

COUNCIL PLANNING AGENDA



Council Chambers, City Hall, 1 Carden Street

DATE Monday, July 13, 2015, 7:00 p.m.

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

**O Canada
Silent Reflection
Disclosure of Pecuniary Interest and General Nature Thereof**

PRESENTATION

a) United Way Award Presentation to Sean Findlay

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

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 Reports/Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Consent Reports/Agenda will be approved in one resolution.

Consent Reports/Agenda from:

Infrastructure, Development & Enterprise Committee			
Item	City Presentation	Delegations	To be Extracted
IDE-2015.25 Municipal Support For Local Renewable Energy Projects: Independent System Operator Feed-In-Tariff 4.0 (to be included on consolidation)			

Adoption of balance of Infrastructure, Development & Enterprise Committee Sixth Consent Report – Councillor Bell, Chair

COUNCIL CONSENT AGENDA			
ITEM	CITY PRESENTATION	DELEGATIONS (maximum of 5 minutes)	TO BE EXTRACTED
CON-2015.33 1023 Victoria Road South - Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (Phase 4 of			

Kortright East Subdivision) (File: 23T-01508 / ZC1306) - Ward 6			
CON-2015.34 Request for an Extension of Draft Plan Approval 927 and 1023 Victoria Road South (Phase 3 of Kortright East Subdivision) (File: 23T- 01508) - Ward 6			
CON-2015.35 44, 56, 66 and 76 Arkell Road Proposed Zoning By-law Amendment (File: ZC1314) and Proposed Demolitions - Ward 6			
CON-2015.36 0 Lee Street Proposed Zoning By-law Amendment (File: ZC1501) - Ward 1			

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (*Councillor Gibson*)

MAYOR’S ANNOUNCEMENTS

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

NOTICE OF MOTION

ADJOURNMENT

**CONSENT REPORT OF THE
INFRASTRUCTURE, DEVELOPMENT & ENTERPRISE COMMITTEE**

July 13, 2015

His Worship the Mayor and
Councillors of the City of Guelph.

Your Infrastructure, Development & Enterprise Committee beg leave to present their SIXTH CONSENT REPORT as recommended at its meeting of July 7, 2015.

If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Infrastructure, Development & Enterprise Committee will be approved in one resolution.

**IDE-2015.25 Municipal Support For Local Renewable Energy
Projects: Independent System Operator Feed-In-
Tariff 4.0**

Recommendation to come under separate cover.

All of which is respectfully submitted.

Councillor Bell, Chair
Infrastructure, Development &
Enterprise Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE JULY 7, 2015 INFRASTRUCTURE, DEVELOPMENT &
ENTERPRISE COMMITTEE MEETING.***

CONSENT AGENDA

Monday, July 13, 2015

His Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A REPORTS FROM ADMINISTRATIVE STAFF

REPORT	DIRECTION
<p>CON-2015.33 1023 VICTORIA ROAD SOUTH - PROPOSED DRAFT PLAN OF RESIDENTIAL SUBDIVISION AND ASSOCIATED ZONING BY-LAW AMENDMENT (FILE: 23T-01508 / ZC1306) (PHASE 4 OF KORTRIGHT EAST SUBDIVISION) WARD 6</p> <p>1. That the application from Black, Shoemaker, Robinson and Donaldson Limited on behalf of Fusion Homes for approval of a proposed Draft Plan of Residential Subdivision consisting of 186 to 215 residential units, consisting of 128 to 157 single detached dwellings, 29 semi-detached dwellings (58 units) and an open space/wetland block, as shown in Attachment 7, applying to the property municipally known as 1023 Victoria Road South and legally described as Part of the Northeast Half of Lot 4, Concession 8 (Geographic Township of Puslinch), City of Guelph, be approved for a three (3) year period in accordance with conditions outlined in Attachment 3 of the Infrastructure, Development and Enterprise Report 15-59 dated July 13, 2015.</p> <p>2. That the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Fusion Homes for approval of a Zoning By-law Amendment from the Township of Puslinch "Agriculture" (A) Zone, to the "Specialized Residential Single Detached" (R.1D-43) Zone, to two separate "Specialized Residential Semi-Detached/Duplex (R.2-?) Zones, "Conservation Land" (P.1) Zone and "Wetland" (WL) Zone to</p>	Approve

implement a residential Draft Plan of Subdivision comprising 186 to 215 residential units, be approved, as outlined in Attachment 3 of the Infrastructure, Development and Enterprise Report 15-59, dated July 13, 2015.

3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1023 Victoria Road South.

CON-2015.34 REQUEST FOR AN EXTENSION OF DRAFT PLAN APPROVAL 927 AND 1023 VICTORIA ROAD SOUTH (PHASE 3 OF KORTRIGHT EAST SUBDIVISION) (FILE: 23T-01508) - WARD 6

Approve

1. That the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Gamma Developers Limited and Fusion Homes (formerly owned by Northmanor Estates Inc.) for an extension to the Draft Plan Approval of subdivision on lands municipally known as 927 and 1023 Victoria Road South (23T-01508) and legally described as Part of Lots 3 and 4, Concession 8 (Geographic Township of Puslinch), City of Guelph, be approved with a three (3) year lapsing date, subject to the conditions contained in Attachment 4 of Infrastructure, Development and Enterprise Report 15-58, dated July 13, 2015.

CON-2015.35 44, 56, 66 AND 76 ARKELL ROAD PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1314) AND PROPOSED DEMOLITIONS- WARD 6

Approve

1. That the application by Astrid J. Clos Planning Consultants on behalf of Moshi Holdings Ltd. for approval of a Zoning By-law Amendment to change the Zoning from the UR (Urban Reserve) Zone, WL (Wetland) Zone, R.1B (Residential Single Detached 'B') Zone and R.3A-48 (Specialized Cluster Townhouse) Zone to a R.3A-58 (Specialized Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and WL (Wetland) Zone to permit the development of ninety-three (93) cluster townhouse dwelling units on the properties municipally known as 44, 56, 66 and 76 Arkell Road, legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) And Lots 3, 4, 5, And 6, Registered Plan 514, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 15-61, dated July 13, 2015.

2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 44, 56, 66 and 76 Arkell Road.
3. That the proposed demolitions of the four (4) single detached dwellings at 44, 56, 66 and 76 Arkell Road be approved.
4. That if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search be undertaken by a wildlife biologist prior to demolition so as to protect the breeding birds in accordance with the federal *Migratory Birds Convention Act* (MBCA) prior to any works occurring.
5. That the applicant shall erect protective fencing at one (1) metre from the dripline of any existing trees to be retained on the property or on adjacent properties which may be impacted by demolition and construction activities.
6. That the applicant shall contact the City's Environmental Planner to inspect the tree protection fence prior to demolition and/or site alteration commencing.
7. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

**CON-2015.36 0 LEE STREET PROPOSED ZONING BY-LAW
AMENDMENT (FILE: ZC1501) - WARD 1**

Approve

1. That the City initiated Zoning By-law Amendment to rezone a portion of the former Grange Road alignment from the UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to facilitate the creation of three (3) single detached lots for the property municipally referred to as 0 Lee Street, be approved, as outlined in Attachment 2 of the Infrastructure, Development and Enterprise Report 15-54, dated July 13, 2015.

attach.

STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE July 13, 2015

SUBJECT **Decision Report**
1023 Victoria Road South - Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (File: 23T-01508 / ZC1306) (Phase 4 of Kortright East Subdivision) Ward 6

REPORT NUMBER 15-59

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve a Draft Plan of Subdivision and associated Zoning By-law Amendment to permit a residential subdivision at 1023 Victoria Road South.

KEY FINDINGS

Planning staff support the proposed Draft Plan of Subdivision and associated Zoning By-law Amendment subject to the draft plan of subdivision conditions and zoning regulations in Attachment 3.

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$5,491,278 to 6,347,445 (Based on 2015 DC Rates of \$29,523 per single and semi-detached dwelling)

Estimated Annual Taxes Once Developed: \$1,105,000 to \$1,322,500 (based on an estimated \$7,500 per single detached dwelling and \$5,000 per semi-detached dwelling)

ACTION REQUIRED

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

RECOMMENDATION

1. That the application from Black, Shoemaker, Robinson and Donaldson Limited on behalf of Fusion Homes for approval of a proposed Draft Plan of Residential Subdivision consisting of 186 to 215 residential units, consisting of 128 to 157 single detached dwellings, 29 semi-detached dwellings (58 units) and an open space/wetland block, as shown in Attachment 7, applying to the property

STAFF REPORT



municipally known as 1023 Victoria Road South and legally described as Part of the Northeast Half of Lot 4, Concession 8 (Geographic Township of Puslinch), City of Guelph, be approved for a three (3) year period in accordance with conditions outlined in Attachment 3 of the Infrastructure, Development and Enterprise Report 15-59 dated July 13, 2015.

2. That the application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Fusion Homes for approval of a Zoning By-law Amendment from the Township of Puslinch "Agriculture" (A) Zone, to the "Specialized Residential Single Detached" (R.1D-43) Zone, to two separate "Specialized Residential Semi-Detached/Duplex (R.2-?) Zones, "Conservation Land" (P.1) Zone and "Wetland" (WL) Zone to implement a residential Draft Plan of Subdivision comprising 186 to 215 residential units, be approved, as outlined in Attachment 3 of the Infrastructure, Development and Enterprise Report 15-59, dated July 13, 2015.
3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1023 Victoria Road South.

BACKGROUND

Applications for a residential Draft Plan of Subdivision and a Zoning By-law Amendment were received for the property municipally known as 1023 Victoria Road South on April 19, 2013.

The applications were deemed complete on May 31, 2013. The statutory Public Meeting was held on October 7, 2013.

Revisions to the Applications

The original application requested that the Open Space/Wetland Block (Block 40) be zoned "Conservation Land" (P.1). The Open Space/Wetland Block will be zoned "Conservation Land" (P.1) and "Wetland" (WL). This revision is minor and is recommended by staff. The use of Block 40 does not change as a result of this revision.

This draft plan of subdivision (Phase 4 of Kortright East Subdivision) fits into a larger subdivision community known as the Kortright East Subdivision. The owners have registered a number of phases in Kortright East over the past 10 years (see Attachment 2 for the Kortright East Subdivision Phasing Plan).

Detailed land use planning for this area was completed in 1999 with approval of the South Gordon Community Plan and the Torrance Creek Sub-watershed Study. The land assembly for the proposed large-scale Kortright East subdivision is comprised of three separately owned land parcels with frontage on Victoria Road South. The City annexed these and other lands from the Township of Puslinch in 1993 to

STAFF REPORT



accommodate projected urban growth. The subject lands have been historically used for agricultural purposes.

On October 21, 2003, City Council approved the first phase of the development because it could be readily serviced from the west. Phase 1 included 42 single-detached lots, storm water management facilities and an open space/wetland block and was registered on April 11, 2005 as Plan 61M-113.

Phase 2 of the development lands was draft plan approved by the City on January 3, 2006. Since the lands affected by Phase 2 were held in three distinct ownerships, Phase 2 was registered in three distinct components as follows:

- i. Phase 2c, owned by Northmanor Estates Inc., contained 2 cluster townhouse blocks and blocks for open space and storm water management facilities. This plan was registered on April 21, 2009 as Plan 61M-158.
- ii. Phase 2b, owned by Gamma Developers Limited, contained 48 detached lots, 1 cluster townhouse block, 1 commercial block, 1 school block, 1 park block and included storm water management blocks and wetlands and open space blocks. This plan was registered on July 3, 2009 as Plan 61M-161. This plan completed the road connection between the established residential subdivisions along Kortright Road East and Victoria Road South.
- iii. Phase 2a, owned by Bluewater Investments Limited, contained 53 single-detached lots and a storm water management facility and was registered on July 3, 2009 as Plan 61M-162.

Phase 3 includes a range of detached residential, semi-detached residential and on-street townhouse units with a proposed total unit of 215 units. Phase 3 also includes a dedicated parkland area and proposed trail connectivity throughout the site to link to surrounding neighbourhoods.

Phase 3 of the development was draft plan approved by the City on October 1, 2012. Since then, Phase 3a owned by Gamma Developers Limited (with 56 single detached residential lots, four on-street townhouse blocks (to accommodate 21 townhouse units) and seven 0.3 metre reserve blocks) was registered on December 4, 2014 as Plan 61M-197.

The owners of Phases 3b (Gamma Developers Limited) and 3c (Fusion Homes) are actively working toward registration of their phases. Detailed drawings have been submitted to the City for servicing with targeted registration in late 2015. Phase 3b includes 37 detached lots, 9 semi-detached lots, 3 on-street townhouse blocks, 2 open space/wetland blocks and 1 stormwater management facility. Phase 3c) includes 26 detached lots, 22 semi-detached lots, 1 park block, 2 open space/wetland blocks and 1 stormwater management block. The owners have submitted a request for an extension of Draft Plan Approval of Phase 3, as draft

STAFF REPORT



plan approval will lapse on October 1, 2015. Staff have prepared Report (15-58) in support of the requested extension and it will be presented to Council the same meeting as this report.

During the approval of Phases 1 and 2 of the development lands, the Environmental Impact Study, the Servicing and Stormwater Management Plan and the Environmental Implementation Report (EIR) covering the entire development, was approved by the City and agencies.

An addendum to the EIR has been requested for this phase of the development. Conditions Draft Plan Approval speak to the EIR addendum.

Location

The subject site is a vacant 20.792 hectare parcel with planned road access through the Kortright Phase 3 subdivision plan.

Adjacent land uses include:

- To the North: Kortright Phase 3 residential subdivision;
- To the East: Torrance Creek Wetlands and associated open space blocks dedicated to the City during the registration of Phase 2.
- To the West: Torrance Creek conservation lands
- To the South: draft approved Victoria Park Village residential subdivision.

Existing Official Plan Designations

The Phase 4 lands are designated "General Residential" and "Core Greenlands" and also include a "Non-Core Greenlands Overlay" in Schedule 1 of the Official Plan. Schedule 2 of the Official Plan also identifies Development Constraints including "Provincially Significant Wetlands" and "Woodlot" along the west side of the lands (See Attachment 5).

The "General Residential" land use designation permits all forms of residential development, including multiple unit residential buildings subject to the satisfaction of specific development criteria. The Official Plan land use designations and related policies are included in Attachment 4.

The "Core Greenlands" and "Non-Core Greenlands Overlay" form part of the Greenlands System that represents a planning framework which recognizes that natural heritage features and their associated landscapes need to be considered in a holistic manner in order to provide a comprehensive and integrated approach for conservation and enhancement.

The "Core Greenlands" land use designation recognizes areas of the Greenlands System which have greater sensitivity or significance. The following *natural heritage feature* areas have been included in the "Core Greenlands" designation: provincially significant wetlands, the significant portion of habitat of threatened and endangered species, and the significant areas of natural and scientific interest (ANSI).

STAFF REPORT



Natural heritage features within the "Core Greenlands" designation are to be protected and development is not permitted within this designation. Where a development proposal is made on adjacent lands to these natural heritage features, the proponent is responsible for completing an Environmental Impact Study (EIS).

A significant portion of the property also contain a "Non-Core Greenlands Overlay". Lands associated with the "Non-Core Greenlands" overlay may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. The following natural features and their associated adjacent lands are found within the "Non-Core Greenlands" area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife habitat. In many instances these natural features also have hazards associated with them which serve as development constraints. Development may occur on lands associated with the "Non-Core Greenlands" overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by the Official Plan, and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area.

The environmental policies of the Official Plan have been addressed during the review of the application through the preparation of an Environmental Impact Study (EIS). During the approval of Phases 1 and 2 of the development lands, the Environmental Impact Study, the Servicing and Stormwater Management Plan and the Environmental Implementation Report (EIR) covering the entire development, was approved by the City and agencies.

Official Plan Amendment 42 (OPA 42)

The City's Natural Heritage Strategy (NHS - Official Plan Amendment 42) that was approved by Council designates the subject property as "Significant Natural Areas and Natural Areas" on Schedule 1: Land Use Plan. The City's Natural Heritage System (NHS) is comprised of a combination of natural heritage features and areas, including Significant Natural Areas including Ecological Linkages, Restoration Areas and minimum buffers, Natural Areas and Wildlife Crossings as identified on Schedule 10. Together, these elements maintain local biological, hydrological and geological diversity, ecological functions, connectivity, support viable populations of indigenous species, and sustain local biodiversity. OPA 42 further identifies this property on Schedule 10: 'Natural Heritage System' as "Significant Natural Areas". Schedule 10A: 'Natural Heritage System - ANSIs and Wetlands' further identifies this property as containing Provincially Significant Wetlands (PSW) and Locally Significant Wetlands.

Development is not permitted within "Significant Natural Areas" or their minimum buffers. Development or site alteration may be permitted within "Natural Areas" provided it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the protected natural features or their

STAFF REPORT



associated ecological functions. It is noted that the applications were submitted prior to OPA 42 being in effect and is processed under the 2001 Official Plan. However, the review of the applications has had regard for the policies of OPA 42.

Official Plan Amendment 48 (OPA 48)

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is currently under appeal is not yet in effect. Further, since the applications for the subject property were submitted prior to adoption of OPA 48, they are not required to conform to the policies of OPA 48. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

OPA 48 proposes to designate the subject property as "Low Density Greenfield Residential" and proposes to maintain the "Significant Natural Areas and Natural Areas" land use designation. The proposed uses for this subdivision will be in conformity with the land use designations and policies in OPA 48.

Existing Zoning

The subject lands are currently zoned "Agriculture" (A) according to the Township of Puslinch Zoning By-law.

REPORT

Description of Proposed Draft Plan of Subdivision

The application is a request to subdivide the subject property in accordance with the draft plan of subdivision included in Attachment 7. Details of the proposed subdivision are included in Attachment 7.

The draft plan includes a total of 186 to 215 residential units, consisting of 128-157 single detached dwellings, 29 semi-detached dwellings (58 units), and an open space/wetland block. Residential development is proposed on 10.608 hectares of the property. The westerly portion (Block 40) contains a PSW, and other natural heritage features which can not be developed upon. Block 40 is proposed as Open Space and will be zoned "Wetland" (WL) and "Conservation Land" (P.1) and will be dedicated to the City.

Description of Proposed Zoning Bylaw Amendment

To implement the proposed draft plan of subdivision, the applicant is requesting to change the zoning on the subject property from the current "Agriculture" (A) Zone to the following zoning categories:

- R.1D-43 (Specialized Residential Single Detached Residential) Zone
- R.2.-? (Specialized Residential Semi-Detached/Duplex) Zone
- R.2.-? (Specialized Residential Semi-Detached/Duplex) Zone
- P.1 (Conservation Land) Zone
- WL (Wetland) Zone

STAFF REPORT



The R.1D-43 Zone is being requested for the single detached dwellings in this phase. This specialized provision permits a front yard setback of 4.5 metres to the habitable floor space of the dwelling and a minimum front yard setback of 6 metres to the front wall of the garage. The specialized provisions being requested in the semi-detached/duplex zones include lot frontage, lot area, maximum building coverage, driveway width and front yard setback. Further details on the proposed zoning can be found in Attachment 9.

Staff Review/Planning Analysis

The staff review and planning analysis for these applications is provided in Attachment 10. The analysis addresses all relevant planning considerations, including the issues raised through review of the application. The issues generally include:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control);
- Evaluation of the proposal against the 2014 Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Environmental review;
- Review of proposed zoning;
- Review of site servicing;
- Review of trail development;
- Review of the proposed development in coordination with adjacent development proposals and surrounding lands, including provision of public road and trail connections;
- Confirm support for the Community Energy Initiative; and
- Address all comments and issues raised during the review of the applications, including those noted at the Statutory Public Meeting.

Planning Staff Recommendation

Planning staff are satisfied that the Draft Plan of Subdivision and associated Zoning By-law Amendment applications are consistent with the 2014 Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe. In addition, the applications conform to the objectives and policies of the Official Plan. The revisions made to the Zoning By-law Amendment application are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the *Planning Act*. Planning staff are recommending that Council approve the Draft Plan of Subdivision and Zoning By-law Amendment applications subject to the draft plan of subdivision conditions and regulations outlined in Attachment 3.

Community Energy Initiative

The proposed development will contribute towards implementing the Community Energy Initiative in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The proposed development represents development on underutilized lands and has

STAFF REPORT



been designed to appropriately integrate the surrounding public street system to promote connectivity and pedestrian movement. The owner has made the commitment, as outlined in Attachment 11.

CORPORATE STRATEGIC PLAN

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

DEPARTMENTAL CONSULTATION

The public agency and comments received from City departments during the review of the application are summarized in Attachment 12.

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$5,491,278 to 6,347,445 (Based on 2015 DC Rates of \$29,523 per single and semi-detached dwelling)

Estimated Annual Taxes Once Developed: \$1,105,000 to \$1,322,500 (based on an estimated \$7,500 per single detached dwelling and \$5,000 per semi-detached dwelling)

COMMUNICATIONS

Key dates for the public process regarding the planning applications are included in Attachment 3.

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Kortright East Subdivision Phasing Plan
- Attachment 3 - Recommended Draft Plan of Subdivision Conditions and Zoning Regulations
- Attachment 4 - Existing Official Plan Land Use Designations and Policies
- Attachment 5 - Existing Official Plan Natural Heritage Features and Development Constraints
- Attachment 6 - Official Plan Amendment #42 and 48 Land Use Designations and Policies
- Attachment 7 - Proposed Draft Plan of Subdivision and Details
- Attachment 8 - Existing Zoning and Details
- Attachment 9 - Proposed Zoning and Details
- Attachment 10 - Planning Analysis
- Attachment 11 - Community Energy Initiative Commitment
- Attachment 12 - Department, Agency and Public Circulation Comments Summary
- Attachment 13 - Public Notification Summary

Report Author

Lindsay Sulatycki
Senior Development Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning

STAFF REPORT



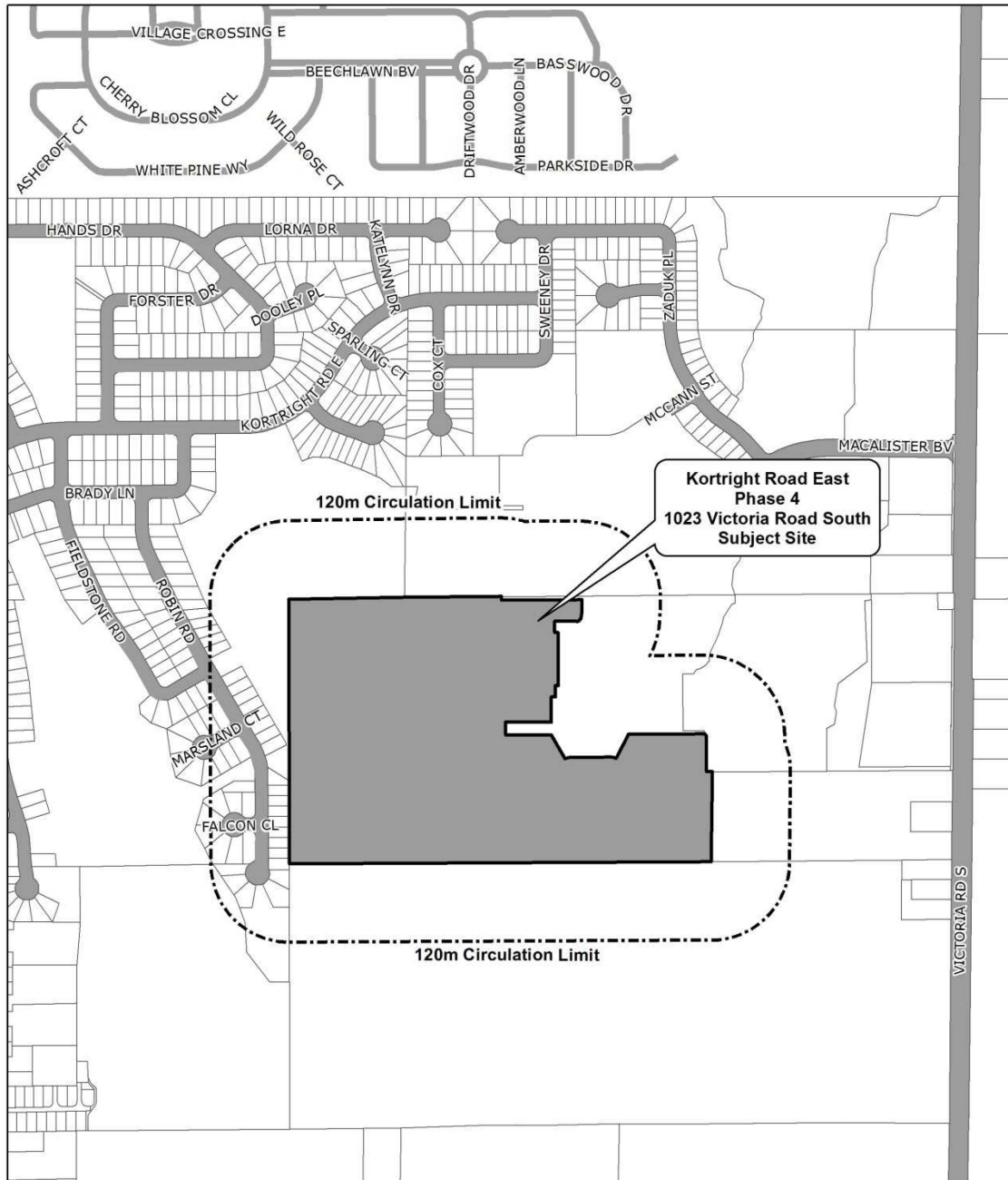
Approved By

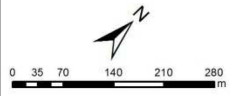
Todd Salter
General Manager
Planning, Urban Design
and Building Services
519.822.1260, ext. 2395
todd.salter@guelph.ca

Recommended By


Al Horsman
Deputy CAO
Infrastructure, Development and
Enterprise
519.522.1260, ext. 5606
al.horsman@guelph.ca

Attachment 1 Location Map



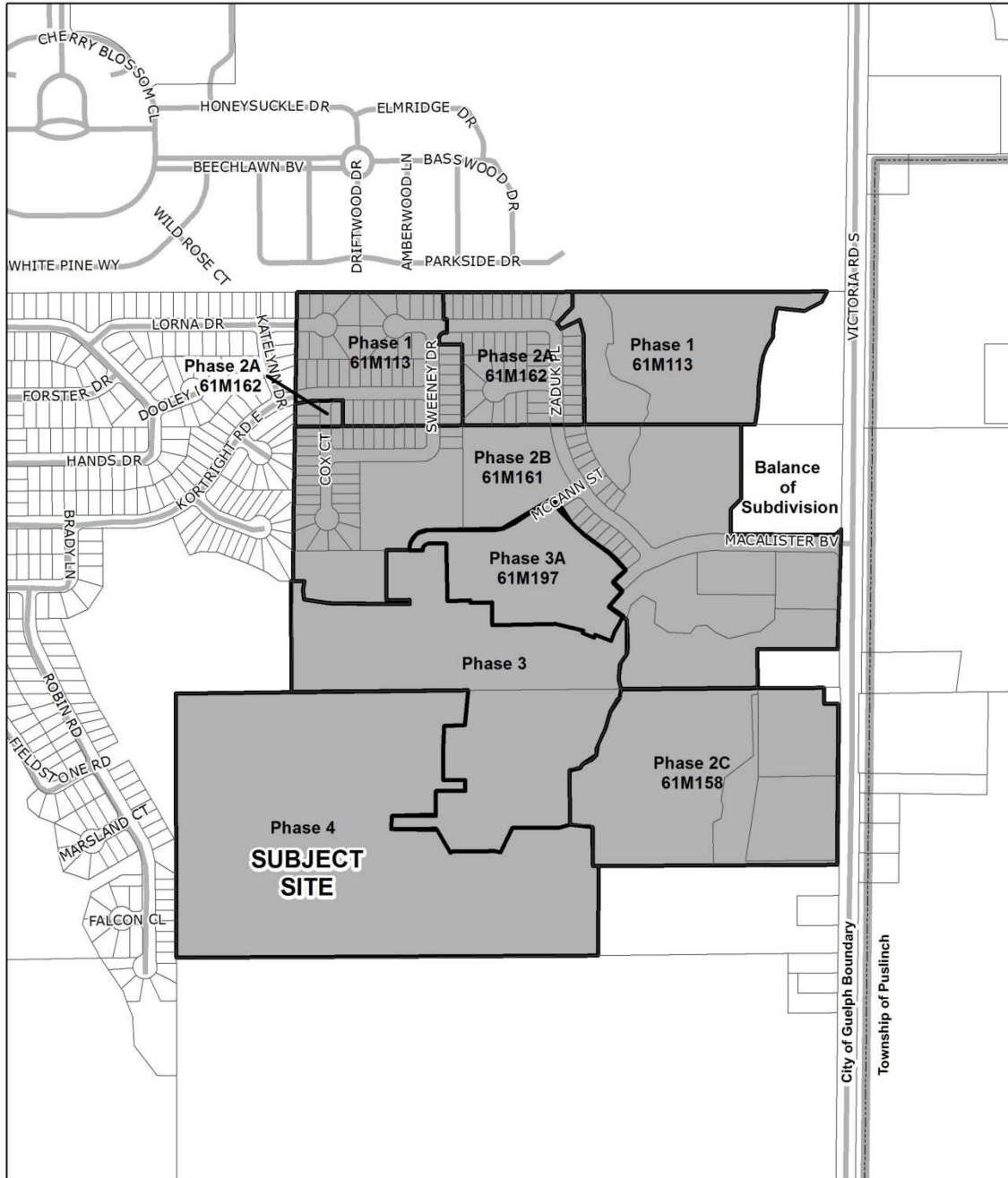


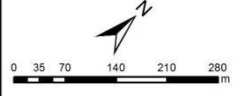
**LOCATION MAP and
120m CIRCULATION
(Kortright East Phase 4)
1023 Victoria Road South**



Produced by the City of Guelph
Planning, Urban Design and Building Services, Development Planning
June 2016


Attachment 2 Kortright East Subdivision Phases





0 35 70 140 210 280
m

LOCATION MAP
Kortright East Phasing Plan



CITY OF
Guelph
Making a Difference

Produced by the City of Guelph
Planning, Building, Engineering and Environment, Development Planning
September 2012

I:\gis_staging\Planning\Report\Map\Kortright East\Kortright M2 E - Phase 4

Attachment 3
Recommended Draft Plan of Subdivision (23T-01508)
Conditions and Zoning Regulations

PART A: DRAFT PLAN OF SUBDIVISION CONDITIONS

"THAT the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Fusion Homes for approval of a proposed Draft Plan of Residential Subdivision applying to property municipally known as 1023 Victoria Road South and legally described as Part of Northeast Half of Lot 4, Concession 8, formerly Township of Puslinch, now City of Guelph, BE APPROVED, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the draft plan of subdivision prepared by Black, Shoemaker, Robinson and Donaldson Limited, Project No. 12-9247-2, dated April 15, 2013, as shown in Attachment 7, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

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

STAFF REPORT

8. The Developer shall retain a qualified **environmental inspector**, satisfactory to the City, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures and compliance with the Environmental Impact Study and the Environmental Implementation Report. The environmental inspector shall report on their findings to the City.
 9. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
 10. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
 11. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
 12. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.
 13. The Developer shall prepare an **Environmental Implementation Report (EIR) Addendum** to update the EIR prepared by Stantec Consulting and dated 2007/2008 to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the Grand River Conservation Authority (GRCA). The EIR Addendum will provide details with respect to the wildlife corridors and crossings, tree management plan, pedestrian trails and connectivity with existing and proposed trails, stormwater management plan as well as a grading, drainage and erosion and sediment control plan within the Phase 4 lands.
 - a. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
-

STAFF REPORT

14. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person as defined in Ontario Regulation 153/04 to prepare and submit a **Phase One Environmental Site Assessment** and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
15. If contamination is found, the Developer shall:
 - a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the City;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.

Conditions to be met prior to execution of subdivision agreement

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

STAFF REPORT



19. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
20. The Developer shall supply and erect **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
21. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City.
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
23. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
24. The **site plans for all corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
25. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
26. The Developer conveys to the City any lands in the plan that are required by the City for Stormwater Management Facilities, parks, wetlands and buffers and open space.
27. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings for approval by the City and the administration of the construction contract up to the end of the warrantee period by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
28. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a full member of Ontario Association of Landscape Architects (OALA) for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to

STAFF REPORT



cover the City's estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.

29. The Developer shall be responsible for the cost of detailed design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Deputy CAO of Public Services and the City Engineer. This shall include the submission of drawings for approval completed by a full member, with seal, of Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Deputy CAO of Public Services.
30. The Developer shall be responsible for the cost of design and development of the **"Basic Trail Development"** as per the City of Guelph current "Specifications for Basic Trail Development", which includes rough grading and drainage, any associated infrastructure (bridges and abutments, guard and hand rails, retaining walls) and sodding/ seeding to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the Basic Trail Development to the satisfaction of the Deputy CAO of Public Services.
31. The Developer shall provide Community and Social Services and Infrastructure, Development and Enterprise with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks.
34. The Developer shall install, at no cost to the City, chain link fencing, adjacent to Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the General Manager of Planning and Building Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
35. The Developer agrees to provide temporary signage describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontages of the park block and Open Space Block 40 to the satisfaction of the General Manager of Planning, Urban Design and Building Services. The signage shall:

STAFF REPORT

- advise prospective purchasers of dwellings in the area of the type of park, open space and trail and level of maintenance of these parcels of land by the City;
 - clearly state that the maintenance of the park and open space blocks are the responsibility of the Developer until such time as the City accepts the park and open space blocks, and
 - clearly state that all questions relating to the maintenance of the park and open space block shall be directed to the Developer until such time as the City accepts the park and open space blocks.
 - The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the park and open space blocks by the City.
36. The Developer further agrees that the proposed park block, open space block, trails and fencing be identified on any marketing or promotional materials.
37. The Developer shall **phase the subdivision** to the satisfaction of the City. Such phasing shall conform to the current Development Priorities Plan.
38. The Owner acknowledges and agrees that the dwelling units on the subject property will be constructed to a standard that promotes energy efficiency in order to comply with the **Community Energy Initiative**, to the satisfaction of the City in accordance with the letter attached as Attachment 11 in Infrastructure, Development and Enterprise Report 15-59 dated July 13, 2015.

Conditions to be met prior to registration of the plan

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

STAFF REPORT



Postponement shall be registered on title by the City at the expense of the Developer.

43. The Developer shall pay any **outstanding debts** owed to the City.
44. The Developer shall pay **development charges** to the City in accordance with By-law Number (2014) - 19692, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
45. The Developer **dedicates to the City** Block 40 (Open Space/Wetland Block).
46. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall". The signs shall be resistant to weathering and vandalism.
47. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - a. "Purchasers and/or tenants of specified lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - c. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
 - d. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the Open Space and Stormwater Management Blocks

STAFF REPORT

- will be demarcated in accordance with the City of Guelph Demarcation Policy.”
- e. “Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City.”
 - f. “Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9 that abut City lands.”
 - g. “Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9 and that public access to this trail will occur adjacent to Block 30, between Lots 8 and 9, between Blocks 34 and 35, between Blocks 33 and 39, between Blocks 38 and 39.”
 - h. “Purchasers and/or tenants of all lots are advised that the Stormwater Management Blocks have been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails.”
 - i. “Purchasers and/or tenants of all lots are advised that the Open Space Blocks have been retained in their natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system.”
 - j. “Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions.”
 - k. “Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9.
48. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer’s lawyer shall certify to the General Manager

STAFF REPORT



of Planning, Urban Design and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

49. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
50. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
51. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
52. The Developer shall meet all conditions and recommendations of the **Traffic Impact/Management Report** and shall implement all conditions and recommendations to the satisfaction of the City, prior to the registration of each phase of the subdivision. Further, the Developer has submitted a Traffic Calming Management Plan to the City for approval and shall incorporate the recommendations into the final subdivision design and shall implement all conditions and recommendations to the satisfaction of the City. Further, the Developer shall implement the recommended traffic calming measures described in the Kortright East Extension – Traffic Calming Recommendations report prepared by Paradigm Transportation Solutions Limited dated January 3, 2005.
53. The Developer shall pay to the City the **cost of any existing** services within or abutting the proposed subdivision, as determined by the City.
54. The Developer shall make arrangements, satisfactory to the City, concerning the **scheduling of the development** and the developers payment of cost for services for the subdivision.

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

55. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
56. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro Electric Systems Inc.** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.

STAFF REPORT

57. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
58. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

AGENCY CONDITIONS:

59. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:
- a. A final stormwater management report in accordance with the Preliminary Site Servicing and Stormwater Management Design report;
 - b. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - c. Detailed lot grading and drainage plans.
 - d. The approval and issuance of a Permit from the GRCA for any development within the regulated areas on the subject lands pursuant to Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).
 - e. Addendum to the "2007 Kortright East Extension Subdivision – Remaining Lands Environmental Implementation Report (EIR)".
60. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the Developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
61. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.

STAFF REPORT

62. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
63. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
64. The Developer shall satisfy all requirements and conditions of **Canada Post** including: set-up fees, advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer / subdivider / builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.

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

That prior to the registration of all or any portion of the plan, the **Grand River Conservation Authority** shall advise the City in writing how conditions 13 and 58 have been satisfied.

That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 59 has been satisfied.

That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 60, 61 and 62 have been satisfied.

STAFF REPORT



That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 42, 49 and 55 have been satisfied.

That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 63 has been satisfied.

AND

PART B: ZONING REGULATIONS

That the Zoning By-law Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the Township of Puslinch 'A' (Agriculture) Zone, as follows:

PROPOSED ZONING

The following zoning is proposed for the subject site:

R.1D - 43 (Single Detached Residential) Zone

In accordance with Section 5.1 of Zoning By-law (1995)-14864, as amended.

Permitted Uses

In accordance with Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended (see excerpt of Table 5.1.2 below), with the following exceptions:

Despite Table 5.1.2, Row 6, and Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7 and 5.1.2.2, the minimum front yard shall be 4.5 metres to habitable floor space and 6 metres to the front wall of the garage.

EXCERPT FROM TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

1	Residential Type	Single Detached Dwellings
2	Zone	R.1D
3	Minimum Lot Area	275 m ²
4	Minimum Lot Frontage	9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.
5	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
6	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24,

STAFF REPORT

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

R.2 - ? (Specialized Residential Semi-Detached/Duplex) Zone (Lots 1 to 20 and 26 to 29)

In accordance with Section 5.2 of Zoning By-law (1995)-14864, as amended.

Permitted Uses

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

STAFF REPORT



Regulations

In accordance with Section 5.2.2 of Zoning By-law (1995) – 14864, as amended (Table 5.2.2 below), with the following exceptions:

Despite Table 5.2.2, Row 2, the minimum lot area shall be 448 square metres for every two units and 224 square metres for every unit.

Despite Table 5.2.2, Row 3, the minimum lot frontage for every lot shall be 13.7 metres and the minimum lot frontage per unit shall be 6.8 metres.

Despite Table 5.2.2, Row 5, and Sections 4.6, 4.24 and 5.2.2.1, the minimum front yard shall be 4.5 metres to habitable floor space and 6 metres to the front wall of the garage.

Despite Table 5.2.2, Row 11, the maximum lot coverage shall be 50% of the lot area.

R.2 - ? (Specialized Residential Semi-Detached/Duplex) Zone (Lots 21 to 25)

In accordance with Section 5.2 of Zoning By-law (1995)-14864, as amended.

Permitted Uses

In accordance with 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 (Table 5.2.2 below), with the following exceptions:

Despite Table 5.2.2, Row 2, the minimum lot area shall be 416 square metres for every two units and 208 square metres for every unit.

Despite Table 5.2.2, Row 3, the minimum lot frontage for every lot shall be 13.7 metres and the minimum lot frontage per unit shall be 6.8 metres.

Despite Table 5.2.2, Row 5, and Sections 4.6, 4.24 and 5.2.2.1, the minimum front yard shall be 4.5 metres to habitable floor space and 6 metres to the front wall of the garage.

Despite Table 5.2.2, Row 5a, and Sections 4.6, 4.24, 4.28 and 5.2.2.1, the minimum exterior side yard shall be 3.0 metres.

Despite Table 5.2.2, Row 11, the maximum lot coverage shall be 50% of the lot area.

