

COUNCIL PLANNING AGENDA



Council Chambers, City Hall, 1 Carden Street

DATE September 9, 7:00 p.m.

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

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

PRESENTATION

- a) City of Guelph United Way Campaign – Dawn Hamilton, Campaign Manager

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

Application	Staff Presentation	Applicant or Designate	Delegations (maximum of 10 minutes)	Staff Summary
150-152 Wellington Street East – Proposed Zoning By-law Amendment (File ZC1308) - Ward 1	<ul style="list-style-type: none"> Chris deVriendt, Senior Development Planner 	<ul style="list-style-type: none"> Krista Walkey Michael Hannay Adam Carapella 	<u>Correspondence:</u> <ul style="list-style-type: none"> Mary Vander Woude 	

REPORT OF THE INTEGRITY COMMISSIONER

ITEM	PRESENTATION	DELEGATIONS	TO BE EXTRACTED
IC-2013.3 Complaints Against a Councillor Received by the Integrity Commissioner*			

**To be Distributed with the Addendum for this Meeting*

Adoption of the Report of the Integrity Commissioner.

CONSENT AGENDA

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

COUNCIL CONSENT AGENDA			
ITEM	CITY PRESENTATION	DELEGATIONS (maximum of 5 minutes)	TO BE EXTRACTED
CON-2013.20 132 Clair Road West – Proposed Zoning By-law Amendment (File: OP0605/ ZC0619) – Ward 6			
CON-2013.21 185-187 Bristol Street – Proposed Zoning By-Law Amendment (File: ZC1216) – Ward 5			
CON-2013.22 Proposed Demolition of 76 Water Street – Ward 5			
CON-2013.23 Proposed Demolition of 78 Emma Street – Ward 2			
CON-2013.24 Proposed Demolition of 33 College Avenue West – Ward 5			
CON-2013.25 Guelph Community Sports Lease and Agreement			

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (*Councillor Van Hellemond*)

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

150 Wellington Street

Zoning By-law Amendment ZC13-08

Public Meeting – September 9, 2013



One Team.

Infinite Solutions



Stantec

mbtw



watchorn

SiteLine Research

The Tricar Group

- The Tricar Group is a leading name in the development of luxury condominiums and apartment suites throughout Southwestern Ontario. Renowned for their innovative designs, sophisticated luxury, lasting quality and value.
- The Tricar Group's growing portfolio of properties meets a wide range of needs, from professionals to first-time buyers to empty nesters and retirees.
- Tricar is currently developing The RiverHouse, Downtown Guelph's first high-rise luxury condominium.



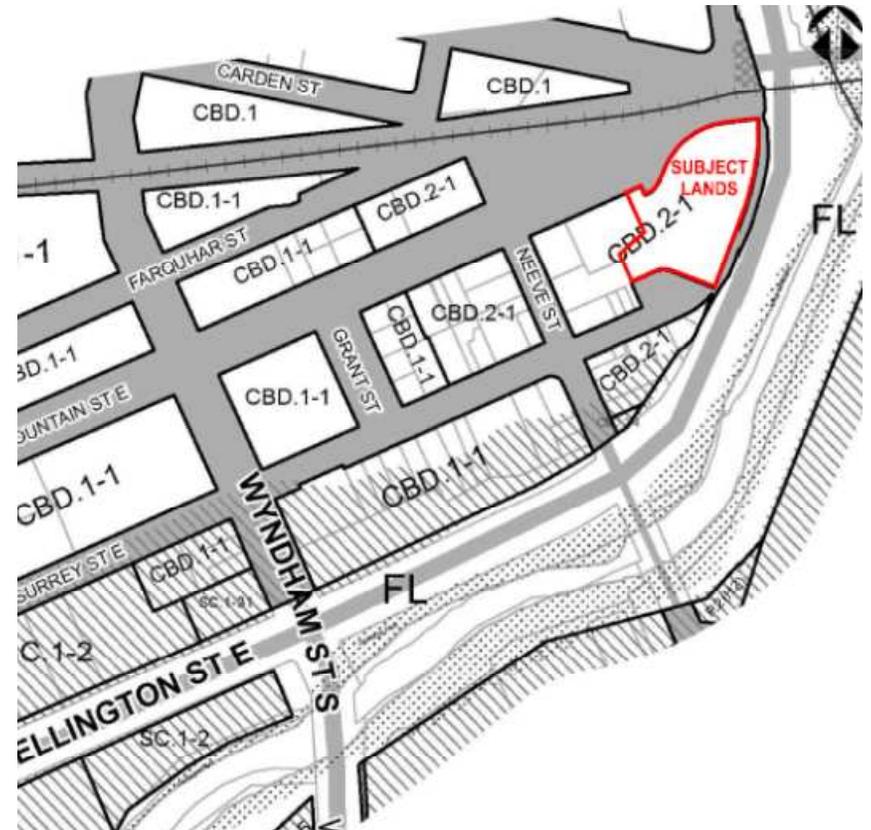
Proposed Development

- 18-storey mixed-use condominium building, including ground floor commercial, structured parking and 165 residential units.

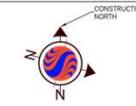


Zoning By-law Amendment Request

- The proposal generally conforms to the regulations of the CBD.2-1 zone with the exception of building height and setbacks to Wellington Street. The applicant is requesting to amend the zoning with site specific provisions to allow:
 - Rear yard, side yard and front yard setbacks of 0 metres from the property line.
 - Relief from the height provision
 - Relief from Section 4.16 for angular plane; and
 - Relief from section 6.3.3.2.1.1.6 access to rear yard requirements.



Proposed Development Concept



Stantec
 49 Frederick Street
 Kitchener, ON Canada
 N2H 6W7
 Tel. 519.579.4410
 Fax. 519.579.8664
 www.stantec.com

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 The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay.
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Legal Description
 Part of the Grist Mill Lands, Canada Company Survey
 Registered Plan B,
 Part of School Lot, Registered Plan B,
 Part of Lot 5, Registered Plan 269
 City of Guelph,
 County of Wellington

Details of Development

SITE DETAILS	REQUIRED	PROVIDED	CONFORMS
ZONING	CB0.2-1 ZONE WITH SITE SPECIFIC PROVISIONS		
FF	0m	0.26m	YES
RY	0m	0m	YES
EXT. SY	0m	1.74m	YES
INT. SY	0m	0.49m	YES
LOT AREA	850.0m ²	850.3m ²	YES
LOT FRONTAGE	15.0m	15.1m	YES
MAX. DENSITY	200 UNITS/HA	200 UNITS/HA	YES
FLOOR SPACE RATIO	2	4	YES
MAX. BUILDING HEIGHT	18 STOREYS	18 STOREYS	YES
# OF UNITS	N/A	155 UNITS	YES
BUILDING COVERAGE	N/A	440.9m ² (79.1%)	YES
COMMERCIAL AREA	N/A	2749.0m ²	YES
LANDSCAPE AREA	N/A	958.4m ²	YES
ROOFTOP AMENITY AREA	N/A	703.5m ²	YES
ROOFTOP GARDEN AREA	N/A	2421.5m ²	YES
GARAGE ENCLOSURE	N/A	INTERIOR STORAGE	YES
# OF LOADING SPACES	N/A	1 SPACE	YES
OFF-STREET PARKING	212 SPACES	238 SPACES	YES
ACCESSIBLE PARKING	3 SPACES	3 SPACES	YES
BICYCLE PARKING	12 SPACES	12 SPACES	YES

Revision	By	App'd	YY.MM.DD
File Name: 160311398_R-SP.dwg	JD	KW	13.08.16
	Dwg.	Chk.	App'd



Client/Project
THE TRICAR GROUP
 150 WELLINGTON STREET EAST
 Guelph, ON Canada

Title
SITE PLAN - 1
SP13A029

Project No. 160311398	Scale 1:200	Sheet 1 of 1	Revision
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Proposed Development Concept



Proposed Development Concept



Key Plan

Legend

- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED LARGE ORNAMENTAL SHRUB
- PROPOSED MIXED PLANTING BED
- PROPOSED SOO
- PROPOSED PEDESTRIAN UNIT PAVING
- PROPOSED CONCRETE PAVING
- PROPOSED BILLIARD LIGHT
- PROPOSED OUTDOOR FURNITURE
- EXISTING GRASS
- PROPOSED GRASSES (BY STATICS)

No.	Date	Revisions	By
1	08/14/2013	ISSUED FOR SPA	CKA

Project Name: 150 Wellington Street East
 Municipality: City of Guelph

Landscape Concept Plan

The MBTW Group
 100 Wellington Street West
 Guelph, ON N1H 2K9
 Tel: (519) 866-7867
 Fax: (519) 866-7868
 Email: info@mbtw.com

Job No: TR0003
 Designer: CKA
 Drawn: CN
 Date: July 9, 2013
 Scale: 1:200
 Drawing No: LP-1a

3D Visualization

Features

- Green rooftop
- Improved Storm Water Run-off
- Surrey street connection
- Mixed-use Building with ground floor commercial and residential
- Pursuing district



Reports Submitted

Issue	Background Study Completed
Noise Impacts from Traffic and Railway	Preliminary Noise and Vibration Impact Study
Conformity/ Compliance	Planning Justification Report
Servicing/ Grading	Functional Servicing and Stormwater Management Report
Soil Contamination	A Historical Information Search
Community Energy Initiative	Tricar's Commitment to Community Energy Initiative Letter
Fit/Existing Context	Urban Design Brief and Urban Design Master Plan

Questions

Krista Walkey, MCIP RPP

Senior Planner

Tel: 519-575-4133

Email: krista.walkey@stantec.com

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 9, 2013

**SUBJECT 150-152 Wellington Street East – Proposed Zoning By-law Amendment
(File: ZC1308)
Ward 1**

REPORT NUMBER 13-48

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Zoning By-law Amendment to permit the development of an 18-storey mixed-use building with 165 residential dwelling units and approximately 611 m² of ground floor commercial floor area. This report has been prepared in conjunction with the statutory public meeting for this application.

KEY FINDINGS

Key findings will be reported in future, following staff review of the application.

FINANCIAL IMPLICATIONS

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

ACTION REQUIRED

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

RECOMMENDATION

1. That Report 13-48 regarding a Zoning By-law Amendment application by Stantec Consulting Ltd. on behalf of The Tricar Group, to permit the development of an 18-storey mixed use building for the property municipally known as 150-152 Wellington Street East, and legally described as Pt Grist Mill Lands, Plan 8, Pt 2, 61R1309, Pt School Lot, Plan 8, Pt Surrey Street, Plan 379, PT 3, 61R1309, closed by ROS178965; Pt Lot 5, Plan 269, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.

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BACKGROUND

An application for a Zoning By-law Amendment has been received for the property municipally known as 150-152 Wellington Street East from Stantec Consulting Ltd. The application would permit the development of an 18-storey mixed use building, consisting of 165 residential units and approximately 611 m² of ground floor commercial space. The application was deemed complete on July 25, 2013.

Location

The subject property has a site area of approximately 0.55 hectares and is located at the southwest corner of Macdonell Street and Wellington Street (see Location Map in Attachment 1). The subject property is vacant and was previously part of the former Marsh Tire site.

Adjacent land uses consist of the CN railway line and inter-modal transit terminal to the north; the Downtown multi-use trail and Speed River to the east (across Wellington Street); and a mix of low-rise residential dwellings and commercial buildings to the south and west.

Existing Official Plan Land Use Designation and Policies

The Official Plan land use designation and policies applicable to the subject site are contained in Official Plan Amendment #43 (OPA 43), which incorporates the Downtown Secondary Plan policies into the Official Plan. On June 18, 2013, the Ontario Municipal Board ruled that OPA #43 is in full force and effect as of the date of Council adoption (May 28, 2012) with the exception of specific portions that have been identified as being under appeal. It is noted that the subject site is not subject to any appeals.

The Official Plan land use designation that applies to the subject site is "Mixed Use 1", as illustrated in Attachment 2. "Mixed Use 1" areas are intended for a broad range of land uses including retail and service, multiple residential, live/work, office, entertainment and recreational commercial, cultural, educational and institutional, in a mixed highly compact development form.

Related land use policies are included in Attachment 2.

Existing Zoning

The subject property is zoned CBD.2-1 (Specialized Central Business District) Zone, as illustrated in Attachment 3. Details of this zone are also included in Attachment 3.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant is requesting to rezone the subject property from the CBD.2-1 (Specialized Central Business District) Zone to a CBD.2-? (Specialized Central Business District) Zone to permit an 18 storey mixed use building.

STAFF REPORT



The applicant has requested to develop the property in accordance with the permitted uses and regulations of the standard CBD.2 Zone, with the following exceptions:

- That Section 4.16 (angular plane requirements) not apply;
- That Section 6.3.3.2.1.1.6 (access to rear yard) not apply; and
- To permit a rear yard, side yard and front yard of 0 metres;
- To permit a building height of 18 storeys;
- To permit a maximum density of 300 units per hectare; and
- To permit a Floor Space Index (FSI) of 4.

Further details of the proposed zoning are provided in Attachment 3.

Proposed Development

The applicant's proposed site concept plan and building elevations are shown in Attachment 4.

The concept plan proposes an 18-storey building, consisting of 165 residential units and approximately 611 m² of ground floor commercial area. The commercial units are proposed to front on Wellington Street. The development proposes a large green rooftop amenity space on the 3rd storey. Additional landscaped areas are provided at grade and on the 7th storey.

The conceptual development plan in Attachment 4 illustrates vehicular access to the site from Wellington Street, generally located at the midpoint of the proposed building. Access to a grade level loading zone on Wellington Street is also proposed at the southerly edge of the site. It is noted that the applicant has been working to prepare revised concepts that would relocate the entrance to the parking structure to the south of the subject site to address potential sight line issues with an access location closer to the curve on Wellington Street. The revised access location would be designed in conjunction with the cul-de-sac at the end of Surrey Street to provide access to the parking structure at the southern end of the building.

Supporting Documents

The following reports and material have been submitted in support of the rezoning application:

- Planning Justification Report, dated June 2013, by Stantec Consulting Ltd.
- Functional Servicing and Stormwater Management Report, dated June 2013, by Stantec Consulting Ltd.
- Scoped Environmental Impact Study Terms of Reference, dated June 2013, by Stantec Consulting Ltd.
- Traffic Impact Study, dated August, 2013, by Stantec Consulting Ltd.
- Preliminary Noise & Vibration Impact Study, dated June 2013, by J.E. Coulter Associates Ltd.
- Historical Information Search, dated July 2010, by XCG Consultants Ltd.
- Urban Design Master Plan, (Wellington/Neeve Area), dated July 2013, by The MBTW Group.

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- Urban Design Brief, dated July 2013, by The MBTW Group.

Staff Review

The review of these applications will address the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan;
- Evaluation of the proposal against the land use designation and policies of the Official Plan, including Official Plan Amendment 39;
- Review of the proposed zoning and need for specialized regulations;
- Consideration of the Urban Design Brief relating to the Section 3.6 of the Official Plan, as well as the Downtown Guelph Secondary Plan;
- Consideration of the Urban Design Master Plan to address relevant policies of the Downtown Secondary Plan, including the incorporation of pedestrian linkages and a future public parking structure within the Wellington/Neeve Master Plan area;
- Evaluation of the Functional Servicing and Stormwater Management Report, the Scoped Environmental Impact Study, the Traffic Impact Study and Preliminary Noise and Vibration Analysis;
- Community Energy Initiative considerations; and
- Evaluation of the proposal against the River Systems Management Plan (RSMP).

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

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

The Notice of Complete Application was mailed on July 25, 2013 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. The same notice was provided by signage on the site. The Notice of Public Meeting was advertised in the Guelph Tribune on August 15, 2013.

