-law Number (2008)-18584
A by-law to remove land from Part Lot Control. (Lot 22, Plan 61M129, designated as Parts 15 and 16, Reference Plan 61R10512 - 30 & 32 Davison Dr.; Lot 28, Plan 61M129, designated as Parts 3 and 4, Reference Plan 61R10512 - 6 & 8 Davison Dr.; and Lot 36, Plan 61M129, designated as Parts 21 and 22, Reference Plan 61R10512 - 27 & 29 Davison Dr.)

To remove land from part lot control to create separate parcels for semi detached dwellings to be municipally known as 6, 8, 27, 29, 30 and 32 Davison Drive.