STAFF REPORT

TABLE 5.2.2 – REGULATIONS GOVERNING THE R.2 ZONE

1	Residential Type	<ul style="list-style-type: none"> • Duplex Dwelling • Semi-Detached Dwelling • Accessory Apartment in accordance with Section 4.15.1 • Bed and Breakfast establishment in accordance with Section 4.27 • Group Home in accordance with Section 4.25 • Home Occupation in accordance with Section 4.19
2	Minimum Lot Area	460 m ² for every two units 230 m ² for each unit
3	Minimum Lot Frontage	15 metres for every two units. 7.5 metres for each unit. Despite the above, the Lots located within the boundaries of Defined Area Map Number 66 of Schedule "A" shall have a minimum Lot Frontage of not less than the average Lot Frontage established by existing Lots within the same City Block Face .
4	Minimum Ground Floor Area 1 Storey 1.5 Storeys 2 or more Storeys	80 m ² 55 m ² 40 m ²
5	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24 and 5.2.2.1.
5a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.2.2.1.
6	Minimum Side Yard (each side)	1.2 metres Where a Garage, Carport or off- street Parking Space is not provided for each Dwelling Unit , each Side Yard shall have a minimum width of 3 metres to accommodate off- street parking. Despite the above, no interior Side Yard is required along the common Lot line of Semi-Detached Dwellings .
7	Minimum Rear Yard	7.5 metres or 20% of the Lot Depth , whichever is less.
8	Accessory Buildings or Structures	In accordance with Section 4.5.
9	Fences	In accordance with Section 4.20.
10	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
11	Maximum Lot Coverage	40% of the Lot Area .
12	Off- Street Parking	In accordance with Section 4.13.
13	Garages	For those Lots located within the boundaries indicated on Defined Area Map Number 66, where a roofed porch is provided, the Garage may be located ahead of the front wall of the dwelling (enclosing Habitable Floor Space on the first floor) equal to the projection of the porch to a maximum of 2 metres.
14	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
15	Minimum Landscaped Open Space	The Front Yard of any Lot , excepting the Driveway (Residential) , shall be landscaped and no parking shall be permitted within this Landscaped Open Space . Despite the definition of the Landscaped Open Space , for Buildings that do not have a shared Driveway (Residential) access, a minimum area of 0.6 metres between the driveway and nearest Lot Line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and may include a surfaced walk in accordance with Section 4.13.7.2.4.

STAFF REPORT



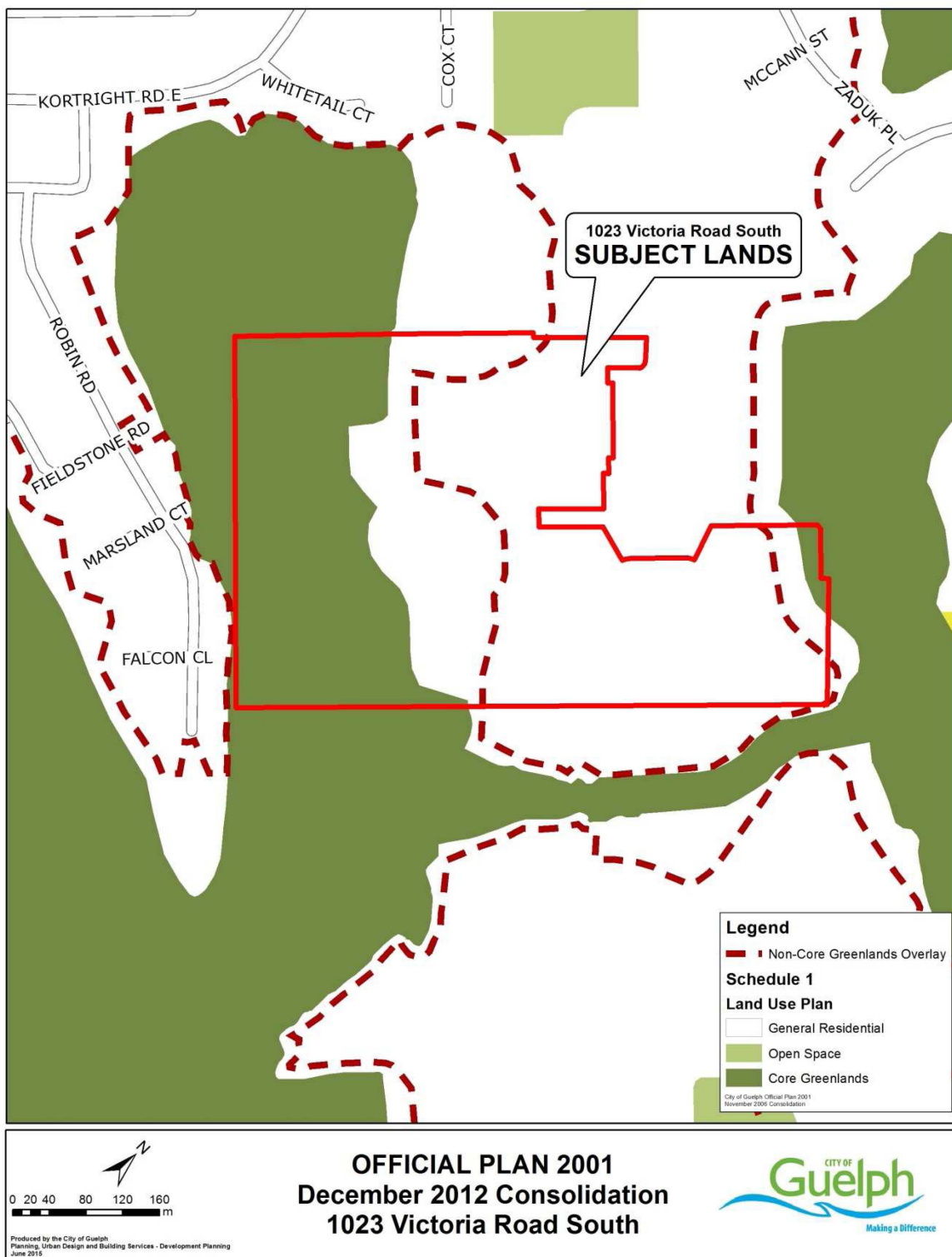
P.1 (Block 40)

In accordance with Section 9.1.1 of Zoning By-law (1995)-14864, as amended.

WL (Block 40)

In accordance with Section 13.2 of Zoning By-law (1995)-14864, as amended.

Attachment 4 Existing Official Plan Land Use Designations and Policies



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

'General Residential' Land Use Designation

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

'Core Greenlands'

7.13.1 The 'Core Greenlands' land use designation recognizes areas of the Greenlands System which have greater sensitivity or significance. The following natural heritage feature areas have been included in the 'Core Greenlands' designation of Schedule 1: provincially significant wetlands, the significant portion of habitat of threatened and endangered species, and the significant areas of natural and scientific interest (ANSI). Natural hazard lands including steep slopes, erosion hazard lands and unstable soils may also be associated with the 'Core Greenlands' areas. In addition, the floodways of rivers, streams and creeks are found within the 'Core Greenlands' designation.

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

7.13.2 The natural heritage features contained within the 'Core Greenlands' designation are to be protected for the ecological value and function. Development is not permitted within this designation. Uses that are permitted include conservation activities, open space and passive recreational pursuits that do not negatively impact on the natural heritage features or their associated ecological functions.

7.13.3 The natural heritage features contained within the 'Core Greenlands' designation are outlined on Schedule 2 of this Plan. Where a development proposal is made on adjacent lands to these natural heritage features, the proponent is responsible for completing an environmental impact study in accordance with the provisions of subsection 6.3 of this Plan. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of natural heritage features within the 'Core Greenlands' designation as part of such an environmental impact study.

7.13.4 In implementing the Greenlands System provisions of this Plan, 'Core Greenland' areas shall be placed in a restrictive land use category of the implementing Zoning By-law, which prohibits development except as may be necessary for the on-going management or maintenance of the natural environment.

'Non-Core Greenlands Overlay'

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from

development. The following natural features and their associated adjacent lands are found within the Non- Core Greenlands area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife habitat. In many instances these natural features also have hazards associated with them which serve as development constraints.

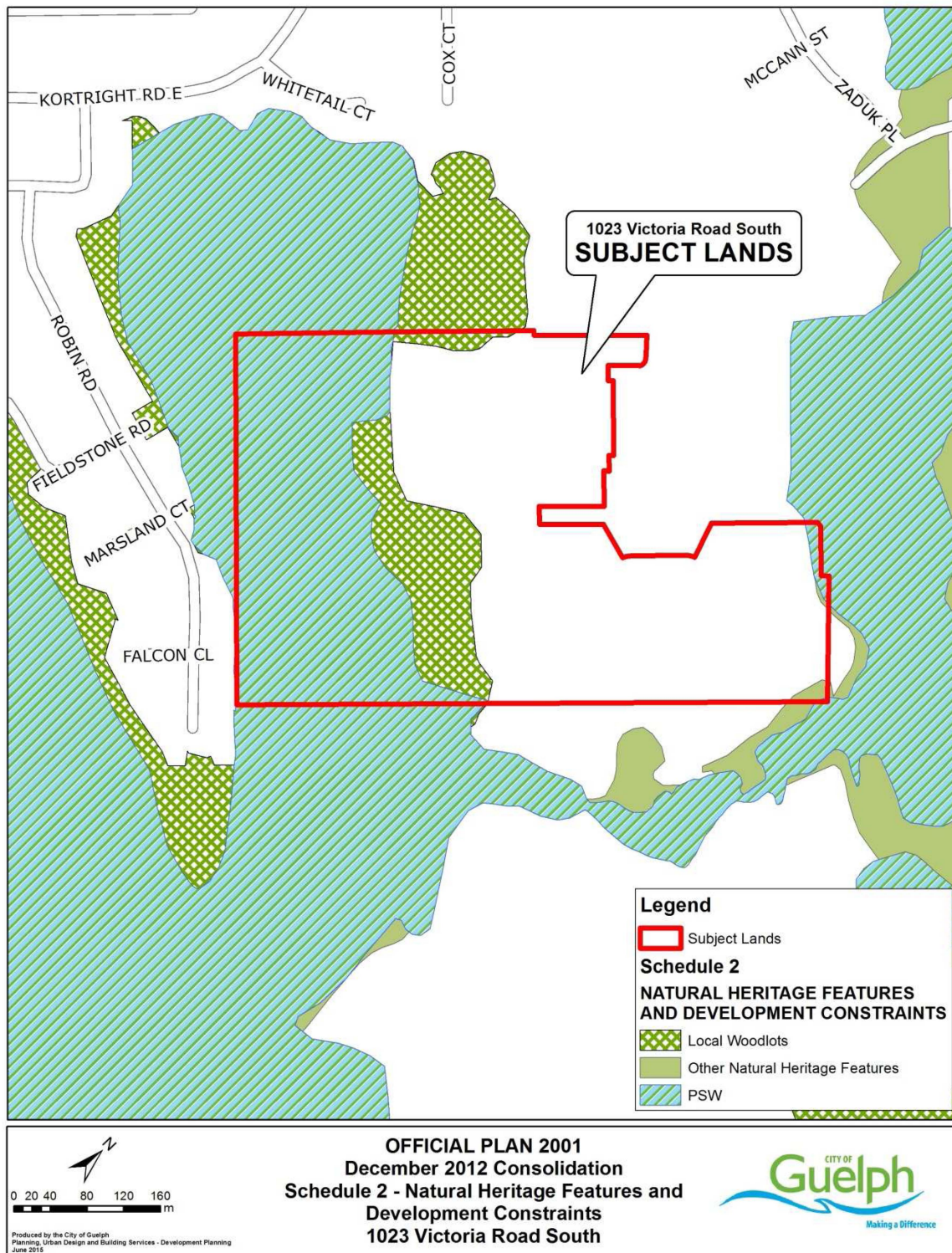
1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.
2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.

7.13.6 Development may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified natural heritage feature as part of such environmental impact study.

7.13.7 It is intended that the natural heritage features associated with the Non-Core Greenlands overlay are to be protected for their ecological value and function. The implementing Zoning By-law will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.

7.13.8 Development may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with hazard lands as noted in Section 5 can be safely addressed. In addition, development within the flood fringe areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.

Attachment 5 Existing Official Plan Natural Heritage Features and Development Constraints



Attachment 5 Existing Official Plan Natural Heritage Features and Development Constraints (continued)

6.4 Wetlands

The Ministry of Natural Resources has evaluated and classified *wetlands* in the City of Guelph. These *wetlands* consist of *provincially significant wetlands* and *locally significant wetlands*. All *wetlands* currently evaluated are delineated on Schedule 2.

Objectives

- a) To recognize the important role of *wetlands* of all sizes in the natural environment;
- b) To plan for the optimization of the hydrological, social, ecological and economic benefits associated with various wetland resource areas;
- c) To work with community partners and various government agencies, (i.e. the Grand River Conservation Authority and the Ontario Ministry of Natural Resources) to protect *wetlands* through accepted land use planning and resource management practices.

General Policies

6.4.1 The City encourages the retention of all *wetlands* located within Guelph and adjacent to its municipal boundaries. In all instances the City will encourage the design of new *development* proposals to minimize impacts on this *natural heritage feature* and its associated *ecological functions*.

6.4.2 No *development* is permitted within *provincially significant wetlands*. These *wetlands* have been included in the 'Core Greenlands' designation on Schedule 1 with associated land use policies as outlined in subsection 7.13.

6.4.3 In instances where a *development* proposal is within *adjacent lands* to a *provincially significant wetland*, the City will require that the *development* proponent complete an environmental impact study in accordance with the requirements of subsection 6.3 of this Plan. The environmental impact study shall indicate that the *development* proposal will not:

- a) Result in a loss of the *wetland's ecological function*;
- b) Create subsequent demand for future *development* which will *negatively impact* on the *wetland's ecological function*;
- c) Conflict with existing site-specific *wetland* management practices;
- d) Result in loss of contiguous *wetland*.

6.4.4 *Locally significant wetlands* are associated with the Non-Core Greenlands overlay on Schedule 1 and with associated land use policies outlined in

subsection 7.13. The City recognizes the importance of *locally significant wetlands* in maintaining the ecological health of natural systems.

6.4.5 In instances where a *development* proposal falls within or *adjacent* to a *locally significant wetland*, the City will require the *development* proponent to complete an *environmental impact study* in accordance with the provisions of subsection 6.3 of this Plan. The environmental impact study shall indicate that the *development* proposal will not:

- a) Result in loss of the *wetland's ecological function*;
- b) Create subsequent demand for future *development* which will *negatively impact* on the *wetland's ecological function*;
- c) Conflict with existing site-specific *wetland* management practices.

Significant Woodlands

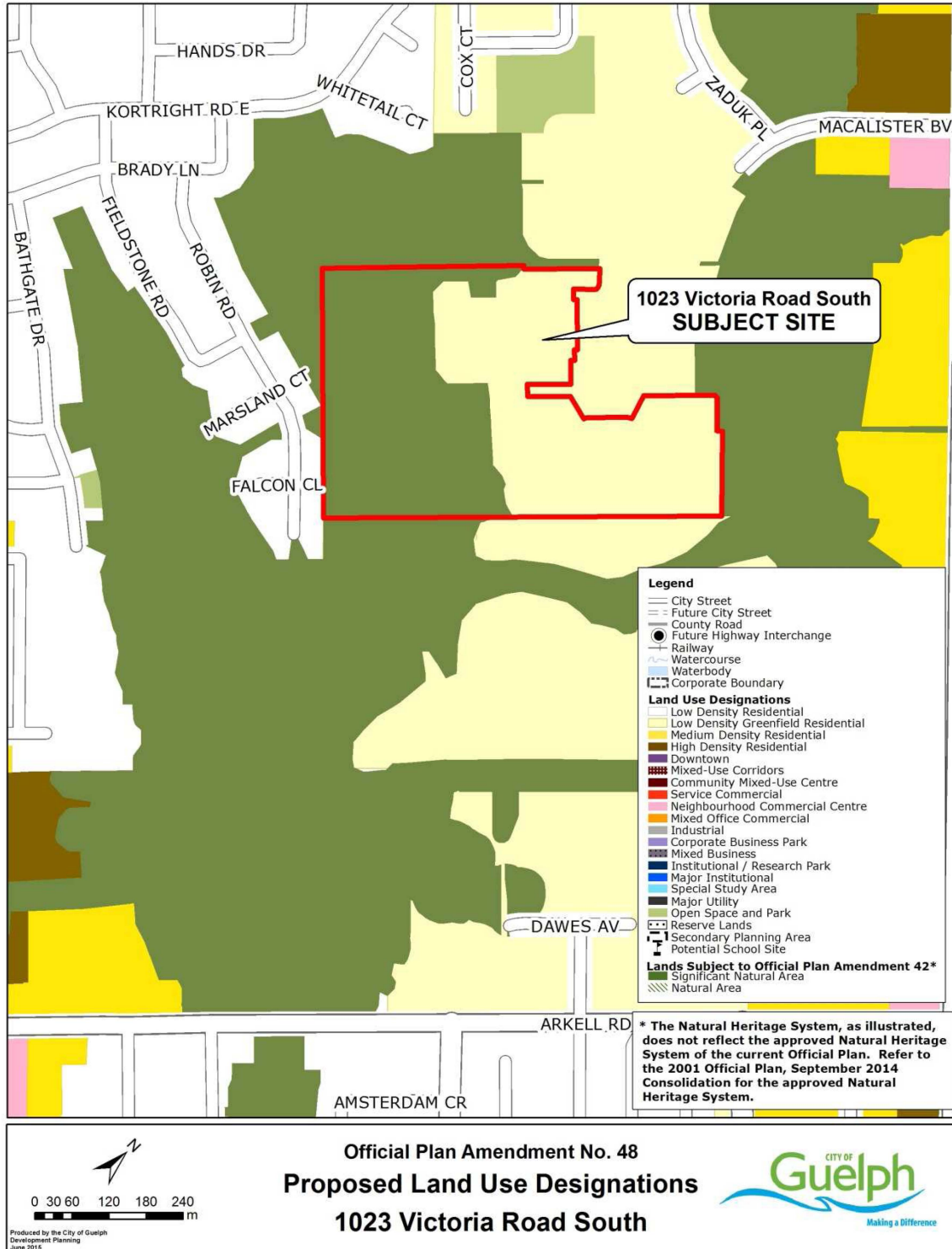
6.8.3 The City has classified certain wooded areas in the Municipality as being *significant*. These *woodlands* have been classified as being *significant* due to their natural heritage *functions* as noted in policy 6.8.1, in addition to their contiguous size of at least 1 hectare and existence in a natural setting. *Significant woodlands* are included within the Greenlands System outlined on Schedule 1. They are also delineated as *natural heritage features* on Schedule 2.

6.8.4 *Development* proposals within or on *adjacent* lands to a *significant woodland* should not *negatively impact* the *feature* and its associated *ecological functions*.

1. The actions as specified in policy 6.8.1 will be used to protect and preserve *significant woodlands*. In addition, the forestry management of these *woodlands* should not include timber production as a primary activity.
2. In instances where a *development* proposal is within or *adjacent* to a *significant woodland*, the City will require that an environmental impact study be undertaken. Subsection 6.3 outlines the general requirements for this type of study; more particularly, the study shall:
 - a) Contain a detailed inventory of the *woodland* including size, age, composition, condition and *ecological functions* of the *feature*;
 - b) Indicate the *negative impacts* of the proposal on the *woodland*;
 - c) Indicate any measures that would reduce the *negative impacts* of the proposal;
 - d) Recommend provisions, in instances where trees need to be removed, for their replacement or any other enhancement opportunities.

STAFF REPORT

Attachment 6 Official Plan Amendment #42 and #48 Land Use Designations and Policies



Attachment 6

Official Plan Amendment #42 and 48 Land Use Designations and Policies (continued)

6A.2 Significant Natural Areas

This section outlines specific objectives, criteria for designation and policies for Significant Natural Areas and their *buffers*. Specific policies related to Natural Heritage System management and stewardship are provided in Section 6A.

6A.2.1 General Policies: Significant Natural Areas

1. Development or site alteration shall not be permitted within Significant Natural Areas including their established or minimum buffers as designated on Schedule 1, except in accordance with the general policies in 6A.1.2 and the Significant Natural Areas policies in 6A.2.
2. In accordance with the applicable policies in 6A.1.2 and 6A.2, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.

9.3.3 Low Density Greenfield Residential

This designation applies to residential areas within the *greenfield area* of the City. The *greenfield area* is planned to achieve an overall minimum *density target* of 50 persons and jobs per hectare.

Permitted Uses

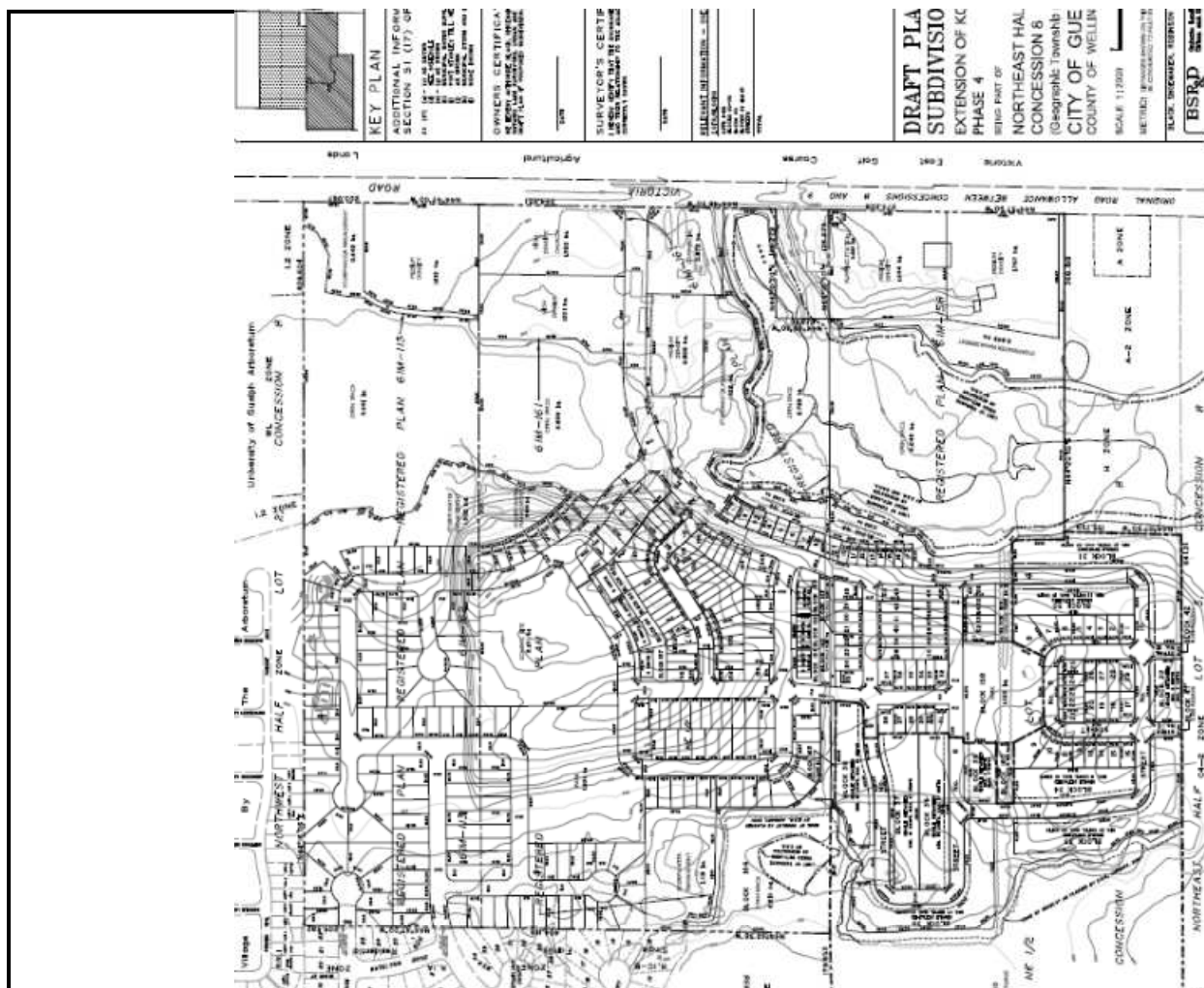
1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) detached, semi-detached and duplex dwellings; and
 - ii) multiple unit residential buildings, such as townhouses and apartments.

Height and Density

To allow for flexibility and to contribute toward the achievement of the overall minimum *density target* of 50 persons and jobs per hectare for the *greenfield area*, the following height and density policies apply.

1. The maximum height shall be six (6) storeys.
2. The maximum *net density* is 60 units per hectare and not less than a minimum *net density* of 20 units per hectare.
3. Notwithstanding policy 9.3.3.3, increased density may be permitted for *development* proposals on arterial and collector roads without an amendment to this Plan up to a maximum *net density* of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

Attachment 7 Proposed Draft Plan of Subdivision and Details



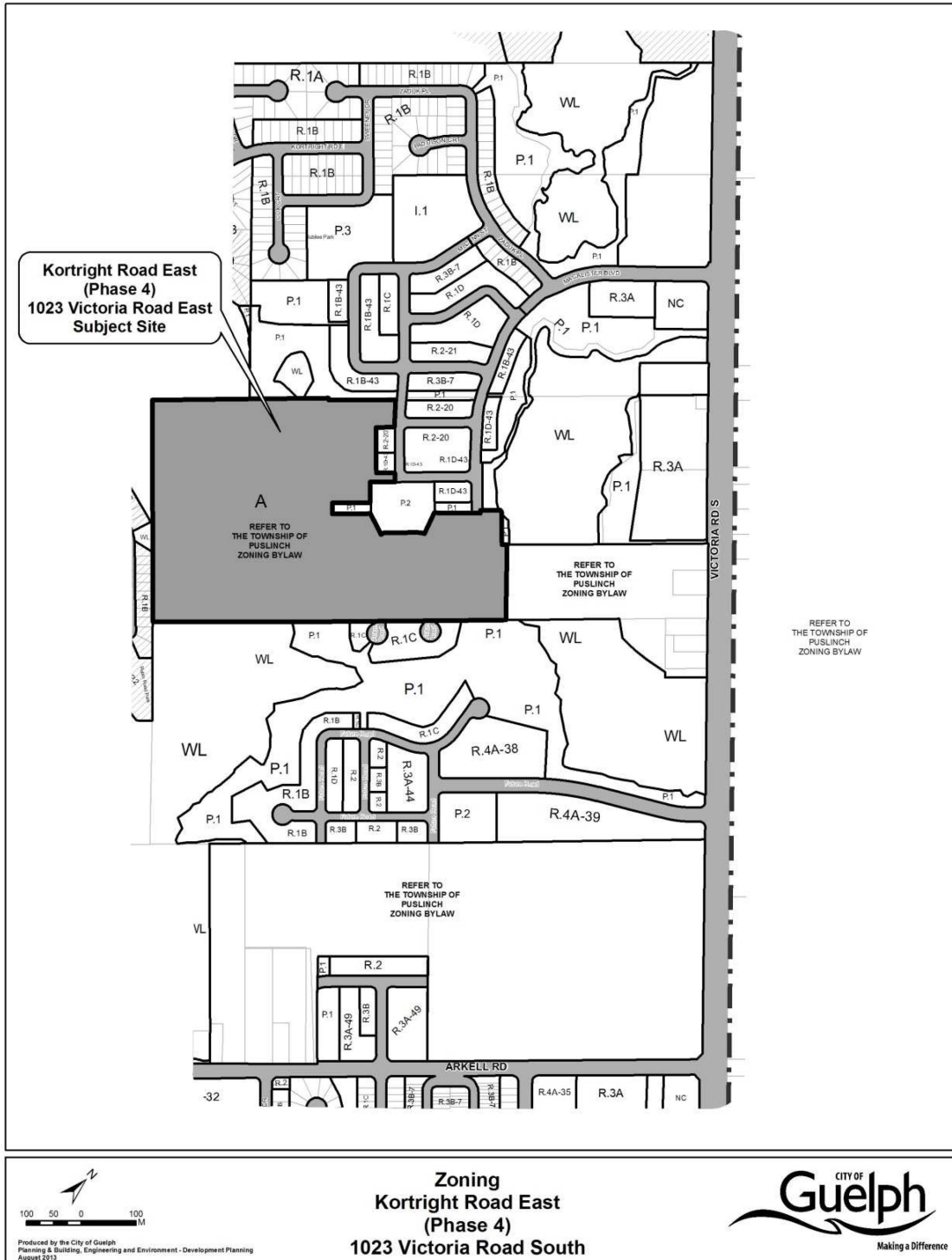
Attachment 7 (continued) Proposed Draft Plan of Subdivision Details

LOTS/BLOCKS	LAND USE	AREA (HECTARES)	# OF UNITS
Lots 1-29	Semi-Detached Residential	6.537	58
Blocks 30-39	Single Detached Residential	1.686	128-157
Block 40	Open Space/Wetland	10.184	-

STAFF REPORT

Blocks 41 and 42	0.300 metre reserves	0.001	-
Streets	Roads	2.384	
TOTAL AREA		20.792	186-215

Attachment 8 Existing Zoning and Details



Attachment 8 Existing Zoning and Details (continued)

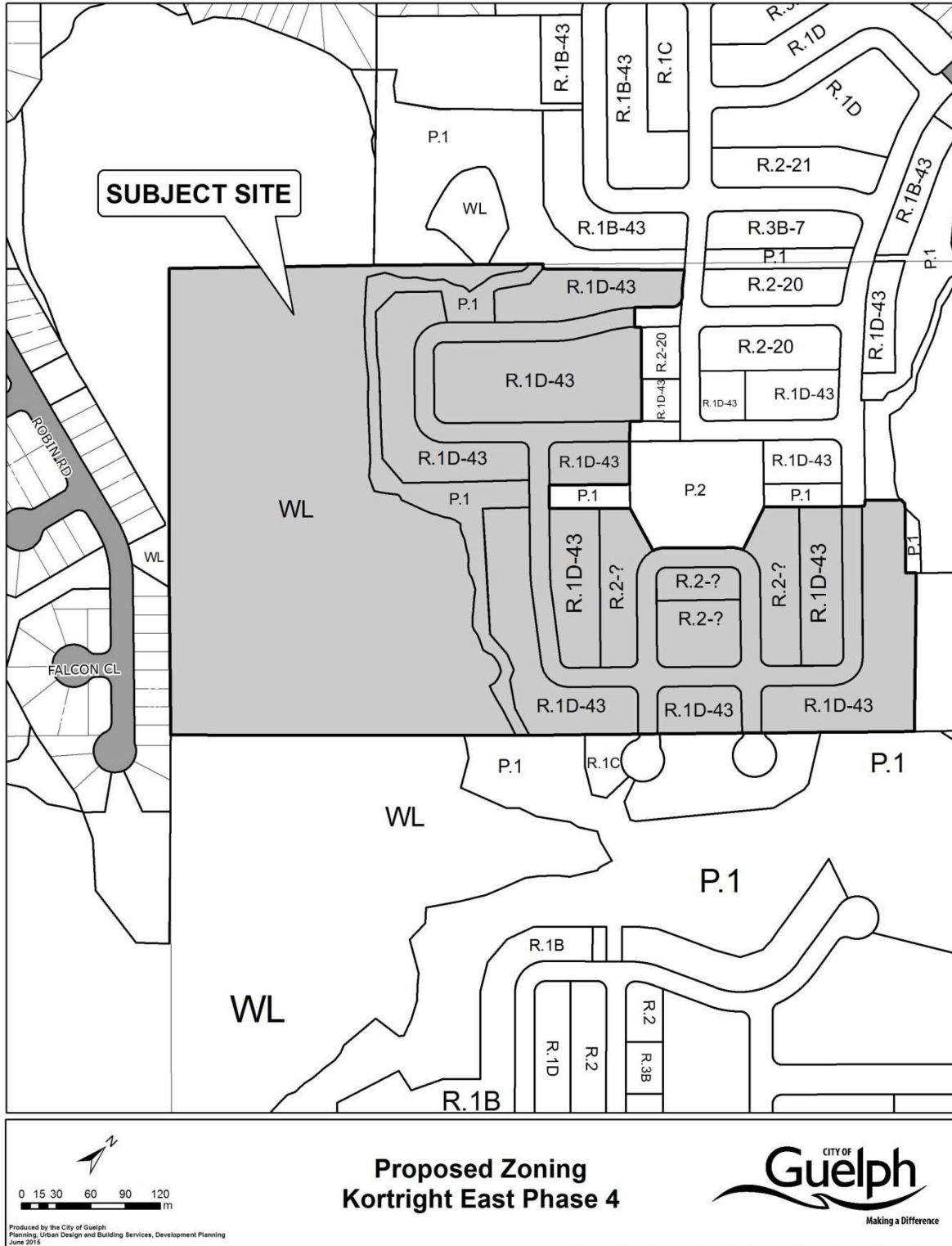
Existing Zoning: The lands are zoned Agriculture (A) in the Puslinch Township Zoning By-law.

Agriculture (A)

Uses Permitted: No person shall, within any A Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A uses, namely:

- a) an agricultural use;
- b) an intensive agriculture use
- c) a single detached dwelling
- d) a home occupation
- e) a retail farm sales outlet accessory to an agricultural use
- f) existing churches, schools, community halls and nursing homes;
- g) a wayside pit;
- h) forestry and woodlots;
- i) open space and conservation areas;
- j) a fish and wildlife management area
- k) a public use

Attachment 9 Proposed Zoning and Details



Attachment 9 (continued) Proposed Zoning and Details

LOTS/BLOCKS	LAND USE	ZONING
Blocks 30-39	Single Detached	R.1D-43
Lots 1 to 20 and 26 to 29	Semi-Detached	R.2-?
Lots 21 to 25	Semi-Detached	R.2-?
Block 40	Open Space/Wetland	P.1 and WL

Specialized Zoning Regulations

R.1D-43

- The minimum front yard shall be 4.5 metres to habitable floor space and 6 metres to the front wall of the garage, whereas the Zoning By-law requires a front yard setback of 6.0 metres;

R.2-?

- The minimum lot area shall be 448 square metres for every two units and 224 square metres for every unit, whereas the Zoning By-law requires a minimum lot area of 460 square metres for every two units and 230 square metres for each unit;
- The minimum lot frontage for every lot shall be 13.7 metres and the minimum lot frontage per unit shall be 6.8 metres, whereas the Zoning By-law requires 15 metres for every two units and 7.5 metres for each unit;
- The minimum front yard shall be 4.5 metres to habitable floor space and 6 metres to the front wall of the garage, whereas the Zoning By-law requires a minimum front yard setback of 6.0 metres.
- The maximum lot coverage shall be 50% of the lot area, whereas the Zoning By-law requires a maximum lot coverage of 40%.

R.2-?

- The minimum lot area shall be 416 square metres for every two units and 208 square metres for every unit, whereas the Zoning By-law requires a minimum lot area of 460 square metres for every two units and 230 square metres for each unit;

STAFF REPORT

- The minimum lot frontage for every lot shall be 13.7 metres and the minimum lot frontage per unit shall be 6.8 metres, whereas the Zoning By-law requires 15 metres for every two units and 7.5 metres for each unit;
- The minimum front yard shall be 4.5 metres to habitable floor space and 6 metres to the front wall of the garage, whereas the Zoning By-law requires a minimum front yard setback of 6.0 metres;
- The minimum exterior side yard shall be 3.0 metres, whereas the Zoning By-law requires a minimum exterior side yard of 4.5 metres;
- The maximum lot coverage shall be 50% of the lot area, whereas the Zoning By-law requires a maximum lot coverage of 40%.

Attachment 10 Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives of the PPS include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. City Council's planning decisions are required to be consistent with the 2014 PPS.

The proposed Draft Plan of Subdivision and Zoning By-law Amendment applications are consistent with the Provincial Policy Statement. The proposed subdivision will accommodate an appropriate range and mix of housing to serve future growth at densities which will use land and infrastructure efficiently.

Provincial Growth Plan for the Greater Golden Horseshoe (Places to Grow)

The Provincial Growth Plan for the Greater Golden Horseshoe Area (GGH) was prepared under the Places to Grow Act, 2005, and took effect on June 16, 2006. The Growth Plan builds on other provincial initiatives and is intended to guide decisions on growth, including policies to manage growth by building compact, transit supportive communities in designated greenfield areas. In order to meet these provincial Growth Plan objectives, the City completed a Local Growth Management Strategy (LGMS) and ultimately the approval of Official Plan Amendment 39 (OPA 39) that implemented changes to the Official Plan to bring it into conformity with the Growth Plan.

The subject site is located within the "Designated Greenfield Areas" under the "Places to Grow" legislation and proposes development at a density of approximately 56.8 to 65.67 persons per hectare, which will contribute towards meeting the Growth Plan's Greenfield density requirement of 50 persons and jobs per hectare. The proposed subdivision increases the range of housing options in the area, and will be served by adequate community and infrastructure services.

Official Plan Conformity

The proposed development meets several of the major goals and objectives of the Official Plan. This includes efficiently utilizing the land base and establishing complementary and compatible land uses that are well integrated with adjacent lands, including the previous phases of the Kortright East Subdivision.

Other major goals and objectives of the Official Plan satisfied by the proposed development include:

- directing development to an area where municipal services and related infrastructure are most readily or can be made available;
- assists in promoting a compact development pattern to avoid urban sprawl;

STAFF REPORT

- ensuring development is sympathetic and compatible with the built form of existing land uses;
- assists in accommodating projected growth within the settlement area boundary;
- provides for additional residential land uses;
- assists in providing for an adequate supply and range of housing types;
- respects the protection of the natural environment; and
- supports transit, walking and cycling for everyday activities.

The subject property is designated "General Residential" and "Core Greenlands" with a "Non-Core Greenlands Overlay" in the Official Plan.

The applicant is proposing a mix of single detached dwellings and semi-detached dwellings on the portion of the property designated as "General Residential". The predominant use of land in areas designated, as "General Residential" is residential. All forms of residential development is permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. The net density of development is not to exceed 100 units per hectare (40 units/acre) within the "General Residential" land use designation. The proposed density is 22.62-26.15 units/hectare.

The "Core Greenlands" and "Non-Core Greenlands Overlay" form part of the Greenlands System that represents a planning framework which recognizes that natural heritage features and their associated landscapes need to be considered in a holistic manner in order to provide a comprehensive and integrated approach for conservation and enhancement. The Greenlands System is intended to include features and areas which, are part of the City's natural heritage as well as areas in which natural hazards may pose a threat to public safety. These areas include: wetlands, forestry resources, streams and valleys, ponds, areas of natural and scientific interest, fish, wildlife and plant habitats, flood plains and hazard lands and habitat areas for endangered and threatened species.

The objective of the Greenlands System is to outline a comprehensive natural heritage system containing landscapes, resources and ecological functions that are essential to environmental and public health in the City and to recognize the many important and inter-related functions of our natural environmental system, and to encourage its protection and enhancement. The Greenlands System also aims to provide for the careful conservation of the City's land, animal, plant, water and air resources to provide a healthy, prosperous and enjoyable community.

Natural heritage features within the "Core Greenlands" designation are to be protected and development is not permitted within this designation. Where a development proposal is made on adjacent lands to these natural heritage features, the proponent is responsible for completing an Environmental Impact Study (EIS). This property contains a number of natural heritage features including: a provincially significant wetland and a significant woodlot.

STAFF REPORT



An Environmental Impact Study (EIS) and Environmental Implementation Report (EIR) were prepared and approved for the subject property a part of Phase 1 and Phase 2 of the Kortright East Subdivision. The EIS and EIR applied to all of the phases of the Kortright East Subdivision. No adverse impacts have been identified. The GRCA and the City of Guelph Environmental Advisory Committee reviewed the EIS and EIR documents and recommended approval. The environmental policies of the Official Plan have been addressed through the preparation of an Environmental Impact Study (EIS).

The EIS has provided a strategy for maintaining natural heritage features and functions by avoiding the most significant and sensitive areas through design of the proposed development. Buffer recommendations have been incorporated into the proposed development plan to protect and enhance the functions of the significant and sensitive areas within the subject property. The boundaries of the provincially significant wetland have been identified and no development will occur in the wetland. Appropriate buffers have been included to protect wetland features and functions.

A significant portion of the property also contain a "Non-Core Greenlands Overlay". Lands associated with the "Non-Core Greenlands" overlay may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. The following natural features and their associated adjacent lands are found within the "Non-Core Greenlands" area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife habitat. In many instances these natural features also have hazards associated with them which serve as development constraints. Development may occur on lands associated with the "Non-Core Greenlands Overlay" consistent with the underlying land use designation in instances where an Environmental Impact Study has been completed as required by the Official Plan, and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area.

An addendum to the EIR has been requested as part of this phase of development in the conditions of Draft Plan Approval since the "2007 Kortright East Extension Subdivision – Remaining Lands Environmental EIR" was approved in 2009.