The policies of the Downtown Secondary Plan (OPA 43) require public consultation specifically with respect to the Wellington/Neeve Area Urban Design Master Plan that was submitted as part of this application. To meet the intent of this policy, the

STAFF REPORT



applicant will be holding a separate, non-statutory Public Open House specifically to seek input on the draft Urban Design Master Plan.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Existing Official Plan Land Use Designations and Policies

Attachment 3 – Existing and Proposed Zoning and Details

Attachment 4 – Proposed Development Concept and Building Elevations

Report Author

Chris DeVriendt
Senior Development Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning

Original Signed by:

Approved By

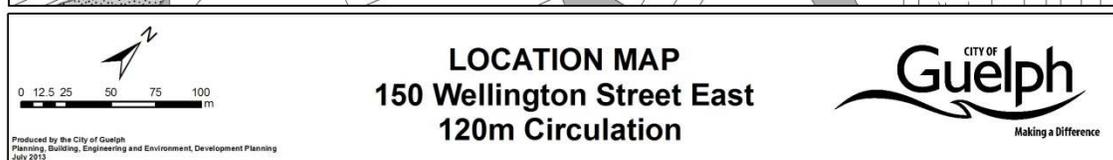
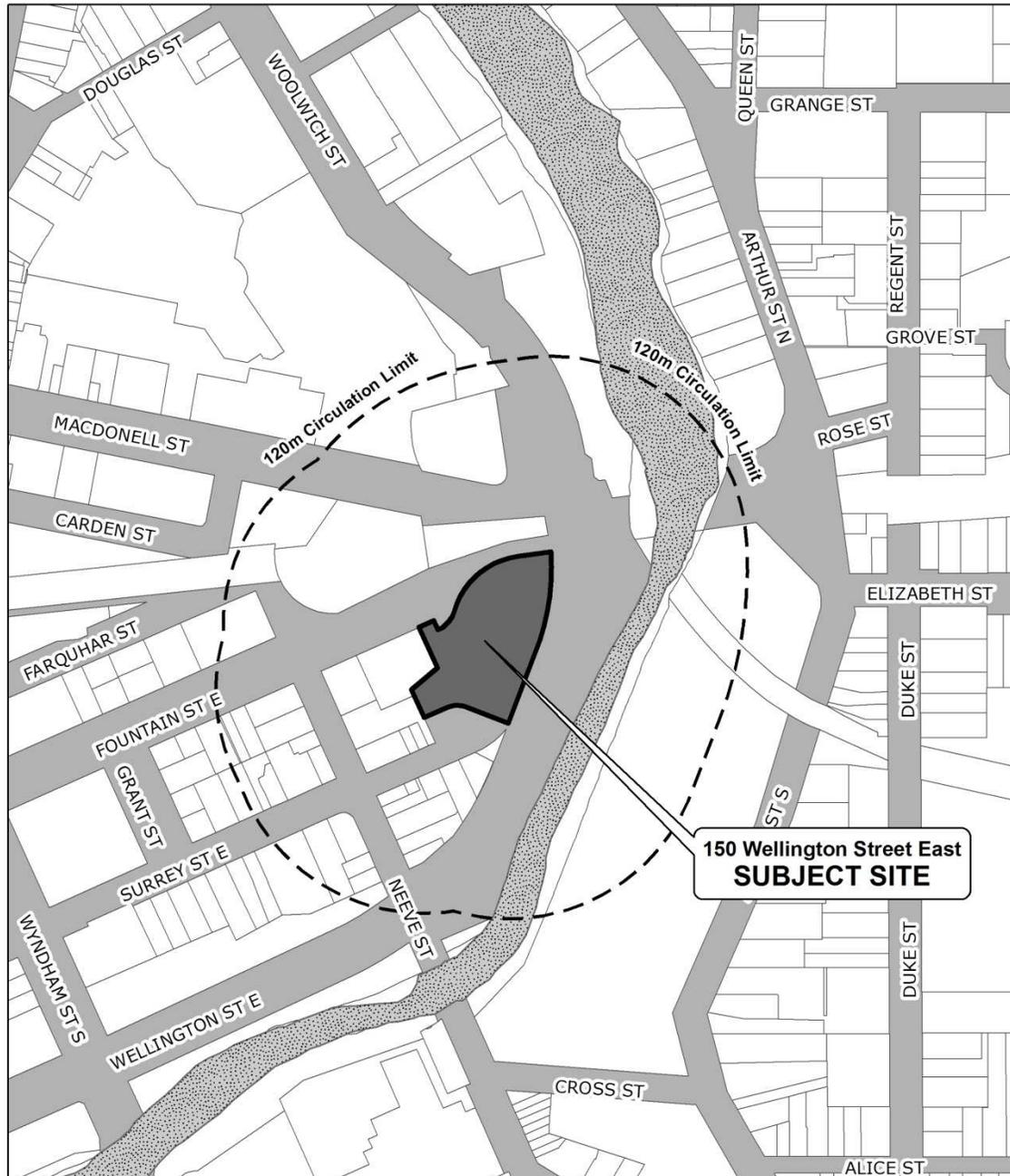
Todd Salter
General Manager
Planning Services
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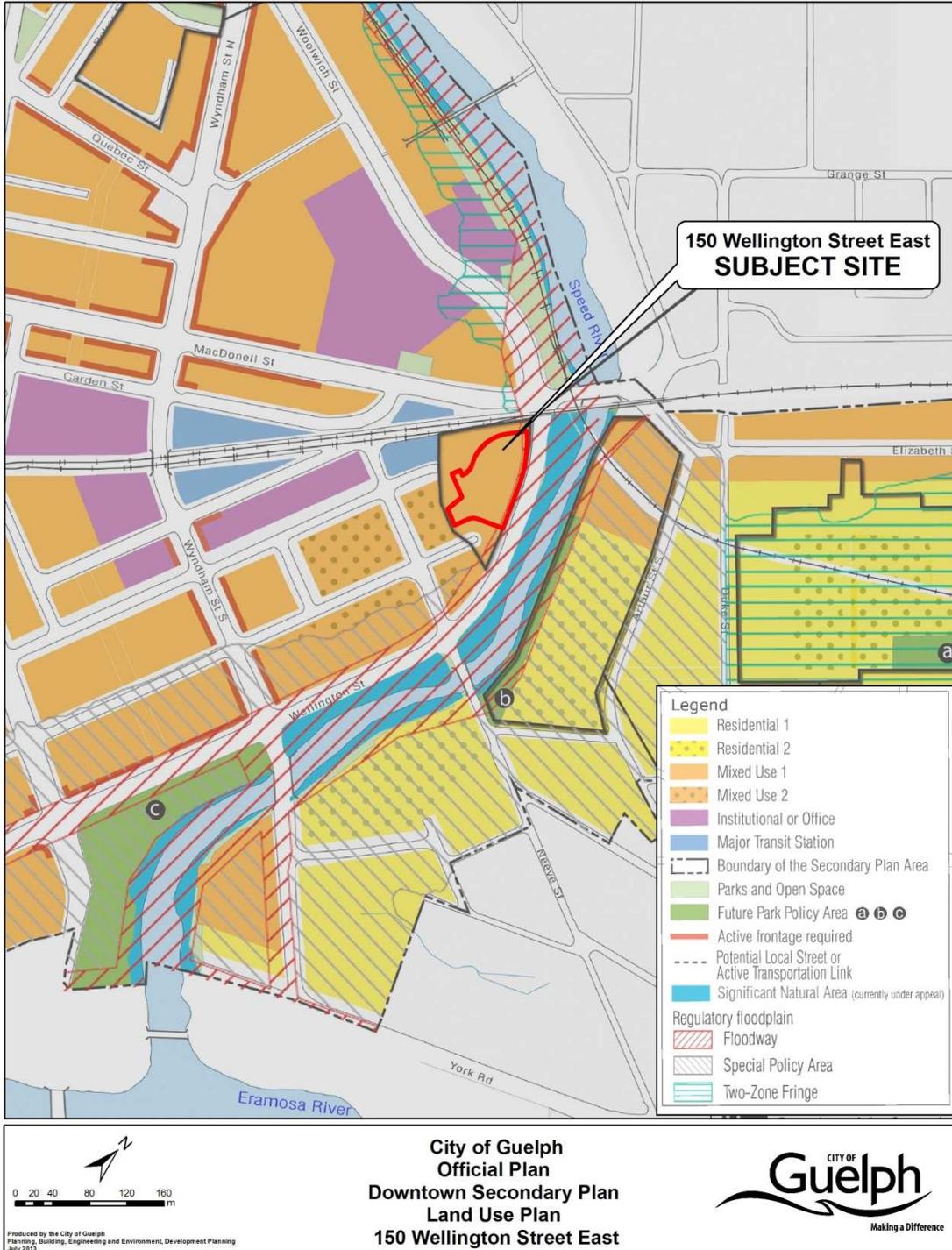
Recommended By

Janet Laird, Ph.D.
Executive Director
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519.822.1260, ext. 2237
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Attachment 1 – Location Map



Attachment 2: Existing Official Plan Designations and Policies



Attachment 2 (continued): Existing Official Plan Designations and Policies

LAND USE AND BUILT FORM

In addition to streets and open spaces, underlying the long-term vision for Downtown Guelph is a framework of land uses. Downtown Guelph should contain a range of uses, including office, retail, institutional, entertainment and residential. In the core of downtown, most blocks will have a mix of uses. On key streets, buildings must be mixed-use, with active commercial uses on the ground floor and other uses on upper floors. To ensure there is a balance between employment and residential uses, some sites will be reserved for commercial or institutional uses. While there are strategic opportunities on former industrial lands for residential and mixed-use *intensification* that supports vibrancy in the Downtown, such *intensification* will be planned to be *compatible* with existing neighbourhoods. New built form will reflect Downtown's urbanity and reflect the principles of adaptability, permanence, and simple beauty. Precedent photos are included in Appendix A to provide illustrative examples.

Objectives

In addition to supporting the Principles, Objectives and Targets in Section 11.1.2, the intent of the policies below is to:

- a) Promote design excellence.
- b) Encourage a wide range of land uses and built forms.
- c) Capitalize on and support existing and planned transit services by concentrating higher density uses, including office uses in *compatible* locations, within a short walking distance of Guelph Central Station.
- d) Promote the development of diverse neighbourhoods in Downtown with a variety of housing choices, including units suitable for families and affordable housing.
- e) Reinforce Wyndham Street north of Wellington Street, MacDonell Street west of Wellington Street and Quebec Street as Downtown's main commercial streets while encouraging retail establishments and restaurants in other areas as well.
- f) Ensure the built form of *development* contributes to attractive streetscapes and open spaces and supports an inviting, comfortable and active *public realm*.
- g) Ensure new *development* respects the character of downtown's historic fabric and the quality of life in surrounding neighbourhoods.

11.1.7.1 General Land Use Policies

11.1.7.1.1

Schedule C delineates the land use designations Downtown. Minor changes to the boundaries of land use designations may be permitted subject to the Interpretation policies of the *Official Plan*.

11.1.7.1.2

The following uses are not consistent with the objective of a walkable, transit-supportive Downtown and shall not be permitted:

- Vehicle sales;
- New vehicle related uses, including vehicle service stations; and
- Low density employment uses such as logistics or warehousing and other employment uses not compatible with other uses planned for Downtown.

11.1.7.1.3

Drive-through facilities shall be discouraged from locating Downtown, since they are inconsistent with the long-term vision for Downtown, specifically the objectives to increase pedestrian activity, increase public transit use and reduce and minimize driveways accessed from Primary and Main Streets. The *Zoning By-law* shall ensure applications for drive-through establishments conform to the policies of the Downtown Secondary Plan, including all built form policies.

11.1.7.1.4

Notwithstanding any of the policies of the Downtown Secondary Plan, previously approved and existing uses Downtown which do not conform to the policies of this Secondary Plan shall be permitted, subject to the Legal Non-Conforming Uses policies of the *Official Plan*. The redevelopment of legal non-conforming uses to uses that are consistent with the vision, principles and objectives of the Downtown Secondary Plan, shall be encouraged.

11.1.7.2 General Built Form and Site Development Policies

11.1.7.2.1

Schedule D identifies building height ranges to be permitted within the Downtown Secondary Plan Area. In general, the predominant mid-rise built form of Downtown shall be maintained with taller buildings restricted to strategic locations, including gateways that act as anchors for key streets. Taller buildings in these locations will have minimal direct impacts to existing neighbourhoods and the historic core of Downtown, and they will be outside protected *public view* corridors. In the height ranges contained on Schedule D, the lower number represents the minimum height in storeys for buildings and the higher number represents the maximum permitted height in storeys. The maximum heights recognize the Church of Our Lady's status as a landmark and signature building; it is the general intent that no building Downtown should be taller than the elevation of the Church. Exemptions from minimum height requirements may be permitted for utility and other buildings accessory to the main use on a site.

11.1.7.2.2

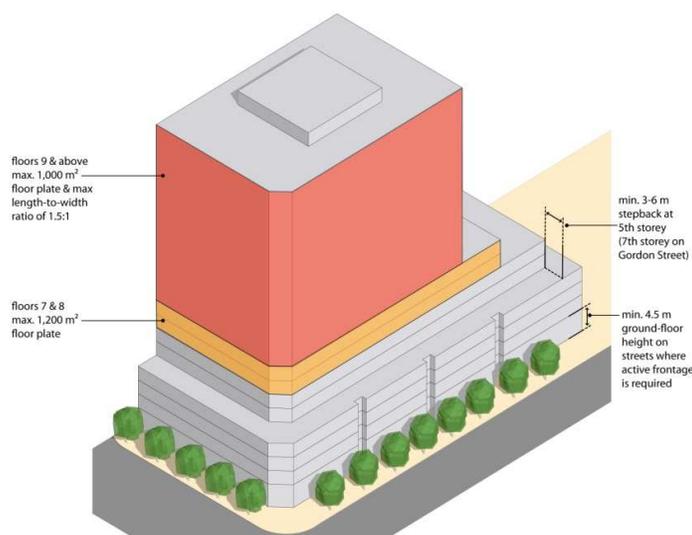
Notwithstanding Schedule D, the *Zoning By-law* may establish maximum building heights lower than those shown in order to maintain the protected long views to the Church of Our Lady, as generally identified in Schedule D. The *Zoning By-law* shall more precisely define the protected views and shall be amended, where appropriate, to reflect the location and scope of the views identified in Schedule D.

11.1.7.2.3

The following additional built form policies shall apply to all areas of Downtown:

- a) Generally, buildings shall be oriented towards and have their main entrance on a street or open space.

- b) Long buildings, generally those over 40 metres in length, shall break up the visual impact of their mass with evenly spaced vertical recesses or other architectural articulation and/or changes in material.
- c) Mechanical penthouses and elevator cores shall be screened and integrated into the design of buildings.
- d) Generally balconies shall be recessed and/or integrated into the design of the building facade. Exposed concrete balconies generally shall not be permitted.
- e) Residential pick-up and drop-off areas and lay-bys should be located on Secondary or Local Streets and/or Laneways, and not on Primary Streets.
- f) Front patios for ground-floor residential units, where appropriate, should be raised to provide for privacy and a transition between the public and private realms.
- g) All buildings downtown should be finished with high quality, enduring materials, such as stone, brick and glass. Glass should be transparent or tinted with a neutral colour. Materials that do not age well, including stucco, vinyl, exterior insulation finishing system (EIFS) and highly reflective glass, shall be strongly discouraged and may be limited through the implementation documents and by-laws.
- h) The massing and articulation of buildings taller than six storeys shall moderate their perceived mass and shadow impacts, provide appropriate transitions to areas with lower permitted heights, and contribute to a varied skyline in which the Church of Our Lady is most prominent. Generally, the maximum floorplate of any floor above the sixth storey, where permitted, shall be 1,200 square metres. Furthermore, the floorplates of floors above the eighth storey, where permitted, generally shall be a maximum of 1000 square metres and should not exceed a length to width ratio of 1.5:1.