Official Plan Amendment 42

The City's Natural Heritage Strategy (NHS - Official Plan Amendment 42) that was approved by Council designates the subject property as "Significant Natural Areas and Natural Areas" on Schedule 1: Land Use Plan. The City's Natural Heritage System (NHS) is comprised of a combination of natural heritage features and areas, including Significant Natural Areas including Ecological Linkages, Restoration Areas and minimum buffers, Natural Areas and Wildlife Crossings as identified on Schedule 10. Together, these elements maintain local biological, hydrological and geological diversity, ecological functions, connectivity, support viable populations of

STAFF REPORT



indigenous species, and sustain local biodiversity OPA 42 further identifies this property on Schedule 10: 'Natural Heritage System' as "Significant Natural Areas". Schedule 10A: 'Natural Heritage System – ANSIs and Wetlands' further identifies this property as containing Provincially Significant Wetlands (PSW) and Locally Significant Wetlands.

Development is not permitted within "Significant Natural Areas" or their minimum buffers. Development or site alteration may be permitted within "Natural Areas" provided it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the protected natural features or their associated ecological functions. It is noted that the applications were submitted prior to OPA 42 being in effect and is processed under the 2001 Official Plan. However, the review of the applications has had regard for the policies of OPA 42.

Official Plan Amendment 48

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is currently under appeal is not yet in effect. Further, since the applications for the subject property were submitted prior to adoption of OPA 48, they are not required to conform to this plan. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

The proposed residential development is in conformity with the "Low Density Greenfield Residential" land use designation in OPA 48, which permits the range of housing forms included within the draft plan of subdivision. The proposed subdivision also meets the minimum and maximum density range stipulated within the "Low Density Greenfield" designation in OPA 48 (20 to 60 units per hectare), with a proposed density range between 22.62 and 26.15 units per hectare. Overall, the proposed subdivision and associated residential land uses conform to the goals and objectives of OPA 48.

Environmental Review

The Environmental Planner has reviewed the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications and has no concerns regarding these applications since the EIR has been previously reviewed and approved. The Environmental Planner has recommended that an Addendum to the EIR be prepared. This recommendation is included as a condition of draft plan approval.

Trail Development

The proposed development will accommodate a trail system as identified in the City's Trail Network. The proposed trail connects the open space areas within the subject property to the park and school property within previous phases of the Kortright East Subdivision. The trail will also connect to a proposed trail in the draft approved Victoria Park Village subdivision to the south.

STAFF REPORT



Site Servicing

Engineering has reviewed the subject applications and has advised that the subdivision can be serviced. Engineering has provided a number of draft plan approval conditions for the proposed development.

Subdivision Design and Integration with Surrounding Lands

Section 51(24) of the Planning Act sets out criteria that the City must consider when determining the appropriateness of the draft plan of subdivision and regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. The proposed subdivision has been designed to ensure that a comprehensive development pattern and integrated public street network can be implemented for the surrounding lands. The proposed subdivision has been designed in coordination with the adjacent existing residential subdivision. This will implement the development of a comprehensive public road network and servicing strategy that can incorporate undeveloped surrounding lands in an orderly and efficient development pattern.

The proposed draft plan of subdivision is consistent with the criteria of the Official Plan. The details are provided in the following sections:

a) The plan of subdivision conforms to the objectives, policies and land use designations of the Official Plan.

The lands within the proposed draft plan of subdivision are designated "General Residential" and "Core Greenlands" with a "Non-Core Greenlands Overlay". All forms of residential development are permitted in the General Residential designation. However, the general character of development will be low-rise housing forms. The maximum net density of development in the General Residential designation shall not exceed 100 units per hectare, and the physical character of existing established low density residential neighbourhoods will be respected wherever possible.

Schedule 1 of the Official Plan identifies that portions of the property are within the "Non-Core Greenlands Overlay". The "Non-Core Greenlands Overlay" applies to lands that may contain: natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. Development may occur on lands within the "Non-Core Greenlands Overlay" designation if an Environmental Impact Study has been completed and it can be demonstrated that no negative impacts will occur. The westerly portion of the property is designated "Core Greenlands" and development is not permitted or proposed within this designation. Development adjacent to this designation is permitted and an EIS has been previously submitted and approved to the satisfaction of the City and GRCA that demonstrates no negative impacts to the "Core Greenlands".

STAFF REPORT



b) The plan of subdivision can be supplied with adequate municipal services.

Engineering is satisfied that adequate municipal services can be supplied to this subdivision. Draft plan conditions cover the servicing and development of the subdivision.

c) The plan of subdivision will not adversely impact upon the transportation system, adjacent land uses and the natural environment.

The proposed draft plan of subdivision represents phase 4 of a multi-phased planned subdivision. A Traffic Impact Analysis was submitted as part of the approvals of the Phase 1 development of the lands. Staff have included conditions to ensure proper traffic co-ordination in the plan. Numerous conditions are included in the staff recommendation, to cover the environmental protection of all undevelopable lands in the plan. These lands will be dedicated to the City prior to the registration of the plan.

d) The plan of subdivision can be serviced economically without imposing an undue financial burden upon the Municipality.

The lands can be serviced and the development is subject to development charges.

e) The plan of subdivision proposal has incorporated all necessary studies and assessments to ensure impacts on natural heritage features and cultural heritage resources are minimized;

As noted previously an Environmental Implementation Report has been approved for all phases of the Kortright East Subdivision which demonstrates that development will not negatively impact natural heritage features.

An archaeological assessment was carried out as part of the Phase 1 draft plan of subdivision approval process. On November 19, 2007 the applicant received clearance from the Ministry of Culture that the archaeological concerns for the property had been addressed. There are no identified cultural heritage resources on the subject lands.

f) The plan of subdivision can be integrated with adjacent lands, subdivisions and streets:

The proposed street network connects to and is integrated with the existing streets in the earlier approved phases of the Kortright East development. The previous phases of development are primarily low rise and medium rise residential uses. The development in the proposed Phase 4 draft plan of subdivision will reflect surrounding building form, height, massing, scale and unit type.

STAFF REPORT

Trail networks and linkages are also proposed to increase pedestrian linkages and connectivity within the subdivision as well as to the City's trail network. The decision was made during the processing of the Victoria Park Village subdivision to the south, that there was to be no road connection between the Victoria Park Village subdivision and the Kortright East subdivision. There will be a trail connection between both developments.

g) The plan of subdivision is considered to be necessary, timely and in the public interest;

The approval of the proposed draft plan of subdivision is consistent with the City of Guelph Development Priorities Plan (2015). The purpose of the Development Priorities Plan is to manage the rate and timing of growth within the City.

h) The plan of subdivision is designed in accordance with accepted and contemporary subdivision design principles.

The subdivision design has been reviewed and accepted. The proposed lot sizes and locations provide for an efficient use of land and provide for a range of housing types and sizes.

Review of Proposed Zoning

The proposed zoning categories are appropriate to implement the range of residential dwelling types included within the draft plan. The zoning proposed for the single detached lots within the draft plan extends a consistent lotting pattern from the Kortright Phase 3 draft approved subdivision.

One specialized zoning regulation is requested for the single detached zones within the draft plan. The applicant has requested that the proposed single detached lots be zoned R.1D-43, which is the zoning used for lots in Kortright Phase 3. This specialized zone permits a minimum front yard setback of 4.5 metres to the habitable floor space and a 6 metre front yard setback to the garage face. A minimum setback of 6 metres would still apply to the front wall of the garage to ensure a parking space within the driveway could be accommodated. This specialized zoning regulation is appropriate to provide an opportunity for enhanced dwelling entrance features and will help ensure that garages do not dominate the streetscape.

Lots 1 to 29 are proposed to be semi-detached dwellings. The applicant has requested two specialized R.2 zones to accommodate specialized regulations related to lot frontage per lot and unit, lot area per lot and unit, maximum building coverage, maximum driveway width and front yard setback. The second specialized zone deals with additional reductions dealing with exterior side yard setbacks and areas for Lots 21 to 25. At the time of applications submission, the Zoning By-law allowed maximum driveway widths based on percentages, since application submission, the Zoning By-law regulations dealing with driveway widths

STAFF REPORT



have been changed to actual measurements. Section 4.13.7.2.3 of the Zoning By-law now sets out maximum driveway widths in a R.2 Zone of 3.5 metres. The specialized R.2 zones are in keeping with the semi-detached dwellings in the draft approved Kortright Phase 3 subdivision. Staff are satisfied with the requested specialized regulations for this Phase of the subdivision.

Statutory Public Meeting Comments

The Statutory Public Meeting was held on October 7, 2013. No members of the public spoke at the public meeting. There was one member of the public who signed in at the public meeting. Council did not request further follow-up on any items.

Development Priorities Plan

The proposed subdivision, containing a maximum of 215 residential units, is currently identified in the 2015 Development Priorities Plan (DPP) for draft plan approval in 2015.

The Phasing Policy for Large-scaled Subdivisions requires that draft plan approval of new large scale residential subdivisions containing more than 200 potential dwelling units or 10 hectares (25 acres) be brought forward for consideration in a logical phase or phases. Planning staff have considered this phasing policy in relation to this current application and consider it appropriate to bring forward this unit subdivision for draft plan approval in its entirety. This is based on the fact that there have been no draft plan approvals in 2014 and that the Development Priorities Plan will still control the timing of registration for this development if draft plan approval is granted for the entire subdivision.

Attachment 11 Community Energy Initiative Commitment



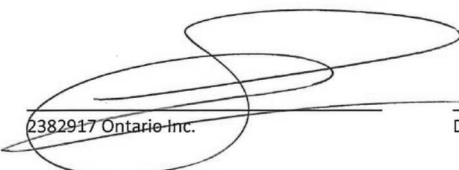
2382917 Ontario Inc. Commitment
Kortright East Subdivision – Phase 4
City File: 23T-01508

In addition to the owner's commitment to build all single detached and semi-detached units in the subdivision to SB-12 prescriptive compliance method, registered with Enerquality for an Energuide rating, the following measures have been incorporated into the overall design of the development to assist in the implementation of the City's Community Energy Plan.

		Standard Specification
Urban Development	A compact and well utilized site helps contain urban sprawl and eliminates underutilization of significant vacant areas of land within urban boundary.	X
	The density of this phase of the subdivision is between 53 and 62 persons per hectare.	X
	Proposed development is adjacent to a planned neighbourhood commercial development.	X
	Residential properties are within walking distance of a planned elementary school.	X
Erosion and sedimentation control	A comprehensive erosion and sedimentation control plan is in effect throughout redevelopment of the site.	X
Existing & Proposed Trees	New tree planting of native trees contributes to the overall rejuvenation of the urban forest.	X
Natural Areas	All wetland areas, natural heritage features and adjacent buffers are protected through the subdivision design	X
Alternative Transportation	Walking trails incorporated throughout development and adjacent open space area.	X
Site Lighting	The project incorporates exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operation controlled by light sensors.	X
Storm Water Management	Stormwater management plan incorporates the principles of Low Impact Development Controlled roof drains provided to control flow rate of storm water	X
		X
Reduced Water Consumption	Low flow faucets and showerheads and low volume flush toilets(HET high efficiency toilets) where possible	X

500 HANLON CREEK BLVD.
GUELPH, ONTARIO
N1C 0A1

T. 519 826 6700
F. 519 826 6701


2382917 Ontario Inc. June 19/15
Date

fusionhomes.com

STAFF REPORT



Attachment 12 Department, Agency and Public Circulation Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning		√	Subject to conditions in Attachment 3
Engineering*		√	Subject to conditions in Attachment 3
Parks Planning*		√	Subject to conditions in Attachment 3
Environmental Planning (Development)*		√	Subject to conditions in Attachment 3
Canada Post*		√	Subject to conditions in Attachment 3
Guelph Hydro*		√	Subject to conditions in Attachment 3
Hydro One	√		
Guelph Police	√		
Operations, Transit and Emergency Services	√		
Grand River Conservation Authority*		√	Subject to conditions in Attachment 3
Upper Grand District School Board		√	Subject to conditions in Attachment 3
Guelph and Wellington Development Association	√		
Guelph Fire	√		

* letters attached

Attachment 12 Department, Agency and Public Circulation Comments Summary (continued)

INTERNAL MEMO



DATE May 7, 2015
FILE 16.152.360
TO Lindsay Sulatycki, Senior Planner
FROM Mary Angelo, Supervisor, Development Engineering
SUBJECT Kortright East Phase 4 (1023 Victoria Road South)
23T- _____ and ZC1306

We provide the following draft plan conditions for the draft plan of subdivision and associated zoning by-law amendment prepared by BSR&D Limited dated April 15, 2013:

Conditions to be met prior to any grading or site alteration

1. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
2. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
3. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
4. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
5. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
6. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
7. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
8. The Developer shall retain a qualified **environmental inspector**, satisfactory to the City to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures and compliance with the Environmental Impact Study and the Environmental Implementation Report. The inspector shall report on their findings to the City.

9. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
10. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
11. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
12. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0metre** abutting existing residential properties without the permission of the City Engineer.
13. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person as defined in Ontario Regulation 153/04 to prepare and submit a **Phase One Environmental Site Assessment** and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
14. If contamination is found, the Developer shall:
 - a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards or Site Specific Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.

Conditions to be met prior to execution of subdivision agreement

15. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
16. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
17. With the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road

works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.

18. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
19. The Developer shall supply and erect **street name and traffic control signs** in the subdivision to the satisfaction of the City.
20. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City.
21. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
22. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
23. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
24. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.

Conditions to be met prior to registration of the plan

25. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
26. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
27. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
28. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
29. The Developer shall pay any **outstanding debts** owed to the City.
30. The Developer shall pay **development charges** to the City in accordance with By-law (2014)-19692, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.

31. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording “For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall.” The sign is to be resistant to weather and vandalism.
32. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City’s subdivision agreement to be registered on title :
 - a) “Purchasers and/or tenants of specified lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard.”
 - b) “Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling.”
 - c) “Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic”.
 - d) “Purchasers and/or tenants of all lots or units are advised that the boundaries of the Open Space and Stormwater Management Blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy.”
33. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
34. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer’s expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
35. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
36. The Developer shall pay to the City the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook** to all future residents within the Plan with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
37. The Developer shall meet all conditions and recommendations of the **Traffic Impact/Management Report** and shall implement all conditions and recommendations to the satisfaction of the City, prior to the registration of each phase of the subdivision. Further, the Developer has submitted a Traffic Calming Management Plan to the City for approval and shall incorporate the recommendations into the final subdivision design and shall implement all conditions and recommendations to the satisfaction of the City. Further, the Developer shall implement the recommended traffic calming measures described in the Kortright East Extension – Traffic Calming Recommendations report prepared by Paradigm Transportation Solutions Limited dated January 3, 2005.
38. The Developer shall pay to the City the **cost of any existing services** within or abutting the proposed subdivision, as determined by the City.
39. The Developer shall make arrangements, satisfactory to City, concerning the **scheduling of the development**

and the developers payment of cost for services for the subdivision.

40. The Developer shall **phase** the subdivision to the satisfaction of the City.

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

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

We trust that these conditions are helpful. Please do not hesitate to contact me if you have any questions.

Mary Angelo, P. Eng.
Supervisor, Development Engineering

INTERNAL MEMO



DATE June 12, 2015
TO **Lindsay Sulatycki**
FROM Helen White
DIVISION Parks and Recreation
DEPARTMENT Public Services
SUBJECT Proposed Draft Plan of Residential Subdivision and associated Zoning By-Law Amendment – ZC1306 Kortright East Phase 4

Park Planning has reviewed the application for the above noted Proposed Draft Plan of Subdivision (Proposed Draft Plan dated April 15, 2013), and offers the following comments:

Trails

Please note that costs of the following items shall be direct developer responsibilities as a local service in accordance with the current Development Charges By-Law and Background Study Appendix E: Local Service Policy:

- a. all costs associated with any recreational trails to be constructed within the development that are not considered part of the Trails Network (as incorporated in Section 7 of the Official Plan); and
- b. rough grading and any associated infrastructure (bridges and abutments, guard and hand rails, retaining walls) of all recreational trails and multi-use paths that are considered part of the Trails Network (as incorporated in Section 7 of the Official Plan) within the development.

The trail in Kortright East Phase 4 is in the City's Trails Network, so only item b. applies.

Proposed Zoning:

The zoning is acceptable.

Open Space Block:

The open space block is acceptable.

Lot Fabric and Layout:

The lot fabric and layout is acceptable.

Conditions for Subdivision Development Agreement:

Based on my review of the Proposed Draft Plan of Subdivision, I recommend the following subdivision approval conditions:

Conditions to be met prior to execution of subdivision agreement

STAFF REPORT

Lindsay Sulatycki
June 12, 2015
RE: ZC1306 Kortright East Phase 4
Page 2 of 4

1. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
2. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
3. The Developer shall be responsible for the cost of detailed design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Deputy CAO of Public Services and the City Engineer. This shall include the submission of drawings for approval completed by a full member, with seal, of Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Deputy CAO of Public Services.
4. The Developer shall be responsible for the cost of design and development of the **"Basic Trail Development"** as per the City of Guelph current "Specifications for Basic Trail Development", which includes rough grading and drainage, any associated infrastructure (bridges and abutments, guard and hand rails, retaining walls) and sodding/ seeding to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the Basic Trail Development to the satisfaction of the Deputy CAO of Public Services.
5. The Developer shall provide Community and Social Services with a digital file in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks.
6. The Developer shall install, at no cost to the City, chain link fencing, adjacent to Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the General Manager of Planning and Building Services. Further, all

Lindsay Sulatycki
June 12, 2015
RE: ZC1306 Kortright East Phase 4
Page 3 of 4

property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.

Conditions to be met prior to registration of the plan

7. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".
 - "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9 that abut City lands".
 - "Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9 and that public access to this trail will occur adjacent to Block 30, between Lots 8 and 9, between Blocks 34 and 35, between Blocks 33 and 39, between Blocks 38 and 39.
 - "Purchasers and/or tenants of all lots are advised that the Stormwater Management Blocks have been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."
 - "Purchasers and/or tenants of all lots are advised that the Open Space Blocks have been retained in their natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
 - "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
 - "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to Blocks 30, 31, 33, 34, 35, 38, 39, and Lots 8 and 9.
8. The Developer agrees to provide temporary signage describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the

STAFF REPORT

Lindsay Sulatycki
June 12, 2015

RE: ZC1306 Kortright East Phase 4

Page 4 of 4

development, at the street frontages of the park block and Open Space Block 40 to the satisfaction of the General Manager of Planning and Building Services. The signage shall:

- advise prospective purchasers of dwellings in the area of the type of park, open space and trail and level of maintenance of these parcels of land by the City;
- clearly state that the maintenance of the park and open space blocks are the responsibility of the Developer until such time as the City accepts the park and open space blocks, and
- clearly state that all questions relating to the maintenance of the park and open space block shall be directed to the Developer until such time as the City accepts the park and open space blocks.

The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the park and open space blocks by the City.

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

Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, I would support the proposed development subject to the conditions outlined above.

Regards,

Helen White
Park Planner

Parks and Recreation
Public Services
Location: City Hall

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

C Mary Angelo, Kristene Scott, Prachi Patel

File #P:\CommunityServices\Riverside_Park Planning\PLANNING\SOUTH DISTRICT\Subdivisions\Kortright Road East\Kortright Rd East - Phase 4\Revised Draft Plan\Park Planner comments_ZC1306 Kortright East Phase 4 .doc

STAFF REPORT

INTERNAL MEMO

DATE February 10th, 2014
TO **Al Hearne**
FROM Adèle Labbé
DIVISION PBEE
DEPARTMENT Planning
SUBJECT Kortright East Phase 4 (1023 Victoria Rd S)

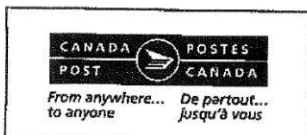
Hello Al,

I have no major concerns for this Plan of Subdivision because the EIR was completed and approved in 2007/08. As such, the limits of development have been previously approved by the City and agencies.

As such, I would recommend the following condition of approval be included:

Prior to any grading, tree removal or site alteration:

- a) The developer will complete and EIR Addendum to update the EIR prepared by Stantec Consulting and dated 2007/08 to the satisfaction of the General Manager of Planning. The EIR will provide details with respect to the wildlife corridors and crossings, tree management plan, pedestrian trails, stormwater management plan as well as grading, drainage and erosion and sediment control plan within the Phase 4 lands.
- b) The developer shall complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.



CANADA POST
2701 RIVERSIDE DR
OTTAWA ON K1A 0B1

POSTES CANADA
2701 PROM RIVERSIDE
OTTAWA ON K1A 0B1

July 09, 2013

Allan C. Hearne
Senior Development Planner/Planning Service
Planning, Building, Engineering and Environment
City Of Guelph

Reference: File # 23T-1508/ZC1307
1023 Victoria Road South

Allan,

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Guelph. Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).

CMB set-up fee

1. Canada Post will charge the developer a CMB set-up fee to activate all new addresses and to install all CMB equipment. The fee will be applied at a rate of \$200 for every new mailing address within the subdivision.
2. Developers will be required to sign a Community Mailbox Developer Agreement and pay the address activation fee by way of a security deposit.
3. Canada Post will invoice the developer upon installation of the CMB(s). The developer is expected to notify Canada Post of key project dates, including the anticipated site release date and the first occupancy dates. Any changes in the number of addresses will be reflected in the final invoice and may require an additional payment or a partial refund.

Municipal requirements

1. Canada Post has standardized the language that requests be integrated into municipal agreements (see Appendix A).
2. Please update our office if the project description changes so that we may determine the impact (if any).
3. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

www.canadapost.ca

www.postescanada.ca

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional municipal requirements and Appendix B for any specific requirements for this developer.

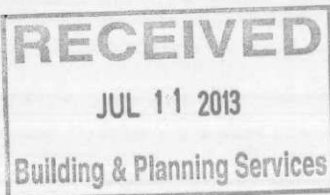
Regards,
Ian R MacNeil
Delivery Services Officer | Delivery Planning
955 Highbury Ave
London ON N5Y 1A3
1-519-777-6249
ian.macneil@canadapost.ca

c.c.: Black, Shoemaker, Robinson & Donaldson Limited – Nancy Shoemaker

STAFF REPORT

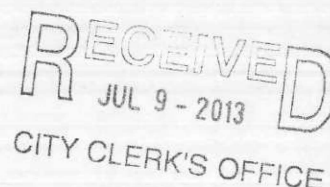


July 8, 2013



Copy: Planning & Legal Engineering.
395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4719
Fax: 519-822-4963
Email: mwittmund@guelphhydro.com
www.guelphhydro.com

Mr. Blair Labelle
City Clerk
City of Guelph
Planning, Engineering and Environmental Services
1 Carden Street
Guelph, ON N1H 3A1



Dear Sir:

Re: 1023 Victoria Road South (File No. 23T-01508/ZC1306)

We would like to submit the following comments concerning this application:

Given the proposed plan, dated April 19, 2013:

1. Hydro supply for this development will be from future roads in part of Phase 3 of the Kortright East Subdivision.
2. Hydro supply in Phase 3 of the Kortright East Subdivision is required to be installed prior to beginning construction on hydro servicing of 1023 Victoria Road South.
3. The hydro services for this subdivision should be underground except for pad-mounted transformers.
4. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.

-2-

STAFF REPORT

-2-

5. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and street light poles or pad-mounted transformers. Any relocations required would be done at the owner's expense.
6. Low-profile, pad-mounted transformers may be located in boulevards provided the boulevard width is not less than 3.5 metres. Otherwise, we will require 4.2 metre by 4.2 metre easements for transformers on a number of the lots.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.



Michael Wittemund, P.Eng.
Director of Engineering

MW/gc

STAFF REPORT



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

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

RECEIVED

OCT 07 2013

PBEE

October 3rd, 2013

City of Guelph, Planning
City Hall
59 Carden Street
Guelph, Ontario N1H 3A1

Attention: Allan C. Hearne

**Re: Proposed Draft Plan of Subdivision and Zoning By-law Amendment
1023 Victoria Road South (Phase 4 of Kortright Road East Subdivision)
File: 23T-01508/ZC1306**

Based on the information submitted we have no objection to the proposed rezoning and to the plan receiving draft approval subject to the following conditions.

1. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:
 - a) A final stormwater management report in accordance with the Preliminary Site Servicing and Stormwater Management Design report;
 - b) An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - c) Detailed lot grading and drainage plans.
 - d) The approval and issuance of a Permit from the GRCA for any development within the regulated areas on the subject lands pursuant to Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).
 - e) Addendum to the "2007 Kortright East Extension Subdivision – Remaining Lands Environmental Implementation Report (EIR)" to the satisfaction of the Grand River Conservation Authority in consultation with the City of Guelph specific to trail development and connectivity with existing and proposed trails for the surrounding area.

Yours truly,

A handwritten signature in black ink, appearing to read "Nathan Garland".

Nathan Garland
Resource Planner
Grand River Conservation Authority

cc: Nancy Shoemaker, BSRD

STAFF REPORT



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

Martha C. Rogers
Director of Education

June 22, 2015

PLN: 15-39

File Code: R14

Sent by: mail & email

Lindsay Sulatycki, MCIP, RPP
Senior Development Planner
Planning Services
Infrastructure, Development and Enterprise
City of Guelph

Dear Ms. Sulatycki;

Re: **Proposed Draft Plan of Subdivision**
23T-01508/ZC1307 – Kortright East, Phase 4

Planning staff at the Upper Grand District School Board has received and reviewed the above notice of a complete application for a proposed draft plan of subdivision to permit the development of between 186-215 dwelling units in phase 4 of the Kortright East subdivision.

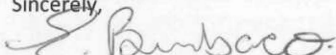
The Planning Department at the Upper Grand District School Board **does not object** to the application, subject to the following conditions:

- Education Development Charges shall be collected prior to the issuance of a building permit;
- The developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DWG format containing parcel fabric and street network;
- The developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents about schools in the area; and
- That adequate sidewalks, lighting and snow removal is provided to allow children to walk safely to school or to a congregated bus stop.

In order to promote active transportation and allow students to walk to school, we request that the City require sidewalks on at least one side of all 17 metre wide right of ways in the development, particularly street number 11 which aligns with a proposed trail connection in the development to the south of the subject site.

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

Sincerely,



Emily Bumbaco
Planning Technician

Attachment 13 Public Notification Summary

April 19, 2013	Applications received by the City of Guelph
May 31, 2013	Applications deemed complete
June 21, 2013	Notice of Complete Application mailed to prescribed agencies and surrounding property owners within 120 metres
September 12, 2013	Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres
September 12, 2013	Notice of Public Meeting advertised in the Guelph Tribune
October 7, 2013	Statutory Public Meeting of City Council
June 22, 2015	Notice of Decision Meeting sent to parties that commented or requested notice
July 13, 2015	City Council Meeting to consider staff recommendation

STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE July 13, 2015

**SUBJECT Request for an Extension of Draft Plan Approval
927 and 1023 Victoria Road South (Phase 3 of Kortright
East Subdivision)
(File: 23T-01508)
Ward 6**

REPORT NUMBER 15-58

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to grant a 3 year extension of draft approval for the residential subdivision at 927 and 1023 Victoria Road South.

KEY FINDINGS

Planning staff support the request for an extension of Draft Plan Approval subject to the Conditions of Draft Plan Approval.

FINANCIAL IMPLICATIONS

None arising from this report.

ACTION REQUIRED

Council is being asked to approve the Draft Plan Approval extension with a lapsing date of 3 years.

RECOMMENDATION

1. That the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Gamma Developers Limited and Fusion Homes (formerly owned by Northmanor Estates Inc.) for an extension to the Draft Plan Approval of subdivision on lands municipally known as 927 and 1023 Victoria Road South (23T-01508) and legally described as Part of Lots 3 and 4, Concession 8 (Geographic Township of Puslinch), City of Guelph, be approved with a three (3) year lapsing date, subject to the conditions contained in Attachment 4 of Infrastructure, Development and Enterprise Report 15-58, dated July 13, 2015.

BACKGROUND

Phase 3 of the Kortright East Subdivision was draft approved on October 1, 2012. The draft plan was approved to accommodate 119 single detached lots, 31 semi-

STAFF REPORT



detached lots (62 units) and 7 on-street townhouse blocks (34 on-street townhouse units). This phase fits into a larger subdivision community known as the Kortright East Subdivision and the owners have registered a number of phases over the past 10 years (see Attachment 2 for the Kortright East Subdivision Phasing Plan).

Both Gamma Developers Limited and Northmanor Estates Inc. applied for draft plan of subdivision approval and a zone change for Phase 3 in 2010. A Decision Report was presented to Council on October 1, 2012 and Phase 3 received Draft Plan Approval. The associated Zoning By-law Amendment was approved on October 22, 2012. Since draft approval, Gamma Developers Limited has registered Phase 3A of the draft Plan and the Northmanor Lands in Phase 3 have been sold to Fusion Homes. Both owners are actively working towards registration of the final two phases of Phase 3 (phases known as Phase 3b and 3c), however, it appears unlikely that registration for this subdivision will occur prior to the lapsing date of October 1, 2015. Attachment 4 depicts ownership of Phase 3 lands.

Detailed land use planning for this area was completed in 1999 with approval of the South Gordon Community Plan and the Torrance Creek Sub-watershed Study. The land assembly for the proposed large-scale Kortright East subdivision is comprised of three separately owned land parcels with frontage on Victoria Road South. The City annexed these and other lands from the Township of Puslinch in 1993 to accommodate projected urban growth. The subject lands have been historically used for agricultural purposes.

On October 21, 2003, City Council approved the first phase of the development because it could be readily serviced from the west. Phase 1 included 42 single-detached lots, storm water management facilities and an open space/wetland block and was registered on April 11, 2005 as Plan 61M-113.

Phase 2 of the development lands was draft plan approved by the City on January 3, 2006. Since the lands affected by Phase 2 were held in three distinct ownerships, Phase 2 was registered in three distinct components as follows:

- i. Phase 2c, owned by Northmanor Estates Inc., contained 2 cluster townhouse blocks and blocks for open space and storm water management facilities. This plan was registered on April 21, 2009 as Plan 61M-158.
- ii. Phase 2b, owned by Gamma Developers Limited, contained 48 detached lots, 1 cluster townhouse block, 1 commercial block, 1 school block, 1 park block and included storm water management blocks and wetlands and open space blocks. This plan was registered on July 3, 2009 as Plan 61M-161. This plan completed the road connection between the established residential subdivisions along Kortright Road East and Victoria Road South.

STAFF REPORT



- iii. Phase 2a, owned by Bluewater Investments Limited, contained 53 single-detached lots and a storm water management facility and was registered on July 3, 2009 as Plan 61M-162.

Phase 3 includes a range of detached residential, semi-detached residential and on-street townhouse units with a proposed total unit of 215 units. Phase 3 also includes a dedicated parkland area and proposed trail connectivity throughout the site to link to surrounding neighbourhoods.

Phase 3 of the development was draft plan approved by the City on October 1, 2012. Since then, Phase 3A owned by Gamma Developers Limited (with 56 single detached residential lots, four on-street townhouse blocks (to accommodate 21 townhouse units) and seven 0.3 metre reserve blocks) was registered on December 4, 2014 as Plan 61M-197.

During the approval of Phases 1 and 2 of the development lands, the Environmental Impact Study, the Servicing and Stormwater Management Plan and the Environmental Implementation Report covering the entire development, was approved by the City and agencies.

Section 51 (33) of the *Planning Act* allows the municipality to grant an extension of draft plan approval. In the event this draft plan extension is not approved by Council, this subdivision approval will lapse on October 1, 2015 and the owners would have no subdivision planning approvals in place. This would necessitate the submission of new draft plan of subdivision application for the subject lands.

Location

The lands are legally described as Part of Lots 3 and 4, Concession 8 (Geographic Township of Puslinch), municipally known as 927 and 1023 Victoria Road South (See Location Map in Attachment 1).

The subject lands have a total site area of 15.897 hectares (39.3 acres) with frontage on MacAlister Boulevard and McCann Street. The lands are bounded to the north by the Kortright Phase 2 residential subdivision lands and to the west and south by additional development lands owned by Fusion Homes. The lands are bounded to the east by the Torrance Creek Wetlands and associated open space blocks that were dedicated to the City during the registration of Phase 2.

Existing Official Plan Designations

The application for Draft Plan of Subdivision and application to amend the Zoning By-law were received in 2010 and therefore were evaluated against the Greenlands system policies of the Official Plan. The Official Plan land use designations that applied to the subject lands at the time of submission of the applications were "General Residential" and "Core Greenlands" with a "Non-Core Greenlands Overlay" (as shown in Attachment 6). The existing Official Plan land use designations that

STAFF REPORT



apply to the subject lands are "General Residential" and "Significant Natural Areas and Natural Areas" (as shown in Attachment 7).

Existing Zoning

The associated Zoning By-law Amendment for Kortright East Phase 3 lands was passed on October 22, 2012. The existing zoning for the Phase 3 lands can be found in Attachment 8.

REPORT

Staff are recommending approval of the draft plan extension, subject to the conditions outlined in Attachment 5. The requested draft plan extension is supported on the basis that the plan remains an appropriate subdivision that will contribute towards meeting the intensification targets within the built boundary as per "Places to Grow" policy. The draft plan continues to conform to the land use policies of the current Official Plan and land use policies of Official Plan Amendment 48 and represents a low-rise residential development that is considered compatible with the surrounding neighbourhood in terms of its scale, intensity and design.

Extending the draft plan of subdivision approval will provide additional time to allow the owners to register the final two phases of Phase 3. Planning staff support the request to extend Kortright East Phase 3 Draft Plan Approval (owned by Gamma Developers Limited and Fusion Homes) with a 3 year lapsing date.

CORPORATE STRATEGIC PLAN

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

DEPARTMENTAL AND AGENCY CONSULTATION

The *Planning Act* does not require a circulation to agencies for an extension of draft plan approval.

The conditions of draft plan approval included in Attachment 5 that apply to the unregistered phases remain relevant and include all the conditions previously endorsed by City Council, with some revisions made to update standard wording and new service area names and staff titles. These revisions are considered minor and, therefore, no further notice under the *Planning Act* is required.

Section 51 (33) of the *Planning Act* allows the municipality to grant an extension of draft plan approval. In the event this draft plan extension is not approved by Council, this subdivision would lapse on October 1, 2015 and the owners would have no planning approvals in place. This would necessitate the submission of a new draft plan of subdivision application for the subject lands.

FINANCIAL IMPLICATIONS

None arising from this report.

STAFF REPORT



COMMUNICATIONS

Not applicable; draft approval extension does not require public notification.

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Kortright East Subdivision Phasing Plan
- Attachment 3 - Approved Draft Plan of Subdivision and Details
- Attachment 4 - Kortright East Subdivision – Phase 3 Locational Context Map
- Attachment 5 - Conditions of Draft Plan Approval
- Attachment 6 - 2001 Official Plan Land Use Designations
- Attachment 7 - Official Plan Amendment #42 Land Use Designations
- Attachment 8 - Existing Zoning

Report Author

Lindsay Sulatycki
Senior Development Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning

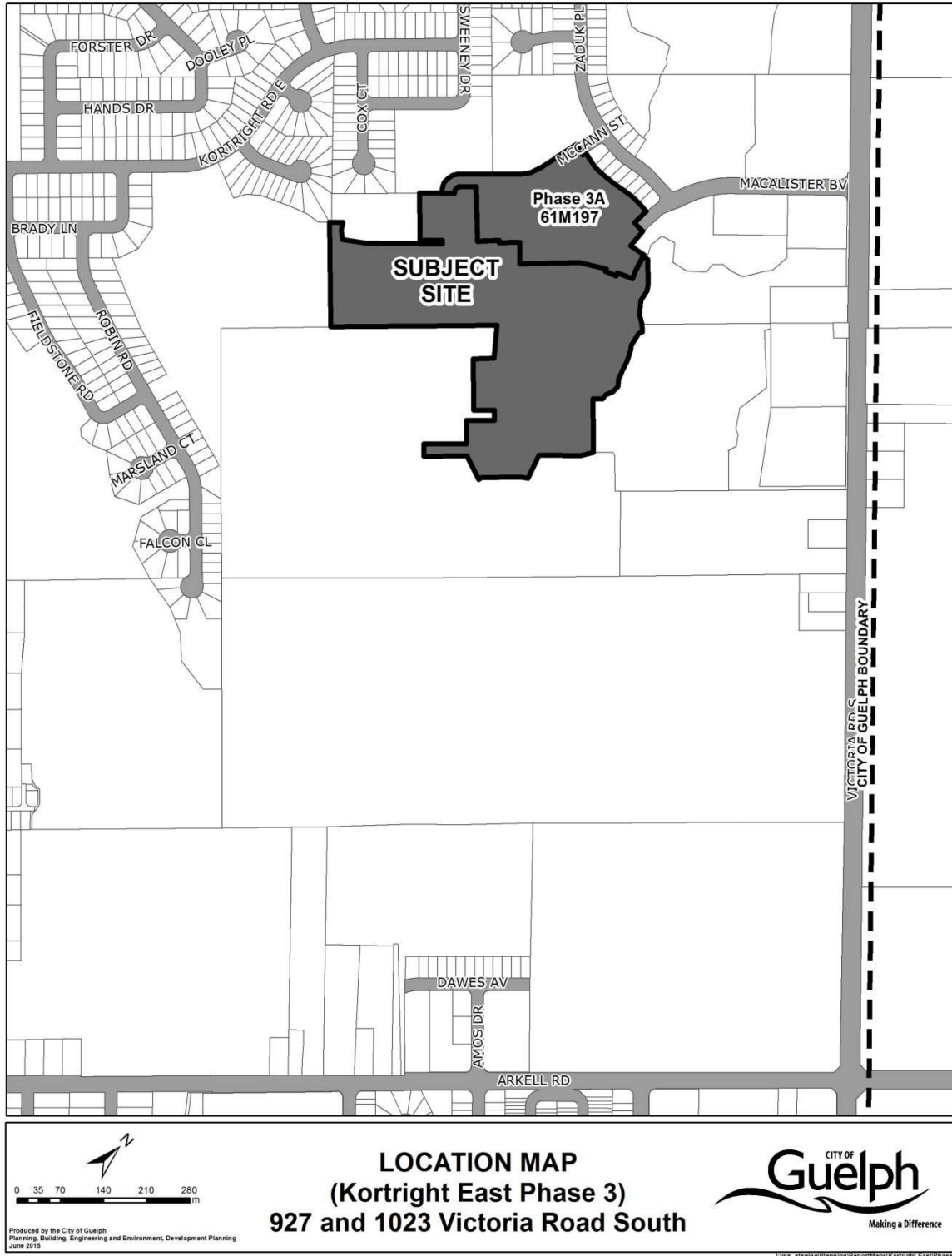
Approved By

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

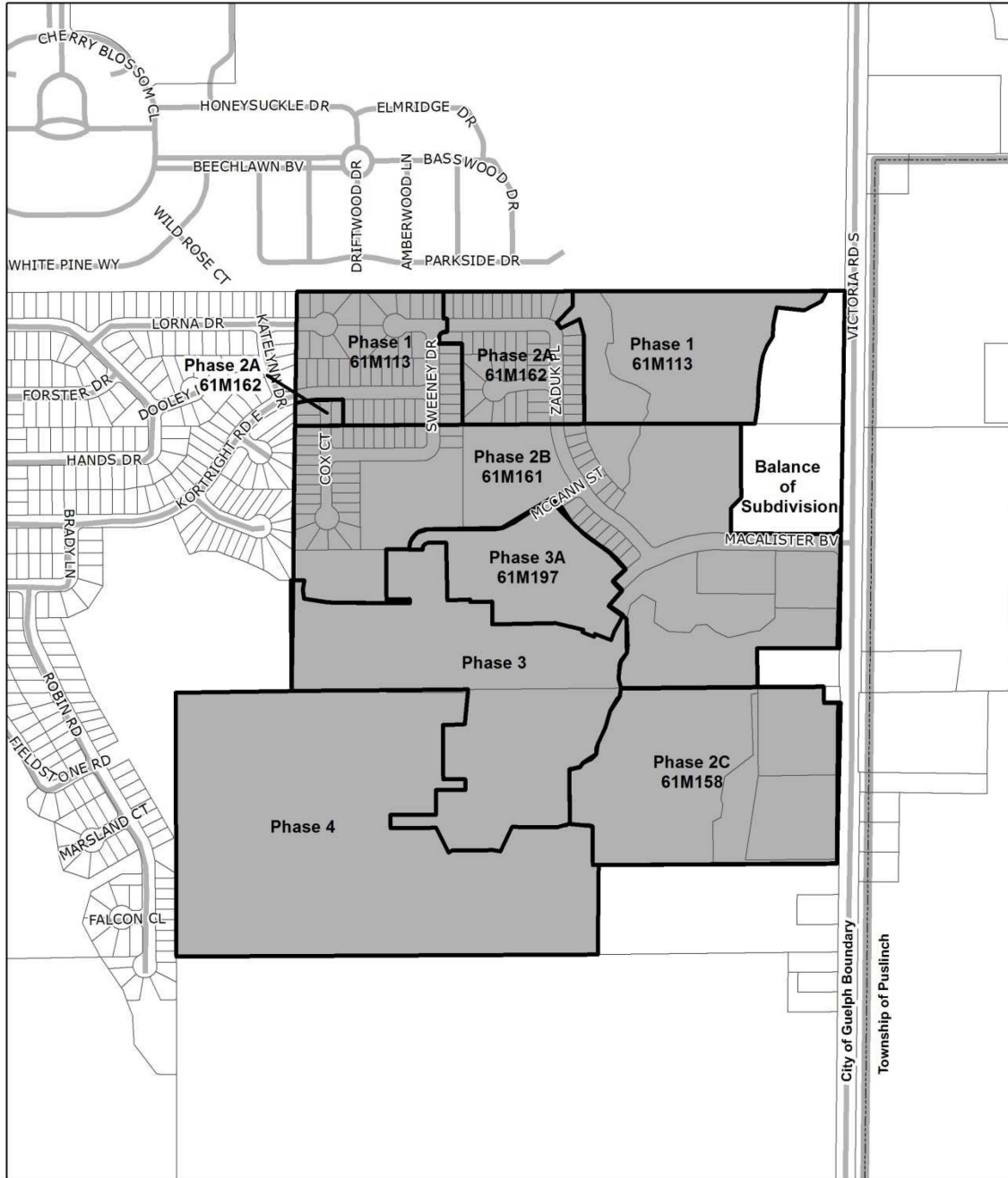
Recommended By

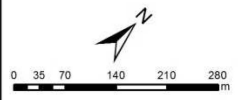
Al Horsman
Deputy CAO
Infrastructure, Development and
Enterprise
519.522.1260, ext. 5606
al.horsman@guelph.ca

Attachment 1 Location Map




Attachment 2 Kortright East Subdivision Phasing Plan





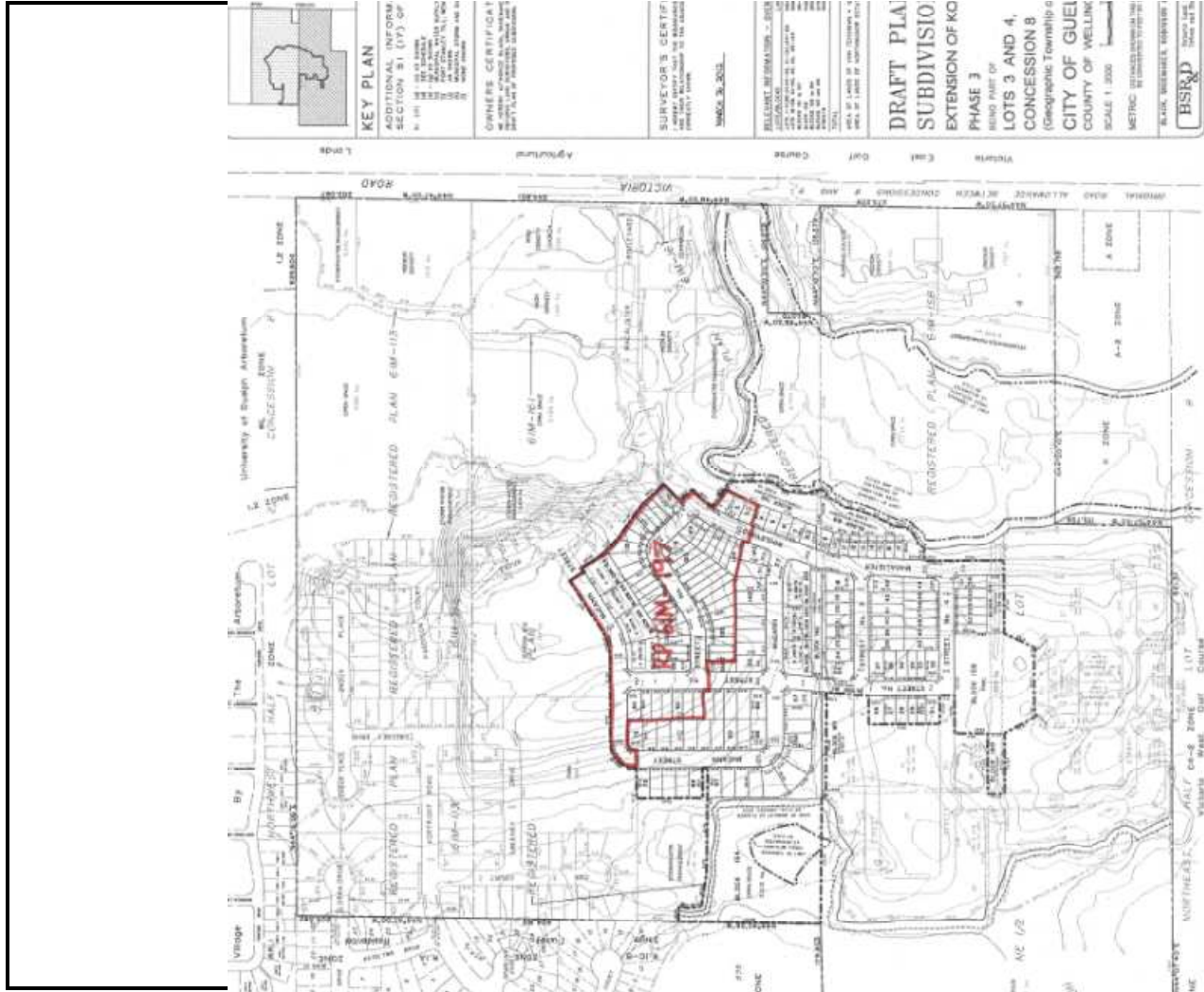
LOCATION MAP
Kortright East Phasing Plan



Produced by the City of Guelph
Planning, Building, Engineering and Environment, Development Planning
September 2013

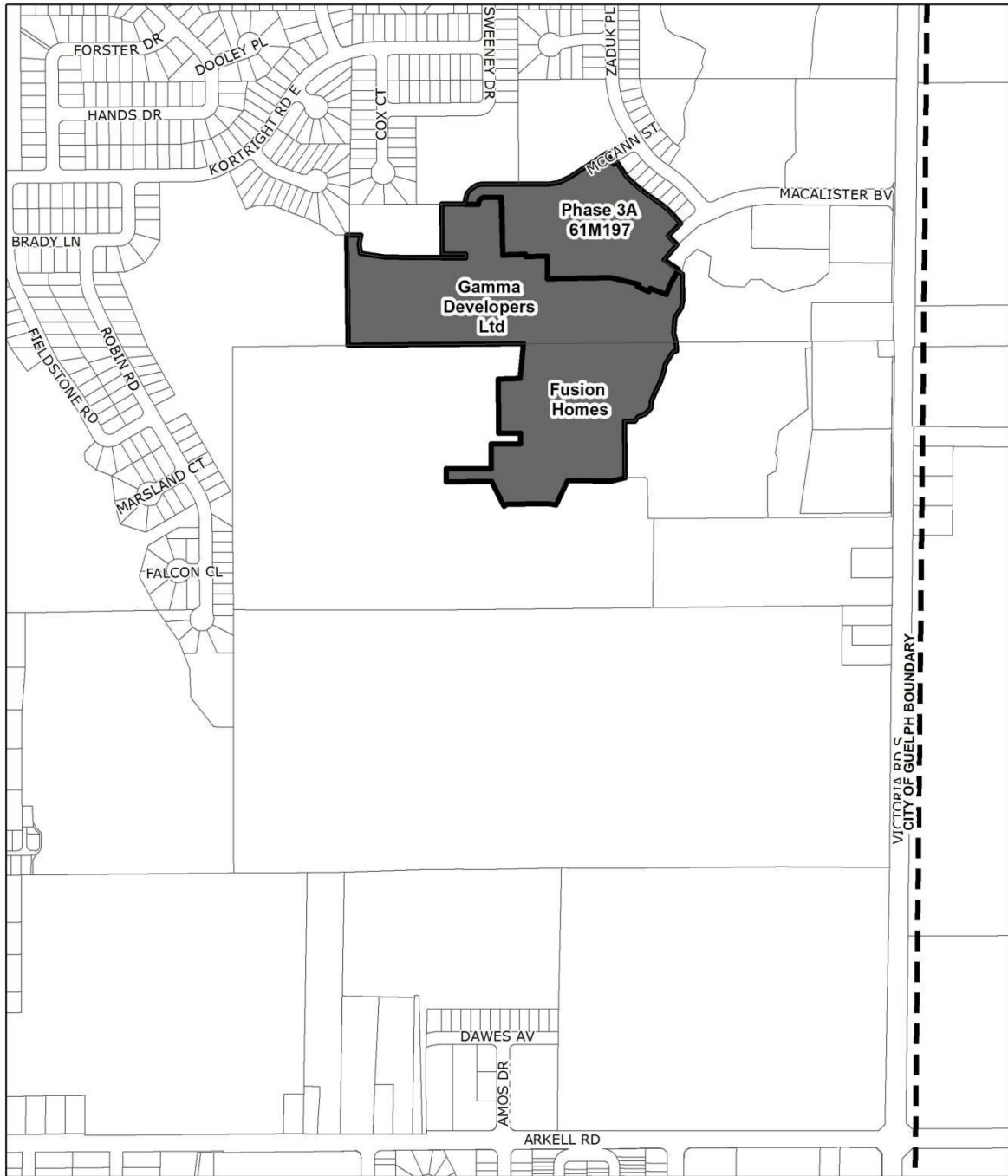
I:\planning\Planning\Reports\Maps\Kortright RD E - Phase 4

Attachment 3 Approved Draft Plan of Subdivision and Details



Attachment 4 Kortright East Subdivision – Phase 3 Locational Context Map

STAFF REPORT



Attachment 5 Conditions of Draft Plan Approval

Part A: Draft Plan of Subdivision Conditions

That the application by Black, Shoemaker, Robinson & Donaldson Ltd, on behalf of Wolf von Teichman and Northmanor Estates Inc. for approval of a draft plan of subdivision to permit Phase 3 of the Kortright East Subdivision comprising a total of 215 dwelling units on lands legally described as described as Part of Lots 3 and 4, Concession 8, Geographic Township of Puslinch, and municipally known as 927 and 1023 Victoria Road South, City of Guelph, **be approved**, with a three year lapsing provision, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to a **draft plan of subdivision** prepared by Black, Shoemaker, Robinson & Donaldson Ltd (Project No. 07-7364-5), on behalf of Wolf von Teichman and Northmanor Estates Inc. dated March 16, 2012, identifying 215 dwelling units, including the following minor adjustment: That the road allowance for Streets 3 and 4 adjacent to Lots 26 and 31 be extended to permit full servicing of the lots to the satisfaction of the City Engineer and that both road allowances terminate with a 0.3 metre reserve.

Conditions to be met prior to any grading or site alteration

2. The Developer shall follow the approved **tree inventory and conservation plan**, satisfactory to the General Manager of Planning, Urban Design and Building Services and City Engineer, in accordance with City of Guelph By-law (2010)-19058, prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
4. That the Developer shall prepare a **construction traffic access and control plan** for all phases of servicing and building construction based on the use of Victoria Road as the sole means of access to the satisfaction of the City. Any costs related to the implementation of such a plan shall be borne by the Developer. Any damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost.
5. The Developer agrees that no work, including, but not limited to tree removal, grading or construction, will occur on the lands until such time as the Developer has obtained **written permission** from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**,

STAFF REPORT

satisfactory to the City Engineer, for the entire subdivision. The plan will place emphasis on the minimal disruption of the lands natural topography and shall minimize cut and fill and area grading to that which is required to service the subdivision to the required standards. The plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.

8. The Developer has prepared an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The report includes a monitoring program to assess the performance of the storm water management facilities and a public education program for residents. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
9. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
10. The Developer shall retain a qualified environmental inspector, satisfactory to the General Manager of Planning, Urban Design and Building Services to inspect the site during all phases of development and construction including grading, servicing and building construction. The **Environmental Inspector** shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environmental Impact Study and the Environment Implementation Report on a weekly or more frequent basis if required. The Environmental Inspector shall report on their findings to the City on a monthly or more frequent basis.
11. The Developer shall submit a detailed **Storm Water Management Report** and Plans to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the Torrance Creek Subwatershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
12. The developer shall ensure that any **domestic wells** located within the lands be properly decommissioned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on

the block/lot so disturbed.

14. The Developer acknowledges that the City does not allow **retaining walls** higher than 1.0metre abutting existing residential properties without the permission of the City Engineer.
15. Prior to any development or grading of the site, the Developer shall submit to the City, a report indicating how regular **dust suppression** will be accomplished during the servicing and house construction phases of the subdivision.
16. The developer has completed an **archaeological assessment** of the subject property and mitigated, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

Conditions to be met prior to execution of subdivision agreement

17. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
18. The Developer shall have engineering drawings and **final reports** prepared for the approval of the City Engineer.
19. With the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the **total cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
20. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
21. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.

22. The Developer is responsible for the total cost of preparing a **tree planting plan** for the roadways shown on the plan of subdivision and implementing such plan to the satisfaction of the City.
23. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
24. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
25. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City Engineer for approval of driveway location.
26. The Developer shall pay the cost of the installation of one Second Order Geodetic **Benchmark** within the proposed subdivision to the satisfaction of City Engineer.

Conditions to be met prior to registration of the plan

27. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
28. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** and any other subsequent phases required, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
29. If contamination is found, the Developer shall:
 - a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use;
 - c) and file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.

STAFF REPORT



30. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
31. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993", with the exception of any road widths.
32. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
33. The Developer shall pay any **outstanding debts** owed to the City.
34. The Developer shall pay **Development Charges** to the City in accordance with By-law (2014)-19692, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.
35. The Developer shall **erect and maintain signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall." The sign is to be resistant to weather and vandalism.
36. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title :
 - a) "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on

- City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling.”
- c) “Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on any street at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages.”
- d) “Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, that ongoing construction activities may occur, and there will be potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic”.
- e) “Purchasers and/or tenants of all lots or units are advised that the boundaries of the Open Space and Stormwater Management Blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy.”
- f) “Purchasers and/or tenants of all lots or units are advised that the stormwater management pond has been vegetated to create a natural wetland setting. The City will not carry out routine maintenance such as grass cutting.”
- g) “Purchasers and/or tenants of all lots or units are advised that Streets 3, 4 and Macaslister Blvd. will be extended at some future date when the adjacent lands are developed.”
37. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
38. The Developer shall ensure that **street lighting and underground wiring** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
39. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
40. The Developer shall pay to the City the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook** to all future residents within the Plan with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
41. The Developer shall demarcate the boundary of the Stormwater Management Pond with a 1.8metre high black vinyl **chain link fence** to the satisfaction of

STAFF REPORT

the City.

42. The Developer shall convey **Lots 26 and 31** at the expense of the Developer to the City and held until the adjacent future street can be constructed and extended beyond the current terminus, unless the future streets can be extended to adequately service the lots to the satisfaction of the City Engineer. Ultimately, the Developer is responsible for maintaining these two lots including, but not limited to, weed and pest control.
43. The Developer shall meet all conditions and recommendations of the **Traffic Impact/Management Report** and shall implement all conditions and recommendations to the satisfaction of the City, prior to the registration of each phase of the subdivision. Further, the Developer has submitted a Traffic Calming Management Plan to the City for approval and shall incorporate the recommendations into the final subdivision design and shall implement all conditions and recommendations to the satisfaction of the City. Further, the Developer shall implement the recommended traffic calming measures described in the Kortright East Extension – Traffic Calming Recommendations report prepared by Paradigm Transportation Solutions Limited dated January 3, 2005.
44. That the developer **deeds to the City** any lands in the plan that are required by the City for Storm Water Management Facilities, parks, wetlands and buffers and open space. Furthermore, the developer shall demarcate the boundaries of any lands conveyed to the City in accordance with the policies of the City.
45. That the developer shall pay to the City the cost of any **existing services** within or abutting the proposed subdivision, as determined by the General Manager, Planning Services.
46. That the developer makes arrangements, satisfactory to the General Manager of Planning, Urban Design and Building Services, concerning the **scheduling** of the development and the developers payment of cost for services for the subdivision.
47. That the developer **phases** the subdivision to the satisfaction of the City.
48. That the developer shall at its expense implement and address all recommendations contained in the **Environmental Impact Study** that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City.
49. That the developer shall dedicate **Block 158 for parks purposes** in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.

STAFF REPORT

50. The Developer shall be responsible for the cost of design and development of the "**Basic Park Development**" as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading and sodding for any phase containing a Park block to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the Basic Park Development for the Park Block to the satisfaction of the Deputy CAO of Public Services.
51. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
52. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
53. The Developer shall design and develop the **Storm Water Management Facility Landscaping** in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Deputy CAO of Public Services and the City Engineer. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services.
54. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Deputy CAO of Public Services and the City Engineer. This shall include the submission of drawings completed by an Ontario Association of Landscape Architects

STAFF REPORT

(OALA) member for approval to the satisfaction of the Deputy CAO of Public Services.

55. The Developer shall provide Planning Services and Public Services with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks.
56. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- a) "Purchasers and/or tenants of all lots or units are advised that public trails will be installed abutting or in close proximity to Lots 1-17, 51-56 and 62-72, and that public access to these trails will occur adjacent to Lots 1 and 17.
 - b) "Purchasers and/or tenants of all lots are advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."
 - c) "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
 - d) "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
 - e) "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to all lots abutting these lands."
 - f) "Purchasers and/or tenants of all lots or units abutting City owned lands to be demarcated with fencing are advised that no private gates will be allowed."
-

STAFF REPORT



57. The Developer shall identify the proposed park, open space, trails and demarcation types on all **temporary entrance signs** for the development to the satisfaction of the Deputy CAO of Public Services.
58. The Developer shall provide **two temporary signs on the park block frontages** clearly stating: that the maintenance of the park block is the responsibility of the Developer until such time as the City accepts the park; that all questions relating to the maintenance of the park block shall be directed to the Developer; and the Developer's contact details. The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City.
59. The Developer shall ensure that the proposed park block, open space blocks, trails and demarcation **fencing** are identified on any marketing or promotional materials.

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

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

AGENCY CONDITIONS

STAFF REPORT

64. That the developer agrees to provide the **Upper Grand District School Board** with a **digital file** of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
65. That the developer agrees in the subdivision agreement to advise all purchasers of residential units and/or renters of same, by inserting the following **clause** in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school.”
66. That the developer and the **Upper Grand District School Board** shall reach an agreement regarding the **supply and erection of a sign** (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising prospective residents that students may be directed to schools outside the neighbourhood.
67. That the developer and the **Wellington Catholic District School Board** reach an agreement regarding the **supply and erection of signage**, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of bussing students outside the immediate area should school in the area be at capacity.
68. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:
- a) A detailed storm water management report and plans in accordance with the 1994 Ministry of Environment and Energy Report entitled, Stormwater Management Practices Planning and Design Manual.
 - b) A Storm Servicing Plan showing the layout of the storm sewer system.
 - c) A Lot Grading and Drainage Control Plan showing the limits of all grading, including existing and proposed grades.
 - d) An erosion and sediment control plan and plan in accordance with the Grand River Conservation Authority's Guidelines on Erosion and Sediment Control for construction sites, including the means whereby erosion will be minimized

STAFF REPORT

and sediment maintained on site throughout all phases of grading and construction, including a monitoring and maintenance plan and provisions for timely revegetation of the site.

69. That the **subdivision agreement** between the owners and the municipality contain provisions for:

- a) The completion and maintenance of the works in accordance with the approved plans and reports contained in condition 68.
- b) The maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction.

70. The Developer shall complete to the satisfaction of the City Engineer and **Canada Post**:

Include on all offers of purchase and sale, a statement that advises prospective purchasers:

- a) that the home/business mail delivery will be from a designated Centralized Mail Box; and,
- b) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

71. The Developer further agrees to:

- a) Work with **Canada Post** to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
- b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes.
- c) Identify the pads above on the engineering service drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
- d) Determine the location of all centralized mail receiving facilities in cooperation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

STAFF REPORT

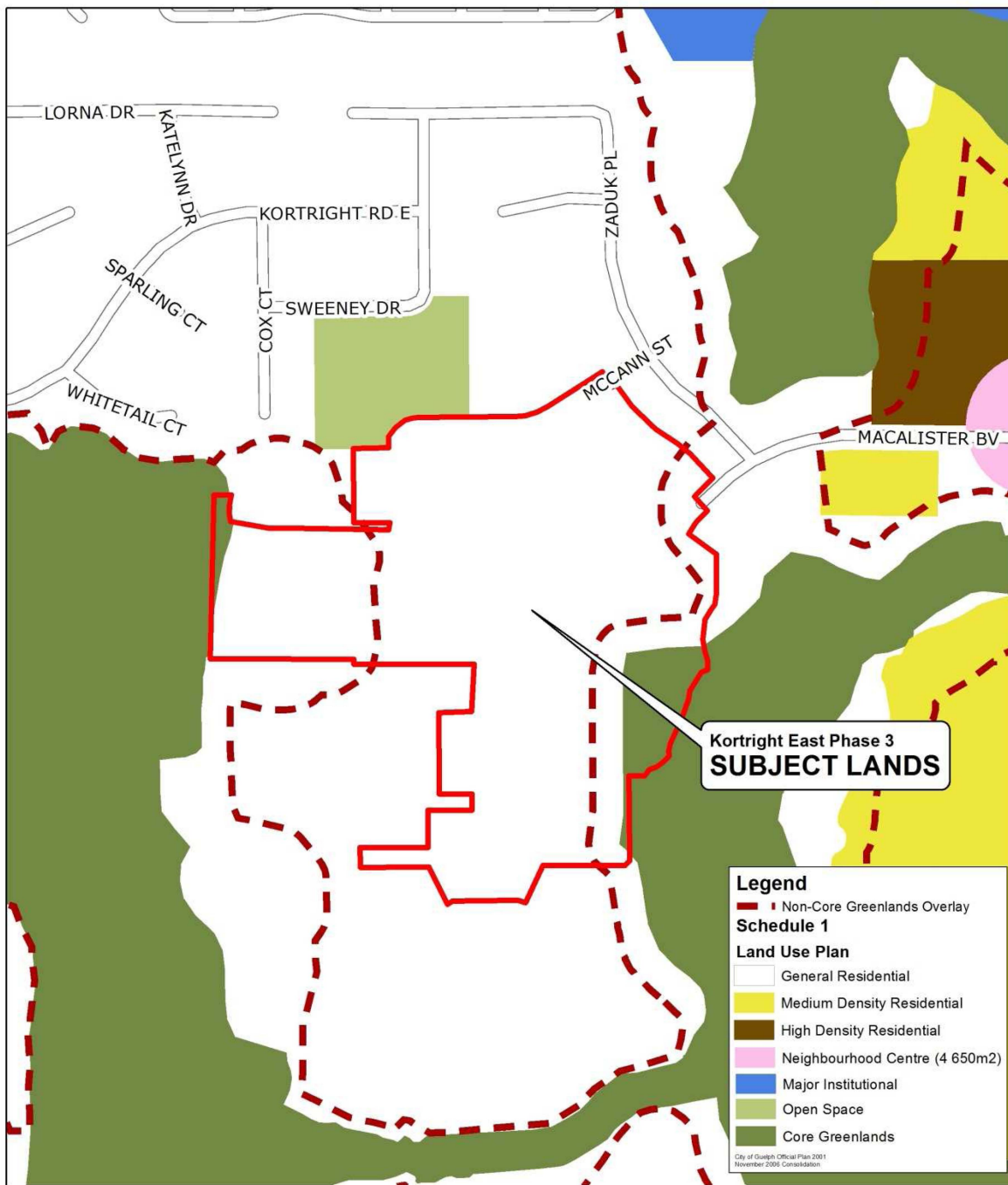


72. Prior to the registration of the plan, the developer shall arrange for all departments and agencies to submit **clearance letters** to the City, confirming each department and agency is satisfied and the plan can proceed to registration.

Note to Draft Plan Approval:

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

STAFF REPORT



0 20 40 80 120 160 m

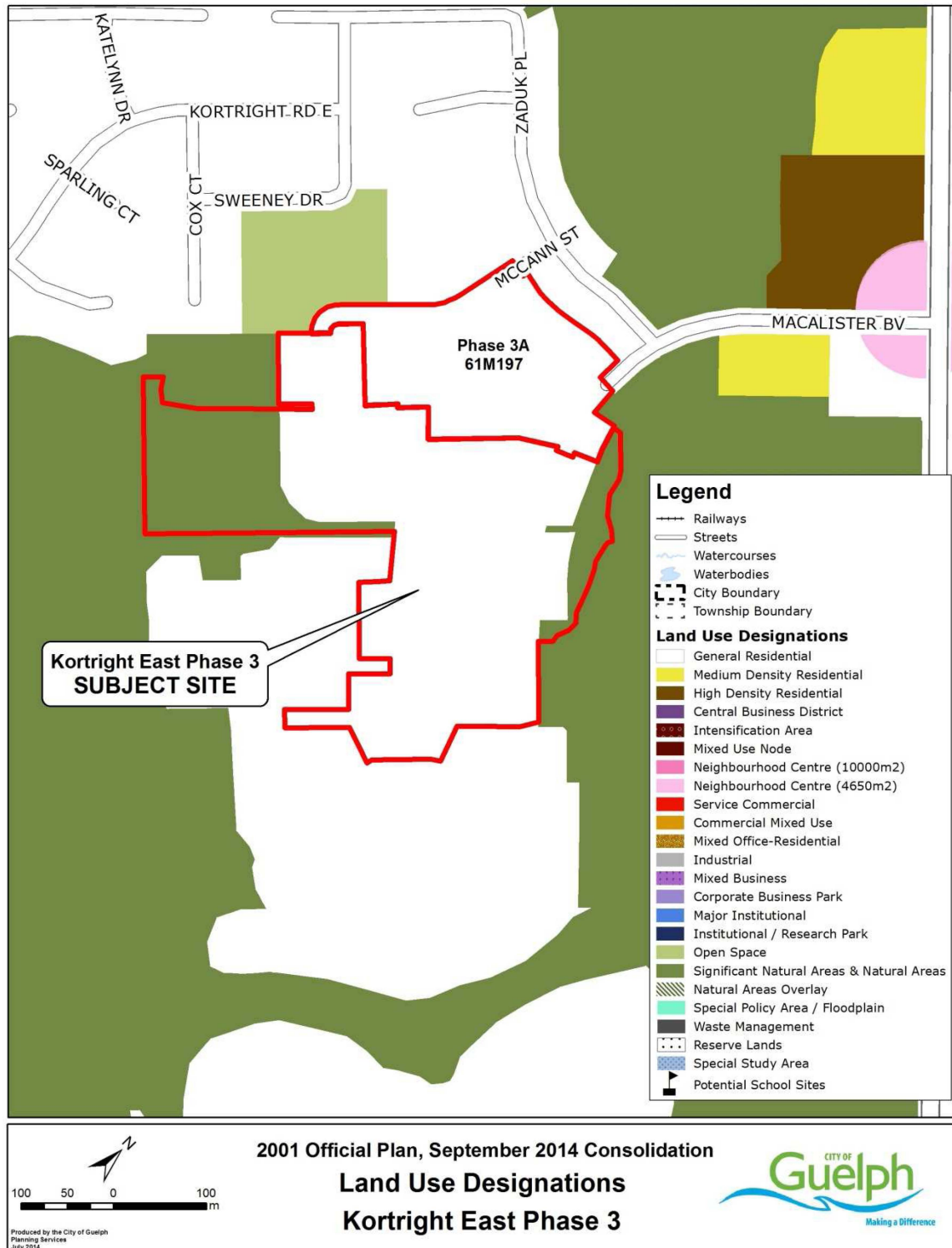
OFFICIAL PLAN 2001
December 2012 Consolidation
Kortright East Phase 3

CITY OF Guelph
Making a Difference

Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
June 2015

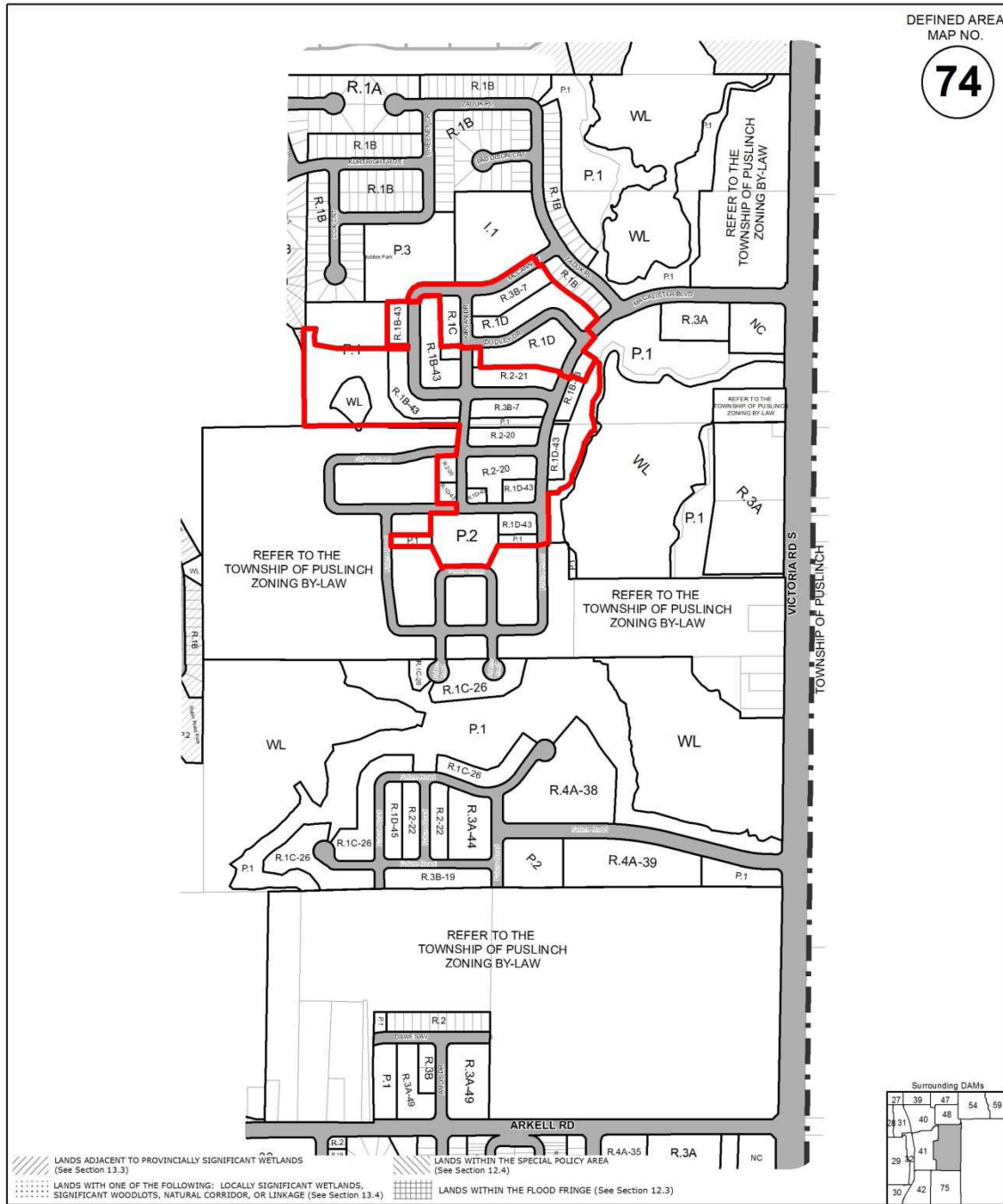
Attachment 7 Official Plan Amendment #42 Land Use Designations

STAFF REPORT



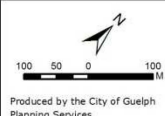
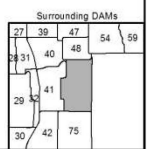
Attachment 8 Existing Zoning

STAFF REPORT



DEFINED AREA
MAP NO.
74

- LANDS ADJACENT TO PROVINCIALLY SIGNIFICANT WETLANDS (See Section 13.3)
- LANDS WITH ONE OF THE FOLLOWING: LOCALLY SIGNIFICANT WETLANDS, SIGNIFICANT WOODLOTS, NATURAL CORRIDOR, OR LINKAGE (See Section 13.4)
- LANDS WITHIN THE SPECIAL POLICY AREA (See Section 12.4)
- LANDS WITHIN THE FLOOD FRINGE (See Section 12.3)



CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-law (2013) - 19680
SCHEDULE 'A'

STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE July 13, 2015

**SUBJECT Decision Report
44, 56, 66 and 76 Arkell Road
Proposed Zoning By-law Amendment
(File: ZC1314)
And Proposed Demolitions
Ward 6**

REPORT NUMBER 15-61

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve an application to amend the Zoning By-law to permit the development of a ninety-three (93) cluster townhouse development, and to approve the demolition of four (4) existing single detached dwellings on the properties municipally known as 44, 56, 66 and 76 Arkell Road.

KEY FINDINGS

Planning staff support the proposed demolitions of the existing single detached dwellings and the proposed rezoning subject to the regulations and conditions in Attachment 2.

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$22,701 per townhouse dwelling unit, for a total of \$2,111,193 for 93 townhouse dwelling units (2015 DC Rates).

Estimated Annual Tax Levy: Based on assumptions and information available at this time, approximately \$240,000 - \$250,000 (this number may differ significantly from the final assessment and taxation based on the unit assessment value, it is estimated off an approximate assessed value of \$250,000 per townhouse dwelling unit).

ACTION REQUIRED

Council is being asked to approve the Zoning By-law Amendment for the subject lands as well as the requested demolitions for the four (4) single detached dwellings.

STAFF REPORT

RECOMMENDATION

1. That the application by Astrid J. Clos Planning Consultants on behalf of Moshi Holdings Ltd. for approval of a Zoning By-law Amendment to change the Zoning from the UR (Urban Reserve) Zone, WL (Wetland) Zone, R.1B (Residential Single Detached 'B') Zone and R.3A-48 (Specialized Cluster Townhouse) Zone to a R.3A-58 (Specialized Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and WL (Wetland) Zone to permit the development of ninety-three (93) cluster townhouse dwelling units on the properties municipally known as 44, 56, 66 and 76 Arkell Road, legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) And Lots 3, 4, 5, And 6, Registered Plan 514, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 15-61, dated July 13, 2015.
2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 44, 56, 66 and 76 Arkell Road.
3. That the proposed demolitions of the four (4) single detached dwellings at 44, 56, 66 and 76 Arkell Road be approved.
4. That if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search be undertaken by a wildlife biologist prior to demolition so as to protect the breeding birds in accordance with the federal *Migratory Birds Convention Act* (MBCA) prior to any works occurring.
5. That the applicant shall erect protective fencing at one (1) metre from the dripline of any existing trees to be retained on the property or on adjacent properties which may be impacted by demolition and construction activities.
6. That the applicant shall contact the City's Environmental Planner to inspect the tree protection fence prior to demolition and/or site alteration commencing.
7. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

BACKGROUND

A revised application for a Zoning By-law Amendment has been received for the properties municipally known as 44, 56, 66 and 76 Arkell Road by Astrid J. Clos Planning Consultants on behalf of Moshi Holdings Ltd. The development proposal would permit the development of ninety-three (93) townhouse dwelling units (see Concept Plan in Attachment 8).

STAFF REPORT

The application was initially received by the City in September 2013 and deemed complete on October 8, 2013. At the time, the original application contained only the properties at 44, 56 and 76 Arkell Road and proposed seventy-eight (78) townhouse dwelling units. Since then, the developer acquired the 66 Arkell Road property and revised their application, requesting specialized zoning to permit the development of forty (40) stacked townhouses and one-hundred and seventy-six (176) multiple attached dwelling units on the site. A statutory public meeting was held on this revised application on May 12, 2014. To address neighbourhood concerns raised at that the initial public meeting regarding the proposed density on the site, the applicant submitted a revised application requesting zoning to permit 91 cluster townhouse dwelling units. A second public meeting was held before Council on February 9, 2015 on a revised ninety-one (91) unit cluster townhouse proposal. At this meeting, area residents expressed general satisfaction with the revised cluster townhouse proposal, save and except for a few minor concerns.

The purpose and intent of the Zoning By-law Amendment application is to amend the current UR (Urban Reserve) Zone, WL (Wetland) Zone and R.1B (Residential Single Detached 'B') Zone and R.3A-48 (Specialized Cluster Townhouse) Zone covering the subject property to a R.3A-58 (Specialized Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and WL (Wetland) Zone to permit the development of ninety-three (93) cluster townhouses. In particular, the WL (Wetland) Zone is recommended to be amended with this application to receive minor boundary modifications to align with the now surveyed and confirmed limits of the Torrance Creek Provincially Significant Wetland (PSW) on the property (See Attachment 6). Reasoning and a detailed explanation for the two (2) unit increase in townhouse dwelling units from ninety-one (91) to ninety-three (93) following the February 2015 public meeting are discussed later in the report.

In addition to the proposed Zoning By-law Amendment, applications to demolish each of the existing four (4) single detached dwellings at 44, 56, 66 and 76 Arkell Road were received on June 10, 2015 by Infrastructure, Development and Enterprise from the applicant (See Attachment 7). The single detached dwellings would be replaced by the ninety-three (93) unit cluster townhouse development.

Location

The subject site has an area of approximately 2.4 hectares and is located on the north side of Arkell Road, east of the intersection of Gordon Street and Arkell Road and across from the terminus of Malvern Crescent (see Location Map in Attachment 1).

The subject site presently contains four single-detached houses that are proposed to be demolished. The subject site is also adjacent to the Torrance Creek PSW to the east, which is also on part of lands owned by the applicant but not subject to this application. In addition to this, surrounding land uses generally include:

STAFF REPORT

- To the north: lands approved for an apartment site and also a wildlife corridor providing a link from the Torrance Creek PSW across Gordon Street to the Hanlon Creek PSW;
- To the east: existing single detached dwellings along Arkell Road;
- To the south: existing single detached dwellings across Arkell Road and along Malvern Crescent, and an existing religious establishment (Arkell Road Bible Chapel); and
- To the west: an existing cluster townhouse development (Arkell Lofts), and an existing religious establishment (Salvation Army Guelph Citadel).

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject site is predominantly "General Residential" with a "Non-Core Greenlands Overlay" and "Core Greenlands" along the easterly side of the site that has already been identified as a Provincially Significant Wetland (PSW). A small portion of the lands along the southwest boundary of the property near Arkell Road is designated as "Medium Density Residential" in the Official Plan. The Official Plan land use designations and related policies are included in Attachment 3.

The "Core Greenlands" and "Non-Core Greenlands Overlay" form part of the Greenlands System that represents a planning framework which recognizes that natural heritage features and their associated landscapes need to be considered in a holistic manner in order to provide a comprehensive and integrated approach for conservation and enhancement. Natural heritage features within the "Core Greenlands" designation are to be protected and development is not permitted within this designation. Where a development proposal is made on adjacent lands to these natural heritage features, the proponent is responsible for completing an Environmental Impact Study (EIS) demonstrating that the development will have no negative impact on the natural heritage features.

The environmental policies of the Official Plan have been addressed during the review of the application through the preparation of an EIS. Prior to site plan approval, an associated Environmental Implementation Report (EIR) will be prepared by the developer to further address the development's integration and impact on the adjacent natural heritage features.

The "General Residential" land use designation permits all forms of residential development, including multiple unit residential buildings subject to a maximum density of 100 units per hectare and the satisfaction of specific development criteria. Townhouse dwellings are permitted in the "General Residential" and "Medium Density Residential" designations, provided they fit in within the surrounding neighbourhood and can be adequately serviced by existing and planned infrastructure.

STAFF REPORT



OPA 42, the City's new Natural Heritage System, identifies an Ecological Linkage along the northerly portion of the site and the Torrance Creek PSW area on the easterly side of the site as "Significant Natural Areas". It is noted that the Zoning By-law Amendment application was submitted prior to Official Plan Amendment 42 (OPA 42) coming into force and effect in June 2014 and is therefore being reviewed under the December 2012 Consolidated Official Plan. However, the review of the applications has had regard for the policies of OPA 42.