*** Note: Policy 11.1.7.2.3 is under appeal only as it relates to 45 Yarmouth St. This Policy is in effect for all other affected lands.**

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11.1.7.2.4

The following general policies respecting parking, loading and servicing shall apply to all areas of downtown:

- a) Vehicular entrances to parking and servicing areas generally be on Local Streets, Secondary Streets or Laneways and should be consolidated wherever possible to maximize and accentuate building frontages and front yards and minimize the number of curb cuts. Shared driveways between two properties shall be encouraged.
- b) Loading and service areas generally shall be located in the interior of a development block, at the rear of building, where possible. Enclosed loading and servicing areas shall be encouraged. Where loading and servicing is visible at the rear or side of a building, it shall be screened.
- c) Parking for apartment dwellings, including visitor parking, generally shall be located in underground or above-ground structures or surface parking lots at the rear of the building, unless other arrangements for off-site parking have been made to the City's satisfaction.
- d) Requirements for on-site parking for institutional, office and retail uses may be waived or reduced, subject to the Downtown Parking Strategy. Where parking for such uses is provided on site, it shall be located in underground or above-ground structures or surface parking lots at the rear of the building. However, new office or institutional buildings, with or without other uses on the ground floor, generally shall include at least one level of underground parking.
- e) Generally no parking shall be permitted between the front of a building and the street to help create pedestrian-oriented streetscapes.

11.1.7.2.5

The following policies shall apply to above-grade parking structures:

- a) Parking structures should generally be accessed by motor vehicles from a Local Street, Secondary Street or Laneway and should be located in the middle of a block where possible, behind other uses fronting the street.
- b) Parking structures on a street shall generally contain active uses on the ground floor subject to technical considerations and the entire façade shall be designed to appear as fenestrated buildings, with a regular articulation of openings and materials that are consistent in type and quality with those of surrounding buildings.
- c) Vehicular entrances to above-grade or underground parking structures on public streets shall be integrated into the design of the building.
- d) Pedestrian entrances to parking structures shall be clearly identified and well lit.

11.1.7.2.6

The use of the maximum Floor Space Index (FSI) to justify extra height, the use of the maximum height to justify extra density, or use of either of those regulations to deviate from the other built form policies of this plan will be deemed to meet neither the intent nor spirit of this plan.

Land Use Designations

11.1.7.3 Mixed Use 1 Areas

11.1.7.3.1

Mixed Use 1 areas, as identified on Schedule C, are intended to accommodate a broad range of uses in a mix of highly compact *development* forms. *Development* within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. Active uses that enliven the street are encouraged to locate on the ground floor of buildings and, as per Policy 11.1.7.3.4, shall be required on key streets.

11.1.7.3.2

The following uses may be permitted:

- a) retail and service uses, including restaurants and personal service uses;
- b) multiple unit residential buildings, including apartments and townhouse dwellings;
- c) *live/work* uses;
- d) offices including medically related uses;
- e) entertainment and commercial recreation uses;
- f) community services and facilities;
- g) cultural, educational and institutional uses;
- h) public parking;
- i) hotels;
- j) parks, including urban squares; and,
- k) other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are *compatible* with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration.

11.1.7.3.3

The minimum floor space index (FSI) in Mixed Use 1 areas shall generally be 1.5, except on properties fronting Elizabeth Street, where the minimum FSI shall generally be 1.0.

11.1.7.3.4

On key streets, active frontages will be achieved to reinforce the role of these streets or portions of streets as commercial, pedestrian-oriented, urban streetscapes. The following shall apply to *development* on properties where active frontage is required, as identified in Schedule C:

- a) Retail and service uses, including restaurants and personal service uses, or entertainment uses shall generally be required on the ground floors of all buildings at the street edge.
- b) Notwithstanding subsection 11.1.7.3.4 a), offices are also permitted on the ground floors of these properties; however, such uses shall be encouraged to locate in other locations Downtown to ensure Downtown's main streets maintain a strong retail character. The *Zoning By-law* may restrict the size of such new uses and/or their width along the street to ensure they do not detract significantly from the intended commercial function of the street.

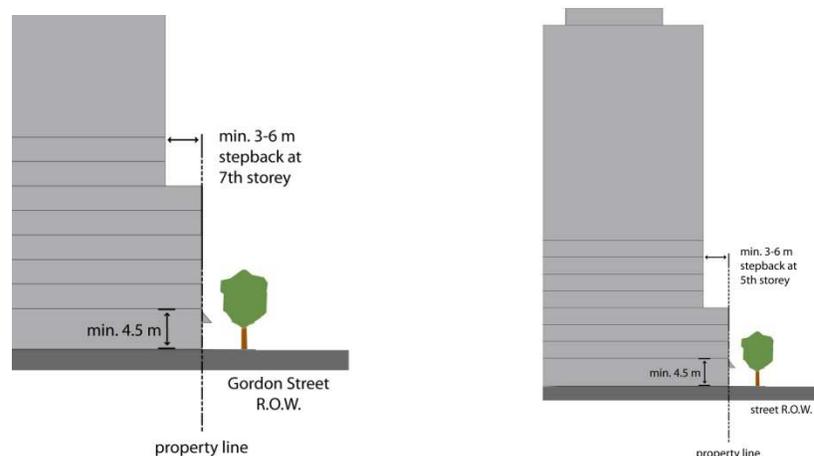
- c) Buildings shall contribute to a continuous street wall that has a minimum height of 3 storeys, with infrequent and minimal gaps between buildings.
- d) The width of retail stores and the frequency of entrances shall contribute to a continuously active *public realm* and give the street wall a visual rhythm. The width of stores and restaurants may be limited through the *Zoning By-law* to ensure a rhythm of commercial entrances and avoid long distances between commercial entrances.
- e) Ground floor heights will generally be a minimum of approximately 4.5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors. Generally, a large proportion of the street-facing ground floor wall of a new mixed-use building shall be glazed.

11.1.7.3.5

Generally buildings in Mixed Use 1 areas shall be built close to the front property line to help frame and animate adjacent streets. The *Zoning By-law* shall establish maximum setbacks on streets where active frontages are required. On all other streets minimum and maximum setbacks shall be established. The *Zoning By-law* may include limited exceptions to the build-to lines and maximum setbacks while ensuring that a consistent streetwall is extended, maintained or established.

11.1.7.3.6

To respect the historic character of Downtown and ensure a human-scale pedestrian realm, buildings taller than 4 storeys in Mixed Use 1 areas shall generally have a substantial stepback above the fourth storey generally in the range of 3-6 metres minimum from the front of the building fronting a public street or park, except on Gordon Street and Wellington Street, where a stepback of generally 3-6 metres minimum is required above the sixth storey.



*** Note: Policy 11.1.7.3.6 is under appeal only as it relates to 45 Yarmouth St. This Policy is in effect for all other affected lands.**

11.1.7.3.7

All buildings shall reflect their urban context and should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.

11.1.7.3.8

Generally, entrances to non-residential uses shall be flush with the sidewalk, for ease of access and to maintain a strong relationship to the street.

11.1.7.3.9

As identified on Schedule C, there are areas containing multiple properties west of the Speed River that represent significant opportunities for coordinated and integrated *redevelopment*: the Baker Street Property and the Wellington Street /Neeve Street Area. Each of these sites shall be developed based on comprehensive master plans for the site. Therefore, in addition to any other submissions required as part of a complete planning application for either of these two sites or any portion thereof, a detailed Urban Design Master Plan shall be prepared for the site by the applicant to the satisfaction of the City and in consultation with the community. The Urban Design Master Plan will be prepared in accordance with the policies of 11.1.8.5.

Official Plan Amendment 39

2.4.5 Built-up Area and General Intensification

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

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

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

- a) By 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's *built-up*

area as identified on Schedule 1B. Provision may be made for the fulfilment of this target sooner than 2015.

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

2.4.6 Urban Growth Centre (Downtown Guelph)

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

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

2.4.6.1 Downtown Guelph will be planned and designed to:

STAFF REPORT

- a) achieve a minimum density target of 150 people and jobs combined per hectare by 2031, which is measured across the entire Downtown;
- b) serve as a high density major *employment area* that will attract provincially and potentially nationally and internationally significant uses;
- c) provide for additional residential *development*, including *affordable housing*, *major offices*, commercial and appropriate institutional development in order to promote *live/work* opportunities and economic vitality in the Downtown;
- d) maintain, enhance and promote *cultural heritage resources*, the *natural heritage system*, unique streetscapes and landmarks within the Downtown;
- e) develop additional public *infrastructure* and services; public open space; and tourist, recreational, entertainment, and cultural facilities within the Downtown; and
- f) accommodate a major transit station and associated *multi modal* transportation facilities within the Downtown, which facilitates both inter and intra-city transit service.

Attachment 3 (continued): Existing Zoning Details

CBD.2-1 (Specialized Central Business District) Zone

Permitted Uses

Accessory Apartments in accordance with Section 4.15.1
Apartments developed in accordance with the R.4C Zone regulations
Art Gallery
Artisan Studio
Bed and Breakfast establishment in accordance with Section 4.27
Commercial School
Convenience Store
Day Care Centre in accordance with Section 4.26
Duplex Dwelling
Dwelling Units with permitted commercial Uses in the same Building developed in accordance with Section 4.15.2
Group Home in accordance with Section 4.25
Home Occupation in accordance with Section 4.19
Library
Lodging House Type 1 in accordance with Section 4.25
Medical Office
Medical Clinic
Museum
Office
Personal Service Establishment
Religious Establishment
School
Semi-Detached Dwelling
Single Detached Dwelling
Tourist Home
Townhouses developed in accordance with the R.3 Zone regulations
Accessory Uses in accordance with Section 4.23
Occasional Uses in accordance with Section 4.21

Regulations

In accordance with the provisions of Section 6.3.3 of Zoning By-law (1995)-14864, as amended with the following exceptions and additions:

Minimum Lot Area

270 m²

Minimum Lot Frontage

9 metres

Minimum Front and Exterior Side Yard

The Street Line shall be the Setback line except along Wellington Street which will be 15 metres

Minimum Side Yard

1.5 metres

STAFF REPORT

Minimum Rear Yard

10 metres

Access to Rear Yard

Vehicular access to the Rear Yard from a public Street shall be maintained (in the case of a conversion of an existing Building to a commercial Use) and shall be provided (in the case of new commercial construction) and such access shall have a width of not less than 3 metres and an overhead clearance of not less than 4.5 metres

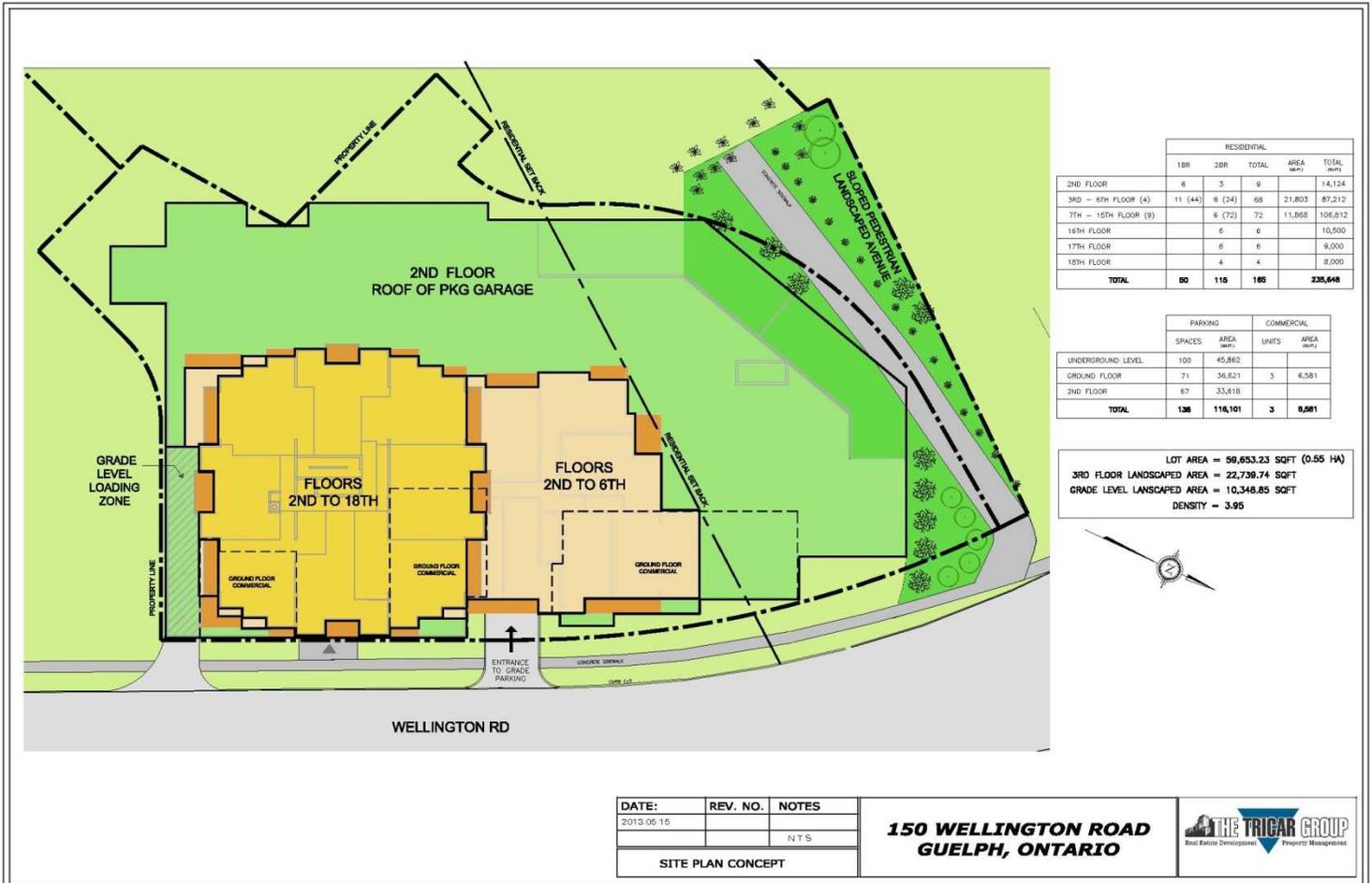
STAFF REPORT

Attachment 3 (continued): Proposed Zoning Details

	Existing Zoning	R.4C Regulations	Proposed Zoning
Regulation	Required in the Current CBD.2-1 Zone	Applicable to Apartments in CBD.2-1 Zone	Requested in the Specialized CBD.2 Zone
Minimum Lot Area	270 m2	650 m2	No change proposed
Minimum Lot Frontage	9 metres		No change proposed
Minimum Front Yard	The Street Line shall be the setback line except along Wellington which shall be 15 metres	3 metres and in accordance with Section 4.24	0 metres
Minimum Exterior Side Yard	The Street Line shall be the setback line except along Wellington which shall be 15 metres		0 metres
Minimum Side Yard	1.5 metres	One-half building height, but in no case less than 3 metres	0 metres
Minimum Rear Yard	10 metres	Equal to 20% of the lot depth or one-half the building height, whichever is lesser, but in no case less than 7.5 metres	0 metres
Off-Street Parking		211 spaces required	No change proposed (238 spaces proposed)
Accessible Parking Spaces		3 required	No change proposed (3 spaces proposed)
Bicycle Parking		12 required	No change proposed (12 proposed)
Maximum Building Height		6 storeys and in accordance with Section 6.3.2.3, 4.16 and 4.18	18 storeys in addition to specialized regulations relating to Section 4.16 (see below)
Access to Rear Yard	Vehicle access to rear yard shall be maintained at a width of 3 metres and overhead clearance of not less than 4.5 metres		Requested to not apply
Maximum Density		200 units/ha	Requesting 300 units/ha
Floor Space Index (FSI)		2	4
Minimum Landscaped Open Space		The front yard of the Lot, excepting the driveway, shall be landscaped. No parking is permitted within the landscaped open space	No change proposed