Official Plan Amendment 48 (OPA 48) (currently under appeal), a comprehensive update to the City's Official Plan currently designates the subject site "Medium Density Residential" and "Significant Natural Area". The "Medium Density Residential" designation permits residential development at a density between 35 to 100 units per hectare in multiple unit buildings (see Attachment 4 for OPA 48 land use designations and Medium Density Residential policies). Although not yet being in force and effect, staff must have regard for the Council adopted policies and designations of OPA 48.

Existing Zoning

The subject property is zoned R.1B (Single Detached Residential) along Arkell Road, UR (Urban Reserve) in the centre of the site, WL (Wetlands) on the easterly side of the site and the easterly side of the UR zoned lands has a "Lands Adjacent to Provincially Significant Wetlands" overlay. Further, a small portion of the lands in the southwest corner along Arkell Road is zoned Specialized R.3A-48 (Cluster Townhouse). Details of the existing zoning is included in Attachment 5.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant is requesting to rezone the subject lands from the current UR (Urban Reserve), WL (Wetland) Zone, R.1B (Single Detached Residential) and R.3A-48 (Specialized Cluster Townhouse) Zone to specialized R.3A-58 (Cluster Townhouse) Zone, P.1 (Conservation Land) and WL (Wetland) Zones. The proposed specialized R.3A-58 Zone is requested to permit the development of ninety-three (93) cluster townhouse units. The proposed P.1 Zone would represent the proposed buffer to the adjacent PSW and an associated ecological linkage along the northwest property limit, with the PSW remaining within the WL (Wetland) zoning category. A future public trail is also proposed within the proposed P.1 Zone. The wetland boundary has been altered and further refined through the EIS after being confirmed by the Grand River Conservation Authority (GRCA). Further details of the proposed zoning are provided in Attachment 6.

Specialized regulations for the R.3A-58 Zone have been requested as follows:

- That the minimum lot area per dwelling unit be 255 m² whereas the Zoning By-law requires 270 m²;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;

STAFF REPORT

- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only);
- That the maximum density of the site be 39 units per hectare whereas the Zoning By-law requires 37.5 units per hectare; and
- That the above provisions shall continue to apply collectively to the whole of the subject lands that are within in the R.3A-58 Zone, despite any future severance, phase of condominium registration, partition, or division for any purpose.

Proposed Development

The applicant's proposed development concept plan and proposed building renderings are shown in Attachments 8 and 9. The applicant has proposed rezoning the subject lands to permit a cluster townhouse development containing ninety-three (93) cluster townhouse dwelling units. Two entrances to the site are proposed off of Arkell Road – a full movement entrance to the west, and a right-in/right-out only entrance to the east, aligning with Malvern Crescent. The subject property is a total of 2.4 hectares in size, with 93 dwelling units proposed. This equates to an average site density of 38.8 units per hectare ($93/2.4 \text{ ha} = 38.8 \text{ units per hectare}$).

Minor Application Modifications

Following this public meeting, further minor modifications were made to the design to accommodate an underground infiltration gallery and other low-impact development (LID) measures. The additional LID features required minor modifications to the layout of the site where a mid-block internal road connection was eliminated. This modification increased the number of proposed townhouse dwelling units by two (2) to ninety-three (93) total, mainly due to the elimination of the mid-block connection.

In addition, the Torrance Creek PSW limits on the subject lands were surveyed by the applicant's environmental consultant and confirmed by the Grand River Conservation Authority. As such, minor adjustments are proposed to be made to the existing WL (Wetland) Zone to reflect the wetland's true surveyed boundary along with rezoning a portion of the UR (Urban Reserve) Zone to the P.1 (Conservation Land) Zone to incorporate an associated 30 m conservation buffer.

Following review of the revised proposal, it was noted by staff that a small portion of the site along the southwest boundary is currently zoned R.3A-48 (Specialized Cluster Townhouse) (See Attachment 5). This specialized cluster townhouse zoning is remnant from the recently completed development by the same applicant of the adjacent property to the west – 32 Arkell Road (Arkell Lofts). Planning staff recommend that this small portion of the lands currently zoned R.3A-48 be included in the portion being rezoned to R.3A-58 to facilitate the applicant's proposed development.

STAFF REPORT



As these modifications to the number of units and various zoning limits made since the February 9, 2015 public meeting are minor and do not affect the portions of the development adjacent to neighbouring properties, Planning staff are of the opinion that in accordance with Section 34(17) of the *Planning Act*, no further public notice is required related to the minor modifications to the proposed development.

Supporting Documents

The following information has been submitted in support of the (2015) revised application:

- Revised Concept Plan, prepared by Astrid J. Clos Planning Consultants, March 24, 2015;
- Planning Report, prepared by Astrid J. Clos Planning Consultants, September 12, 2014;
- Urban Design Brief, prepared by Granite Homes, April 2014;
- Revised Environmental Impact Study, prepared by Natural Resource Solutions Inc., October 2014;
 - Addendum No. 1 to October 2014 EIS, prepared by Natural Resource Solutions Inc., February 25, 2015;
 - Addendum No. 2 to October 2014 EIS, prepared by Natural Resource Solutions Inc., May 11, 2015;
- Functional Servicing and Stormwater Management Report, prepared by MTE Consultants Inc., October 3, 2014;
- Preliminary Environmental Noise Assessment, prepared by MTE Consultants Inc., October 3, 2014;
- Scoped Traffic Impact Analysis, prepared by Paradigm Transportation Solutions Limited, October 6, 2014;
- Hydrogeological Study, prepared by Gamsby and Mannerow, October 2014; and
- Archaeological Assessment, prepared by D. R. Poulton & Associates Inc., October 7, 2010.

Staff Review and Planning Analysis

The complete staff review and planning analysis for this application as well as requested demolition is provided in Attachment 10. The analysis addresses all relevant planning considerations, including any issues that were raised at the Statutory Public Meeting held on February 9, 2015. The analysis includes:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and the Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the December 2012 Consolidated Official Plan;
- Regard for Council adopted Official Plan Amendment 42;
- Regard for Council adopted Official Plan Amendment 48;
- Review of the proposed zoning, including the specialized regulations requested and minor modifications made since the Public Meeting;
- Review of the proposal's fit within the existing and established residential

STAFF REPORT

- neighbourhood;
- Confirm Support for the City's Community Energy Initiative;
- Review of the proposed site design and building elevations;
- Review of servicing, traffic and parking;
- Environmental (natural heritage) review;
- Cultural Heritage review (archaeology) and considerations;
- Consideration of the requested demolitions of the existing 4 single detached dwellings;
- Tree preservation; and
- Response to all comments and issues raised during the review of the application.

Planning Staff Recommendation

Based on the above noted staff review and analysis (see Attachment 10), Planning staff are satisfied that the application is consistent with the 2014 Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe. The Zoning By-law Amendment conforms to the objectives and policies of the December 2012 Consolidated Official Plan and represents good land use planning. Planning staff recommend that Council approve the proposed Zoning By-law Amendment subject to the regulations and conditions outlined in Attachment 2.

Planning staff are also recommending Council approve the demolition of the existing four (4) single detached dwellings to allow for the proposed redevelopment of the property. The approval of the demolition applications are recommended as each of the existing dwellings are not significant cultural heritage resources and the subject property is proposed to be redeveloped into ninety-three (93) cluster townhouse dwelling units (see Attachment 8). Therefore, there will be no overall loss of residential capacity in the City as a result of the demolition.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Estimated Development Charges: \$22,701 per townhouse dwelling unit, for a total of \$2,111,193 for 93 townhouse dwelling units (based on 2015 DC Rates).

Estimated Annual Tax Levy: Based on assumptions and information available at this time, approximately \$240,000 - \$250,000 (this number may differ significantly from the final assessment and taxation based on the unit assessment value, it is estimated off an approximate assessed value of \$250,000 per townhouse dwelling unit).

DEPARTMENTAL CONSULTATION

The public agency and comments received from City departments during the review of the application are included and summarized in Attachment 12.

STAFF REPORT

COMMUNICATIONS

The Notice of Revised Application for the cluster townhouse proposal was mailed on December 5, 2014 to local boards and agencies, City service areas and all property owners with 120 metres of the subject site for comments. The Public Meeting Notice for the revised cluster townhouse proposal with Zoning By-law Amendment ZC1314 was mailed on January 15, 2015 to the same mailing list as for the Notice of Complete Application. The Notice of Public Meeting for the revised application was advertised in the *Guelph Tribune* on January 15, 2015. Notice of the application has also been provided by signage on the site, which was posted by the applicant on October 17, 2013. Other key dates for the public notification process regarding this application are included in Attachment 13.

Further, signs were posted in front of each of the four (4) single detached dwellings along Arkell Road advising that a demolition permit has been submitted and that interested parties can contact Planning, Urban Design and Building Services for additional information.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Recommended Zoning Regulations and Conditions
- Attachment 3 – December 2012 Consolidated Official Plan Land Use Designations and Policies
- Attachment 4 – Official Plan Amendment 42 and 48 Land Use Designations
- Attachment 5 – Existing Zoning and Details
- Attachment 6 – Proposed Zoning and Details
- Attachment 7 – Site Photos
- Attachment 8 – Site Development Plan
- Attachment 9 – Conceptual Rendering
- Attachment 10 – Staff Review and Planning Analysis
- Attachment 11 – Community Energy Initiative Commitment
- Attachment 12 – Agency and Department Comments
- Attachment 13 – Public Notification Summary

Report Author

Michael Witmer
Development Planner II



Approved By

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

Approved By

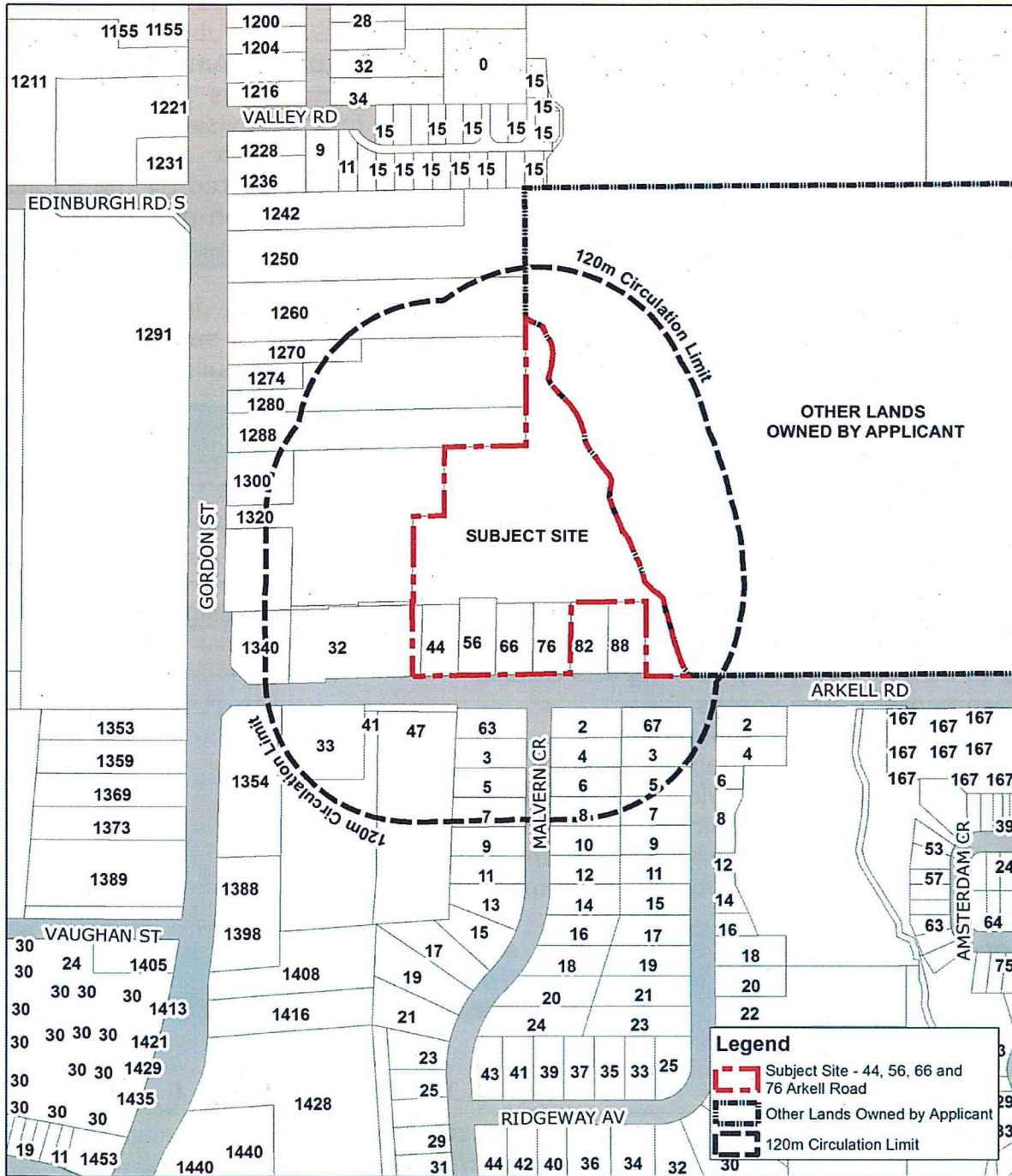
Sylvia Kirkwood
Manager of Development Planning



Recommended By

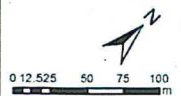
Al Horsman
Deputy CAO
Infrastructure, Development and
Enterprise
519.822.1260, ext. 5606
al.horsman@guelph.ca

Attachment 1 Location Map



Legend

-  Subject Site - 44, 56, 66 and 76 Arkell Road
-  Other Lands Owned by Applicant
-  120m Circulation Limit



LOCATION MAP 44, 56, 66 and 76 Arkell Road 120m Circulation

Produced by the City of Guelph
Planning, Building, Engineering and Environment, Development Planning
October 2013

Attachment 2 Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 44, 56, 66 and 76 Arkell Road and legally described Part of Lot 6, Concession 8 (Geographic Township of Puslinch) And Lots 3, 4, 5, And 6, Registered Plan 514, City of Guelph.

PROPOSED ZONING

The following zoning categories are proposed for the subject site, as shown in Attachment 6:

R.3A-58 (Residential Cluster Townhouse) Zone

In accordance with Section 4 (General Provisions) and Section 5.3.1 and Table 5.3.2 (Residential Townhouse) Zone regulations of Zoning By-law (1995)-14864, as amended, with the following exceptions:

- That the minimum lot area per dwelling unit be 255 m² whereas the Zoning By-law requires 270 m²;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;
- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only);
- That the maximum density of the site be 39 units per hectare whereas the Zoning By-law requires 37.5 units per hectare; and
- That the above provisions shall continue to apply collectively to the whole of the subject lands that are within in the R.3A-58 Zone, despite any future severance, phase of condominium registration, partition, or division for any purpose.

P.1 (Conservation Land) Zone

In accordance with Section 9 of Zoning By-law (1995)-14864, as amended.

WL (Wetland) Zone

In accordance with Section 13.2 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed through a future site plan control agreement, pursuant to Section 41 of the *Planning Act*, registered on title for the subject site:

1. That the Developer shall submit to the City, in accordance with Section 41 of The *Planning Act*, a fully detailed **site plan**, including, but not limited to the

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

location of the building, elevations and building design, landscaping, parking, traffic circulation, access, lighting, recommended noise attenuation measures, grading and drainage on the said lands to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the General Manager/City Engineer, prior to any construction or grading on the lands.

2. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person as defined in Ontario Regulation 153/04 to prepare and submit a **Phase One Environmental Site Assessment** and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
3. If contamination is found, the Developer shall:
 - a. submit all **environmental assessment reports** prepared in accordance with the RSC (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - b. complete any necessary **remediation work** in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards or Site Specific Standards of the intended land use; and
 - c. file an **RSC** on the Provincial Environmental Registry for lands to be developed.
4. Prior to site plan approval and prior to any construction or grading on the lands, the Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:-
 - i. a **stormwater management report** and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of Environment and Climate Change's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - ii. a **geotechnical report** certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

- measures to ensure that they are not diminished by the construction and development;
- iii. a **grading, drainage and servicing plan** prepared by a Professional Engineer for the site;
 - iv. a detailed **erosion and sediment control plan**, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
5. The Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for **adhering to all the recommended measures** contained in the plans, studies and reports outlined in subsections 4 i) to 4 iv) inclusive.
 6. That the Developer shall pay to the City, their share of the actual **cost of constructing a sidewalk** on the north side of Arkell Road across the frontage of the subject lands. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Developer's share of the cost of the sidewalk.
 7. The Developer shall be responsible for the actual cost of any **service laterals** required for the lands and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of any service laterals.
 8. That the Developer pay the actual cost of removing or decommissioning to the satisfaction of the General Manager/City Engineer, any **existing sanitary sewers, storm sewers, manhole and/or watermains** that are not going to be used for service laterals. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Developer's share of the cost of the removals and decommissioning works.
 9. The Developer shall pay to the City the actual cost of the construction of the **new driveway entrances** and required curb cut and/or curb fills. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrance and required curb cut and/or curb fill.

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

10. The Developer shall pay the actual cost of the removal of the **existing driveway entrances** including the asphalt pavement and gravel within the road allowance, the restoration of the boulevard with topsoil and sod including the required curb fill, with the estimated cost of the works as determined by the General Manager/City Engineer being paid, prior to site plan approval and prior to any construction or grading on the lands.
11. That the Developer constructs, installs and maintains **erosion and sediment control measures**, satisfactory to the General Manager/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 General Manager/City Engineer.
12. That the Developer constructs the new building at such an elevation that the lowest level of the new building can be serviced with a **gravity connection to the sanitary sewer**.
13. That the Developer **grades, develops and maintains the site** including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
14. That the Developer will ensure that any **existing domestic wells** as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment and Climate Change regulations (O. Reg. 903, as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
15. The Developer acknowledges that the City does not allow **retaining walls** higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
16. That with the exception of any pad-mounted transformers, all **electrical services** to the lands are underground and the Developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

17. That the Developer makes satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
18. The Developer shall ensure that all **telephone service and cable TV** service on the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands, prior to site plan approval and prior to any construction or grading on the lands.
19. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
20. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** as per the approved 'Environmental Implementation Report' and 'Landscape Plans' to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings for approval and the administration of the construction contract up to the end of the warrantee period completed by a full member with seal of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
21. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Open Space Blocks. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings completed by Ontario Association of Landscape Architects (OALA) full member with seal for approval to the satisfaction of the Deputy CAO of Public Services.

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

22. The Developer shall be responsible for the cost of design and development of the "**Basic Trail Development**" as per City's current trail standards as outlined in the Local Service Policy under City's Development Charges Bylaw, to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the 'Basic trail development' to the satisfaction of the Deputy CAO of Public Services.
23. The Developer shall install, at no cost to the City, **chain link fencing**, adjacent to stormwater management area, common amenity area and in between conservation area and lots. The Developer further agrees that the fencing will be installed following grading operations in accordance with the current standards and specification of the City and to the satisfaction of the Deputy CAO of Public Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
24. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and the condominium declaration(s), and agrees that these same notifications shall be registered on title:
 - a. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".
 - b. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks XX and Lots XX that abut these Blocks and Lots".
 - c. "Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Blocks XX and Lots XX and that public access to this trail will occur between Blocks XX and Lots XX". **(Block and Lot Nos. to be confirmed at site plan approval)*
 - d. "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
 - e. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to lot numbers ____." The Developer shall also send written notification of proposed

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

demarcation type to any existing homeowners in lots adjacent to open space blocks.

25. The Developer agrees to **provide temporary signage** describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of park block XX and open space block(s) XX, and entrance/exit of trails, to the satisfaction of the Deputy CAO of Public Services. The signage shall:
- advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
 - clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
 - clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to both the Developer and the City.

The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City.

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

26. The Developer shall **dedicate conservation lands** and natural open space for trail purpose as per the Council approved Guelph Trail Master Plan.
27. The Developer shall pay **cash in-lieu of parkland conveyance** for the entire development, under City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof.
28. The Developer shall prepare and implement an **Environmental Implementation Report** (EIR) to the satisfaction of the General Manager of Planning, Urban Design and Building Services, prior to the issuance of site plan approval. The EIR will provide details with respect to stormwater management and wetland water balance, vascular plant surveys, additional groundwater monitoring using data loggers, design of trail layout supported by detailed impact assessment, mitigation measures and an analysis confirming no negative impacts to the Natural Heritage System, salt management, tree management, restoration and enhancement including invasive species removal and education and stewardship information, and erosion and sediment control

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

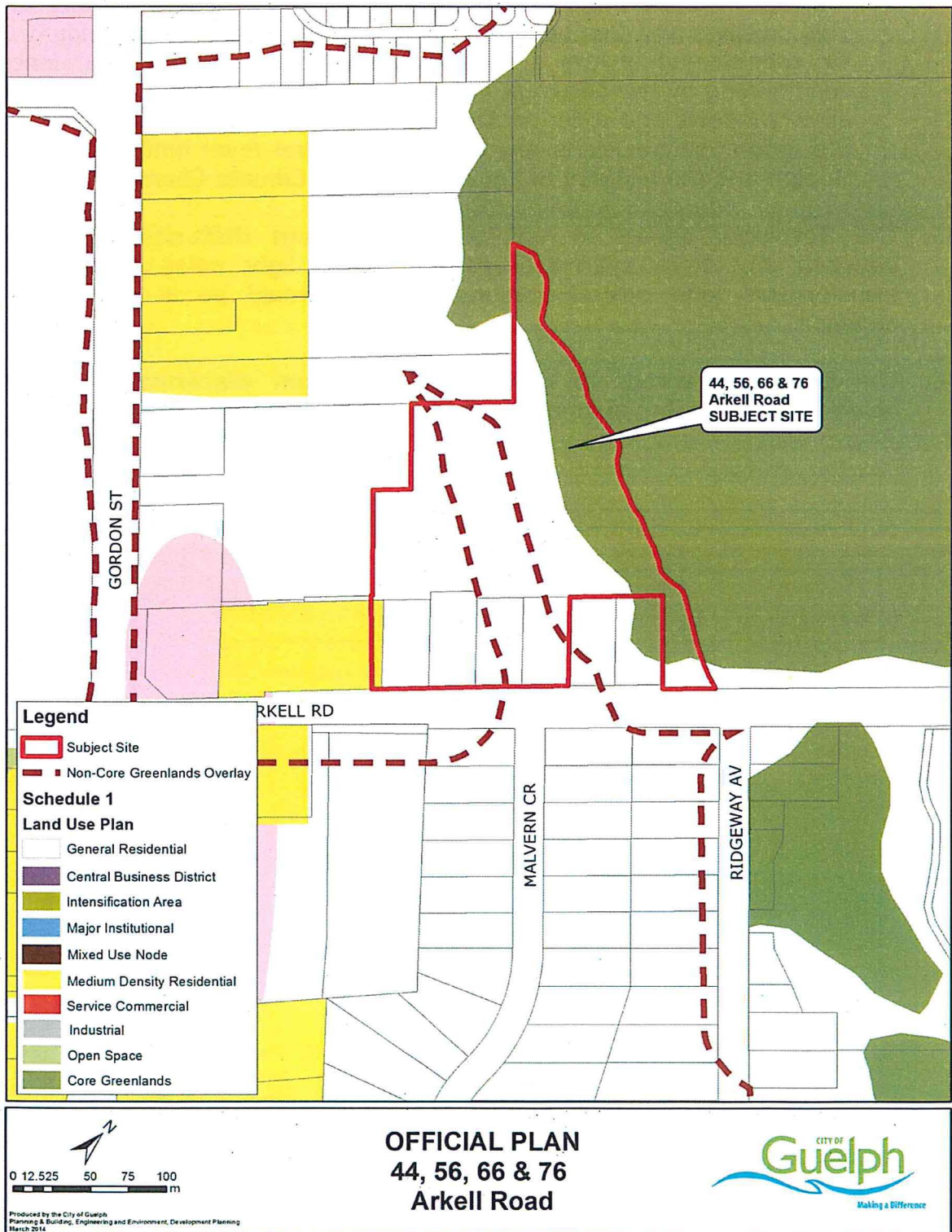
- plan. As well the EIR will be based on an approved Terms of Reference and will include grading, drainage, interim and final erosion and sediment control plans and report, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from June 10, 2015.
29. The Developer shall complete a **Tree Inventory, Preservation and Compensation Plan**, satisfactory to the General Manager of Planning, Urban Design and Building Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.
 30. The Developer will undertake a **post-development monitoring** program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning, Urban Design and Building Services. The developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning should the monitoring program extend beyond registration of the Draft Plan of Condominium.
 31. The Developer shall retain a qualified **environmental inspector**, satisfactory to the General Manager of Planning, Urban Design and Building Services to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The inspector shall report on their findings to the City.
 32. The Developer agrees to incorporate a **noise attenuation barrier** into the final design of the site, as recommended in the Preliminary Environmental Noise Assessment, for any outdoor living areas between the Arkell Road right-of-way and Setback Line 1.
 33. The Developer agrees to make provisions for **central air conditioning** for any dwellings constructed between Setback Line 2 and Setback Line 1, as recommended in the Preliminary Environmental Noise Assessment.
 34. The Developer agrees to include the following **warning clause** in purchase and sale agreements for all dwellings constructed between Setback Line 2 and Setback Line 1, as indicated and recommended in the Preliminary Environmental Noise Assessment:
 - a. "Purchasers and/or tenants are advised that the sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of

Attachment 2 (continued) Recommended Zoning Regulations and Conditions

the City of Guelph and the Ministry of Environment and Climate Change. This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City of Guelph and the Ministry of Environment and Climate Change."

35. The Developer agrees to maintain a **minimum distance** of 1.5 metres between any driveways/entrances and street light poles or pad-mounted transformers, and any relocations required would be at the Developer's expense.
36. The Developer agrees to maintain a **minimum distance** of 3.0 metres between any dwelling units and pad-mounted transformers.

Attachment 3 December 2012 Consolidated Official Plan Land Use Designations and Policies



Attachment 3 (continued)
**December 2012 Consolidated Official Plan Land Use Designations and
Policies**

"General Residential" Land Use Designation

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

Attachment 3 (continued) December 2012 Consolidated Official Plan Land Use Designations and Policies

"Medium Density Residential" Land Use Designation

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

"Core Greenlands" Land Use Designation

- 7.13.1 The 'Core Greenlands' land use designation recognizes areas of the Greenlands System which have greater sensitivity or significance. The following natural heritage feature areas have been included in the 'Core Greenlands' designation of Schedule 1: provincially significant wetlands, the significant portion of habitat of threatened and endangered species, and the significant areas of natural and scientific interest (ANSI). Natural hazard lands including steep slopes, erosion hazard lands and unstable soils may also be associated with the 'Core Greenlands' areas. In addition, the floodways of rivers, streams and creeks are found within the 'Core Greenlands' designation.
1. Policies relating to natural heritage features are contained in Section 6 of this Plan.
 2. Policies relating to natural hazard lands are contained in Section 5 of this Plan.
- 7.13.2 The natural heritage features contained within the 'Core Greenlands' designation are to be protected for the ecological value and function. Development is not permitted within this designation. Uses that are permitted include conservation activities, open space and passive recreational pursuits that do not negatively impact on the natural heritage features or their associated ecological functions.
- 7.13.3 The natural heritage features contained within the 'Core Greenlands' designation are outlined on Schedule 2 of this Plan. Where a development proposal is made on adjacent lands to these natural heritage features, the proponent is responsible for completing an environmental impact study in accordance with the provisions of subsection 6.3 of this Plan. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of

Attachment 3 (continued)

December 2012 Consolidated Official Plan Land Use Designations and Policies

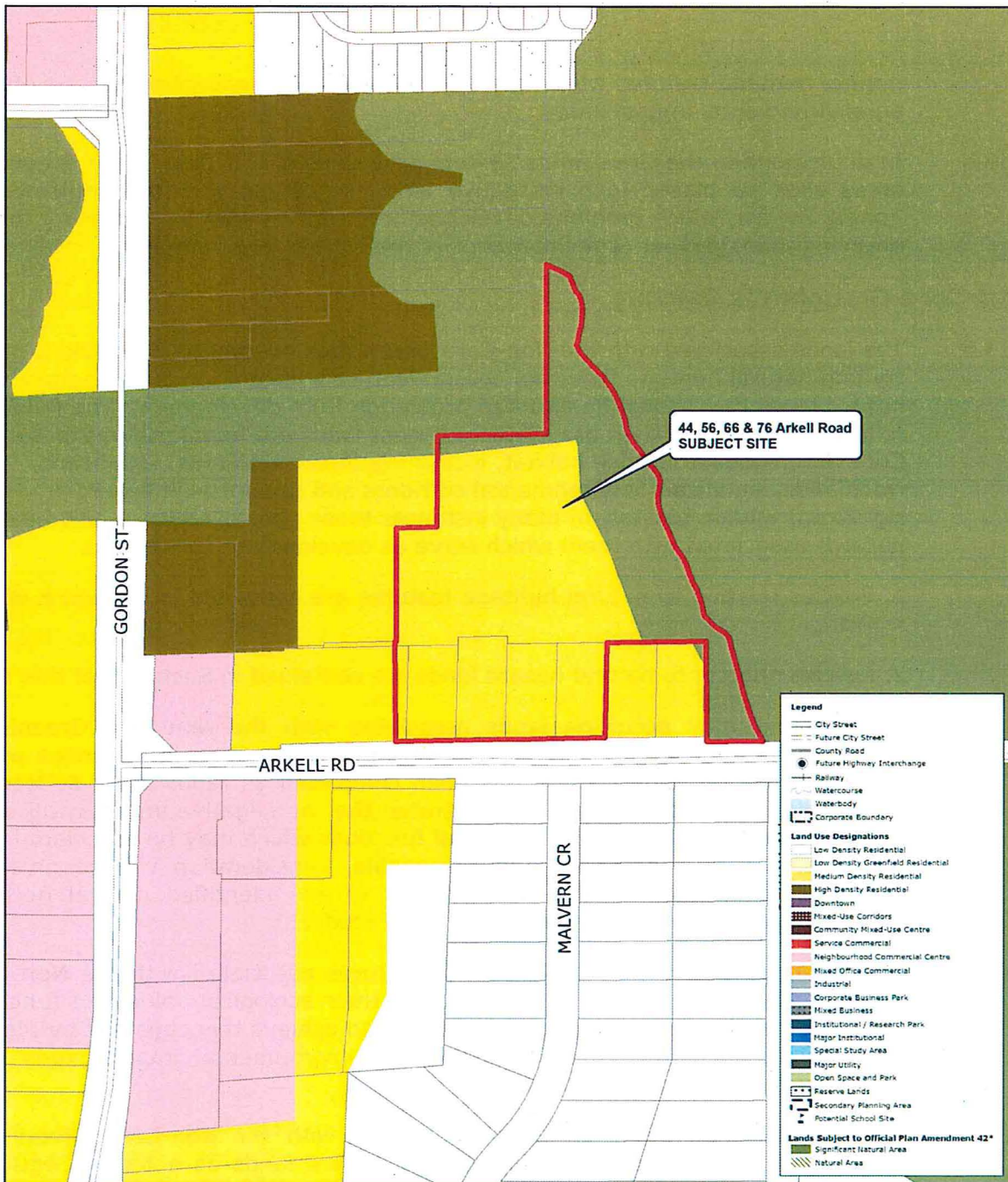
natural heritage features within the 'Core Greenlands' designation as part of such an environmental impact study.

- 7.13.4 In implementing the Greenlands System provisions of this Plan, 'Core Greenland' areas shall be placed in a restrictive land use category of the implementing Zoning By-law, which prohibits development except as may be necessary for the on-going management or maintenance of the natural environment.

Non-Core Greenlands Overlay

- 7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. The following natural features and their associated adjacent lands are found within the Non-Core Greenlands area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife habitat. In many instances these natural features also have hazards associated with them which serve as development constraints.
1. Policies relating to natural heritage features are contained in Section 6 of this Plan.
 2. Policies relating to natural hazard lands are contained in Section 5 of this Plan.
- 7.13.6 Development may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified natural heritage feature as part of such environmental impact study.
- 7.13.7 It is intended that the natural heritage features associated with the Non-Core Greenlands overlay are to be protected for their ecological value and function. The implementing Zoning By-law will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.
- 7.13.8 Development may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with hazard lands as noted in Section 5 can be safely addressed. In addition, development within the flood fringe areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.

Attachment 4 Official Plan Amendments #42 & #48 Land Use Designations



**Official Plan Update
(OPA 42 & 48) Land Use Designations
44, 56, 66 & 76 Arkell Road**

Produced by the City of Guelph
Planning & Building, Engineering and Environment, Development Planning
March 2014

Attachment 4 (continued)
Official Plan Amendments #42 & #48 Land Use Designations

9.3.4 Medium Density Residential

The use of land within the Medium Density Residential Designation will be medium density housing forms.

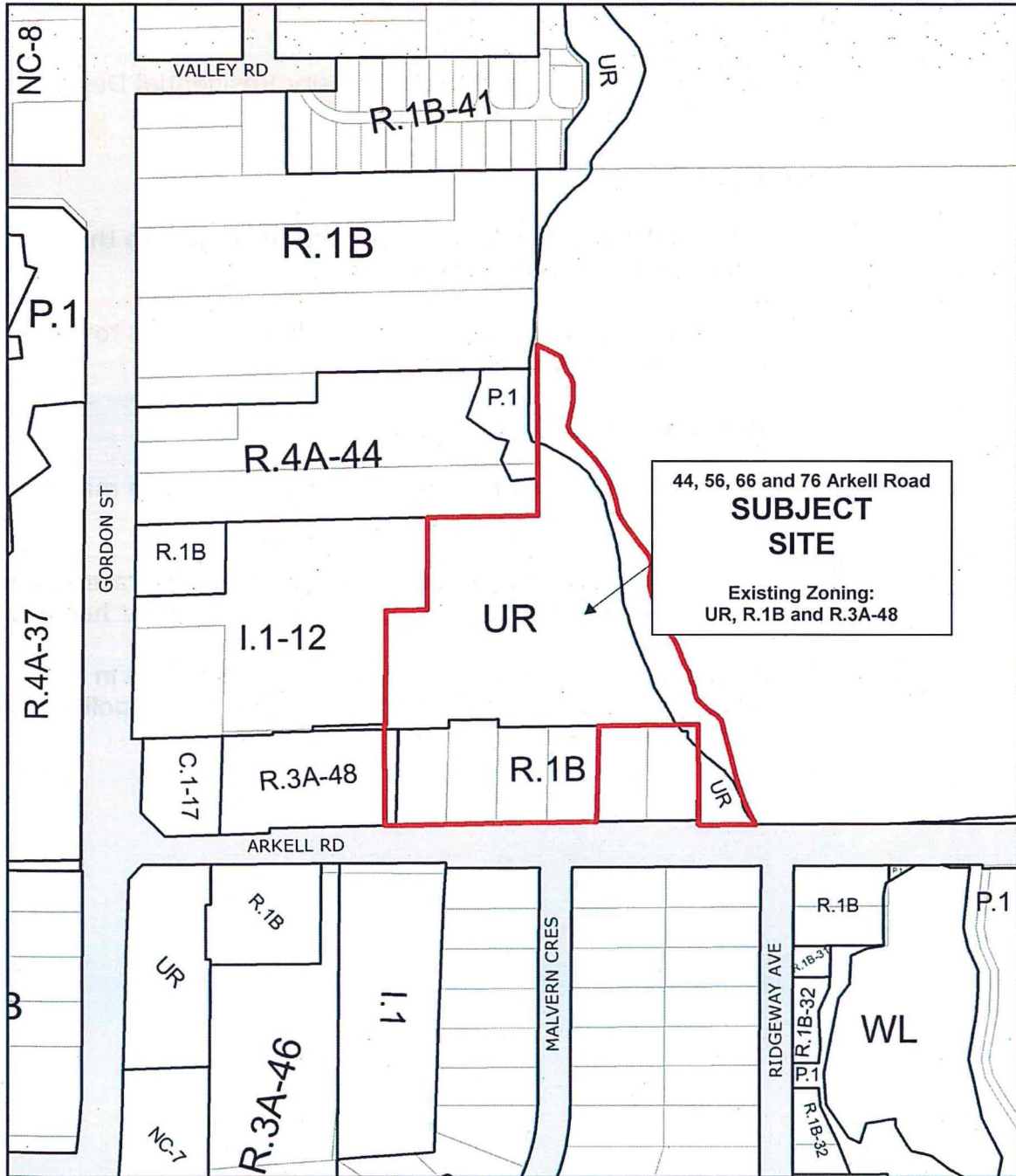
Permitted Uses

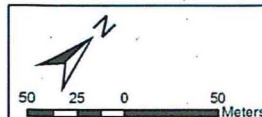
1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) multiple unit residential buildings, such as townhouses and apartments.


Height and Density

2. The minimum height is two (2) storeys and the maximum height is six (6) storeys.
3. The maximum *net density* is 100 units per hectare and not less than a minimum *net density* of 35 units per hectare.
4. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

Attachment 5 Existing Zoning and Details



 Existing Zoning
44, 56, 66 and 76 Arkell Road



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

Attachment 5 (continued) Existing Zoning and Details

R.1B (Residential Single Detached) Zone

Permitted Uses

In accordance with the following uses included within the standard R.1B Zone:

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

Regulations

Regulation	R.1B Zone
Minimum Lot Area	460m ²
Minimum Lot Frontage	15m
Maximum Building Height	3 storeys
Minimum Front Yard	6m
Minimum Exterior Side Yard	4.5m
Minimum Side Yard	
1 to 2 storeys	1.2m
Over 2 storeys	1.2m
Minimum Rear Yard	7.5m or 20% of the lot depth
Accessory Buildings or Structures	Section 4.5
Fences	Section 4.20
Off-Street Parking	Section 4.13
Minimum Landscaped Open Space	The front yard of any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped open space. The driveway shall not constitute more than 40% of the front yard. A minimum area of 0.5m between the driveway and the nearest lot line must be maintained as a landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species
Garbage, Refuse Storage & Composters	In accordance with Section 4.9

Attachment 5 (continued) Existing Zoning and Details

UR (Urban Reserve) Zone

Permitted Uses

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

Regulations

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

Minimum Separation Distances Regulating Livestock Based Agriculture

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

Permitted Building or Structure

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

Minimum Side Yard

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

Minimum Rear Yard

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

Minimum Front Yard

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

Off-Street Parking

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

Attachment 5 (continued) Existing Zoning and Details

Off-Street Loading

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

Accessory Building or Structure

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

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

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

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

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

Lighting of Outdoor Sportsfield Facilities

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

R.3A-48 (Specialized Cluster Townhouse) Zone

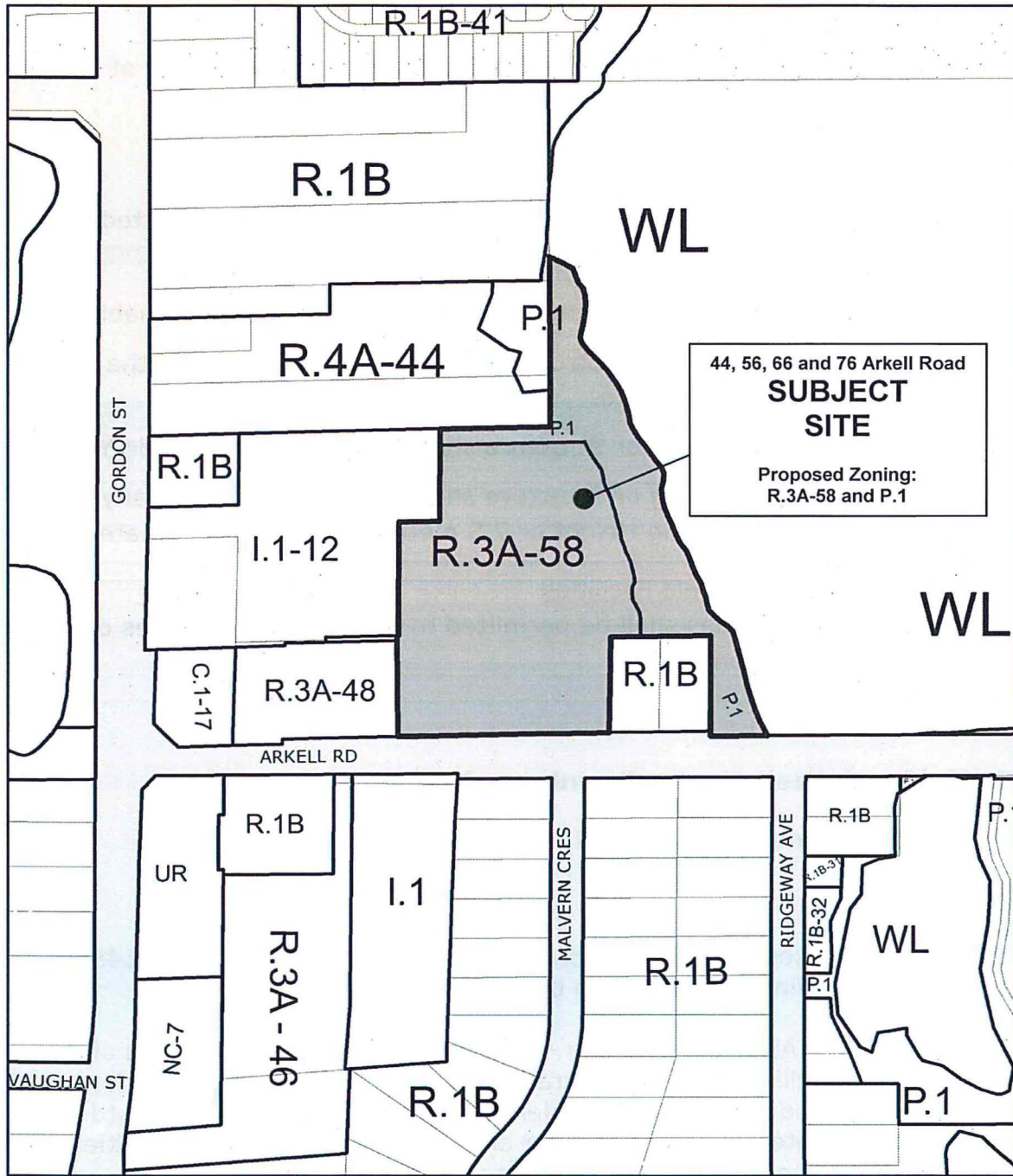
Applies to: 30, 34 and 40 Arkell Road

Permitted Uses

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

- Multiple Attached Dwelling - shall mean a Building consisting of 3 or more Dwelling Units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors or from an internal hall or corridor and which share common facilities such as Common Amenity Area, parking and Driveways.