STAFF REPORT

Attachment 4: Proposed Development Concept



DATE:	REV. NO.	NOTES
2013 05 15		N T S
SITE PLAN CONCEPT		

**150 WELLINGTON ROAD
GUELPH, ONTARIO**



STAFF REPORT

Attachment 4 (continued): Proposed Building Elevations

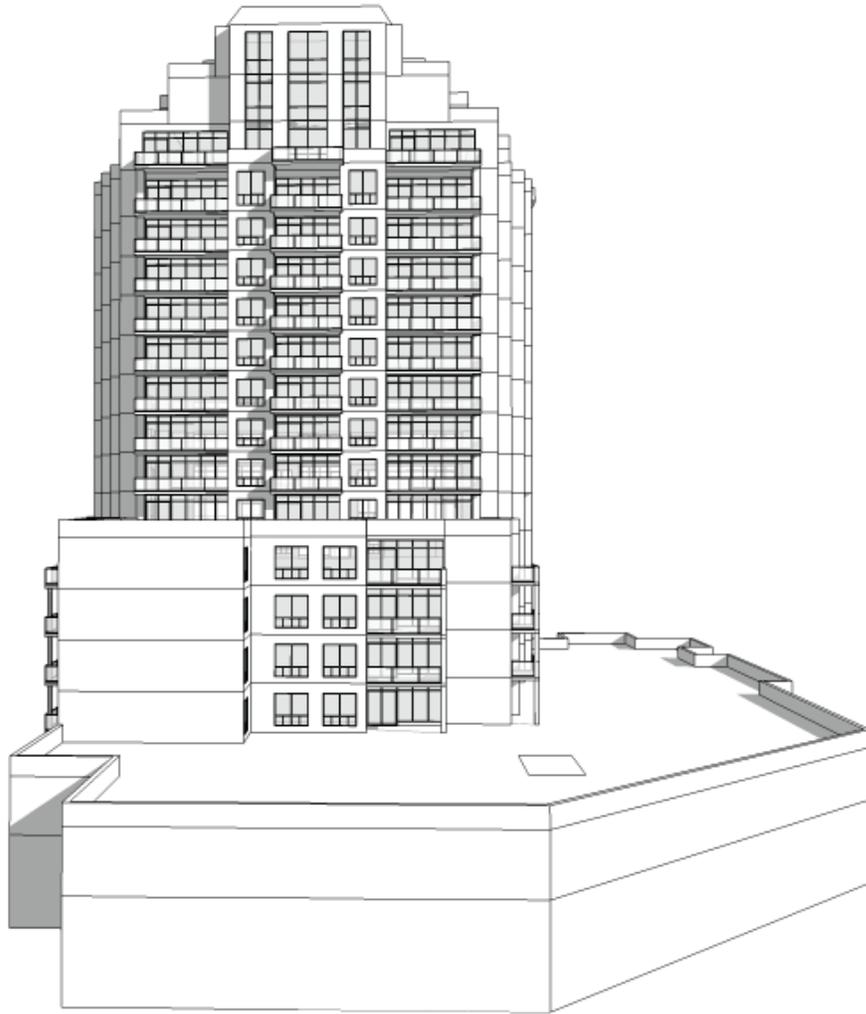
EAST ELEVATION



STAFF REPORT

Attachment 4 (continued): Proposed Building Elevations (continued)

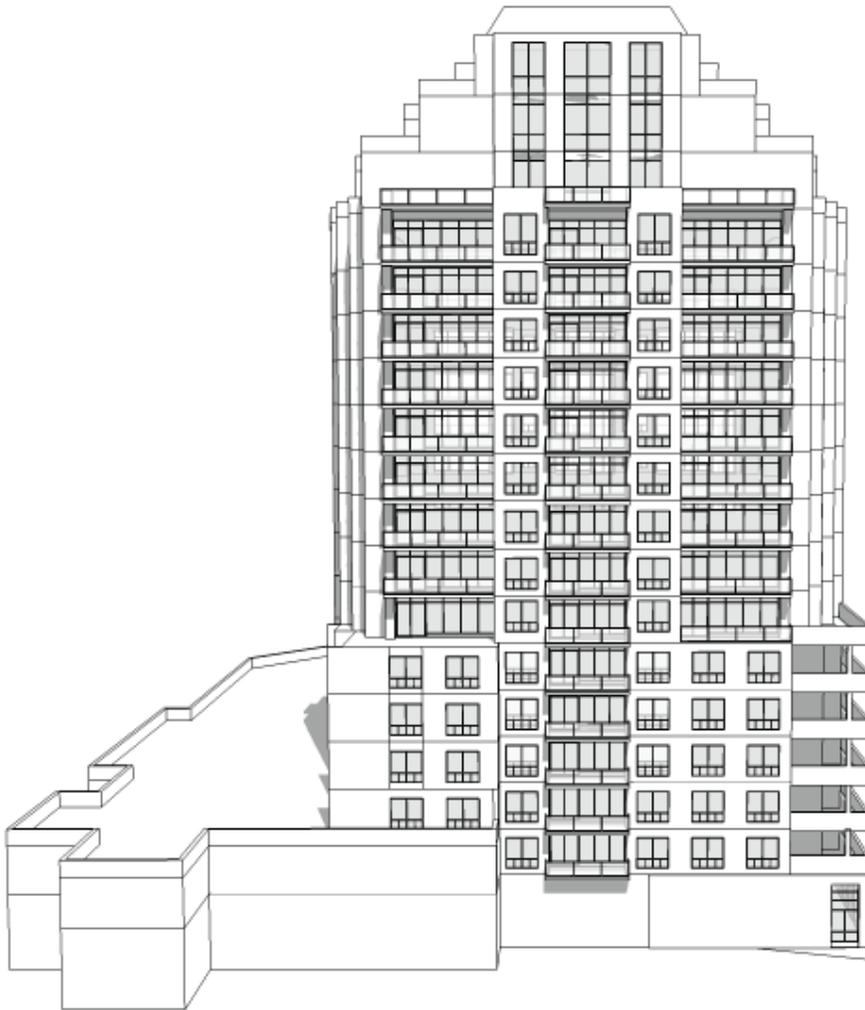
NORTH ELEVATION



STAFF REPORT

Attachment 4 (continued): Proposed Building Elevations (continued)

SOUTH ELEVATION



City Clerk's Office
Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

RECEIVED
AUG 19 2013
CITY CLERK'S OFFICE

Re: Public Meeting Notice File: ZC1308, Marsh Tire site

Dear Sir and Madam:

This letter is written following a discussion with my immediate neighbours regarding the proposal for the Marsh Tire site detailed in the document left in our mail boxes.

To regress, it was during the formulation of the Downtown Secondary Plan that my neighbours and I submitted a letter enclosed here urging City Planners not to open the Surrey Street cul-de-sac for vehicular access to the Marsh Tire site.

Currently, Tricar is committing to have all vehicle access to its development from Wellington Street. This is music to our ears. We support this part of the proposal and would strongly object to any other access impacting on the narrow streets of the old Ward 1 neighbourhood to the West of the development.

We would also like to add that the wall which will abut the Surrey Street cul-de-sac be in some way attractive to the eye either with brick work, sculpture, landscaping or any combination of such. They are asking for 0 rear yard, side yard and front yard so attractive eye level walls is not much to ask for. It's a small compromise on their part in order to gain zero set backs.

These are our main concerns. Thank you for considering our issues,



Mary Vander Woude
124 Surrey Street East
Guelph, Ontario
N1H3P9
519-763-3940
mmmbee@sympatico.ca

...on behalf of the neighbours:

Mike Clancy
Bill Hulet
John Hubers
Hank Hubers

C.c. Jim Furfaro Ward 1 Councillor
C.c. Bob Bell Ward 1 Councillor

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

January 25, 2011

Attention: Lois Giles, City Clerk

Re: The Downtown Secondary Plan

Dear Sirs and Madam:

The Downtown Secondary Plan shows an extension of Fountain Street through to Wellington Street which, among other things will enhance access for new development to the Marsh Tire Site. Of itself, this appears to be a good thing.

A component of this extension of Fountain Street is the introduction of a laneway connecting it to Surrey Street, thereby ending Surrey Street's history as a cul-de-sac/dead end configuration at it's East end.

We, the undersigned residents at the corner of Surrey and Neeve Streets, are forwarding this letter as a formal objection to this particular component of the Downtown Secondary Plan. In discussions with Mr. David de Groot, we were informed that a laneway is traditionally a two-way, no sidewalk service road, not conducive to bike or walking pathway. The only link it offers through our neighbourhood, therefore, is the negative, intrusive impact of increased vehicular traffic, an addition to existing burdens from Red Top Taxi, Municipal parking lot, Court house and numerous businesses and residences.

The block delineated by Surrey/Grant/Fountain and Neeve Streets reflects the desirable mix of neighbourhood uses sought to be preserved and fostered in the Secondary Plan Principles and this being the case, it makes no planning sense to introduce stresses to this environment unless there are overriding considerations. We cannot imagine any overriding need for a laneway as proposed.

Please feel free to contact us on this matter.

Yours,

Mike Clancy
Mary Vander Woude
124b Surrey Street E
519-763-3940

Bill Hulet
124a Surrey Street E

Hank Hubers
John Hubers
22 Neeve Street

C.c. Scott Hannah, Development and Parks Planning Manager
C.c. David de Groot, Community Design and Development Services

CONSENT AGENDA

September 9, 2013

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A REPORTS FROM ADMINISTRATIVE STAFF

REPORT	DIRECTION
<p>CON-2013.20 132 CLAIR ROAD WEST – PROPOSED ZONING BY-LAW AMENDMENT (FILE: OP0605/ZC0619) – WARD 6</p> <p>1. That Report 13-14 regarding a proposed Zoning By-law Amendment application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate (File #OP0605/ZC0619) applying to property legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.</p> <p>2. That the application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate requesting approval of a Zoning By-law Amendment to rezone lands legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from the UR (Urban Reserve) Zone and the A (Agricultural) Zone as described in the Puslinch Township Zoning Bylaw, to a Specialized CC (H) (Community Commercial) Zone including Holding Provisions, to allow the development of the subject property for a mixed use development, be approved in accordance with the zoning, conditions and Staff Concept Plan highlighted in Attachment 2 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013.</p>	<p>Approve</p>

3. That the request to demolish the single-detached residential dwelling known as 1827 Gordon Street, to allow the development of the subject lands for a mixed use development, be approved.
4. 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 132 Clair Road West, City of Guelph, as outlined in Report 13-14 from Planning, Building, Engineering and Environment dated September 9, 2013.

CON-2013.21 185-187 BRISTOL STREET – PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1216) – WARD 5

Approve

1. That the application by James Fryett Architect Inc. on behalf of Michael House Pregnancy Care Centre for approval of a Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to a R.4D-? (Specialized Infill Apartment) Zone to permit an affordable housing project consisting of 9 supportive residential units at the property municipally known as 185-187 Bristol Street and legally described as Lot 18, Part Lot 19, Registered Plan 42, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-42 dated September 9, 2013.
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 185-187 Bristol Street.

CON-2013.22 PROPOSED DEMOLITION OF 76 WATER STREET - WARD 5

Approve

1. That Report 13-53 regarding the proposed demolition of a detached dwelling at 76 Water Street, legally described as Lot 31, Plan 37, Save & Except Parts 1 & 2, 61R-3508; Part Lot 32, Plan 37, as in ROS5033040, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 76 Water Street be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.

4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

**CON-2013.23 PROPOSED DEMOLITON OF 78 EMMA STREET
- WARD 2**

Approve

1. That Report 13-49 regarding the proposed demolition of a detached dwelling at 78 Emma Street, legally described as Part of Lots 46 & 47, Plan 221, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 78 Emma Street be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

**CON-2013.24 PROPOSED DEMOLITION OF 33 COLLEGE
AVENUE WEST – WARD 5**

Approve

1. That Report 13-50 regarding the proposed demolition of a detached dwelling at 33 College Avenue West, legally described as Part of Lots 5 & 6, Plan 283 and Part of Lot 3, Plan 384, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 33 College Avenue West be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.

4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.
5. That the applicant be requested to design the replacement dwelling in keeping with Heritage Guelph's recommendations, as set out in Report 13-50.

CON-2013.25 GUELPH COMMUNITY SPORTS LEASE AND AGREEMENT

Approve

1. That Council endorse staff's recommendation and approve a five year extension of the current bank loan term and amortization period until 2023 with the following additional conditions:
 - a) Guelph Soccer Club Incorporated (Guelph Soccer) is added to the existing bank loan agreement as an additional party responsible for payment;
 - b) Guelph Community Sports submits a Business Plan to Council demonstrating the financial and operational viability of the facility until 2023 including addressing the funding for future capital requirements for the facility;
 - c) Guelph Community Sports submits an annual report to Council by June of every year until 2023 on whether and how its performance is fulfilling the Business Plan;
 - d) Guelph Soccer signs a 10 year field rental agreement with Guelph Community Sports;
 - e) The Board of Directors of Guelph Community Sports holds regular meetings, with the City Staff non-voting representative present; and
 - f) The three parties decide in 2018 whether to replace the turf and decide in 2023 whether to replace the dome, and begin their deliberations two years in advance of each of those decision points.
2. The CAO is authorized to enter into and execute an agreement amending the existing agreement to include the terms set out above, the form and content of which is to be approved by the City Solicitor.

attach.

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 9, 2013

**SUBJECT 132 Clair Road West - Proposed Zoning By-law
Amendment (File #OP0605/ZC0619)
Ward 6**

REPORT NUMBER 13-14

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve a Zoning By-Law Amendment to permit a specialized Mixed Use Node development on lands known as 1839 Gordon Street (formerly 132 Clair Road West).

KEY FINDINGS

This rezoning proposal represents good planning and is in the public interest, subject to the recommended zoning, conditions and Staff Concept Plan in Attachment 2.

FINANCIAL IMPLICATIONS

(Based on the originally proposed 8,099 m² commercial/mixed use Gross Floor Area)

Taxation:

Projected 2013 taxes- \$336,427 (Presently \$5,189)

Development Charges:

\$1,070,039.80

ACTION REQUIRED

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

RECOMMENDATION

1. That Report 13-14 regarding a proposed Zoning By-law Amendment application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate (File #OP0605/ZC0619) applying to property legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.

STAFF REPORT

2. That the application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate requesting approval of a Zoning By-law Amendment to rezone lands legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from the UR (Urban Reserve) Zone and the A (Agricultural) Zone as described in the Puslinch Township Zoning Bylaw, to a Specialized CC (H) (Community Commercial) Zone including Holding Provisions, to allow the development of the subject property for a mixed use development, be approved in accordance with the zoning, conditions and Staff Concept Plan highlighted in Attachment 2 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013.
3. That the request to demolish the single-detached residential dwelling known as 1827 Gordon Street, to allow the development of the subject lands for a mixed use development, be approved.
4. 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 132 Clair Road West, City of Guelph, as outlined in Report 13-14 from Planning, Building, Engineering and Environment dated September 9, 2013.

BACKGROUND

The lands were annexed into the City in 1993 and designated for commercial and residential land use in the Official Plan in 1998 through the approval of the South Guelph Secondary Plan.

The original application for an Official Plan Amendment and a Zoning By-law Amendment was received by the City in 2006 and applied to property that involved 44.2 hectares (109.14 acres) of land including the subject site (See Attachment 1). The 2006 application requested an amendment to the Official Plan to expand the existing 'Mixed-Use Node' land use designation to include 8.9 hectares of land along the frontage of Clair Road West. It was intended that the 8.9 hectares were to be rezoned to permit 19,044 square metres of retail commercial floor space in addition to institutional uses. The 2006 Official Plan Amendment also proposed to re-designate the entire balance of the 44.2 hectare site to a new 'Mixed Use' designation that would include open space, office, business and research establishments and services, and residential land uses including live-work units.

The 2006 application was held in abeyance until 2010 while staff awaited the submission of additional support studies including a market impact study to justify the expansion of the commercial node. During 2010, staff and the applicant discussed the resurrection of the application based on a revision to include only the land at the southwest corner of Clair Road and Gordon Street that is currently designated as Mixed Use Node.

STAFF REPORT



As it is not possible to develop the subject site without Gosling Gardens and Poppy Drive being constructed, the original application included Poppy Drive and a small sliver of land that would eventually be included as part of a townhouse block in the Bird Subdivision (See Attachments 3 and 7). Since then, the two land owners/developers have worked together to include both the extension of Gosling Gardens and Poppy Drive in the Bird Subdivision plan which is now draft approved and zoned for development. This co-operative effort simplified issues relating to both applications, by including the required public roads in the Bird subdivision application which resulted in the subject application becoming a mixed use rezoning application only.

This updated resubmission of the application was received and deemed complete on February 2, 2011. It was last revised on October 25, 2012. With the removal of the proposed Poppy Drive road right-of-way (0.41 hectares) from the subject site, the current application now involves a Zoning Bylaw Amendment that applies to 3.13 hectares of land adjacent to the Clair/Gordon intersection, proposed for mixed use development (See Attachments 1 and 8).

The proposed zoning by-law amendment was circulated to agencies, City departments and surrounding property owners for review and comment on February 9, 2011 and the Statutory Public Meeting was held on March 7, 2011. Staff report 11-19 dated March 7, 2011 by Planning, Building, Engineering and Environment provides detailed background of this application.

Location

The subject property is located at the southwest corner of Clair Road West and Gordon Street South (Attachment 1). The site has 149 metres of frontage on Gordon Street, 190 metres of frontage on Clair Road and a total site area of 3.13 hectares. The subject site is bounded by Clair Road to the north, Gordon Street to the east, the future extension of Poppy Drive to the south and the future extension of Gosling Gardens to the west.

Surrounding land uses include a mixed-density residential neighbourhood to the north across Clair Road in the Clairfields Subdivision. An existing commercial shopping centre is also located at the northwest corner of Clair Road and Gordon Street. To the east of the site across Gordon Street, the First Capital (Pergola) shopping centre is being developed. A revised application for the future residential component of the First Capital subdivision is currently being processed by the City. The Brock Road Nursery operation is located south of the First Capital lands. The house and property located at the southwest corner of the Clair/Gordon intersection (1819 Gordon Street) is not included in the current application (Attachment 1). The property at 1819 Gordon Street, currently in use as a legal non-conforming single-detached residence on private services, has a legally documented right to a well water service located on the subject site within the dwelling at 1827 Gordon Street that is proposed for demolition. The subject application proposes a new commercial building in the location of the house

STAFF REPORT



proposed for demolition. Therefore, any removal of the existing water service being used by the owner of lands at 1819 Gordon Street should be resolved between the two private property owners.

Lands to the south of the subject site, known as the Bird Subdivision (1897 Gordon Street - File: 23T-08505/OP0801/ ZC0306), are draft plan approved and zoned to permit a 209 unit residential subdivision with a range of housing types (Attachment 3). The lands to the west of the site are currently vacant and include property proposed for the construction of the road extension of Gosling Gardens south of Clair Road.

Existing Official Plan Land Use Designation and Policy

The property is designated 'Mixed Use Node' in the Official Plan (See Attachment 4). Mixed Use Nodes are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole. This land use designation is intended to provide a wide range of retail commercial, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development is also permitted. Section 7.4 (Commercial and Mixed Use) of the Official Plan applies to this application. This section includes urban design policies for commercial centres and mixed use areas (See Attachment 4).

To encourage a mixture of uses, Section 7.4.12 of the Official Plan limits the total floor area of retail development at each of the four mixed use nodes in the City and the cumulative limit of all retail GFA within the Clair/Gordon node is 48,500 m². This policy and how the application meets the policy are explained in Attachments 10 and 11.

Official Plan Amendment (OPA) 39 (in effect) identifies the site in a 'Community Mixed Use Node' designation located at the southern tip of the Gordon Street Intensification Corridor. The subject site is also identified in the Greenfield Area. The Community Mixed Use Node designation, similar to the existing Mixed Use Node designation in the current Plan, is intended to continue to provide a wide range of commercial uses with emphasis placed on a greater mix of uses, including all uses listed in the preceding paragraph above.

Official Plan Amendment 42 (under appeal), the City's new Natural Heritage System, does not identify any portion of the site with a designation or environmental feature requiring protection. However, a Tree Assessment Report was submitted by the applicant to support the rezoning application which is a standard requirement of the City.

On June 5, 2012, the City adopted OPA 48, a comprehensive update to the City's Official Plan. OPA 48 is currently under appeal and is not yet in effect. Since the application for the subject property was submitted prior to the adoption of OPA 48, the proposal is not required to conform to the plan. However, consideration is given

STAFF REPORT



to the policies of OPA 48 since these policies are adopted by Council and provide current guidance for development within the City based on the Provincial Growth Plan.

OPA 48 designates the subject property including the other three quadrants at this Clair/Gordon intersection as 'Community Mixed Use Centre'. This land use designation supports "a mix of uses including concentrations of commercial, residential and complementary uses serving the immediate neighbourhood and the wider community".

Existing Zoning

The site is in the UR (Urban Reserve) Zone as described in Section 11 of the Zoning Bylaw as it relates to the Clair Road frontage of the lands. The existing UR (Urban Reserve) Zone identifies land that is not yet approved for development and is not connected to municipal services. The balance of the site is zoned Agricultural in the Puslinch Township Zoning Bylaw (See Attachment 5).

REPORT

Description of Proposed Zoning Bylaw Amendment

At the statutory Public Meeting held on March 7, 2011, the owner had applied for approval of a Zoning Bylaw Amendment to permit a CC (Community Shopping Centre) Zone and an R.3A (Cluster Townhouse) Zone on the lands. Since that time, the sliver of land proposed for townhouses in addition to the 0.41 hectares of land proposed as the Poppy Drive extension, has all been removed from the application and incorporated into the Bird Subdivision (See Attachment 3). Also since the public meeting, the concept plan proposing a gross floor area (GFA) of 8,099 m² (87,183 square feet) (Attachment 7) has been revised several times to address staff comments. The latest concept plan now proposes a total GFA of 8,642m² for the site with a possible future 792m² building adjacent to Clair Road for a total of 9,434m² GFA (Attachment 8).

The owner has asked to rezone the 3.13 hectare site to a Specialized CC (Community Commercial) Zone to permit a community shopping centre according to the uses and regulations in Section 6.2.1.2 of the Zoning Bylaw (Attachment 6). The concept plan (Attachment 8) proposes a phased development scheme divided into three retail areas. Retail Area A proposes the main tenant building at 5,727m² GFA in size with a future 792m² pad located next to Clair Road. Retail Area B proposes three pad stores along Clair Road and Gordon Street for a total GFA of 2,101m² and Retail Area C proposes an 814m² building at the corner of Clair Road and Gosling Gardens with a potential expansion of 144m². The concept plan proposes a total GFA of 9,434m² for the site. Detailed information regarding the site plan concept is included in Attachment 8.

The applicant is asking for a reduced parking ratio from the Bylaw's current requirement of 1 space per 18m² of GFA, to 1 space per 23m² of GFA. The 1 space per 23m² ratio has been used in other recently approved mixed use node zonings.

STAFF REPORT



The applicant is also asking for a severability provision to be included within the proposed zone that would allow individual stores to lease or purchase a portion of the site. This provision has been used in other commercial node developments in the City to recognize internal side yard regulations of 0 metres to allow future severances of the property. The severability provision acts as a confirmation that while the lands may be subdivided in future, the zoning would continue to apply to the entire property as a whole. The proposed zoning is described more fully in Attachment 6.

The applicant's proposal also accepts the need for a 'Holding Provision' in the new zone. As the proposed development is dependent on the extensions of both Poppy Drive and Gosling Gardens, the new zone will contain a holding provision that will require the construction and servicing of Poppy Drive and Gosling Gardens to the satisfaction of the City Engineer, prior to the development of the subject lands.

The owner's revised site plan concept is included in Attachment 8 along with preliminary building elevations and 2 letters from the owner describing some of the urban design challenges they have encountered in their site plan preparation. Attachment 2 illustrates the urban design concerns that are still outstanding from City staff's perspective. We shall continue to work with the applicant to further explore potential technical solutions for these outstanding concerns at the detailed design and site plan stage.

The existing older dwelling at 1827 Gordon Street, proposed for demolition through this application has been confirmed to have no architectural or heritage value.

Support Documents

In support of the application, the owner has submitted the following reports:

- Preliminary Servicing and Stormwater Management Report by R.J. Burnside & Associates Limited dated October 2010.
- Geotechnical Investigation Report by LVM Inc. dated June 21, 2010.
- Transportation Overview by BA Consulting Group Ltd. Dated December 10, 2010.
- Tree Assessment Report by Ron Koudys Landscape Architects Inc. dated December 2010.

Planning Analysis

The planning analysis section of this report is included in Attachment 11 and provides Planning staff's consideration of all issues raised by Council and property owners at the Public Meeting held March 7, 2011 and other issues raised during the development review process.

At the Public Meeting, Staff committed to evaluating the proposal with a focus on the following:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation.

STAFF REPORT

- Evaluation of the proposal against the land use designations and policies of the Official Plan.
- Review of the proposed site design including an urban design review of the built form and streetscape.
- Review of the proposed zoning including the permitted uses and the proposed specialized regulations.
- Community Energy Initiative (CEI) considerations.

Community Energy Initiative

The owner has submitted correspondence outlining their commitment to the City's Community Energy Initiative (see Attachment 9). The commitment to support the CEI addresses Section 3.8 of the Official Plan which outlines objectives to promote efficient site planning, design and construction to achieve a reduction in energy and water consumption within new development. The owner's commitments have been included as condition #5 in the staff recommendation in Attachment 2.

Minor Application Revisions

The revisions made to the application since the March 7, 2011 Public Meeting are considered minor and therefore staff are recommending to Council that no further public notice is required in accordance with Section 34(17) of the Planning Act. The changes primarily shrink the application and include the deletion of the future Poppy Drive road allowance and the small sliver of land for townhouse zoning. Neither deletion impacts the subject application but in fact lessens and simplifies the rezoning proposal to focus on the Specialized Community Commercial Zone on privately owned lands without the dedication of public roads to the City.

Staff Recommendation

Planning Services, subject to the recommended changes to the application highlighted in Attachment 2, are satisfied that this Zoning By-law Amendment application is consistent with the Provincial Policy Statement and that it conforms to the Places to Grow Plan and the City's Official Plan.

With the lands designated 'Mixed Use Node' in the current Official Plan and designated 'Community Mixed Use Centre' in OPA 48, staff fully support the rezoning of the lands to a Specialized CC Zone that will serve the needs of local residents and the City as a whole with a full range of retail and service opportunities including other land uses.

Staff has not been able to convince the applicant to revise their conceptual site plan to more effectively address the mixed node design policies of the Official Plan (See Attachment 4). These policies have been strengthened in OPA 48, which has been adopted by Council and therefore, staff must have regard to the policies.

STAFF REPORT



The changes recommended by staff focus on the functional design of the development to better conform to the urban design policies of both the existing and updated Official Plans. The proposed changes illustrated in the Staff Concept Plan in Attachment 2 will support a more walkable quadrant at this commercial node. The potential servicing and access alternatives for the corner lands at 1819 Gordon Street have been addressed by recommended conditions #3 and 4 in Attachment 2.

Correspondence from two surrounding property owners (homeowner at 1819 Gordon Street and FCHT Holdings for 1820 Gordon Street Pergola Commons Shopping Centre) outlining their concerns with the application are included in Attachment 12. Staff has addressed these concerns in the planning analysis (Attachment 11).

This Zoning By-law Amendment application is recommended for approval subject to the details outlined in Attachment 2. Staff have included as part of the recommendation, a 'Staff Concept Plan' which better addresses the urban design policies and creates improved pedestrian circulation on site (See Condition 2 in Attachment 2).

The proposal, subject to the recommended zoning, conditions and revisions in Attachment 2 is in the public interest and represents good planning.

CORPORATE STRATEGIC PLAN

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

DEPARTMENTAL CONSULTATION

The public and agency comments received through the review of the application are mostly supportive and are summarized in Attachment 12. Concerns expressed by two adjacent property owners (Owner of 1819 Gordon Street and FCHT Holdings (Ontario) Corporation) are discussed in the Planning Analysis in Attachment 11 and have been addressed in the staff recommendation in Attachment 2 as required.