Attachment 6 Proposed Zoning and Details



44, 56, 66 and 76 Arkell Road
SUBJECT SITE
Proposed Zoning:
R.3A-58 and P.1

50 25 0 50 m
Produced by the City of Guelph
Planning, Urban Design and Building Services
Development Planning
June 2015

Proposed Zoning
44, 56, 66 and 76 Arkell Road

CITY OF **Guelph**
Making a Difference

Attachment 6 (continued) Proposed Zoning and Details

R.3A (Cluster Townhouse) Zone

Permitted Uses

- Maisonette dwelling
- Stacked Townhouse
- Cluster Townhouse
- Home Occupation in accordance with Section 4.19
- Accessory Use in accordance with Section 4.23

Regulations

Within the Residential Townhouse R.3 Zones, no land shall be Used and no Building or Structure shall be erected or Used except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.3.2, and the following:

Maximum Building Coverage

Despite Row 8 of Table 5.3.2, where one Parking Space per unit is provided underground or Garages are attached or designed as an integral part of dwellings, the maximum coverage for the Buildings shall be 40 per cent.

Minimum Side and Rear Yards – R.3A Zones

No Building shall be located closer to any Rear or Side Lot Line than a distance equal to one-half the Building Height, and in no case less than 3 metres from any Rear or Side Lot Line.

Minimum Distance Between Buildings and Private Amenity Areas

The distance between the face of one Building and the face of another Building, each of which contains windows of Habitable Rooms, shall in no case be less than 15 metres.

The distance between any two Buildings on the same Lot shall in no case be less than 3 metres.

No part of a Private Amenity Area shall be located within 10.5 metres of a wall in another Building containing windows of Habitable Rooms which face the Private Amenity Area.

The minimum distance between the Private Amenity Areas of two separate Buildings shall be 6 metres where one Private Amenity Area faces any part of the other Private Amenity Area or 3 metres where the Private Amenity Areas are side

Attachment 6 (continued) Proposed Zoning and Details

by side and aligned parallel to each other. The minimum distance between a Private Amenity Area and the wall of another Building shall be 6 metres.

Minimum Common Amenity Area - R.3A Zone

- a) Except for developments which contain less than 20 dwellings, a minimum of 5 m² of Amenity Area per dwelling shall be provided and be developed as Common Amenity Area. This Common Amenity Area shall be aggregated into areas of not less than 50 m².
- b) Despite Section 5.3.2.4.1 a), the following shall apply to Stacked Townhouse developments:
 - i) Except for developments which contain less than 20 dwellings, a minimum of 10 m² of Amenity Area per dwelling shall be provided and be developed as Common Amenity Area, and be aggregated into areas of not less than 50 m².
- c) Where combined Cluster and Stacked Townhouses occur, the Common Amenity Area for the site shall be calculated by using the provisions of Section 5.3.2.4.1 b) for the proportion of units which are stacked and utilizing the provisions of Section 5.3.2.4.1 a) for the proportion of units which are Cluster Townhouse.

Amenity Areas shall be designed and located so that the length does not exceed 4 times the width.

A Common Amenity Area shall be located in any Yard other than the required Front Yard or required Exterior Side Yard.

Landscaped Open Space areas, Building rooftops, patios and above ground decks may be included as part of the Common Amenity Area if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges and landscaped areas).

Minimum Private Amenity Area Per Dwelling Unit: R.3A Zone - Cluster Townhouses and Ground Level Stacked Townhouse Units

A Private Amenity Area shall be provided for each unit and it shall:

- a) have a minimum area of 20 m²;
- b) have a minimum depth (from the wall of the dwelling unit) of 4.5 metres;
- c) have a minimum width equal to the width of the unit when the layout of the unit permits. If the preceding cannot be accomplished, the minimum width of the Private Amenity Area shall be 4.5 metres
- d) not form part of a required Front or Exterior Side Yard
- e) not face onto a public Street

Attachment 6 (continued) Proposed Zoning and Details

- f) be accessed through a doorway to a hall or Habitable Room, other than a bedroom.
- g) be separate and not include walkways, play areas, or any other communal area;
- h) be defined by a wall or Fence; and
- i) to be a minimum distance of 3.0 metres from a side or rear Lot Line.

For both Cluster and Stacked Townhouse developments, Private Amenity Areas shall be screened in a manner which prevents viewing into a part of it from any adjacent areas to a height of 1.8 metres. The extent of screening may be reduced if such screening would impair a beneficial outward and open orientation of view and there is not adverse effect on the privacy of the Private Amenity Area.

Maximum Density of Site

The maximum density of Cluster Townhouse developments shall be 37.5 dwellings per hectare.

Additional Front and Exterior Side Yard Regulations

Despite Row 5 of Table 5.3.2, for R.3 blocks not located on Streets listed in Section 4.24 and located within the boundaries of Defined Area Map Number 66 of Schedule "A" of this By-law, the Front or Exterior Side Yard shall be the average of the existing Yards within the same City Block Face and where the average of the existing Yards within the same City Block Face cannot be determined, the minimum Front or Exterior Side Yard shall be as set out in Row 5 of Table 5.3.2. Where legal off-street Parking Spaces are provided within an enclosed Structure, a minimum vehicular access of 6 metres between the Street Line and Structure shall be provided. In addition, location of units within this Defined Area shall be subject to the provisions of a Sight Line Triangle in Section 4.6.2.

Where a road widening is required in accordance with Section 4.24, the calculation of Front or Exterior Side Yards shall be as set out in Section 5.3.2.7, provided that the Yard is not less than the new Street Line established by the required road widening.

Maximum Driveway Width R.3B Zone On-Street Townhouses

Maximum Driveway (Residential) Width of R.3B Zone On-Street Townhouses shall comply with 4.13.7.2.5.

Attachment 6 (continued) Proposed Zoning and Details

17187, 19691 **TABLE 5.3.2 - REGULATIONS GOVERNING R.3 ZONES**

Row	Residential Type	R.3A Zone <i>Cluster Townhouse</i>	R.3A Zone <i>Stacked Townhouse</i>	R.3B Zone <i>On-Street- Townhouse</i>
1	Residential Type			
2	Minimum Lot Area	800 m ²	1,000 m ²	180 m ²
3	Minimum Lot Area Per Dwelling Unit	270 m ²	150 m ²	180 m ²
4	Minimum Lot Frontage	18 metres	18 metres	6 metres
5	Minimum Front Yard	6 metres and as set out in Section 4.24 and 5.3.2.7.		
5a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.24, 4.28 and 5.3.2.7		
6	Minimum Side Yard	See Section 5.3.2.2.		1.5m from the side of the Building .
7	Minimum Rear Yard	See Section 5.3.2.2.		7.5 metres
8	Maximum Building Coverage (% of Lot Area)	30	40	50
9	Maximum Building Height	3 Storeys and in accordance with Sections 4.16 and 4.18.		
10	Minimum Distance Between Buildings	See Section 5.3.2.3		--
11	Minimum Common Amenity Area	See Section 5.3.2.4		--
12	Minimum Private Amenity Area	See Section 5.3.2.5		--
13	Minimum Landscaped Open Space (% of Lot Area)	40	40	35
14	Buffer Strip	Where an R.3 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone a Buffer Strip shall be provided. Buffer strips may be located in a required Side or Rear Yard .		
15	Fences	In accordance with Section 4.20.		
16	Off-Street Parking	In accordance with Section 4.13.		

Attachment 6 (continued) Proposed Zoning and Details

17	Accessory Buildings or Structures	In accordance with Section 4.5.	
18	Maximum Number of Dwelling Units in a Row	12. Despite the preceding, where units are adjacent to a public Street , the maximum number of Dwelling Units in a row shall be 8.	8
19	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.	
20	Maximum Density of Site	See Section 5.3.2.6	-----
21	Maximum Driveway (Residential) width R.3B Zone On-Street Townhouses		See Section 4.13.7.2.5

Attachment 6 (continued) Proposed Zoning and Details

The following specialized regulations have been requested to the standard R.3A Zone:

- That the minimum lot area per dwelling unit be 255 m² whereas the Zoning By-law requires 270 m²;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;
- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys. (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only); and
- That the maximum density of the site be 39 units per hectare whereas the Zoning By-law requires 37.5 units per hectare.

P.1 (Conservation Land) Zone

Permitted Uses

- Conservation Area
- Flood Control Facility
- Recreation Trail
- Wildlife Management Area

Regulations

Within the Park (P) Zones, no land shall be Used and no Building or Structure shall be erected or Used except in conformity with the applicable regulations contained in Section 4 – General Provisions, the regulations set out in Table 9.2, and the following.

Within a Conservation Land (P.1) Zone, lands are to remain in their natural condition.

No construction of Buildings or Structures, removal or placement of fill, or any other development shall be permitted which could disrupt the ecology or natural features of a Wetland, and area of scientific and natural interest (ANSI's) or a significant woodlot and wildlife area.

Attachment 6 (continued) Proposed Zoning and Details

Despite the above, Buildings or Structures existing at the time of the passing of this By-law within the P.1 Zone shall be recognized. However, any expansion, reconstruction, or extension of any existing Use shall be subject to the Floodproofing requirements of the Grand River Conservation Authority and shall require consultation with the Ministry of Natural Resources.

WL (Wetland) Zone

Permitted Uses

- Wetland
- Flood Control Facility
- Recreation Trail (approved by the Grand River Conservation Authority)
- Wildlife Management Area

Regulations

Within the Wetland (WL) *Zone* all lands have been placed in a non-development designation. No construction of Buildings or Structures, removal or placement of fill, or any other Development *or* Redevelopment shall be permitted.

Despite the above, Buildings or Structures existing on the date of the passage of this By-law within the WL Zone shall be recognized as legal non-conforming.

Attachment 7 Site Photos



44 Arkell Road



56 Arkell Road

Attachment 7 (continued) Site Photos



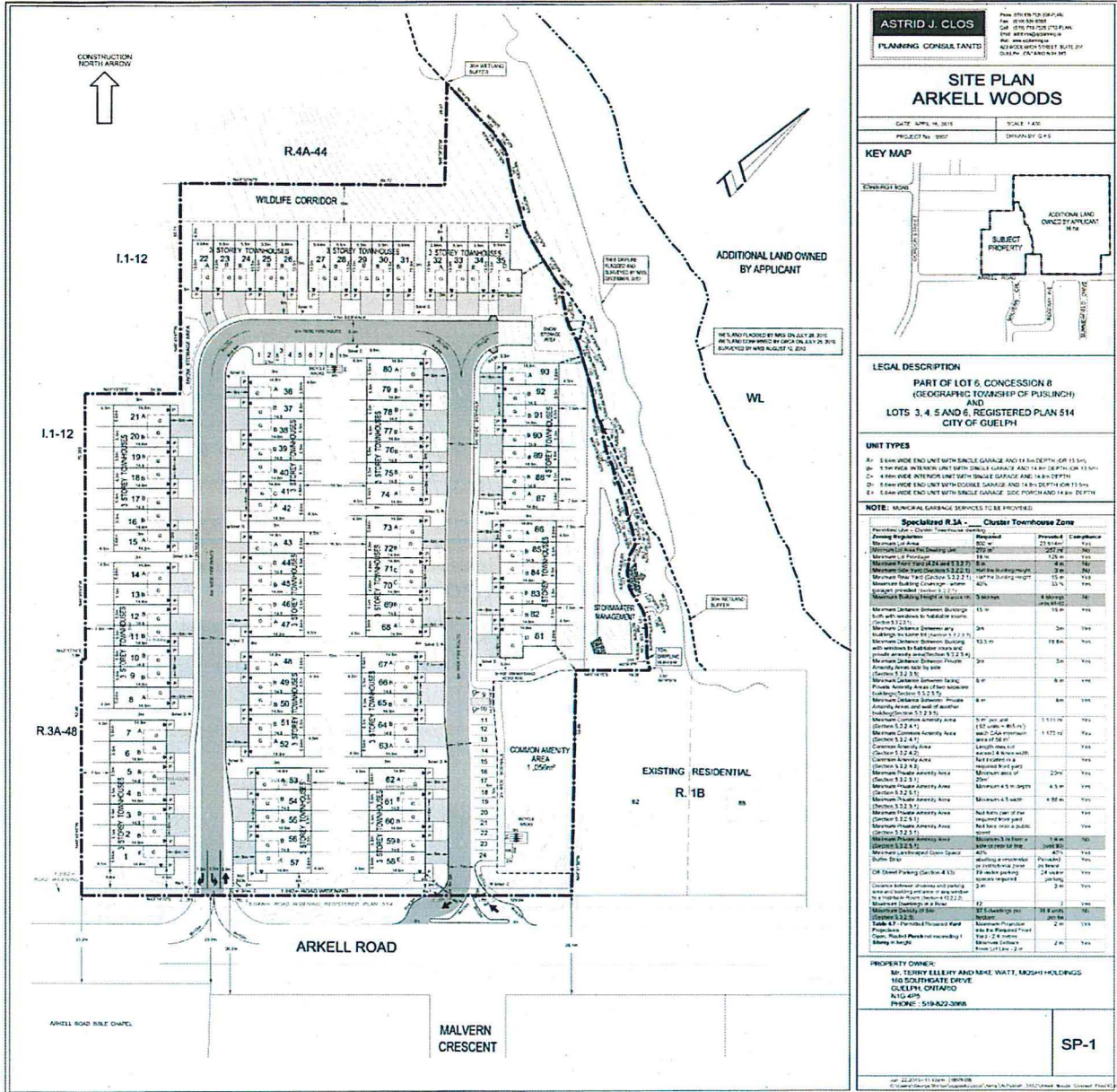
66 Arkell Road



76 Arkell Road

Photos by M. Witmer, June 2015

Attachment 8 Site Development Plan



ASTRID J. CLOS
PLANNING CONSULTANTS

**SITE PLAN
ARKELL WOODS**

DATE: APRIL 16, 2018 SCALE: 1/8" = 1'-0"
PROJECT No.: 2007 DRAWN BY: G.P.S.

KEY MAP

LEGAL DESCRIPTION
PART OF LOT 6, CONCESSION 8
(GEOGRAPHIC TOWNSHIP OF PUSLINC)
AND
LOTS 3, 4 AND 6, REGISTERED PLAN 514
CITY OF GUELPH

UNIT TYPES

- 5.6m wide end unit with single garage and 14 m depth (GR 13.5m)
- 5.1m wide interior unit with single garage and 14 m depth (GR 13.5m)
- 4.9m wide interior unit with single garage and 14 m depth
- 5.6m wide end unit with two-car garage and 14 m depth (GR 13.5m)
- 5.6m wide end unit with single garage, side porch and 14 m depth

NOTE: MUNICIPAL GARAGE SERVICES TO BE PROVIDED

Specularized R.1A - Cluster Townhouse Zone	Proposed	Permitted	Compliance
Maximum Height (2.2.2.1)	15.0m	15.0m	Yes
Maximum Lot Area (2.2.2.2)	800 m ²	800 m ²	Yes
Maximum Floor Area Ratio (2.2.2.3)	0.40	0.40	Yes
Maximum Building Coverage (2.2.2.4)	40%	40%	Yes
Maximum Building Height (2.2.2.5)	5.0m	5.0m	Yes
Maximum Distance Between Buildings (2.2.2.6)	15.0m	15.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.7)	24.0m	24.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.8)	10.0m	10.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.9)	3.0m	3.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.10)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.11)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.12)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.13)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.14)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.15)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.16)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.17)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.18)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.19)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.20)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.21)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.22)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.23)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.24)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.25)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.26)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.27)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.28)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.29)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.30)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.31)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.32)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.33)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.34)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.35)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.36)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.37)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.38)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.39)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.40)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.41)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.42)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.43)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.44)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.45)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.46)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.47)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.48)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.49)	8.0m	8.0m	Yes
Maximum Distance Between Buildings with Attached Units (2.2.2.50)	8.0m	8.0m	Yes

PROPERTY OWNER:
MR. TERRY ELLERY AND MRS. WAITE MURPHY HOLDINGS
160 SOUTHGATE DRIVE
GUELPH, ONTARIO
N1G 4P5
PHONE: 519-822-3888

SP-1

Attachment 9 Conceptual Rendering



Conceptual Rendering provided by Moshi Holdings Ltd., June 2015

Attachment 10 Staff Review and Planning Analysis

2014 Provincial Policy Statement

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

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of housing types [1.1.1 a), b)]. Further, the PPS requires development and land use patterns which may cause environmental and health and safety concerns to be avoided, along with promoting land use patterns that conserve biodiversity and consider impacts of climate change [1.1.1 c) h)]. Also, development must be cost-effective, ensuring the necessary infrastructure is in place to meet the projected needs [1.1.1 e), g)].

Policy 1.1.3 requires development in settlement areas to use land and resources wisely, considering opportunities for intensification and redevelopment. Specifically, densities are to be appropriate for and efficiently utilize the infrastructure and public service facilities that are planned or available, and take into account existing building stock [1.1.3.1, 1.1.3.2 a), b), 1.1.3.3].

Policy Section 1.2 requires a coordinated approach to planning matters, specifically in managing natural heritage, water and archaeological resources and addressing housing needs, including affordable housing [1.2.1 c) h)].

Policy Section 1.5 promotes the creation of healthy, active communities by planning and providing for a full range and equitable distribution of publicly-accessible built and natural heritage settings for recreation, including trails and linkages.

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. Particularly for stormwater, changes in water balance should be minimized, and stormwater best management practises such as low-impact development (LID) should be promoted [1.6.6.7 e)].

Policy Section 2.0 – Wise Use and Management of Resources speaks to long-term prosperity, environmental health and social well-being. For natural heritage, the diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity of natural heritage systems should be maintained and improved, specifically recognizing linkages between and among natural heritage features [2.1.2]. Importantly, development is not permitted on

STAFF REPORT



lands adjacent to natural heritage features such as Provincially Significant Wetlands (PSWs) unless the ecological function of the adjacent lands has been evaluated and it can be demonstrated that there will be no negative impact on the features and their ecological functions [2.1.8].

With any development, the City must protect the quality and quantity of water. This is achieved by identifying and implementing restrictions on development and site alteration to protect municipal drinking water supplies and ground water, and their hydrologic functions, thereby minimizing any potential negative impacts [2.2.1 b) c), e) 1. 2.]. Also, stormwater management (SWM) practises are to be implemented that minimize volumes and contaminant loading [2.2.1 h)].

Policy Section 2.6 speaks to cultural heritage and archaeology. Development and site alteration is not permitted on lands containing archaeological resources or on areas of archaeological potential unless the significant archaeological resources have been conserved [2.6.2].

Finally, Policy Section 3.0 ensures protection of public health and safety. Sites with contaminants in land or water are to be assessed and remediated as necessary prior to any activity on the site associated with the proposed use so that there will be no adverse impacts [3.2.2].

To summarize the above, the proposed development will add additional infill housing to a particular area of the City with a variety of existing, established and planned housing types. The subject site is surrounded by existing single detached dwellings, particularly a mature established neighbourhood on Malvern Crescent and Ridgeway Avenue. Gordon Street to the west has several zoned sites for apartment dwellings and neighbourhood commercial developments. Additional townhouses exist along Arkell Road both to the east and west of the subject site. The proposed amendment will therefore add an appropriate range and mix of housing to the area and will be planned in a manner to respect the character of surrounding area. Engineering staff have confirmed that existing sanitary sewage capacity and water services are available to the subject site.

In Planning staff's opinion, the proposed Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement. As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.7], a more detailed review on how the proposed Zoning By-law is consistent with the above PPS policies as well as policies in the City's Official Plan (December 2012 Consolidation) will be outlined below in this analysis.

Places to Grow: Growth Plan for the Greater Golden Horseshoe

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

STAFF REPORT

Specifically, the property is within the City's Built-Up Area, and the ninety-three (93) unit townhouse dwelling will contribute to furthering and maintaining the surrounding complete community. As of this year, the City must accommodate a minimum of 40 per cent of all new residential development within the Built-Up Area [2.2.3.1]. A significant portion of forecasted growth is to be within the Built-Up Areas through intensification [2.2.2.1 a)]. Several commercial, office and public transportation options exist, primarily along the Gordon Street intensification corridor to the west. A future public trail connection is proposed adjacent to the site, which, in addition to the proximity to the Gordon Street intensification corridor will contribute to a complete community.

Redevelopment and intensification proposals are encouraged to support innovative stormwater management actions [3.2.5.8]. The applicant has proposed to incorporate low-impact development (LID) measures into the stormwater and drainage system for the development, which is a stormwater management method specifically promoted in the PPS.

The subject property is on a public road constructed with an urban cross section having full municipal services available. Within the immediate neighbourhood, there are also various forms of existing and planned community infrastructure to support the proposed development, such as a future public trail connection immediately adjacent to the site. The Zoning By-law Amendment conforms to the Growth Plan.

Official Plan (December 2012 Consolidation)

The property subject to the Zoning By-law Amendment application is predominantly designated as "General Residential" in the Official Plan. A small portion of the lands along the southwest boundary of the property is designated as "Medium Density Residential" in the Official Plan. The remainder of the property is designated as "Core Greenlands". A "Non-Core Greenlands" overlay applies to a portion of the subject property that is proposed to be developed (See Attachment 3).

Development is not permitted within the Core Greenlands designation. Development is only permitted within the Non-Core Greenlands overlay where it can be demonstrated that there will be no negative impact on the adjacent natural heritage features. Schedule 2 of the Official Plan specifically identifies the subject lands as having Provincially Significant Wetlands (PSWs) and Other Natural Heritage Features.

The policies regarding Core Greenlands as per Section 7.13.2 of the December 2012 Consolidated Official Plan requires natural heritage features contained within the Core Greenlands designation such as PSWs to be protected for the ecological value and function, and development is not permitted within this designation. The permitted uses within Core Greenlands include conservation activities, open space and passive recreational pursuits that do not negatively impact on the natural heritage features or their associated ecological functions.

STAFF REPORT

The policies regarding Non-Core Greenlands overlay as per Section 7.13.5 apply to natural heritage features and associated lands including significant woodlands, significant environmental corridors and ecological linkages and significant wildlife habitat. Development within the Non-Core Greenlands overlay and on adjacent lands to lands designated Core Greenlands may be permitted where an Environmental Impact Study (EIS) has been completed under Section 6.3 of the Official Plan and it has been demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area. Further where it's deemed appropriate and reasonable, consideration is to be given to measures to provide for the enhancement of any identified natural heritage feature as part of such EIS. The applicant has prepared and submitted an EIS, and more on this will be outlined later in this analysis.

The Official Plan contains policies regarding developments within the Built-Up Area as identified on Schedule 1B of the Official Plan. Within the Built-Up Area, a significant portion of new residential growth is to be accommodated.

The proposed ninety-three (93) unit cluster townhouse development meets the regulations of the "General Residential" land use designation policies of the Official Plan. The General Residential land use designation permits all forms of residential development, with the general character of development being low-rise, ground oriented housing forms.

Section 7.2.7 of the Official Plan permits townhouses and row dwellings within the General Residential designation, subject to four (4) criteria – that the building form, massing, appearance and siting are compatible in design, character and orientation with the buildings in the immediate vicinity; that the proposal can be adequately served by shopping, schools, parks and recreation facilities; that vehicular traffic generate can be accommodated with minimal impact on area roads and intersections; and finally that adequate municipal infrastructure, services and amenity areas can be provided. In Planning staff's opinion, each of these four (4) criteria are met by the proposed development. An Urban Design Brief has been prepared by the applicant, which sufficiently demonstrates how townhouses will fit within to the existing neighbourhood and adjacent developments. The applicant submitted a preliminary site plan (Site Plan File SP15A026) to the City in April 2015. Planning staff will continue to work with the developer through the site plan approval process to refine and finalize the design of the proposed townhouse units. In consultation with other City departments, the other three (3) criteria will be demonstrated in greater detail later in this analysis.

As per Section 7.2.32 of the Official Plan, the net density of development within the General Residential designation is not to exceed 100 units per hectare (40 units/acre). The subject property is a total of 2.4 hectares in size, with 93 dwelling units proposed. This equates to an average site density of 38.8 units per hectare ($93/2.4 \text{ ha} = 38.8 \text{ units per hectare}$), which is less than the maximum permitted density in the General Residential designation. For comparison purposes, the

STAFF REPORT

previous proposal of 40 stacked townhouses and one hundred and 176 multiple attached dwelling units for a total of 216 units had a density of 90 units per hectare.

Similar to the PPS, the Zoning By-law Amendment would also be classified as *redevelopment* under the definition in the Official Plan. Redevelopment is defined in the Official Plan as "a form of development involving the removal of buildings or structures from land and the construction of new buildings or structures on the said land..." Within the Built-Up Area of the City, Official Plan Section 2.4.5.1 c) specifically encourages the revitalization of vacant or underutilized lots through redevelopment.

The Official Plan requires intensification and redevelopment, including for new residential developments to be compatible with an existing residential neighbourhood's built form [3.3 a)]. In particular, maintaining the stability and physical character of the built forms in existing established low density residential neighbourhoods is an objective of the Official Plan. The proposed Zoning By-law Amendment also is in keeping with the objectives of the Official Plan to direct new residential growth to existing and Built-Up Areas through redevelopment and intensification.

Arkell Springs Water Resource Protection Area

Schedule 2 of the Official Plan identifies the subject property as being within the Arkell Springs Water Resource Protection Area. Arkell Springs is an area southeast of the City in which the City is reliant on for the majority of its water supply. Lands identified on Schedule 2 of the Official Plan as being within the Arkell Springs Water Resource Protection Area contribute to the recharge of ground water for Arkell Springs. Sections 4.3 and 5.7.1 of the Official Plan contain policies ensuring the protection of the associated recharge area, including the protection of surface water and groundwater resources. Inclusion and adherence to these policies in the Official Plan is consistent with the requirements of Section 2.2 of the PPS, 2014. During the statutory public meeting on February 9, 2015, a delegation requested recognition that the subject property is within the Arkell Springs Water Resource Protection Area.

Policy 4.3.6 provides specific requirements for the protection of ground water resources that include: protecting wetlands and other areas that make significant contributions to ground water recharge; ensure that stormwater management systems protect water quality and quantity; and, requiring impact studies where proposed development has the potential to affect ground water resources. Policies for the Arkell Springs Water Resource Protection Area are specifically included within Section 4.3.8.

Staff are satisfied that these requirements have been addressed in this development through the review of the technical information provided. This has been achieved by:

- The preparation of a stormwater management plan and water balance that

incorporate LID measures to achieve an annual balance of surface water runoff to the Arkell Provincially Significant Wetland in relation to the post-development to pre-development conditions, and also provides treatment of stormwater runoff to contribute to maintaining water quality;

- Maintaining on-site predevelopment infiltration rates post development as supported by the hydrogeological report and stormwater management study in order to maintain on site infiltration/recharge functions; and
- Protection of the Arkell Provincially Significant Wetland including its ecological and hydrological functions as supported by the EIS. More information regarding the EIS is provided later in this analysis.

Source Water Protection & The Clean Water Act

Source Water Protection Plan requirements are not yet in place, as the City is awaiting the Ministry of Environment and Climate Change's (MOECC) approval of the Source Water Protection Plan.

In anticipation of the Source Water Protection Plan's approval and policy implementation, the City's Risk Management Official (RMO) has reviewed the application to identify whether there would be any concerns as they relate to Significant Drinking Water Threats once the Plan comes into force. Based on the RMO's review of the application, there are no outstanding concerns in relation to Source Water Protection Plan requirements for Significant Drinking Water Threats, or other requirements under the Clean Water Act. In Planning staff's opinion, this satisfies Policy 2.2.1 e) 2. of the PPS, 2014.

Official Plan - Conclusions

The proposed cluster townhouse development dwelling is compatible with the urban form, density and scale of existing residential units in the area and will add housing variety to the Arkell and Gordon area. The adjacent Core Greenlands will have no negative impact from the proposed development. Overall, the Zoning By-law Amendment is consistent with the City's Official Plan (December 2012 Consolidation).

Official Plan Amendment No. 42 – Natural Heritage System

Official Plan Amendment 42 (OPA 42) is the City's Natural Heritage System (NHS), replacing the Core and Non-Core Greenland Policies of the December 2012 Consolidated Official Plan. It was adopted by Council on July 27, 2010 and subsequently approved in part by the Ontario Municipal Board (OMB) on June 4, 2014, with the exception of site specific appeals not related to the subject site. It is noted that this Zoning By-law Amendment was submitted and deemed to be complete prior to OPA 42 being in effect and is therefore being reviewed with the Greenland policies of the December 2012 Consolidated Official Plan (discussed above). However, the review of the applications has had regard for the policies of OPA 42.

STAFF REPORT

In general, the City's NHS is comprised of a combination of natural heritage features and areas, including Significant Natural Areas, Ecological Linkages, Restoration Areas and minimum buffers, Natural Areas and Wildlife Crossings as identified on OPA 42 – Schedule 10. Together, these elements maintain local biological, hydrological and geological diversity, ecological functions, connectivity, support viable populations of indigenous species, and sustain local biodiversity.

The City's NHS identifies the property as "Significant Natural Areas" including PSWs and locally significant wetlands, Significant Woodland, Significant Wildlife Habitat and Ecological Linkage. Specifically, the subject property includes portions of the Torrance Creek PSW Complex, and is partially within the Torrance Creek Subwatershed and partially within the Hanlon Creek Subwatershed. The ecological linkage connects the Torrance Creek PSW with the Hanlon Creek PSW on the west side of Gordon Street.

Development is not permitted within "Significant Natural Areas" or their minimum buffers. Development or site alteration may be permitted on adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS that there will be no negative impacts on the protected natural features or their associated ecological functions.

Environmental Impact Study (EIS)

The applicant submitted an EIS, along with several addendums and updates since the original Zoning By-law Amendment application was received in September 2013. The final EIS (as amended) for the ninety-three (93) cluster townhouse development concept was approved by the City's Environmental Advisory Committee (EAC) on June 10, 2015, subject to conditions. The Grand River Conservation Authority (GRCA) has reviewed the EIS and has stated they have no objections or comments on the proposal. The conditions recommended by EAC and the City's Environmental Planning staff will ensure the proposed development will not have any negative impacts on the adjacent natural heritage features, including the Torrance Creek PSW.

A 20 m wide ecological linkage has been proposed at the northwest of the subject property to limit the barrier to movement between seasonal wildlife concentration areas and increase movement opportunities for deer and other wildlife including deer and coyotes that use the area for movement between habitats. The proposed ecological linkage will be contiguous with the 20 m linkage width agreed on the adjacent property to the north (1274-1280 Gordon Street) as part of a recent development application (site plan file number SP13A041). Although the applicant did not specifically request a Conservation Land (P.1) Zone for the ecological linkage on the northwest portion of the subject site, Planning staff are recommending that this area be included within the Conservation Land (P.1) Zoned portion of the property rather than as part of the specialized Cluster Townhouse (R.3A-58) Zone (See Attachment 6).

STAFF REPORT

The proposed cluster townhouse development generally provides the minimum 30 m buffer to the Torrance Creek PSW and 10 m buffer to the Significant Woodland dripline, within which a public trail is proposed, while a dry stormwater management pond is located outside the buffer (with the exception of the pond's outlet structure). It's recommended that the encroachment associated with the stormwater management pond's outlet be further minimized and reviewed as part of the future Environmental Implementation Report (EIR) submission.

Public Multi-use Trail

The Guelph Trail Network and Official Plan Amendment 48 (not yet in effect) identifies an important north-south multi-use public trail connection from Brady Lane (south of Kortright Road East) to Arkell Road along the west side of Torrance Creek PSW Complex. Staff are recommending that the lands along the eastern edge of the development as per the recommended trail alignment (Option 1) through the EIS process be conveyed to the City and zoned P.1 (Conservation Lands) to develop a 2.5 m wide public multi-use trail, including a boardwalk connection. The exact size and location of the trail parcel is dependent on the location of final trail alignment, trail materials and the associated grading and drainage design information. Through this, the developer will be directly responsible for the costs of the works related to the recreational trails and multi-use paths within the development as identified under City's current Development Charges Bylaw- Local Service Policy.

Detailed trail layout, grading and drainage plans and construction details are to be consistent with City standards. The trail design is to be consistent with Guelph Trail Master Plan standards as appropriate to the site conditions and other City guidelines (i.e. Facility Accessibility Design Manual, etc). The trail plan, design and construction is to comply with all relevant regulations applicable to trail management made under the *Accessibility for Ontarians with Disabilities Act*.

Although the trail alignment recommended in Option 1 of the EIS is not the preferred alignment from a natural heritage perspective, Planning staff are satisfied with the information provided in that a trail can be accommodated without negatively impacting the functions of the adjacent PSW and Significant Woodland given the recommended design (partial boardwalk on helical piers), mitigation measures (timing windows, educational signage) and future detailed work to occur as part of the EIR.

Tree Preservation

The site being greater than 0.2 hectares in area is subject to the City's Private Tree By-law (2010)-19058. As such, a Tree Inventory, Preservation Plan and Compensation Plan is required to address all regulated trees on the site. Further, as the existing four (4) single detached dwellings on the subject lands have been proposed for demolition, any trees that may be impacted by demolition activities are to be protected by tree hoarding prior to demolition commencing. More details

STAFF REPORT

on the demolition of the houses and associated tree protection is provided later in this analysis.

EIS - Conclusions

After reviewing the EIS and following EAC's consideration of its findings, staff recommend that an EIR be completed prior to Site Plan approval and that the EIR contain (but not necessarily be limited to) the following information:

- A spring and summer vascular plant survey;
- A refined water balance based on a detailed SWM design and detailed design of the outlet for the SWM system and its interface with the natural environment;
- Detailed design of the public trail layout as required by Parks and Open Space staff supported by mitigation measures and an analysis confirming no impacts to the adjacent NHS;
- Recommendations on the timing of site preparation and grading for trail construction within the open space lands. Based on the location of the trails within natural open space it would be beneficial to implement the trails at the same time as other area features (planting, demarcation, etc.). This would consolidate timing of construction activity close to sensitive habitats and avoid re-disturbance of regenerating buffer areas. It would also avoid home buyer concerns and delays in trail installation typically associated with later trail development;
- Education and Stewardship materials including an insert to the City's EnviroGuide for all new households and identifying desirable locations and design content of interpretive signage - environmental educational/interpretive signage will be provided at all major trail access points and/or along the trail routes to educate residents and trail users about the area's environmental features and to educate the users on expected behaviours while using the trails and to address many of the common resident impact items including dumping of yard waste, encroachments, pet waste;
- A Salt Management Plan and recommendations with respect to including its recommendations within any future condominium declaration;
- Restoration landscape plans including any required clean up or debris removal and invasive species management;
- An up to date and detailed tree inventory including areas along the trail alignment as well as a compensation plan;
- Removal of hazard trees along the trail system and residential properties; and
- Monitoring plan design and baseline information, and recommendations with respect to including the monitoring plan commitments within any future condominium declaration.

Official Plan Amendment No. 48

On June 5, 2012, the City adopted Official Plan Amendment 48 (OPA 48), a comprehensive update to its Official Plan. OPA 48 is currently under appeal and not yet in effect. However, consideration is given to the policies of OPA 48 since these

policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

The proposed residential development is in conformity with the "Medium Density Residential" land use designation in OPA 48, which permits multiple unit residential buildings such as townhouses and apartments. The minimum height of residential buildings in the Medium Density Residential designation is to be two (2) storeys and the maximum height is (6) stories. The density range for the Medium Density Residential designation is between 35 and 100 units per hectare. The density of the proposed ninety-three (93) cluster townhouse development of 38.8 units per hectare is within the density range of the Medium Density Residential designation. It should also be noted that Schedule 7 of OPA 48 (Trail Network) identifies the proposed City trail along the eastern development limit.

Overall, the proposed cluster townhouse development conforms to the goals and objectives of OPA 48.

Review of Proposed Zoning

The Zoning By-law Amendment application is a request to rezone the subject lands from the current UR (Urban Reserve) Zone, WL (Wetland) Zone, R.1B (Residential Single Detached 'B') Zone and R.3A-48 (Specialized Cluster Townhouse) Zone to a R.3A-58 (Specialized Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and WL (Wetland) Zone to permit the development of ninety-three (93) cluster townhouse dwelling units. The easterly side of the UR zoned lands has a "Lands Adjacent to Provincially Significant Wetlands" overlay that will remain in the Zoning By-law for this property. The main aspect of this request is to add the specialized R.3A-58 Zone to a portion of the subject property to permit the proposed townhouses. The standard R.3A cluster townhouse regulations will be applicable to this development (See Attachment 6), with the following specialized provisions:

- That the minimum lot area per dwelling unit be 255 m² whereas the Zoning By-law requires 270 m²;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;
- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys. (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only);
- That the maximum density of the site be 39 units per hectare whereas the Zoning By-law requires 37.5 units per hectare; and
- That the above provisions shall continue to apply collectively to the whole of the subject lands that are within in the R.3A-58 Zone, despite any future severance, phase of condominium registration, partition, or division for any purpose.

STAFF REPORT

In Planning staff's opinion, the proposed zoning categories and the associated specialized provisions are appropriate to implement the proposed ninety-three (93) unit cluster townhouse development. The increased height of four (4) stories applies to units 81 to 93 only as they will be walk-out units due to the grade change at their specific location. The request to increase the density is supported by Planning staff as it is below the maximum density in the Official Plan and within the density range in OPA 48. The final requested point for the specialized provisions to continue to apply to the site zoned R.3A-58 is acceptable to Planning staff as it is anticipated that there will be future subdivision of the subject lands by way of a plan of condominium or a consent to sever. This provision will avoid the need for a future minor variance to legalize a setback requirement to a new lot line yet to be created. The other specialized provisions are regarding the placement of the townhouse buildings themselves, and based on the proposed site plan, represent an orderly and consistent layout for the site that fits in with the surrounding neighbourhood.

Although Planning staff are currently reviewing a site plan submission for the proposed townhouse development (Site Plan File No. SP15A026), the applicant has committed to exceed the minimum off-street parking requirements in the Zoning By-law. No specialized provisions have been requested in this application to reduce the proposed off-street parking below the minimum amount required in Section 4.13 of the Zoning By-law. During the public review, some neighbours expressed concern with there not being sufficient visitor parking and that visitors and residents of the site may park on neighbouring public streets such as Malvern Crescent and Ridgeway Avenue. On the most recent site plan submission (April 16, 2015 – See Attachment 8), the applicant has shown twenty-four (24) visitor parking spaces, whereas nineteen (19) are required.