COMMUNICATIONS

The Notice of Application and Public Meeting was mailed February 9, 2011 to property owners and agencies and advertised in the Guelph Tribune on February 11, 2011. Key dates for the public consultation process relating to this planning application are included in Attachment 13.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Recommended Zoning, Conditions & Staff Concept Plan

STAFF REPORT



- Attachment 3 – Bird Subdivision (1897 Gordon Street) File 23T-08505/OP0801/
ZC0306
- Attachment 4 – Official Plan Land Use Designations and Policies
- Attachment 5 – Existing Zoning
- Attachment 6 – Proposed Zoning
- Attachment 7 – Site Concept Plan at March 7, 2011 Public Meeting
- Attachment 8 – Proposed Revised Site Concept Plan, Building Elevations & Urban
Design
- Attachment 9 – Community Energy Initiative Commitment
- Attachment 10 – Retail Cap Analysis
- Attachment 11 – Planning Analysis
- Attachment 12 – Agency and Public Comments Summary
- Attachment 13 – Public Consultation Summary

Report Author

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Senior Development Planner

Approved By

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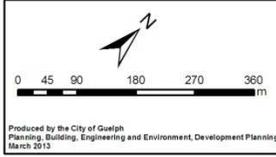
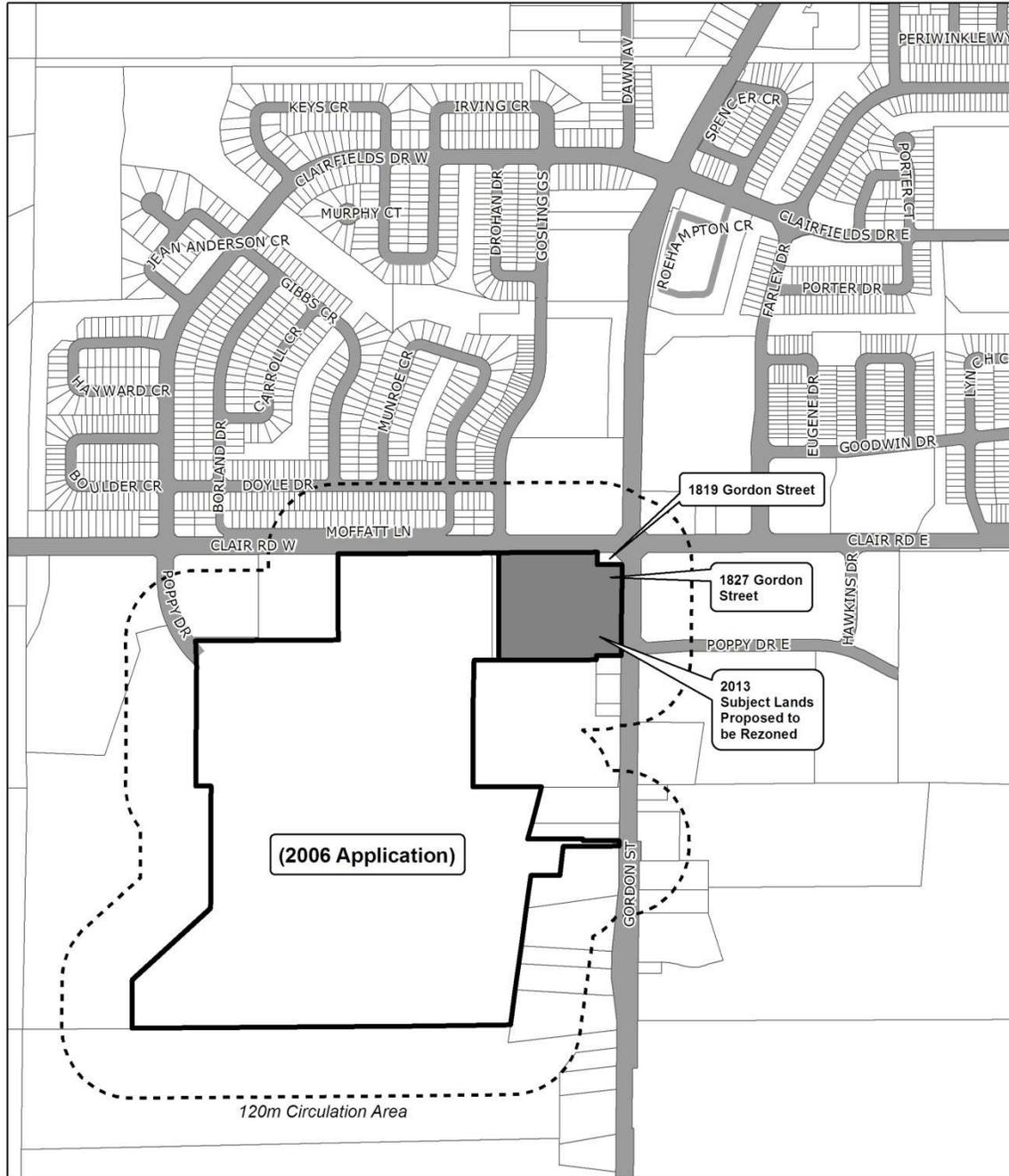
Original Signed by:

Recommended By

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

Attachment 1

Location Map



LOCATION MAP
132 Clair Road West

Attachment 2 Recommended Zoning, Conditions & Staff Concept Plan

The property affected by the Zoning By-law Amendment application (File ZC0619) include lands legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph.

Recommended Zoning

Specialized CC-? (H) Zone - (Community Shopping Centre - Holding) Zone including Holding provisions.

CC- ? (H)

1839 Gordon Street

As shown on Defined Area Map Number 30 of Schedule "A" of the By-law.

Permitted Uses

In accordance with all permitted uses outlined in Section 6.2.1.2 of the Bylaw (See Attachment 6), with the following additions:

- All Institutional Uses outlined in Section 8.1.1 of the Bylaw.
- Apartment Building in accordance with Section 5.4.2 of the Bylaw.
- Hotel
- Live/Work Uses

Regulations

In accordance with all regulations outlined in Section 6.2.2 of the Bylaw, with the following exceptions and additions:

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

Despite Table 6.2.2, Row 5, all Buildings located on Gordon Street, Clair Road and Gosling Gardens shall have a maximum setback of 3.0 metres from the public road allowance with the exception of the largest building in this zone.

Maximum and Minimum Building Height

In addition to the maximum Building Height provisions of Table 6.2.2, Row 8, any Building proposed within 40 metres of the corner intersection of Gordon Street and Clair Road shall have the appearance of two (2) Storey Buildings and shall have a minimum height of 8.5 metres.

The maximum height for an apartment building shall be 10 storeys.

Off-street Parking

Despite Section 4.13.4.1 of the By-law, the minimum off-street parking required shall be 1 space per 23 square metres of Gross Floor Area.

STAFF REPORT



Prohibited Location for Uses

Any Vehicle Gas Bars and drive-through facilities shall be prohibited from locating within 50 metres of any corner or corner intersection of this Zone.

Any loading area or loading activity associated with the largest building in this zone shall be prohibited from locating within 30 metres of Gosling Gardens and Gordon Street.

Severability Provision

The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this zone, despite any future severance, partition or division for any purpose.

Holding Provision

Purpose: To ensure that development of the lands do not proceed until the owner has completed certain conditions to the satisfaction of the City with regard to the development of the site.

Holding Provision Condition

Prior to the removal of the Holding designation "H", the owner shall:

1. Obtain written confirmation from the City Engineer that both the extensions of Gosling Gardens and Poppy Drive have been constructed to a standard that is satisfactory to the City Engineer and adequate water and sanitary service capacity is available to service the development of the subject lands for a mixed-use commercial development.

Conditions

1. 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 buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager of Engineering Services/City Engineer, prior to Site Plan approval, and furthermore the Developer agrees to develop the said lands in accordance with the approved plan.
 2. The developer shall commit to and agree that the details of the site layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the developer's **Site Concept Plan** included in Attachment 8 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013 (Site Plan, prepared by Turner Flescher, Project No. 05.224 A1-71, dated April 22, 2013), as amended by staff to include revisions highlighted in Attachment 2 of the same Report 13-14, dated September 9, 2013, to include:
-

- a) Corner buildings such as Retail C2, Retail B3 and Retail B2, need to be directly connected to the street edge and have doorways facing the street and connect to the public sidewalk in accordance in policy 7.4.40.2;
 - b) The intersection of the north-south internal drive with Poppy Drive will be offset with the intersection to the townhouses to the south.
 - c) The drive-through and loading area for Retail B will be further reviewed through the site plan process.
 - d) The loading area for Retail A to be moved away from Gosling Gardens.
3. The developer shall commit to and agree that the subject site layout near the corner of Clair Road and Gordon Street adjacent to property at **1819 Gordon Street**, shall be designed to not preclude the opportunity for a potential two-way vehicular access over the subject property to the lands at 1819 Gordon Street, should an owner of 1819 Gordon Street seek alternative access over the subject lands, and submit application for redevelopment approval in the future.
 4. Prior to the decommissioning of the water well on the subject site that presently services the lands at **1819 Gordon Street**, the developer shall provide, on an easement created in favour of the City, water and sanitary connections from the subject lands to the property line of the residential property at 1819 Gordon Street, to the satisfaction of the City Engineer.
 5. Prior to the issuance of site plan approval, the developer shall provide the City with written confirmation that the buildings on the subject lands will be constructed to a standard that implements energy efficiency in order to support the **Community Energy Initiative** to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 9 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013.
 6. The developer shall pay **development charges** to the City in accordance with By-law Number (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
 7. Prior to site plan approval, the developer shall pay to the City **cash-in-lieu of park land dedication** in accordance with By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, to the satisfaction of the Manager of Parks Planning.
 8. The developer shall provide additional **tree assessment** information to address the Environmental Planner's memo dated February 23,
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STAFF REPORT



2011(Attachment 12) to the satisfaction of the Environmental Planner and Manager of Development Planning, prior to site plan approval.

9. Prior to site plan approval, the developer shall have a Professional Engineer design a **grading plan and stormwater management** system, satisfactory to the City Engineer.
 10. Prior to site plan approval, the developer shall update and finalize as required by the City, any or all of the following **studies, plans and reports** to the satisfaction of the General Manager/City Engineer:
 - a) a traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads including recommendations with detailed cost estimates of the works recommended on the municipal roadways;
 - b) a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - c) a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater management onsite together with a monitoring and maintenance program for the stormwater management facility. The report must also address the requirement for adequate sanitary capacity in the Clairfields subdivision sanitary system to receive sanitary flows from the subject development;
 - d) a detailed erosion and sediment control plan in accordance with the Grand River Conservation Authority Guidelines, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction.
 11. The developer shall, to the satisfaction of the City Engineer, address and be responsible for adhering to all the **recommended measures** contained in the plans, studies and reports outlined in subsections 10a to 10d inclusive.
 12. The developer shall grade, develop and maintain 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
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STAFF REPORT



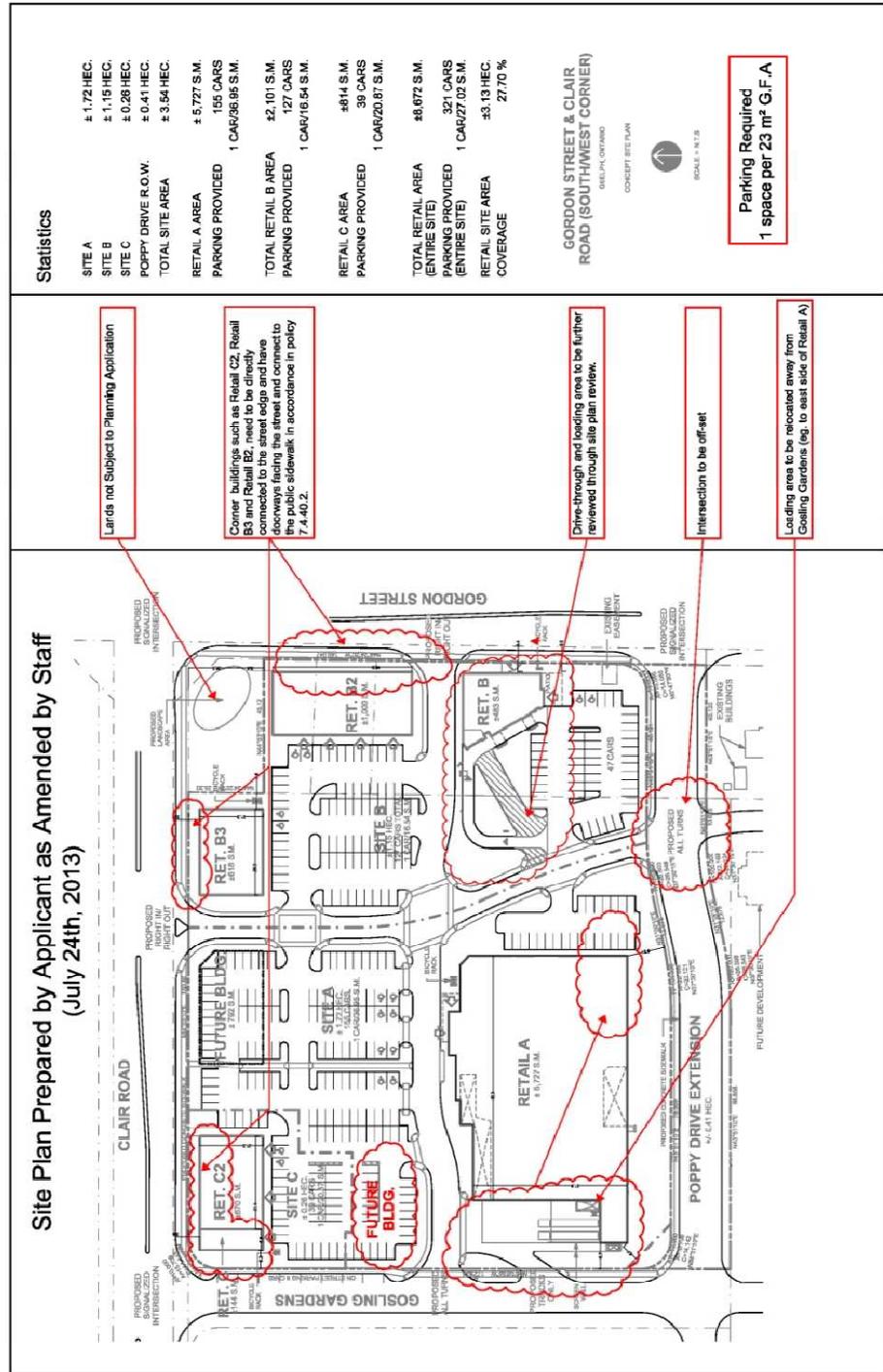
management system, and that the storm water management system was approved by the City and that it is functioning properly.

13. The developer shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a **gravity connection** to the sanitary.
14. The developer agrees that the development will keep grades below 344m (above mean sea level) and that fire protection will be provided by private onsite hydrants in accordance with the Ontario Building Code and NFPA requirements. If **water pressure** is insufficient to accommodate sprinkler requirements, fire protection booster pumps will be installed in buildings as required.
15. The developer is responsible for the total **cost of the design and construction** of all onsite roads, services and service lateral connections and the frontage charges for existing municipal services on Gordon Street and Clair Road as determined by the General Manager/City Engineer. The developer acknowledges that the construction of the Gosling Gardens, Poppy Drive, underground services and their respective signalized intersections on Clair Road and Gordon Street are required for the development of the subject property and must be completed as part of the residential subdivision to the south located at 1897 Gordon Street.
16. The developer shall make satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
17. 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.
18. The developer shall ensure that all **telephone service and cable TV service** in the Lands shall be underground. The developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
19. Prior to the issuance of a building permit, any unused **domestic wells, monitoring wells and boreholes** drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.

STAFF REPORT

20. Prior to the issuance of site plan approval for the lands, the developer shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future tenants/businesses within the project, with such payment based on a cost of one handbook per tenant/business, as determined by the City.
21. That prior to site plan approval, the developer shall enter into a **site plan control agreement** with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

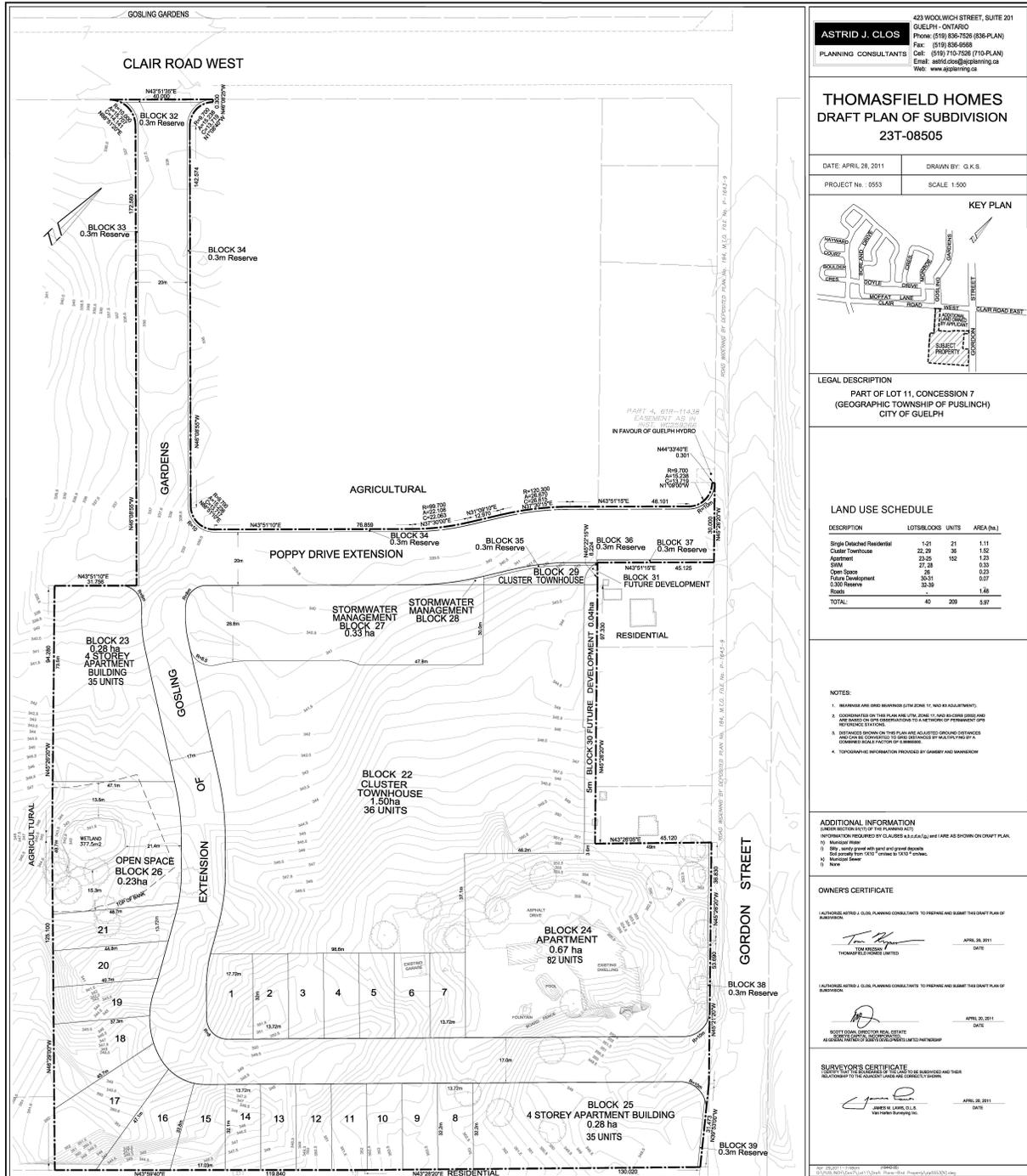
Attachment 2 Recommended Zoning and Conditions Staff Concept Plan



STAFF REPORT

Attachment 3

Bird Subdivision (1897 Gordon Street) File 23T-08505/OP0801/ ZC0306



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THOMASFIELD HOMES DRAFT PLAN OF SUBDIVISION 23T-08505

DATE: APRIL 28, 2011 DRAWN BY: G.K.S.
 PROJECT No.: 0553 SCALE: 1:500



LEGAL DESCRIPTION
 PART OF LOT 11, CONCESSION 7
 (GEOGRAPHIC TOWNSHIP OF PUSLINCH)
 CITY OF GUELPH

LAND USE SCHEDULE

DESCRIPTION	LOTS/BLOCKS	UNITS	AREA (ha.)
Single Detached Residential	1-21	21	1.11
Cluster Townhouse	22-29	35	1.52
Apartment	30-35	152	1.33
SWM	27-28	28	0.33
Open Space	26	26	0.23
Future Development	36-39	35-39	0.57
Roads	4	200	1.48
TOTAL	40	200	5.97

- NOTES:
- MANIPULATED AREAS SHOWN WITH DOTTED LINES. NO MANIPULATION.
 - COORDINATES ON THIS PLAN ARE UTM ZONE 17, NAD 83 COORDINATES AND ARE BASED ON THE TRANSVERSE MERCATOR AS A FUNCTION OF THE NORTH AMERICAN DATUM OF 1983.
 - DEFENSES FROM THE PLAN AND ALL RELATED SURVEYING DATA AND CAN BE CONSULTED TO THE SURVEYOR BY ALL PARTIES AT A CONVENIENT TIME AND PLACE.
 - TOPOGRAPHIC INFORMATION PROVIDED BY GRUBBER AND MANORING.

ADDITIONAL INFORMATION
 (SECTION 31(1) OF THE MUNICIPALITIES ACT)
 INFORMATION REQUIRED BY CLAUSES 4.3.2(a), (b) AND (c) ARE AS SHOWN ON DRAFT PLAN.

(1) Municipality Name: City of Guelph
 (2) City, County or other local government: City of Guelph
 (3) Municipal District: None

OWNER'S CERTIFICATE

I, AUTHORIZED, ASTRID J. CLOS, PLANNING CONSULTANT, TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION.

[Signature] APRIL 28, 2011
 THE SURVEYOR
 THOMASFIELD HOMES LIMITED

I, AUTHORIZED, ASTRID J. CLOS, PLANNING CONSULTANT, TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION.

[Signature] APRIL 28, 2011
 DATE

NOTE: THIS DRAFT PLAN OF SUBDIVISION IS NOT VALID UNLESS IT IS APPROVED BY THE MUNICIPALITY.

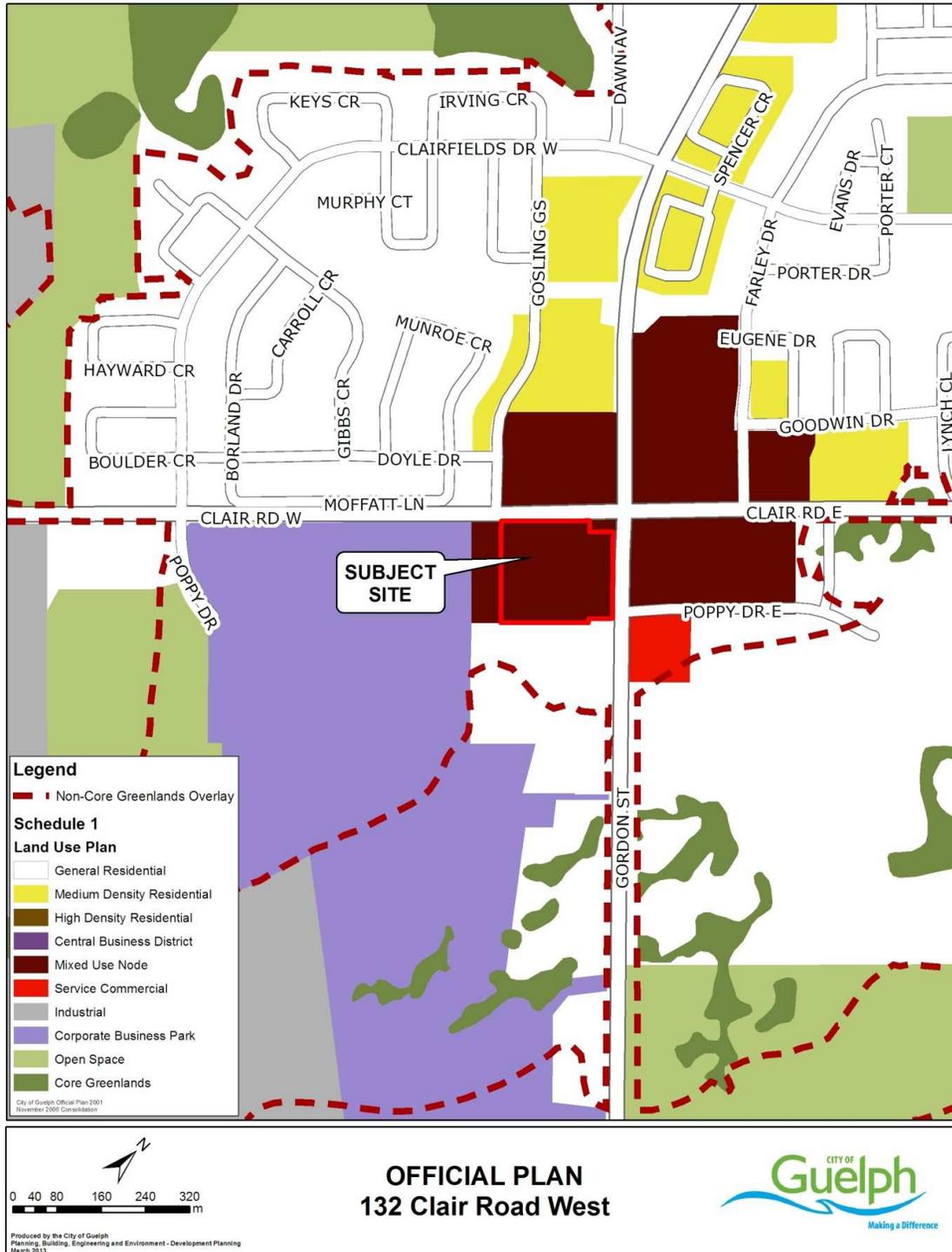
SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR AND THAT I AM A MEMBER OF THE ASSOCIATION OF PROFESSIONAL SURVEYORS OF ONTARIO.

[Signature] APRIL 28, 2011
 JAMES M. LAMM, O.L.S.
 V.M.H. Surveying Inc.

Attachment 4

Official Plan Land Use Designations and Policies



Attachment 4 Official Plan Land Use Designations and Policies (Excerpts only)

MIXED USE NODE

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

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

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

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

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

STAFF REPORT

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

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

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

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

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

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

URBAN DESIGN POLICIES FOR MIXED USE NODES

"7.4.39 In addition to the policies of section 3.6, and any Council approved urban design guidelines, the following urban design policies will be applied to the design

and review of commercial and mixed use *development* proposals to create distinctive, functional and high quality commercial and mixed use areas:

7.4.40 **Intersections:**

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

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

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

7.4.40.4 Corner buildings will be designed as 'signature buildings' to take into account exposure to multiple street frontages and high public visibility by incorporating elements such as increased height, roof features, building articulation, windows and high quality finishes.

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

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

7.4.41 **Street Edges:**

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

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

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

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

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

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

7.4.42 **Driveways, Internal Roads and Parking Areas:**

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

7.4.42.2 Internal roads will be physically defined by raised landscaped planters where they intersect with parking area driveways. Internal roads will be used to divide large sites into a grid of blocks and roadways to facilitate safe vehicular movement. Internal roads will be designed to interconnect with adjacent commercial lands to create an overall cohesive and integrated node.

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

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

7.4.43 **Pedestrian Movement and Comfort:**

7.4.43.1 Incorporate decoratively-paved, conveniently located and distinct pedestrian walkways which link to public boulevards, transit stops, trail systems, pedestrian systems in adjacent developments and which provide a continuous walkway along the frontage and between internal commercial uses.

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

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

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

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

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

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

7.4.44 **Large Buildings:**

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

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

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

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

7.4.45 **Adjacent Development:**

7.4.45.1 Where commercial or mixed use development is located in proximity to residential and institutional uses the following urban design strategies will be employed to ensure compatibility:

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

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

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

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

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

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

7.4.46 **Environmental Design:**

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

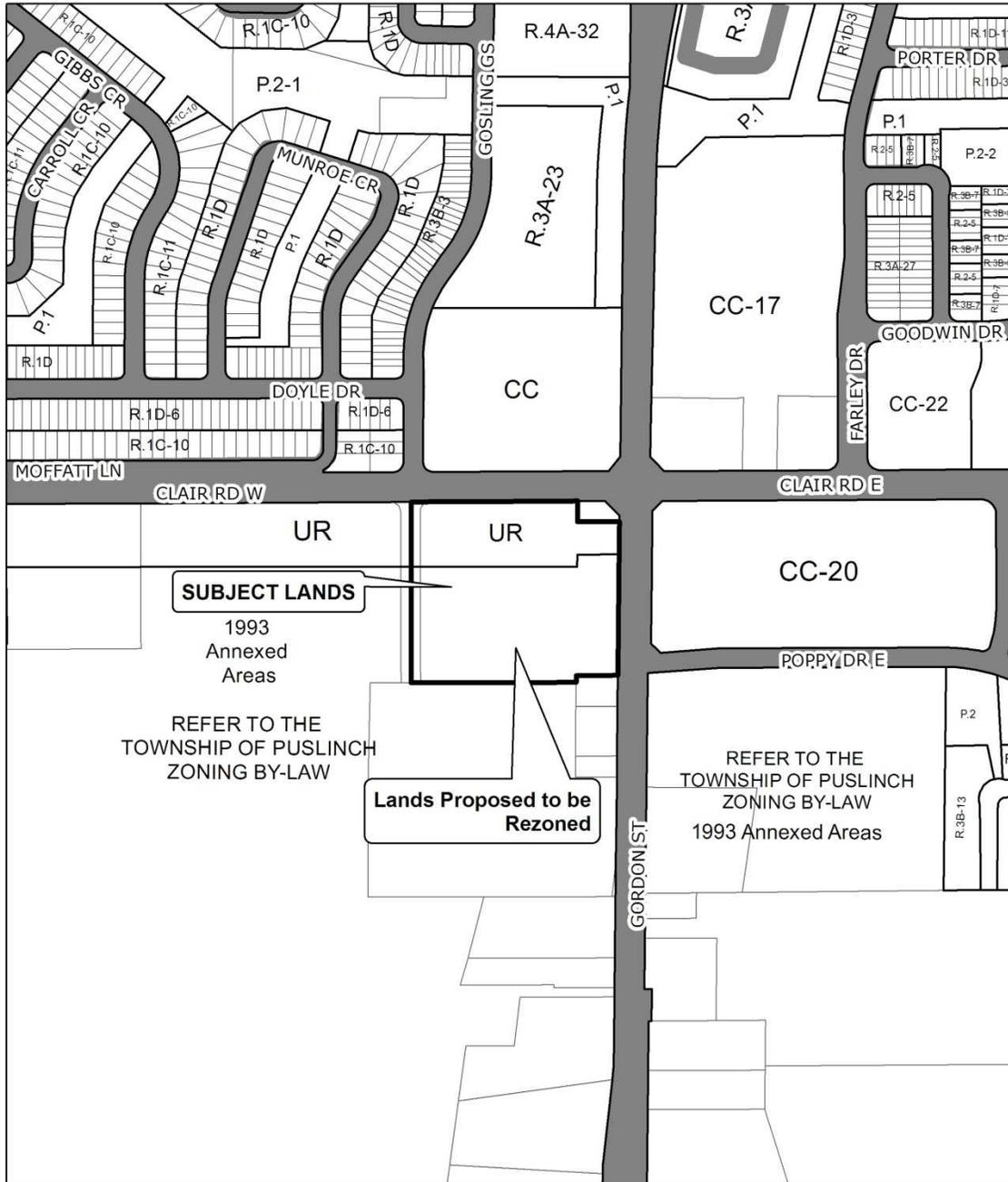
7.4.46.2 Where possible buildings will be oriented to maintain vistas of natural features on lands adjacent to the site.