Modifications are proposed to the boundary of the current WL (Wetland) Zone. These minor modifications result from the boundaries of the Torrance Creek PSW being flagged and surveyed by the applicant's environmental consultant and confirmed by the GRCA in 2010. The minor adjustment would not impact the wetland and its ecological function, and no development or alterations are proposed in the WL Zone.

Finally, the requested P.1 (Conservation Land) zone has been requested by the applicant to apply to the Torrance Creek PSW 30 m buffer. The proposed public trail will be within the P.1 Zone, which is a permitted land use in this zone. Planning staff are recommending that the requested P.1 Zone also be extended to include the ecological linkage at the northwest boundary of the property (See Attachment 6). This modification will not impact the development concept (i.e. reduce the proposed number of units) proposed by the applicant.

Changes to Zoning Since February 9, 2015 Public Meeting

Following the second Public Meeting on February 9, 2015 on a revised ninety-one (91)-unit townhouse proposal, further minor modifications were made to the design

STAFF REPORT

to accommodate an underground infiltration gallery and additional LID measures. The additional LID features required minor modifications to the layout of the site where a mid-block internal road connection was eliminated. This modification increased the number of proposed townhouse dwelling units by two (2) to ninety-three (93) total, mainly due to the elimination of the mid-block connection.

In addition, as indicated above, the adjacent Torrance Creek PSW limits on the subject lands was surveyed by the applicant's environmental consultant and confirmed by the GRCA. As such, minor adjustments are proposed to be made to the existing WL (Wetland) Zone to reflect the wetland's true boundary along with rezoning a portion of the UR (Urban Reserve) Zone to the P.1 (Conservation Land) Zone to incorporate an associated 30 m conservation buffer.

Finally, following review of the revised ninety-three (93) unit cluster townhouse proposal, it was noted by staff that a small portion of the site along the southwest boundary closest to Arkell Road is currently zoned R.3A-48 (Specialized Cluster Townhouse). This specialized cluster townhouse zoning is a remnant from the recent development by the same applicant of the adjacent property to the west – 32 Arkell Road (known as the Arkell Lofts). Planning staff recommend that this small portion of the lands currently zoned R.3A-48 be included in the portion being rezoned to R.3A-58 to facilitate the applicant's proposed development and to formally align with the property boundaries between the subject lands and 32 Arkell Road (See Attachment 5).

As these above modifications to the number of townhouse units, PSW limit, and two specialized cluster townhouse (R.3A) Zones made since the February 9, 2015 public meeting are minor and do not affect the portions of the development adjacent to neighbouring properties and the general intent of the Zoning By-law Amendment Application, Planning staff are of the opinion that in accordance with Section 34(17) of the *Planning Act*, no further public notice is required related to the minor modifications to the proposed development.

Community Energy Initiative Considerations

The applicant has submitted information outlining some additional energy efficiency initiatives that are proposed in association with the construction of the proposed townhouse dwellings (see Attachment 11). Energy-efficient housing designs are encouraged as per Section 7.2.12 of the Official Plan.

Statutory Public Meeting

The initial Statutory Public Meeting was held on May 12, 2014 on the former proposal of forty (40) stacked townhouses and one hundred and seventy-six (176) multiple attached dwelling units. At this meeting, concern was raised by several area residents over the density and impact of the proposed development on the surrounding residential properties. To address the concerns raised at that public meeting regarding the proposed density on the site, the applicant worked closely with the area residents and submitted a revised application requesting zoning to

STAFF REPORT

permit ninety-one (91) cluster townhouse dwelling units. Significant revisions to the development's layout and form were made by the applicant to accommodate these concerns.

A second public meeting was held before Council on February 9, 2015 on the revised ninety-one (91) unit cluster townhouse proposal. At this meeting, area residents expressed general satisfaction with the revised cluster townhouse proposal, save and except for a few minor concerns that can be finalized during site plan approval. Specifically these concerns include the final location of the public trail being further setback from the adjacent single detached dwellings to the east and that a fence be erected at the rear of the 88 Arkell Road property to protect privacy. The applicant agreed at the public meeting to construct the fence, and staff in consultation with the GRCA will continue to evaluate the final location and design of the trail. Following this public meeting, further minor modifications were made to the townhouse layout to accommodate an underground infiltration gallery and other LID stormwater management measures. The additional LID features required minor modifications to the layout of the site where a mid-block internal road connection was eliminated. This modification allowed for a modest increase in the number of proposed townhouse dwelling units by two (2) to ninety-three (93) total, mainly due to the elimination of the mid-block road connection.

As indicated and discussed earlier in this analysis, a delegate requested recognition of the property as being within the Arkell Springs Water Resource Protection Area. This delegate also requested that appropriate Zoning be placed over the ecological linkage to ensure long term sustainability. As also indicated previously, staff agree with this request and recommend the P.1 (Conservation Land) Zoning continue to include the ecological linkage on the subject property (See Attachment 6).

At the second public meeting in February 2015, Council also requested staff to review three other concerns, including a cumulative traffic approach on potential impacts of applications along Arkell Road, clarification of how the additional new dwelling units will meet the 3% affordable housing goal, and confirmation from Solid Waste Resource staff on their ability to service the proposed development with public waste pick-up. Each of these concerns by Council are addressed below:

Traffic Impacts

There were several concerns raised at the public meeting regarding various traffic impacts. Engineering staff, including the City's Transportation Planning Engineer reviewed a Scoped Traffic Impact Analysis submitted by the applicant who agreed with its findings and conclusions. Arkell Road abutting the subject property is designated as a two (2) lane arterial road. Accesses to the development will be from a full movement driveway on the west side, and a right-in/right-out only movement driveway on the east side, aligning with Malvern Crescent (see Attachment 8). Previous development concepts showed the eastern driveway as a full movement access as well. The eastern driveway access has been modified to a right-in/right-out only due to concerns with geometrics of the access on the crest of

STAFF REPORT

a hill along Arkell Road, and potential poor sightlines for left turns in and out of the subject site.

The site distance for the main full movement west driveway was completed in the Traffic Impact Analysis. It was concluded that the site driveway intersection will operate safely as it will adequately provide stopping sight distance requirements. It was recommended that the City reduce the speed of Arkell Road to 40 km/h in this area and install a flashing amber light with a cautionary sign indicating "hidden intersections ahead". However, this it was noted that is an existing condition and is not influenced by this Zoning By-law Amendment Application. Both Engineering and Traffic staff considered this recommendation, but as it is an existing condition, do not recommend proceeding to install these measures at this time as in their opinion, it will be an ineffective control measure. The City currently uses 40 km/h and 30 km/h speed limits in reduced speed zones only in front of elementary schools. The City also has one other reduced speed limit of 30 km/h in front of City Hall on Carden Street within the Downtown, due to the complexity of the street design and the interaction between high pedestrian volumes and vehicles. With the exception of Carden Street and school zones, the City does not currently support the installation of speed limits less than 50 km/h on residential streets.

Council expressed concerns regarding cumulative traffic impacts in the immediate area from several new and ongoing developments. The applicant's Scoped Traffic Impact Analysis considered the traffic impact from this and several other ongoing developments in the immediate area, including 1274-1280 Gordon Street (Coletara - Liberty Square), 1300 Gordon Street, 1291 Gordon Street (HIP - Solstice I), and 32 Arkell Road (Granite Homes - Arkell Lofts), among other potential development and intensification sites not currently active. In consultation with the City's Transportation Planning Engineer and the applicant's Transportation Planning Engineer, staff are satisfied that the proposed ninety-three (93) townhouse development on the subject property will have a minimal impact to traffic in the immediate area. Specifically, the Traffic Impact Analysis concluded, "the subject site has a minimal impact on causing poor LOS (Level of Service) at Arkell Road and Gordon Street as it generates about 1% of the future background traffic volume in the AM and PM peak hours entering the intersection," (Paradigm Transportation Solutions Limited, 2014).

Questions were also raised by Council regarding the need for a left turn lane into the subject site. Left turn warrants were examined for the future traffic conditions at the main driveways to the development using the Ministry of Transportation's (MTO) left turn warrant system. The Traffic Impact Analysis determined that left turn volumes will be less than 5% of the advancing traffic on Arkell Road, whereas the MTO's warrant for a dedicated turning left turn lane are for 5% or higher. Further, no significant delay to advancing eastbound traffic on Arkell Road will occur if no left turn lane is added into the site. Therefore, it was concluded that dedicated left turning lanes are not required or warranted.

STAFF REPORT

Despite not warranting a dedicated turning lane, Engineering staff have advised that as part of the site plan application, a road widening dedication of 1.892 m for the Arkell Road right-of-way will be required. The current right-of-way width, which varies from 23.2 m to 26.2 m does not meet the ultimate width of 30 m specified in Table 8.1 of the Official Plan.

Affordable Housing

Planning staff are continuing to work towards how the 30% overall affordable housing target will cumulatively be reached through residential development applications. The anticipated timing of the City's Affordable Housing Strategy is within the next year.

Solid Waste Resources

Planning staff reviewed the most recent ninety-three (93) unit cluster townhouse proposal with Solid Waste Resources staff and have received confirmation that this development will be able to receive public waste pick-up using by the City through the three-stream waste system.

Cultural Heritage Resources – Archaeology

In accordance with the Ontario *Heritage Act*, the applicant undertook an Archaeological Assessment through a licensed Archaeologist for the subject lands in the fall of 2010. Through this assessment, a small 20th century Euro-Canadian scatter of tableware ceramics was identified on the subject lands, and the artifacts found have been sufficiently documented. The Archeologist concluded that due to the late dates of the scatter, the site did not represent a significant archaeological resource or planning concern. The subject lands received archaeological acceptance from the provincial Ministry of Tourism, Culture and Sport (MTCS) in September, 2011. Specifically, the MTCS agreed with the recommendations of the Archaeological Assessment Report, in that the provincial interest with the archaeological scatter found on the subject site was sufficiently addressed. Therefore, Planning staff are satisfied that Section 2.6.2 of the PPS, 2014 has been addressed.

Environmental Site Assessment (ESA)

Engineering staff are recommending that the developer submit a Phase 1 Environmental Site Assessment (ESA) in accordance with the Record of Site Condition regulation (O. Reg. 153/04), describing the current conditions of the subject properties to the satisfaction of the City. If contamination is found, the qualified consultant will need to determine the nature and the requirements for removal. As such, prior to site plan approval and any grading on the subject lands, the developer shall file a Record of Site Condition (RSC) on the MOECC's Environmental Site Registry for the property, including certification by a Qualified Person as defined by O. Reg. 153/04 that the condition of the subject site meets the appropriate MOECC Site Condition Standards for residential land uses. Overall, this will ensure that the development and land use will avoid any environmental and health and safety concerns, consistent with the PPS, 2014.

STAFF REPORT



Requested Demolition of Existing Four (4) Single Detached Dwellings

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

The applicant has submitted demolition permits to demolish the four (4) single detached dwellings at 44, 56, 66 and 76 Arkell Road (See Attachment 7). None of the four single detached dwellings are designated or listed (as non-designated) in the City of Guelph's Municipal Register of Cultural Heritage Properties according to Section 27 of the Ontario *Heritage Act*. Further, none of the four (4) single detached dwellings are included in the City's Couling Inventory as recognized built heritage resources in the City's Official Plan. The demolitions have been reviewed by the City's Senior Heritage Planner who has no concerns or objections to their removal.

The City's Environmental Planner reviewed the demolitions, and has provided comments regarding tree preservation and protection of any breeding birds. Specifically if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search must be undertaken by a wildlife biologist so as to protect any breeding birds in accordance with the federal *Migratory Birds Convention Act* (MBCA) prior to any works occurring.

Further, as the subject lands are greater than 0.2 hectares, protective tree fencing shall be installed at one (1) metre from the dripline of any existing trees to be retained on the property or on adjacent public or private properties (including City trees on the Arkell Road right-of-way) that may be impacted by demolition activities, prior to the issuance of any demolition permits. The tree protection fencing shall also be inspected by the City's Environmental Planner prior to any demolition works commencing.

No comments or concerns have been received by the public regarding the proposed demolition of the dwelling.

The approval of the four (4) demolition applications is recommended as none of the existing dwellings are significant cultural heritage resources, and they are proposed to be replaced with ninety-three (93) townhouse dwelling units. Therefore, there will be a net gain of eighty-nine (89) dwelling units as a result of the Zoning By-law Amendment Application, consistent with the intent of the City's Demolition Control By-law.

Attachment 11 Community Energy Initiative Commitment

Moshi Holdings Ltd.

June 8, 2015

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

Attention: Michael Witmer, Development Planner
Planning Services

Re: 44, 56, 66 and 76 Arkell Road – Zoning By-law Amendment File ZC1314
Community Energy Initiative Plan

Further to your request, please find below a summary of how our residential development proposal will assist the City in implementing Guelph's Community Energy Plan.

- The proposed residential development consists of ninety-three (93) condominium townhomes. The total site area is 18.8 ha and the developable area is approximately 2.4 ha.
- The proposed development will be served by the transit network which includes the municipal and Greyhound bus routes as well as bicycle lanes along Gordon Street and Arkell Road.
- This private condominium project has incorporated low impact development measures such as bioretention swales, infiltration galleries and enhanced grassed swales. In addition, our development will increase the number of people per ha in an existing built neighbourhood which is in keeping with Places to Grow legislation and Smart Guelph Principles.
- A compact, well-utilized, efficient site design with green space throughout the site will be implemented.
- Construction waste diversion program will be in effect during construction period.
- A contemporary/modern townhome design will be implemented and is in keeping with the adjacent Arkell Lofts.
- Incorporate a comprehensive erosion and sedimentation control plan throughout the development of the site.
- Native trees and drought resistant plant species will be incorporated in the landscape plan, minimizing sod and affiliated water demands.
- Site lighting for parking and pedestrians will be designed to light only intended areas minimizing light pollution for the surrounding residential neighbours.
- Pedestrian walkways are incorporated throughout the site plan with very convenient connections to the future sidewalk to be installed along the north side of Arkell Road.
- Low VOC (volatile organic compound) materials will be used where possible.
- The townhomes will utilize low flow faucets, shower heads and dual flush toilets. Use of kitchen and bathroom aerators for hot water conservation.
- Laundry closets will be designed to encourage the use of front loading washer/dryer.

Attachment 11 (continued) Community Energy Initiative Commitment

- All townhomes will be constructed to the Energuide 80 standard promoting energy efficiency.
- Use of either high efficiency hot water tanks or on demand hot water tanks.
- Low-E Argon filled windows will be used to reduce heat gain/loss.
- Programmable digital thermostats will be installed in all townhomes.
- All townhomes will include high efficiency gas furnaces.
- All kitchen designs will include integrated garbage separation compartments to assist with recycling

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

Sincerely,


Terry Ellery
President
Moshi Holdings Ltd.

- c. Astrid Clos, Astrid J. Clos Planning Consultants
Pete Graham, Acorn Developments

Attachment 12 Agency and City Department Comments

MEMO



FILE: 16.131.001

TO: Michael Witmer
FROM: Development and Environmental Engineering
DEPARTMENT: Engineering Services
DATE: June 23, 2015
SUBJECT: 44, 56, 66 and 76 Arkell Road - Zoning By-law Amendment (ZC1314)

The application is for a Zoning By-law Amendment to permit the development of 93 cluster townhomes. The current zoning is single detached residential (R1.B) and urban reserve (UR).

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

- Site Plan – Astrid J. Clos Planning Consultants (April 1, 2015)
- Hydrogeological Study – GM BluePlan Engineering Ltd. (October 2014)
- Functional Servicing and Stormwater Management Report – MTE (October 3, 2014)
- Arkell Woods Development, Scoped Traffic Impact Analysis – Paradigm Transportation Solutions Ltd. (October 6, 2014)

1. Road Infrastructure:

Arkell Road abutting the subject property is designated as a two (2) lane arterial road with asphalt pavement, curb and gutter and concrete sidewalk on the south side of the street. In front of the subject lands, the road right-of-way width varies from 23.2 metres (76.1 feet) to 26.2 metres (86.0 feet) which does not meet the ultimate width specified in the Official Plan of 30.0 metres (98.4 feet). A 1.892 metre (6.2 feet) road widening, as identified in the Site Plan, will be required.

2. Traffic Study, Access, Parking and Transportation Demand Management:

The provided Transportation Impact Analysis was reviewed by the Transportation Planning Engineer who agreed with the study finding and conclusions. The access to the proposed development will be provided via two driveways from Arkell Road – a single all-move driveway on the west side and on the east side of the site, a right in/right out driveway located at the intersection with Malvern Crescent. Parking demand and supply for the site is to be reviewed by Planning/Zoning staff.

3. Municipal Services:

Arkell Road

Existing services within the right-of-way along Arkell Road are as follows:

- 250mm diameter sanitary sewer approximately 4.0 metres to 5.5 metres in depth;
- 300mm diameter storm sewer approximately 2.3 metres in depth;
- 400mm diameter watermain approximately 3.5 metres in depth.

Engineering Services
Infrastructure, Development & Enterprise

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

Attachment 12 (continued) Agency and City Department Comments

MEMO



According to our service records, the four existing single family homes are currently serviced with 19mm water service and 100mm sanitary sewer laterals. The sanitary sewer laterals for these properties were installed to property line during construction of the sanitary sewers on Arkell Road (1998) as a local improvement project. All fees for the water services and payments for the local improvement assessments have been paid in full for all four properties.

The Developer shall be responsible for the entire cost of removal of the existing service laterals where they connect to the existing buildings, satisfactory to the Plumbing Inspector, prior to demolition. Should the existing services not be suitable for the development of the subject lands, the owner will be responsible for the costs associated with their complete removal. The Developer will also be responsible to pay for the estimated cost of any servicing upgrades including any curb cuts or curb fills if required, prior to site plan approval and prior to any construction or grading on the lands.

Design and Construction/Infrastructure Technical Analyst has confirmed that adequate sanitary and water capacities are available to service the proposed redevelopment as follows:

Sanitary Sewer Wastewater Collection System

Sufficient and adequate capacity is available in the existing sanitary sewer adjacent to the above noted site to accommodate discharge of sanitary flows for the referenced type development for the above noted zone change including existing loads according to the City's wastewater collection system model. The current condition of underground infrastructure and sanitary sewer existing loads adjacent to the above noted site are not known at this time.

Water Supply and Distribution System

Sufficient and adequate capacity is available of the water supply and distribution system pressures, and fire flow at hydrants for the referenced type development at the above noted property for the above noted zone change can be expected for most scenarios. However, there is potential for marginal water supply pressures in proposed development under certain conditions such as peak hour demand scenario at locations with elevation greater than 347 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 341 m height AMSL in the existing water system.

Water pressure in the water mains in vicinity of proposed development under certain conditions such as peak hour demand scenario at locations with elevation at 347 metre AMSL could range from 38.0 to 42.0 psi (40 psi +/- 2.0 psi) and average day demand scenario at locations with elevation at 341 m AMSL could range from 47.5 to 52.5 psi (50 psi +/- 2.5 psi) in the existing water system.

Maximum serviceable elevation under peak hour demand scenario at the property is approximately 347m.

The referenced development would have no significant adverse impact to the City's water supply and distribution system according to the InfoWater water model.

Minimum water service size should be 25 mm for residential and all other services sized appropriately for demand based on potentially low pressures at locations with elevation greater than 341 m AMSL.

Attachment 12 (continued) Agency and City Department Comments

MEMO



3. Storm Water Management:

The storm water from the subject site currently sheet flows northerly towards wetlands identified within the Torrence Creek subwatershed. The proposed storm water management design for the property would be to control the peak flows for all storm design events up to and including the 100 year storm and provide quality and on-site water balance as set out in the "Torrence Creek Subwatershed Study Management Strategy". As such, a detailed storm water management report will be required at the time of site plan application submission to ensure that the discharge from the site complies with an allowable outlet rate determined by City Engineering staff. On-site storage and control as proposed may be required to attenuate the flows. The cost of all the storm water management works and quality controls will be the responsibility of the owner. A grading, erosion/sedimentation control and servicing plan will also have to be submitted for review and approval as part of the site plan application.

4. Environmental:

The Developer shall submit a Phase 1 Environmental Site Assessment in accordance with the Record of Site Condition regulation (O. Reg. 153/04 as amended), describing the current conditions of the subject properties to the satisfaction of the City. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense.

Prior to site plan approval and prior to any construction or grading on the lands, the Developer shall complete the following:

- a) file a Record of Site Condition (RSC) on the Ministry of the Environment (MOE) Environmental Site Registry for the property including certification by a Qualified Person as defined by O.Reg. 153/04 as amended, that the environmental condition of the property meets the appropriate MOE Site Condition Standards for the intended land use; and,
- b) submit the MOE acknowledgment letter for the RSC to the satisfaction of the City.

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

5. Recommended conditions of Approval

We recommend the following conditions for approval of this proposed Zoning By-law Amendment:

1. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person as defined in Ontario

Engineering Services
Infrastructure, Development & Enterprise

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

Attachment 12 (continued) Agency and City Department Comments

MEMO



Regulation 153/04 to prepare and submit a Phase One Environmental Site Assessment and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.

3. If contamination is found, the Developer shall:
 - a) submit all environmental assessment reports prepared in accordance with the RSC (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards or Site Specific Standards of the intended land use; and
 - c) file a RSC on the Provincial Environmental Registry for lands to be developed.
4. Prior to site plan approval and prior to any construction or grading on the lands, the Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:-
 - i) a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - ii) a geotechnical report certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - iii) a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iv) a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
5. The Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 iv) inclusive.
6. That the Developer shall pay to the City, their share of the actual cost of constructing a sidewalk on the north side of Arkell Road across the frontage of the subject lands. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Developer's share of the cost of the sidewalk.
7. The Developer shall be responsible for the actual cost of any service laterals required for the lands and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the

Engineering Services
Infrastructure, Development & Enterprise

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

Attachment 12 (continued) Agency and City Department Comments

MEMO



- Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of any service laterals.
8. That the Developer pay the actual cost of removing or decommissioning to the satisfaction of the General Manager/City Engineer, any existing sanitary sewers, storm sewers, manhole and/or watermain that are not going to be used for service laterals. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Developer's share of the cost of the removals and decommissioning works.
 9. The Developer shall pay to the City the actual cost of the construction of the new driveway entrance and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrance and required curb cut and/or curb fill.
 10. The Developer shall pay the actual cost of the removal of the existing driveway entrances including the asphalt pavement and gravel within the road allowance, the restoration of the boulevard with topsoil and sod including the required curb fill, with the estimated cost of the works as determined by the General Manager/City Engineer being paid, prior to site plan approval and prior to any construction or grading on the lands.
 11. That the Developer constructs, installs and maintains erosion and sediment control measures, satisfactory to the General Manager/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 General Manager/City Engineer.
 12. That the Developer constructs the new building at such an elevation that the lowest level of the new building can be serviced with a gravity connection to the sanitary sewer.
 13. That the Developer grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
 14. That the Developer will ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
 15. The Developer acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.

Engineering Services
Infrastructure, Development & Enterprise

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

Attachment 12 (continued) Agency and City Department Comments

MEMO



16. That all electrical services to the lands are underground and the Developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
17. That the Developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
18. The Developer shall ensure that all telephone service and cable TV service on the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands, prior to site plan approval and prior to any construction or grading on the lands.



Terry Gayman, P. Eng.
Manager, Development and Environmental
Engineering



Michelle Thalen, C.Tech
Development Technologist

Attachment 12 (continued) Agency and City Department Comments

INTERNAL MEMO



DATE June 10, 2015
TO **Michael Witmer**
FROM Jyoti Pathak
DIVISION Parks Planning and Development
DEPARTMENT Parks and Recreation
SUBJECT **44, 56, 66 and 76 Arkell Road: Revised Rezoning Application (File ZC1314) dated December 5, 2014**

Park Planning & Development has reviewed the documents listed below (circulated in October 2014 and February, 2015) in support of the revised rezoning application for 44, 25, 66, and 76 Arkell Road property (File ZC1314):

1. Notice of Revised Rezoning Application
2. Revised Concept Plan. October 15, 2014.
3. Environmental Impact Study prepared by Natural Resource Solutions Inc. dated October 2014;
4. Arkell Woods EIS Proposed Option1 Pedestrian Trail Option 1 Additional Information by NRSI dated January 26, 2015
5. EIS Addendum by NRSI dated February 25, 2015
6. Functional Servicing and Stormwater Management Report by MTE dated October 3rd, 2014;
7. Draft Response to 3rd Revision Engineering Comments by MTE dated February 26, 2015

Development Proposal:

The purpose of this revised Zoning By-law Amendment is to permit the development of 91 cluster townhouses on the site. Two accesses to Arkell Road are proposed, one across from the current intersection of Arkell Road and Malvern Crescent and one access further west.

Proposed Zoning Bylaw Amendment:

The applicant is proposing to rezone the subject site from the current R.1B (Single Detached Residential), UR (Urban Reserve) to a specialized R.3A (Cluster Townhouse) Zone with site specific regulations, and P.1 (Conservation Land) Zone. The proposed P.1 Zone would represent the proposed buffer to the adjacent Provincially Significant Wetland (PSW), with the PSW remaining unchanged within the WL (Wetland) zoning category.

Parks Planning offers the following comments:

Zoning By-law Amendment:

Park Planning has no objection to rezone the subject site from the current R.1B (Single Detached Residential), UR (Urban Reserve) to a specialized R.3A (Cluster Townhouse) Zone with site specific regulations, and P.1 (Conservation Land) Zone, subject to the requirements and conditions outlined below:

I recommend that the following amendments be made to the proposed zoning:

- Wildlife Corridor should be zoned P.1 "Conservation Land".

1. Parkland Dedication:

Money payment in-lieu of parkland conveyance will be required for the proposed development on the subject property under the City of Guelph By-law (1989)-13410, as

Attachment 12 (continued) Agency and City Department Comments

Page 2 of 6

amended by By-law (1990)-13545 and By-law (2007) 18225 or any successor thereof, prior to issuance of any building permits.

The proposed zoning bylaw amendment will permit development of 91 residential units on the subject lands (2.39 hectares) at a net density of 38 residential units per hectare. In accordance with the section 209-3 (b) (ii) and 209-4 (iv) of the Parkland Dedication bylaw, money payment in lieu of parkland dedication will be required at 5% of the calculated value of the subject lands. The value of land shall be determined as of the day before the day the first building permit is issued.

The property will be appraised by a qualified real estate appraiser appointed by City and paid for by the Developer.

2. Property Demarcation:

Under City's property Demarcation Policy, Developer is required to fence the City Owned parcels and the parcels to be dedicated to the City. The final type and configuration of the fencing and/or property markers will be determined during the detailed design stage through preparation of a demarcation plan.

3. Open Space Works and Restoration:

The developer is required to restore disturbed areas, compensate for loss of trees and enhance natural area buffers and wildlife corridors and to address clean-up of debris and waste; removal of hazard trees along the trail system and residential properties, management of invasive species and provision of educational/ interpretive and stewardship materials/ signage as recommended through Environmental Impact Study and/or Environmental Implementation Report.

Landscape Plans will be required to provide details of compensation, restoration and enhancement plantings, interpretive/educational signage etc. as per the City's design standards and specifications. The landscape plans will be reviewed and approved by Parks Planner. Developer will be responsible to implement the approved landscape plans and to deposit a security for the landscape works. The security will be partially released after the substantial completion of the works and fully released after the final approval at the end of two years warranty period as per the City's specifications.

4. Pedestrian Trail System - detailed design and basic trail development:

Guelph Trail Network identifies an important north-south multi-use trail connection from Brady Lane (south of Kortright Road East) to Arkell Road along the west side of significant Torrance Creek PSW Complex.

- The lands along the eastern edge of the development as per the final trail alignment approved through the EIS process be conveyed to the City and zoned P.1 (Conservation Lands) to develop a 2.5 metre wide public multi-use trail, including a boardwalk connection. The exact size and location of the trail parcel is dependent on the location of final trail alignment, trail materials and the associated grading and drainage design information.
- The final trail alignment will be approved by Parks Planning and the detail design will be finalized through the Trail Plans.
- The developer will be directly responsible for the costs of the works related to the recreational trails and multi-use paths within the development as identified under City's current Development Charges Bylaw- Local Service Policy.

Attachment 12 (continued) Agency and City Department Comments

Page 3 of 6

Environmental Impact Study:

Pedestrian Trail System:

The recommended Pedestrian trail route option 1, through woodland, as shown on Map 6 of the EIS Addendum by NRSI dated February 25, 2015 and the recommended mitigation measures, as discussed on pages 7 to 15, to minimize impact to the natural areas are satisfactory.

Parks Planning recommends that Environmental Implementation Report and Landscape Drawings be prepared to address the following aspects:

- Removal of hazard trees along the trail system and residential properties;
- Clean-up of debris and waste;
- Closure of existing foot trail/ trails if not part of the final trail alignment.
- Restoration, compensation and enhancement planting for open space and natural areas;
- Invasive species management;
- Education and stewardship materials/ signage: Identify desirable locations and design content of interpretive signage. Environmental educational/ interpretive signage will be provided at all major trail access points and/or along the trail routes to educate residents and trail users about the area's environmental features and to educate the users on expected behaviours while using the trails and to address many of the common resident impact items including dumping of yard waste, encroachments, pet waste, etc.
- Recommendations on the timing of site preparation and grading for trail construction within the open space. Based on the location of the trails within natural open space it would be beneficial to implement the trails at the same time as other area features (planting, demarcation, etc.). This would consolidate timing of construction activity close to sensitive habitats and avoid re-disturbance of regenerating buffer areas. It would also avoid home buyer concerns and delays in trail installation typically associated with later trail development.

Detailed trail layout, grading and drainage plans and construction details will be consistent with the City standards. The trail design will be consistent with (Guelph Trail Master Plan) GTMP standards as appropriate to the site conditions and other City Guidelines i.e. Facility Accessibility Design Manual etc. The trail plan, design and construction will comply with all relevant regulations applicable to trail management made under the Accessibility for Ontarians with Disabilities Act, 2005.

Functional Servicing and Stormwater Management Report

Concept Site Grading and SWM Plan (C2.1 and C2.2):

- Show asphalt trail surfacing on sections adjacent to the 3:1 slopes and sections containing more than 4% longitudinal slopes.
- Indicate the proposed longitudinal and cross slopes on the trail.
- Revise the Site Grading Plan to provide enough space for a drainage (rip-rap or sodded) swale on the higher side of the trail throughout its length to avoid sheet flow

Attachment 12 (continued) Agency and City Department Comments

Page 4 of 6

over the trail surface which may result in wet and icy surface conditions seasonally and cause erosion of granular (limestone screenings) surfacing.

- Revise the plans to show extended boardwalk at the location of the 5 m wide major storm overflow weir.

Conditions for Development approval

Based on the information available, following conditions for Development approval are recommended:

1. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
2. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** as per the approved 'Environmental Implementation Report' and 'Landscape Plans' to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings for approval and the administration of the construction contract up to the end of the warrantee period completed by a full member with seal of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
3. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Open Space Blocks. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings completed by Ontario Association of Landscape Architects (OALA) full member with seal for approval to the satisfaction of the Deputy CAO of Public Services.
4. The Developer shall be responsible for the cost of design and development of the **"Basic Trail Development"** as per City's current trail standards as outlined in the Local Service Policy under City's Development Charges Bylaw, to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the 'Basic trail development' to the satisfaction of the Deputy CAO of Public Services.
5. The Developer shall provide Park Planning with a digital file in CAD format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the trail corridor and open space blocks.
6. The Developer shall install, at no cost to the City, chain link fencing, adjacent to stormwater management area, common amenity area and in between conservation area and lots. The Developer further agrees that the fencing will be installed following grading operations in accordance with the current standards and

Attachment 12 (continued) Agency and City Department Comments

Page 5 of 6

specification of the City and to the satisfaction of the Deputy CAO of Public Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.

7. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be registered on title

- "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".
- "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks XX and Lots XX that abut these Blocks and Lots".
- "Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Blocks XX and Lots XX and that public access to this trail will occur between Blocks XX and Lots XX".
- "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
- "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to lot numbers ___." The Developer shall also send written notification of proposed demarcation type to any existing homeowners in lots adjacent to open space blocks.

8. The Developer agrees to provide temporary signage describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of park block XX and open space block(s) XX, and entrance/exit of trails, to the satisfaction of the Deputy CAO of Public Services. The signage shall:

- advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
- clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
- clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to both the Developer and the City.

The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City.

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

9. The Developer shall dedicate conservation lands and natural open space for trail purpose as per the Council approved Guelph Trail Master Plan.

Attachment 12 (continued) Agency and City Department Comments

Page 6 of 6

10. The Developer shall pay **cash in-lieu of parkland conveyance** for the entire development, under City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof.

Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, I would support the proposed development subject to the requirements and conditions outlined above.

Revise the documents and drawings as per the comments above for further review.

Regards,

Jyoti Pathak
Parks Planner

Parks and Recreation
Public Services

519-822-1260 extension 2431
Jyoti.pathak@guelph.ca

Attachment 12 (continued) Agency and City Department Comments

INTERNAL MEMO



DATE June 12, 2015
TO Michael Witmer
FROM Prachi Patel
SUBJECT ZC1314 - 44, 56, 66 & 76 ARKELL ROAD

Documents Reviewed:

In support of this application, the applicant submitted the following studies:

1. October 2014 Environmental Impact Study prepared by Natural Resource Solutions Inc. (NRSI);
2. January 26, 2015 Arkell Woods EIS Proposed Option1 Pedestrian Trail Option 1 Additional Information by NRSI
3. February 25, 2015 EIS Addendum by NRSI
4. May 11th, 2015 EIS 2nd Addendum by NRSI
5. October 3, 2014 Functional Servicing and Stormwater Management Report by MTE;
6. February 26, 2015 Draft Response to 3rd Revision Engineering Comments by MTE;
7. October 2014 Hydrogeological Study Report by Gamsby and Mannerow

Proposal:

The application is to rezone the property from the current (R.1B) Single Detached, (UR) Urban Reserve Zone and (WL) Wetland Zone to (R.3A) Specialized Cluster Townhouse zone, (WL) Wetlands and (P.1) Conservation Lands. The current proposal is for 91 cluster townhouse units, a common element roadway and stormwater management facility.

Background Summary:

The subject property is located near the intersection of Gordon Street and Arkell Road (Hamilton's Corner) and includes portions of the Torrence Creek PSW Complex, and is partially within the Torrence Creek Subwatershed and partially within the Hanlon Creek Subwatershed. The majority of the site is wetland and woodland feature with the total area of the site approximately 18.8 hectares of which approximately 2.39 hectares is being proposed to be developed into a private condominium.

Schedule 1 of the Official Plan identifies the subject lands as Core Greenlands and Non-Core Greenlands Overlay. The underlying designation is General Residential. Schedule 2 of the Official Plan identifies the subject lands as having Provincially Significant Wetlands and Other Natural Heritage Features. The City's Natural Heritage System identifies the property as Significant Natural Area including Provincially Significant Wetland, Significant Woodland, Significant Wildlife Habitat and Ecological Linkage. An ecological linkage has been identified on the property which provides a connection from the Torrence Creek PSW on the east side of Gordon Street to the Hanlon Creek PSW unit on the west side of Gordon Street. The target species is deer.

An ecological linkage of 20 m width has been proposed to limit the barrier to movement between seasonal concentration areas and increase movement opportunities for deer and other wildlife including coyotes that use the area for movement between habitats. The proposed ecological linkage will be contiguous with the 20 m linkage width agreed on the

Attachment 12 (continued) Agency and City Department Comments

Michael Witmer, Development Planner
June 12, 2015
RE: ZC1314 - 44, 56, 66 & 76 Arkell Road
Page 2 of 6

adjacent property 1274-1228 Gordon Street as part of a recent development application. These corridors are intended to encourage movement of wildlife onto Gordon Street which poses a serious constraint to safe movement of deer and other wildlife as well as posing a human safety risk.

This is the 3rd proposal made by the applicant. The first proposed 78 units, the second proposed 216 units and underground parking and the third 91 units. All three applications proposed a common element road and stormwater management pond. There were 3 Environmental Impact Studies (EIS) submitted for this development application in order to address City Staff's comments regarding scope of the field study, plant species status for regional and local rarity, clarifications of features and functions assessed, significant wildlife habitat and species at risk, trail alignment, tree inventory and preservation plan and wetland water balance. The first 2 EIS submissions focussed on addressing most of the above concerns, while the final 2nd EIS Addendum submitted on May 11th, 2015 focussed specifically on detailed impact assessment of water balance associated impacts to the wetland and adjacent natural heritage feature from the proposed development.

The subsequent EIS submissions included additional information such as 2-season vegetation survey (summer, fall), and County level regional rarity, and addressed some of the City Staff's comments associated with existing natural heritage features and functions and impacts associated with trail option 1. Further the subsequent EIS submissions also reflected changes associated with the development layout and engineering revisions regarding the water balance analysis.

GRCA comments dated January 15, 2015 provided some advisory comments to the municipality and did not object to the Zoning Bylaw Amendment as reconfirmed during June 4th, 2015 email consultation.

Nature Guelph provided comments on the application on November 28, 2013 identifying two concerns related to vegetation and two related to wildlife. Sierra Club of Canada provided comments on February 9, 2014 raising concerns about buffer widths, tree protection, barn swallow habitat and field surveys. Dr. Hugh Whiteley made comments on February 12, 2014 regarding the hydrogeological assessment and its relation to water balance as well as meadow habitats. All comments raised were brought to attention during the respective Environmental Advisory Committee (EAC) meetings in February 12, 2014 and March 11 and June 10, 2015.

The proposed application generally provide the minimum 30 m buffer to the PSW and 10 m buffer to the Significant Woodland dripline, within which a trail is proposed while the stormwater management pond is outside the buffer except for the outlet structure. It's recommended that the encroachment associated with the stormwater management pond outlet be further minimized and reviewed as part of the EIR submission. Staff is pleased with the revised treatment train approach proposing the use of multiple Low Impact Development (LID) measures and Oil and Gas Separator (OGS) which is intended to match the site water quantity and quality from pre-development to post-development through the use of grass swale, bioretention facilities and galleries.

Parks Planning provided comments on EIS submission and trail alignment on February 4, 2014 and March 11, 2015, and supported the proposed trail alignment Option 1 through the

Attachment 12 (continued) Agency and City Department Comments

Michael Witmer, Development Planner
June 12, 2015
RE: ZC1314 - 44, 56, 66 & 76 Arkell Road
Page 3 of 6

Significant Natural Area. The location of pedestrian trail Option 1 within the City of Guelph's Natural Heritage System (Significant Woodland and buffers) requires conformity with Official Plan Amendment (OPA) 42 policies. While City's Environmental Planning prefer trails to be located outside the Significant Natural Areas and associated buffers, the proposed trail alignment option is generally acceptable in light of the submitted impact assessment and proposed mitigation measures summarizing the details of the boardwalk structural base, width and associated vegetation removal requirements, impacts to bird species of conservation concern such as Eastern Wood-Pewee and Wood Thrush, impacts to Barn Swallow foraging habitat and post-construction mitigation for off-trail human encroachment into wetland and woodland. It's recommended that a more in-depth impact assessment associated with the pedestrian trail option 1, be undertaken during the Environmental Implementation Report (EIR) to confirm a 'no negative impact on the natural heritage system'. This will ensure inter-disciplinary goals and objectives are being integrated and addressed as part of the detailed design element.

Compensation plantings are proposed within the buffer and wildlife corridor which will enhance the existing and future ecological functions. It's recommended that a detailed breakdown on compensation plantings in accordance with the recommendations as per the submitted EIS be provided as part of the EIR submission.

Environmental Planning Context:

The proposed development application is subject to City's old Official Plan (December 2012) and Tree By-law (2010)-19058. The application is required to be in conformity with the Provincial Policy Statement (PPS, 2014) and is required to have regard for the Council Adopted OPA 42 policies (June 2014).

The site being greater than 0.2 hectares is subject to the Tree By-law (2010)-19058 and as specified in the policies a Tree Inventory, Preservation Plan and Compensation Plan is required to address all regulated trees on the site.

Schedule 1 of the Official Plan identifies the subject lands as Core Greenlands and Non-Core Greenlands Overlay. The underlying designation is General Residential. Schedule 2 of the Official Plan identifies the subject lands as having Provincially Significant Wetlands and Other Natural Heritage Features. The City's Natural Heritage System identifies the property as Significant Natural Area including Provincially Significant Wetland, Significant Woodland, Significant Wildlife Habitat and Ecological Linkage.

The policies regarding Core Greenlands as per Section 7.13.2 of the 2012 Official Plan requires natural heritage features and contained within the 'Core Greenlands' designation such as provincially significant wetlands to be protected for the ecological value and function, and development is not permitted within this designation. The permitted uses within Core Greenlands include conservation activities, open space and passive recreational pursuits that do not *negatively impact* on the *natural heritage features* or their associated *ecological functions*. Here negatively impact means the loss of the natural features or ecological functions for which an area is identified and ecological functions has a similar meaning as that interpreted under the PPS, 2014 mentioned below.

The policies regarding Non-Core Greenlands as per Section 7.13.5 apply to natural heritage features and associated lands including significant woodlands, significant environmental

Attachment 12 (continued) Agency and City Department Comments

Michael Witmer, Development Planner
June 12, 2015
RE: ZC1314 - 44, 56, 66 & 76 Arkell Road
Page 4 of 6

corridors and ecological linkages and significant wildlife habitat, and these features should be afforded protection from development under the policies. Development within non-core greenlands may be permitted where an environmental impact study has been completed under Section 6.3 of the Plan and it has been demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area. Further where it's deemed appropriate and reasonable, consideration is to be given to measures to provide for the enhancement of any identified natural heritage feature as part of such environmental impact study.

The application is subject to natural heritage policies under Section 2.1.5 of PPS, 2014 requiring development and site alteration not to be permitted in significant woodlands, significant wetlands and significant wildlife habitat unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*. Wherein *negative impacts* is defined as degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities, and *ecological functions* means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes which may include biological, physical and socio-economic interactions.

Staff Comments and Recommendations:

Staff have reviewed the EIS (October 2014), EIS Addendum (February 2015) and 2nd EIS Addendum (May 11, 2015), and have the following comments:

1. Stormwater Management, Water Balance and Natural Heritage:
 - Environmental Planning staff are satisfied that there will be no ecological impacts to the wetland and woodlands provided that the water balance be achieved as indicated in the EIS Addendum or improved (i.e., reduction in runoff to wetland) with further changes to the SWM design. A treatment train approach using multiple LID measures have been proposed in the revised SWM design to achieve pre-to-post water balance on site. It's recommended that site specific conditions for implementing the proposed LID measures be further assessed during the detailed design stage through appropriate site specific field visits and enhancements as deemed to be required for effective functioning these LID measures.
 - Staff agree with the GRCA comments that further groundwater monitoring should be undertaken to inform the SWM design which will in turn ensure no impacts to natural heritage features.
2. Plant surveys – a spring vascular plant survey was not undertaken and should be undertaken as part of the EIR to inform trail alignment and design as well as monitoring. Further, a survey for rough avens should be undertaken in summer to inform whether a transplant will occur. All future vascular plant lists should include a column for local rarity.
3. Trails and Natural Heritage
 - Although the alignment pursued is not the preferred alignment from a natural heritage perspective, Environmental Planning staff are satisfied with the information provided that a trail can be accommodated without negatively impacting the functions of the PSW and Significant Woodland given the recommended design (boardwalk on helical piers), mitigation measures (timing

Attachment 12 (continued) Agency and City Department Comments

Michael Witmer, Development Planner
June 12, 2015
RE: ZC1314 - 44, 56, 66 & 76 Arkell Road
Page 5 of 6

windows, educational signage) and future detailed work to occur as part of the EIR.

4. Staff recommend that an Environmental Implementation Report be completed prior to Site Plan approval and that the EIR contain the following information:
 - o A spring and summer vascular plant survey;
 - o A refined water balance based on a detailed SWM design and detailed design of the outlet for the SWM system and its interface with the natural environment;
 - o Design of the trail layout as required by Parks Planning supported by mitigation measures and an analysis confirming no impacts to the Natural Heritage System;
 - o Education and Stewardship materials including sign designs and an insert to the EnviroGuide for future residents
 - o A Salt Management and recommendations with respect to it being included into the Declaration of Condominium;
 - o Restoration landscape plans including any required clean up or debris removal and invasive species management;
 - o An up to date and detailed tree inventory including areas along the trail alignment as well as a compensation plan;
 - o Monitoring plan design and baseline information.

Recommended Conditions of Approval:

Prior to Approval of a Draft Plan of Condominium, Site Plan, Grading or Tree Removal:

- a) The developer shall prepare and implement an **Environmental Implementation Report (EIR)** to the satisfaction of the General Manager of Planning. The EIR will provide details with respect to stormwater management and wetland water balance, vascular plant surveys, additional groundwater monitoring using data loggers, design of trail layout supported by detailed impact assessment, mitigation measures and an analysis confirming no negative impacts to the Natural Heritage System, salt management, tree management, restoration and enhancement including invasive species removal and education and stewardship information, and erosion and sediment control plan. As well the EIR will be based on an approved Terms of Reference and will include grading, drainage, interim and final erosion and sediment control plans and report, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from June 10, 2015.
- b) The developer shall complete a **Tree Inventory, Preservation and Compensation Plan**, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.
- c) The developer will undertake a **post-development monitoring** program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning. The developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning should the monitoring program extend beyond registration of the Draft Plan of Condominium.
- d) The developer shall retain a qualified **environmental inspector**, satisfactory to the General Manager of Planning Services to inspect the site during all phases of

Attachment 12 (continued) Agency and City Department Comments

Michael Witmer, Development Planner
June 12, 2015
RE: ZC1314 - 44, 56, 66 & 76 Arkell Road
Page 6 of 6

development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The inspector shall report on their findings to the City.

Recommended Conditions of Approval for Demolition:

The following conditions are recommended prior to demolition:

1. *That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees to be retained on the property or on adjacent properties which may be impacted by demolition and construction activities.*
2. *That the applicant contact the City's Environmental Planner to inspect the tree protection fence prior to demolition and/or site alteration commencing.*
3. *That if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search be undertaken by a wildlife biologist prior to demolition so as to protect the breeding birds in accordance with the Migratory Birds Convention Act (MBCA) prior to any works occurring.*

Please let me know if you have any questions,

Thanks,



Prachi Patel
Environmental Planner - Development

Planning Services
Infrastructure, Development and Enterprise
Location: City Hall

T 519-822-1260 x 2563
E prachi.patel@quelp.ca

Attachment 12 (continued) Agency and City Department Comments



400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6
Phone: 519-621-2761 Toll free: 866-900-4722 www.grandriver.ca

RECEIVED

June 11th, 2014

JUN 13 2014

PBEE

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

Attention: ATT: Katie Nasswetter, Senior Development Planner

Re: Zone Change Application ZC1314
44, 56 and 76 Arkell Road
Guelph

We have reviewed the following information in support of proposed Zoning Bylaw Amendment ZC1314 in the City of Guelph.

- Functional Servicing and Storm Water Management Report, MTE, March 19th, 2014 (update)
- Hydrogeological Study, Gamsby and Mannerow, August 2013 (previously reviewed)
- Environmental Impact Study, NRSI, March 24th, 2014 (update)

At this time we have no objections to the proposed amendment.

Stormwater Management - Advisory to City:

- The grading plan indicates that underground parking buildings will be susceptible to surface water flooding:
 - At 341.70m, the modelled 100-year ponding elevation in Subcatchment 201 is higher than the 341.60m top of ramp to Block E parking.
 - At 337.41m, the modelled 100-year ponding level in Subcatchment 204 is virtually identical to the top of ramp elevations for Blocks C & D
 - With a proposed road centerline depressed 3cm below the crests of parking ramps, Blocks A and B parking buildings may be vulnerable to surface water inflow.

Attachment 12 (continued) Agency and City Department Comments

- The dry pond has been designed with 3:1 side slopes. The M.O.E. safety guideline for dry ponds is to have side slopes set at an average of 4:1 or flatter.

Environmental Impact Study – Comments to be addressed in E.I.R.:

- E.I.S. Figure 6 Natural Environment Constraints, the drawing shows the western extent of the proposed Community Trail encroaching into the inner 15 metre wetland buffer. Information provided in the report does not provide sufficient justification for encroachment within the 15 metre buffer. It would be our recommendation that the portion of the trail should be relocated to cross over the Common Amenity Area which would avoid impacts to the woodland and to the wetland.
- E.I.S. Section 9.2.5 Post Construction Monitoring, in addition to the pre – during – and post monitoring program of water quality, ground and surface water monitoring should occur to measure the effectiveness of the proposed SWM facilities and impacts on wetland hydrology. The water quality and water balance monitoring should be conducted for a two year post 95% build out of the proposed development. Vegetation monitoring should also be carried out every other year for five years after 95% build out of the proposed development.
- F.S.R. Section 2.3 Existing Soil Conditions, a detailed Geotechnical Report should be completed for the site. This information will be important to substantiate the performance of the S.W.M. facilities and design and safety of the underground parking structures.

Recommendations:

- We would recommend that Low Impact Development Guidelines should be explored for the site to assist in reducing on site ponding within the roadways. (ie. Green Roofs) Low Impact Development Guidelines - http://www.creditvalleyca.ca/wp-content/uploads/2014/04/LID-SWM-Guide-v1.0_2010_1_no-appendices.pdf
- In addition, it is our understanding the City of Guelph has completed a Tier 3 Water Budget, this may be utilized and refined to provide additional guidance on groundwater infiltration in the area and can be refined at detailed design.
- An Environmental Implementation Report should be prepared for this site to provide additional design and implementation details.
- F.S.R. Section 3.1 Proposed Grading, details for dewatering requirements should be covered in an Environmental Implementation Report.

Attachment 12 (continued)
Agency and City Department Comments

If you have any questions please feel free to contact the undersigned at 519-621-2763 ext. 2236.

Yours truly,



Nathan Garland
Resource Planner
Grand River Conservation Authority

cc: Moshi Holdings Ltd., 160 Southgate Drive, Guelph, ON N1G 4P5
Astrid J. Clos, 423 Woolwich, Suite 201, Guelph, ON N1H 3X3
David Stephenson, NRSI, 225 Labrador Drive, Unit 1, Waterloo, ON N2K 4M8
Lynn Ingram or Paul Douglas, MTE, 520 Bingemans Centre Drive, Kitchener, ON N2B 3X9
Mary Angelo, City of Guelph
Adele Labbe, City of Guelph
Matthew D. Nelson, Gamsby and Mannerow. 650 Woodlawn Road West, Block C, Unit 2, Guelph, ON N1K 1B8

Attachment 12 (continued) Agency and City Department Comments



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

Martha C. Rogers
Director of Education

May 5, 2014

PLN: 14-44
File Code: R14
Sent by: mail & email

Katie Nasswetter
Planning, Building, Engineering and Environment
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

RECEIVED
MAY 08 2014
PBEE

Dear Ms. Nasswetter;

Re: Proposed Zoning By-law Amendment – ZC1314 - 44, 56, 66 and 76 Arkell Rd, Guelph REVISED APPLICATION

Planning staff at the Upper Grand District School Board has received and reviewed the above notice of a revised application for a Proposed Zoning By-law Amendment, to permit the development of 40 stacked townhouse units and 176 multiple attached dwellings units in seven buildings.

Consistent with our comments submitted on November 18, 2013 regarding the original application, the Planning Department at the Upper Grand District School Board **does not object** to the application, subject to the following conditions:

- Education Development Charges shall be collected prior to the issuance of a building permit; and
- That adequate sidewalks, lighting and snow removal is provided to allow children to walk safely to school or to a congregated bus stop.

We would also reiterate the Board's previous comment regarding a preferred location of sidewalks on the outside of private roadways, as opposed to the inside of the roadway, in order to better facilitate walking routes for school children by minimizing the number of conflicts with proposed visitor parking and underground parking ramp access.

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

Sincerely,

Emily Bumbaco
Planning Department

Attachment 12 (continued) Agency and City Department Comments



RECEIVED

MAY 08 2014

PBEE

395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4719
Fax: 519-822-4963
Email: mwittmund@guelphhydro.com
www.guelphhydro.com

May 6, 2014

Ms. Katie Nasswetter
Senior Development Planner
City of Guelph
Planning Services
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Nasswetter:

Re: 44, 56, 66 and 76 Arkell Rd (File No. ZC1314)

We would like to submit the following comments concerning this revised application:

1. The hydro services for this subdivision should be underground except for pad-mounted transformers.
2. Low-profile, pad-mounted transformers may be located in boulevards provided the boulevard width is not less than 3.5 metres. Otherwise, we will require 4.2 metre by 4.2 metre easements for transformers on a number of the lots.
3. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
4. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and street light poles or pad-mounted transformers. Any relocations required would be done at the owner's expense.
5. Hydro supply for this development will be from Arkell Rd.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

A handwritten signature in blue ink, appearing to read "Michael Wittmund", is written over a faint, larger version of the signature.

Michael Wittmund, P.Eng.
Director of Engineering

MW/gc

395 Southgate Drive, Guelph ON N1G 4Y1 www.guelphhydro.com

Attachment 12 (continued) Agency and City Department Comments



Wellington & Guelph Housing Committee
c/o Guelph & Wellington Task Force for Poverty Elimination
Wellington-Dufferin-Guelph Public Health
160 Chancellor's Way
Guelph, Ontario N1G 0E1
Telephone: 519-822-2715 Fax: 519-836-7215

January 25, 2015

Re: File ZC1314: 44, 56, 66, and 76 Arkell Road Zoning Change Application

Dear Ms. Nasswetter:

The Wellington Guelph Housing Committee would like to comment on the proposed zoning change. We support the proposed change in principle, as it is an intensification of density for residential and thus likely will result in lower priced dwellings than the current zoning of single family.

This development represents an addition of 91 units to the housing stock. Policy 7.2 in Official Plan Amendment 48 (approved by Council but under appeal to the OMB) sets a goal of 30% of new approved housing meeting the criteria of being affordable. Of the total new approved housing 3% should be affordable rental (included in the 30%): Can you please clarify how these goals will be met in the above referenced application? It is our view that unless the City makes this a requirement of zoning approval, the targets will not be met.

We look forward to the public meeting on this application.

Sincerely,

Suzanne Swanton, Co-Chair
Wellington and Guelph Housing Committee

STAFF REPORT

Attachment 12 (continued) Agency and City Department Comments

Summary Table of Agency and Department Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		√	Subject to conditions in Attachment 2.
Engineering		√	Subject to conditions in Attachment 2.
Park Planning & Development		√	Subject to conditions in Attachment 2.
Zoning	√		
Heritage Planning	√		Provincial Archaeological acceptance noted.
Guelph Police Service	√		
Union Gas	√		
Guelph Fire		√	Internal roads should meet Ontario Building Code requirements.
Guelph Hydro Electric Systems Inc.		√	Subject to conditions in Attachment 2
Upper Grand District School Board		√	Subject to conditions in Attachment 2
Grand River Conservation Authority		√	No objections or conditions – made several comments to be addressed in EIR and Stormwater Management Report
Wellington & Guelph Housing Committee		√	Support in principle – consideration to be given for 30% affordable housing target in OPA 48 (not in effect)

Attachment 13 Public Notification Summary

September 18, 2013	Initial Zoning By-law Amendment Application received by the City of Guelph for 78 townhouse units
October 8, 2013	Application deemed complete
October 17, 2013	Initial Notice of Complete Application mailed to prescribed agencies and surrounding property owners within 120 metres
October 17, 2013	Public notice sign installed and posted on property
November 6, 2013	Notice of initial Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres
November 18, 2013	Notice of cancellation of Public Meeting to consider initial proposal for 78 townhouse units mailed to prescribed agencies and surrounding property owners within 120 metres
March 25, 2014	Revised application received to permit 40 stacked townhouses and 176 multiple attached dwelling units
April 11, 2014	Notice of Public Meeting and Revised Application to permit 40 stacked townhouses and 176 multiple attached dwelling units mailed to prescribed agencies and surrounding property owners within 120 metres
May 12, 2014	Initial Statutory Public Meeting of City Council to consider 40 stacked townhouses and 176 multiple attached dwelling units
December 5, 2014	Notice of Revised Application to permit 91 cluster townhouse units mailed to prescribed agencies and surrounding property owners within 120 metres
January 15, 2015	Notice of second Public Meeting to permit 91 cluster townhouse units mailed to prescribed agencies and surrounding property owners within 120 metres

Attachment 13 (continued) Public Notification Summary

January 15, 2015	Notice of second Public Meeting to permit 91 cluster townhouse units advertised in <i>Guelph Tribune</i>
February 9, 2015	Second Public meeting to consider third proposal of 91 cluster townhouse units
June 10, 2015	Demolition applications received by the City of Guelph
June 19, 2015	Notice of demolition application signs installed and posted on site
June 26, 2015	Notice of Decision Meeting sent to parties that commented or requested notice
July 13, 2015	City Council Meeting to consider staff recommendation

STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE July 13, 2015

**SUBJECT Decision Report
0 Lee Street
Proposed Zoning By-law Amendment
(File: ZC1501)
Ward 1**

REPORT NUMBER 15-54

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve a Zoning By-law Amendment application on City owned property at 0 Lee Street.

KEY FINDINGS

Planning staff support the proposed Zoning By-law Amendment subject to the regulations in Attachment 2.

FINANCIAL IMPLICATIONS

Based on the future development of 3 single detached lots:

Estimated Development Charges: \$88,569 (based on 2015 DC Rates)

Estimated Annual Tax Levy: \$22,500 (based on \$7500 estimate per single detached dwelling)

ACTION REQUIRED

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

RECOMMENDATION

1. That the City initiated Zoning By-law Amendment to rezone a portion of the former Grange Road alignment from the UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to facilitate the creation of three (3) single detached lots for the property municipally referred to as 0 Lee Street, be approved, as outlined in Attachment 2 of the Infrastructure, Development and Enterprise Report 15-54, dated July 13, 2015.

BACKGROUND

This report provides a staff recommendation to approve a City initiated Zoning By-law Amendment for lands owned by the City that comprised a portion of the former

STAFF REPORT



Grange Road right-of-way alignment. The statutory Public Meeting was held on March 9, 2015. Staff Report 15-20 provided background information related to the proposed applications.

The purpose of the application is to amend the zoning of the subject lands from the current UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to facilitate the creation of three residential lots at the newly aligned intersection of Lee Street and Cityview Drive. The subject lands would ultimately be conveyed and consolidated with adjacent Future Development Blocks 20 to 22, Registered Plan 61M-37 that are also currently zoned R.2-6 (see Attachment 5).

The City has initiated this zoning by-law amendment in accordance with a 2013 Ontario Municipal Board (OMB) Settlement Agreement resulting from an appeal by "Guelph Watson" to their draft plan of subdivision application at 11 Starwood Drive. This Settlement Agreement between "Guelph Watson" and the City established terms regarding the City's purchase of parkland within this separate draft plan of subdivision application based on a recognized over-dedication of parkland by "Guelph Watson" for the larger Eastview Community Subdivision (23T-91007). As consideration for the transfer of the Park Block within the subdivision at 11 Starwood Drive, the Settlement Agreement included the condition that the City owned subject lands at 0 Lee Street be transferred to "Guelph Watson".

The transfer of these lands was made conditional upon the City passing a by-law stopping up and closing the subject lands as a highway, and the City passing a by-law to rezone the subject lands to the appropriate residential zoning category in combination with the existing zoning of adjacent Blocks 20 to 22, Plan 61M-37. The by-law to stop up and close the subject lands as a highway was enacted by Council on June 22, 2015 and to fulfil this latter condition, City staff are now bringing forward this zoning by-law amendment application for Council's consideration.

The approval of this application would rezone the City owned subject lands to the R.2-6 Zone, which would be consistent with the existing zoning of the adjacent Future Development Blocks 20-22 that are owned by "Guelph Watson". The acquisition and consolidation of the subject lands with these adjacent future development blocks would facilitate the creation of three single detached lots with street frontage on Lee Street (see Attachment 6).

Location

The subject lands are 0.076 hectares in size and comprise a portion of the former Grange Road alignment that are now located at the northwest corner of the newly configured intersection of Lee Street and Cityview Drive North (see Location Map in Attachment 1). The subject lands are bounded by Cityview Drive to the west, Lee Street to the south, Breesegarden Lane to the east and future development blocks 20-22 within Registered Plan 61M-37 to the north that currently contains an existing single detached dwelling.

STAFF REPORT



Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "General Residential" (see Attachment 3). The "General Residential" land use designation permits all forms of residential development to a maximum density of 100 units per hectare and the satisfaction of specific development criteria. The Official Plan land use designations and related policies are included in Attachment 3.

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan currently designates the subject site 'Low Density Residential'. Staff must have regard for the Council adopted policies and designations of OPA #48 even though it is currently under appeal.

Existing Zoning

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

REPORT

Description of Proposed Zoning Bylaw Amendment

This is a City initiated zoning by-law amendment to rezone the subject lands from the current UR (Urban Reserve) Zone to the R.2-6 (Semi-Detached/Duplex) Zone to facilitate the creation of three single detached lots. The R.2-6 Zone permits both single detached dwellings and semi-detached dwellings. Further details of the proposed zoning are provided in Attachment 5.

Proposed Development

The proposed development concept is included in Attachment 6, which illustrates the ultimate lotting pattern of three single detached lots fronting on Lee Street at the northeast corner of the newly aligned Cityview Drive North and Lee Street intersection. It is noted that the existing dwelling would be demolished and the three single detached lots would need to be created through a future consent to sever application at the Committee of Adjustment.

Staff Review/Planning Analysis and Recommendation

Planning staff have reviewed the application and support the rezoning of the subject lands to facilitate the development of three single detached dwellings in conjunction with adjacent lands to the north. This application will facilitate the logical lotting pattern that was previously planned in association with the newly designed intersection of Cityview Drive and Lee Street. Previously approved development on the adjacent lands to the north took into account this planned intersection realignment and lot pattern. It is noted that Registered Plan 61M-37 included three part lots (see Future Development Blocks 20-22) and were always intended to be consolidated with the adjacent subject City owned lands at 0 Lee Street once these lands were no longer required for a public road following the redesign of the Cityview Drive and Lee Street intersection.

STAFF REPORT



Further to the 11 Starwood Drive OMB Settlement agreement previously discussed, these City owned lands that are no longer needed as a public road are required to be conveyed to "Guelph Watson", the owner of the adjacent future development blocks to the north. Approval of this zone change application will ensure that these lands are conveyed with zoning that is the same as the R.2-6 zoned Future Development Blocks 20-22. This will facilitate the completion of the three single detached lots that have been planned at the realigned intersection of Cityview Drive and Lee Street.

It is noted that while there are no conditions of development association with this City initiated zoning by-law amendment, the appropriate conditions of development associated with the creation of the three single detached lots would be implemented through the future consent to sever application at the Committee of Adjustment.

The proposed Zoning By-law Amendment represents an opportunity for a small residential infill development within the City's built-up area, in keeping with the requirements under the Provincial Places to Grow legislation which will require 40% of all new development to be within the City's Built Boundary annually. In addition, this intensification also meets the policies of the Provincial Policy Statement by making more efficient and effective use of land in an area of the City with full municipal services. The ultimate development of three single detached dwellings, which would be facilitated by this zoning bylaw amendment application, conforms to the "General Residential" land use policies of the Official Plan and is compatible with the existing low-rise residential development in the area.

No public comments or objections were received through the circulation of the application or received at the March 9, 2015 Public Meeting.

CORPORATE STRATEGIC PLAN

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

DEPARTMENTAL CONSULTATION

The public agency and comments received from City departments during the review of the applications are summarized on Attachment 7.

FINANCIAL IMPLICATIONS

Based on the ultimate development of 3 single detached dwellings:

Estimated Development Charges: \$88,569 (based on 2015 DC Rates)

Estimated Annual Tax Levy: \$22,500 (based on \$7500 estimate per single detached dwelling).

COMMUNICATIONS

Key dates for the public process regarding this planning application are included in Attachment 8.

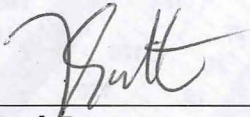
STAFF REPORT

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Recommended Zoning
- Attachment 3 - Existing Official Plan Land Use Designations and Policies
- Attachment 4 - Official Plan Amendment #48 Land Use Designations
- Attachment 5 - Existing and Proposed Zoning and Details
- Attachment 6 - Proposed Lotting Pattern
- Attachment 7 - Agency and Public Comments Summary
- Attachment 8 - Public Notification Summary

Report Author

Chris DeVriendt
Senior Development Planner

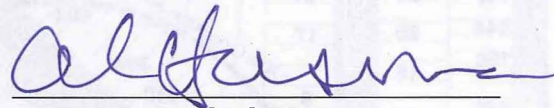


Approved By

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

Approved By

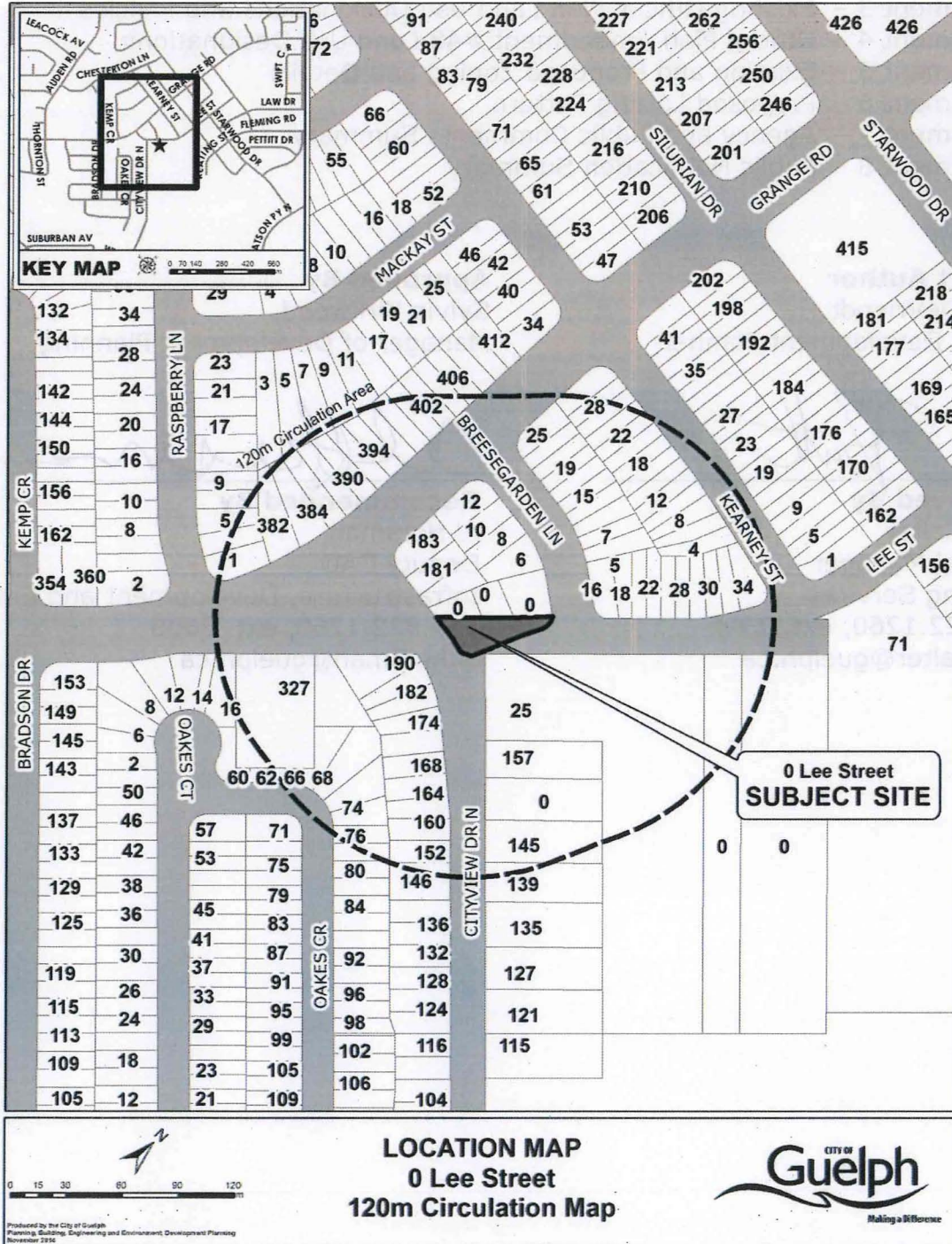
Sylvia Kirkwood
Manager of Development Planning



Recommended By

Al Horsman
Deputy CAO
Infrastructure, Development and Enterprise
519.822.1260, ext. 5606
al.horsman@guelph.ca

Attachment 1 Location Map



Attachment 2 Recommended Zoning

The property affected by the Zoning By-law Amendment application is municipally referred to as 0 Lee Street, comprising a portion of the former Grange Road alignment.

PROPOSED ZONING

The following zoning is proposed:

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

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

Permitted Uses

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

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

Regulations

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

Regulations for Single Detached Dwellings

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

Minimum Lot Area – 285 m²

Minimum Lot Frontage – 9.5 metres

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

Minimum Front Yard

i) From Grange Road, Watson Road, and Starwood Drive: 7.5 metres from the Street Line;

STAFF REPORT



ii) From all other Streets: 6 metres from the Street Line

Minimum Exterior Side Yard – 4.5 metres

Location of Legal Off-Street Parking Space

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

Minimum Side Yard

0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2

Regulations for Semi-Detached Dwellings

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

Minimum Lot Area – 485 m²

Minimum Side Yard (Each Side*)

1 to 2 storeys – 1.2 metres

Over 2 storeys – 2.4 metres

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

Minimum Front Yard

i) From Grange Road, Watson Road and Starwood Drive: 7.5 metres from the Street Line

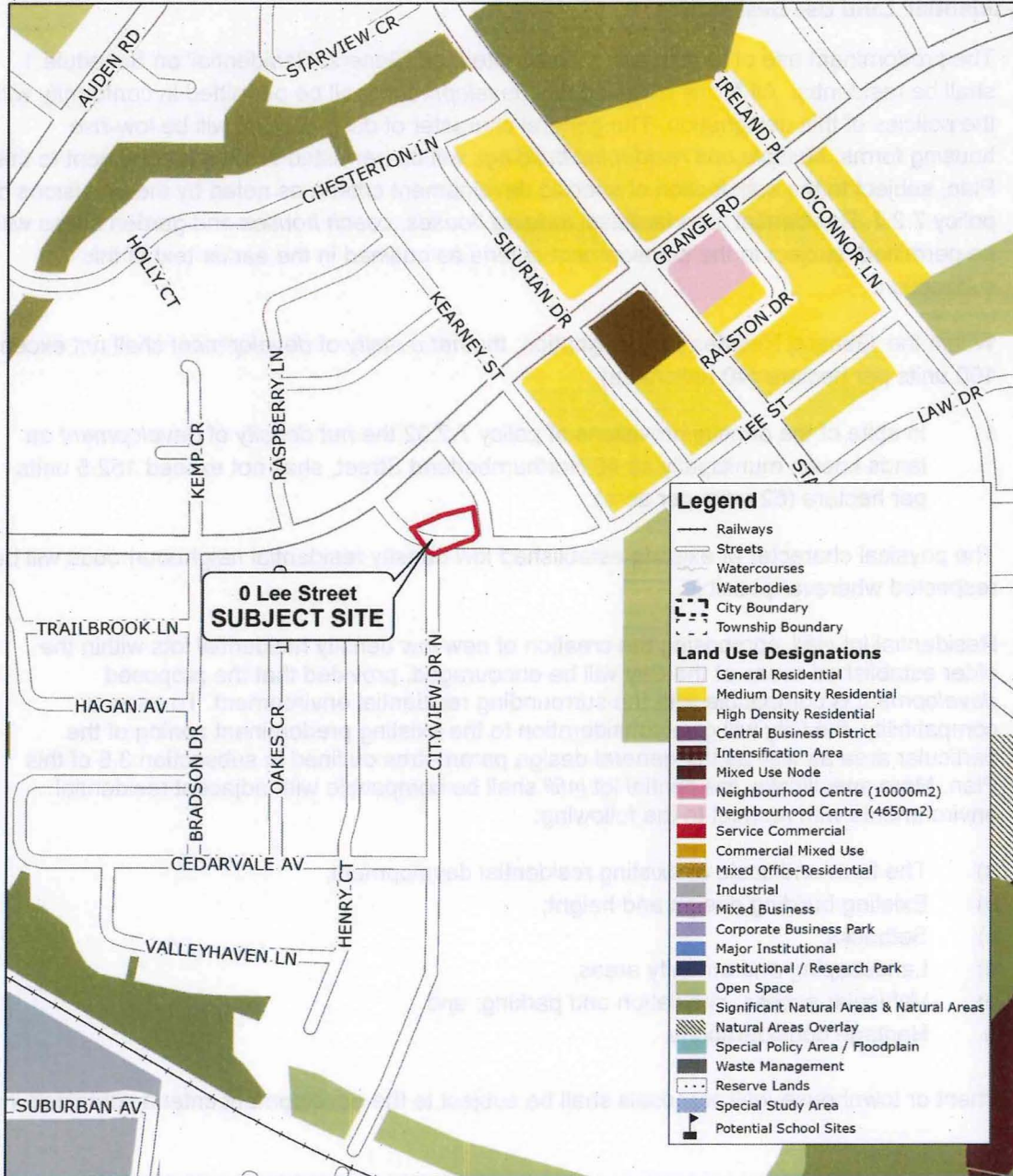
ii) From all other Streets: 6 metres from the Street Line

Minimum Exterior Side Yard – 4.5 metres

Location of Legal Off-Street Parking Space

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

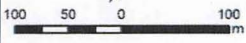

Attachment 3 Existing Official Plan Land Use Designations and Policies



2001 Official Plan, September 2014 Consolidation

Land Use Designations

0 Lee Street

Produced by the City of Guelph Planning Services July 2014

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

'General Residential' Land Use Designation

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

Attachment 4 Official Plan Amendment #48 Land Use Designations



Attachment 5 Existing and Proposed Zoning and Details



Attachment 5 (continued) Existing Zoning Details

UR (Urban Reserve) Zone

Permitted Uses

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

Regulations

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

Minimum Separation Distances Regulating Livestock Based Agriculture

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

Permitted Building or Structure

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

Minimum Side Yard

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

Minimum Rear Yard

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

Minimum Front Yard

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

Off-Street Parking

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

Off-Street Loading

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

STAFF REPORT

Accessory Building or Structure

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

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

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

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

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

Lighting of Outdoor Sportsfield Facilities

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

Attachment 5 (continued) Proposed Zoning Details

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

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

Permitted Uses

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

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

Regulations

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

Regulations for Single Detached Dwellings

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

Minimum Lot Area – 285 m²

Minimum Lot Frontage – 9.5 metres

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

Minimum Front Yard

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

Minimum Exterior Side Yard – 4.5 metres

Location of Legal Off-Street Parking Space

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

STAFF REPORT

Minimum Side Yard

0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2

Regulations for Semi-Detached Dwellings

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

Minimum Lot Area – 485 m²

Minimum Side Yard (Each Side*)

1 to 2 storeys – 1.2 metres

Over 2 storeys – 2.4 metres

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

Minimum Front Yard

i) From Grange Road, Watson Road and Starwood Drive: 7.5 metres from the Street Line

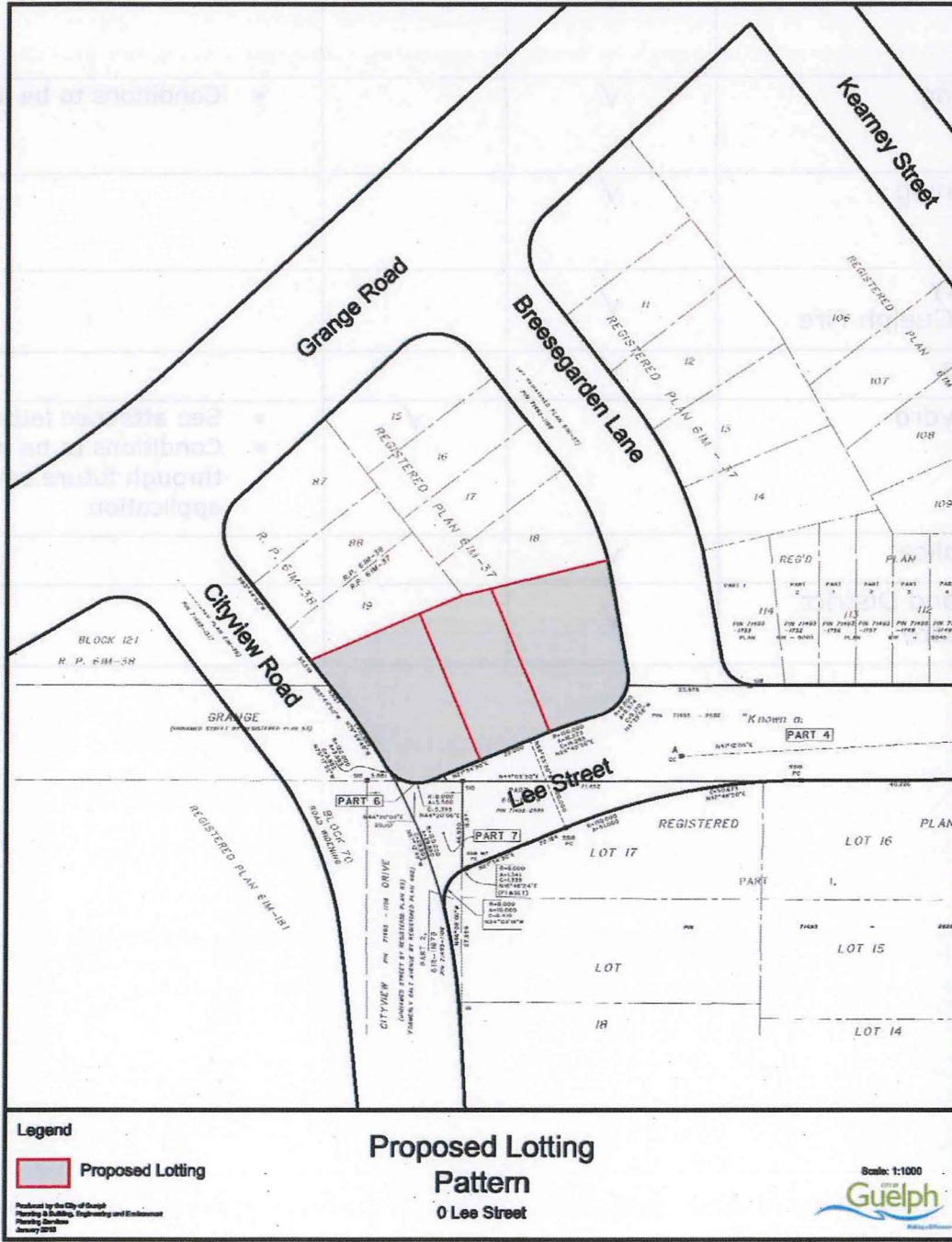
ii) From all other Streets: 6 metres from the Street Line

Minimum Exterior Side Yard – 4.5 metres

Location of Legal Off-Street Parking Space

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

Attachment 6 Proposed Lotting Pattern



STAFF REPORT



ATTACHMENT 7 Agency and Public Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning	√		
Engineering	√		<ul style="list-style-type: none"> • Conditions to be imposed
Park Planning	√		
Emergency Services/Guelph Fire	√		
Union Gas	√		
Guelph Hydro		√	<ul style="list-style-type: none"> • See attached letter • Conditions to be imposed through future severance application
Guelph Police	√		
Upper Grand District School Board	√		

STAFF REPORT



395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4719
Fax: 519-822-4963
Email: mwittemund@guelphhydro.com
www.guelphhydro.com

March 16, 2015

RECEIVED

MAR 17 2015

PBEE

Chris DeVriendt
City of Guelph
Infrastructure, Development and Enterprise
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. DeVriendt

Re: 0 Lee Street (File No. ZC1501)

We would like to submit the following comments concerning this proposal:

1. The hydro services for this development should be underground.
2. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and distribution or street light poles or pad-mounted equipment. Any relocations required would be done at the owner's expense.
3. Hydro supply for this development will be from Cityview Drive North for the most Westerly lot and Lee Street via Breese garden Lane for the remaining two lots.
4. Arrangements must be made with Guelph Hydro Technical Services prior to the demolition of the existing structure and removal of the hydro pole at 8 Lee Street.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

A handwritten signature in black ink, appearing to read "Michael Wittemund", followed by the word "for" written in a smaller, cursive script.

Michael Wittemund, P.Eng.
Director of Engineering

MW/gc

ATTACHMENT 8 Public Notification Summary

February 12, 2015	Notice of Application and Public Meeting Notice mailed to prescribed agencies and surrounding property owners within 120 metres
February 19, 2015	Notice of Public Meeting advertised in the Guelph Tribune
March 9, 2015	Statutory Public Meeting of City Council
July 13, 2015	City Council Meeting to consider staff recommendation