7.4.47 **Implementation:**

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

STAFF REPORT

Attachment 5 Existing Zoning



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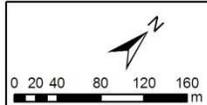
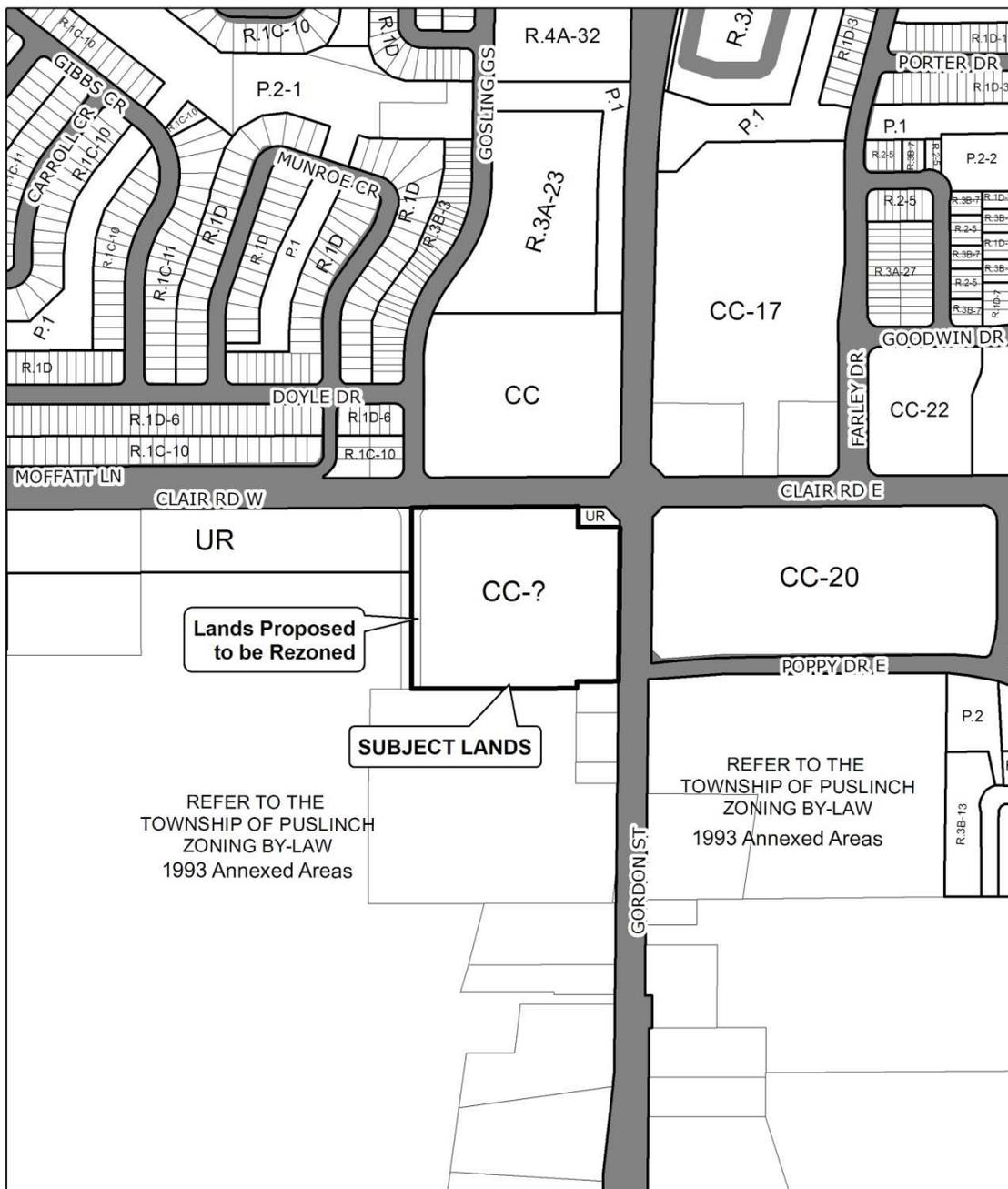
132 Clair Road West EXISTING ZONING

Making a Difference

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

STAFF REPORT

Attachment 6 Proposed Zoning



132 Clair Road West PROPOSED ZONING

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

Attachment 6 Proposed Zoning

CC Zone Permitted Uses

6.2.1.1 Neighbourhood Shopping Centre - NC Zone

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

Art Gallery

Artisan Studio

Club

Day Care Centre in accordance with Section 4.26

Dry Cleaning Outlet

Financial Establishment

Group Home in accordance with Section 4.25

Laundry

Library

Medical Clinic

Medical Office

Office

Personal Service Establishment

Religious Establishment

Restaurant

Restaurant (take-out)

Retail Establishment

Vehicle Gas Bar

Veterinary Service

Accessory Uses in accordance with Section 4.23

Occasional Uses in accordance with Section 4.21

6.2.1.2 Community Shopping Centre - CC Zone

All *Uses* permitted in Section 6.2.1.1 subject to the regulations of the CC Zone with the following added permitted *Uses*:

Amusement Arcade

Carwash, Automatic

Carwash, Manual

Commercial Entertainment

Commercial School

Funeral Home

Garden Centre

Public Hall

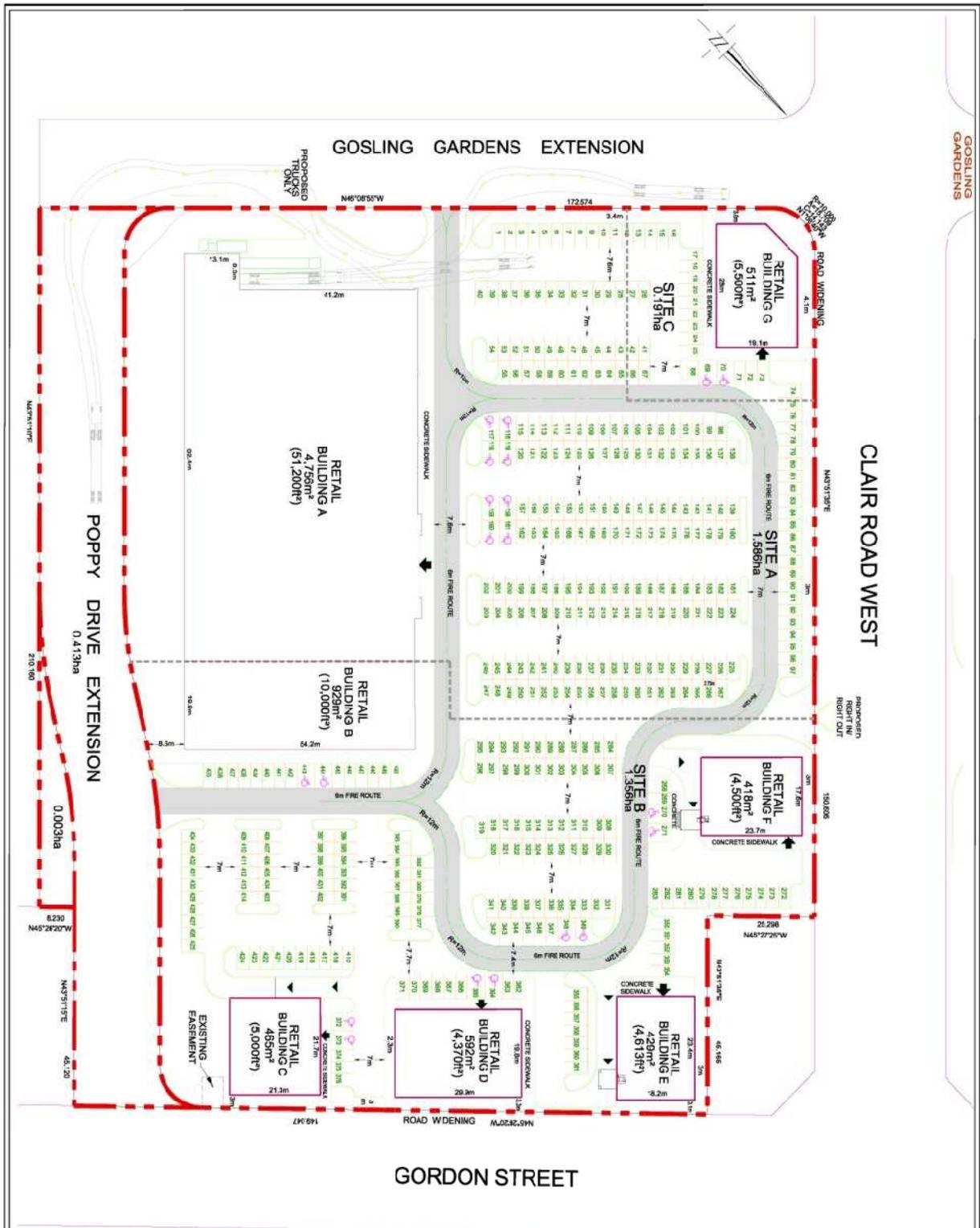
Recreation Centre

Rental Outlet

Tavern

Taxi Establishment

Attachment 7 Site Concept Plan at March 7, 2011 Public Meeting



Attachment 7 Site Concept Plan at March 7, 2011 Public Meeting

SITE DATA

SITE A	1.586ha
SITE B	1.356ha
SITE C	0.191ha
TOTAL	3.133 ha

RETAIL A	51,200ft ²	4,757m ²
RETAIL B	10,000ft ²	929m ²
RETAIL C	5,000ft ²	465m ²
RETAIL D	6,370ft ²	592m ²
RETAIL E	4,613ft ²	429m ²
RETAIL F	4,500ft ²	418m ²
RETAIL G	5,500ft ²	511m ²
TOTAL RETAIL AREA	87,183ft²	8,099m²

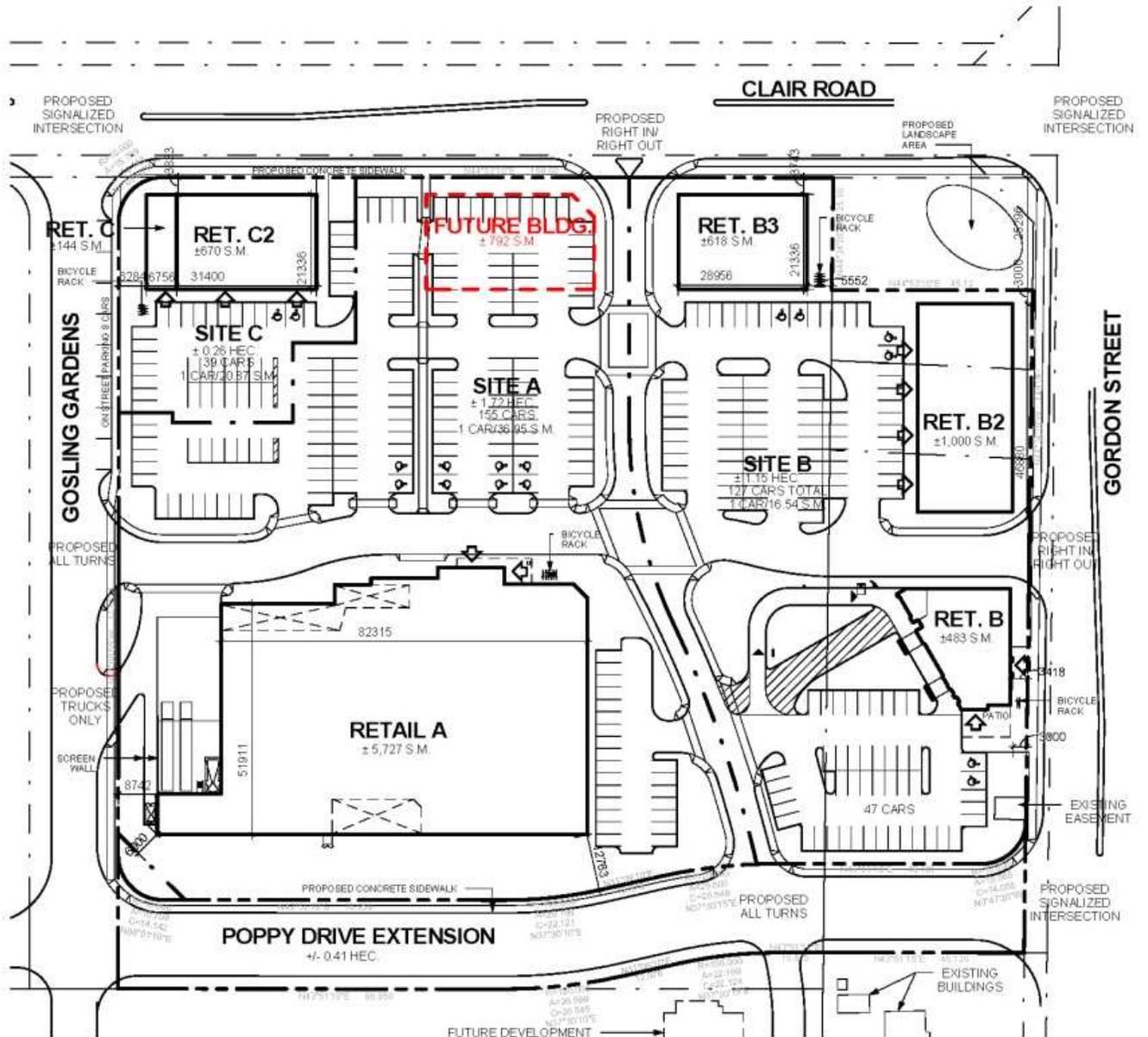
NOTE: ORIGINAL CONCEPT PLAN PREPARED BY TURNER FLEISCHER ARCHITECTS INC.

ZONING CHART

Community Shopping Centre CC Zone			
Zoning Regulation	Required	Provided	Compliance
Minimum Lot Area	7,500 m ²	31,331 m ²	Yes
Maximum Lot Area	50,000 m ²	31,331 m ²	Yes
Minimum Lot Frontage	50 m	149 m	Yes
Minimum Front and Exterior Side Yard (Section 4.24)	3 m	3 m	Yes
Minimum Side Yard	Half the building height, not less than 3 m	3 m	Yes
Minimum Rear Yard	Half the building height, not less than 3 m	3.6 m	Yes
Maximum Building Height (Sections 4.16 and 4.18)	3 storeys, maximum 15 m	1 storey	Yes
Minimum Gross Floor Area	1,875 m ²	8,099 m ²	Yes
Maximum Gross Floor Area (Section 6.2.2.1)	12,500 m ²	8,099 m ²	Yes
Minimum Landscaped Open Space	9%	11%	Yes
Planting Area	3 m wide landscaped strip next to street	3 m	Yes
Off-Street Parking (Section 4.13)	1 per 18 m ² GFA 450 parking spaces	450 parking spaces	Yes

STAFF REPORT

Attachment 8 Proposed Revised Site Concept Plan, Building Elevations & Urban Design



STAFF REPORT

Attachment 8

Proposed Revised Site Concept Plan, Building Elevations & Urban Design

PRELIMINARY

ITFA-CPS-DAT/Prop/0524/15_Rev04/24-4-17.rvt

STATISTICS

SITE A	± 1.72 HEC.
SITE B	± 1.15 HEC.
SITE C	± 0.26 HEC.
POPPY DRIVE R.O.W.	± 0.41 HEC.
TOTAL SITE AREA	± 3.54 HEC.
RETAIL A AREA	± 5,727 S.M.
PARKING PROVIDED	155 CARS 1 CAR/36.95 S.M.
TOTAL RETAIL B AREA	±2,101 S.M.
PARKING PROVIDED	127 CARS 1 CAR/16.54 S.M.
RETAIL C AREA	±814 S.M.
PARKING PROVIDED	39 CARS 1 CAR/20.87 S.M.
TOTAL RETAIL AREA (ENTIRE SITE)	±8,672 S.M.
PARKING PROVIDED (ENTIRE SITE)	321 CARS 1 CAR/27.02 S.M.
RETAIL SITE AREA COVERAGE	±3.13 HEC. 27.70 %



GORDON STREET & CLAIR ROAD (SOUTH/WEST CORNER)

GUELPH, ONTARIO

CONCEPT SITE PLAN



SCALE = 1 : 1000

APRIL 22, 2013
05.224 A1-71

TURNER FLEISCHER
www.turnerfleischer.com



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Attachment 8 Proposed Revised Site Concept Plan, Building Elevations & Urban Design



Main (North) Elevation, Composite Metal Panel, Brick, Stucco



South Elevation, Composite Metal Panel, Brick, Stucco

0 10 20 30 40 50 FEET

Attachment 8 Proposed Revised Site Concept Plan, Building Elevations & Urban Design



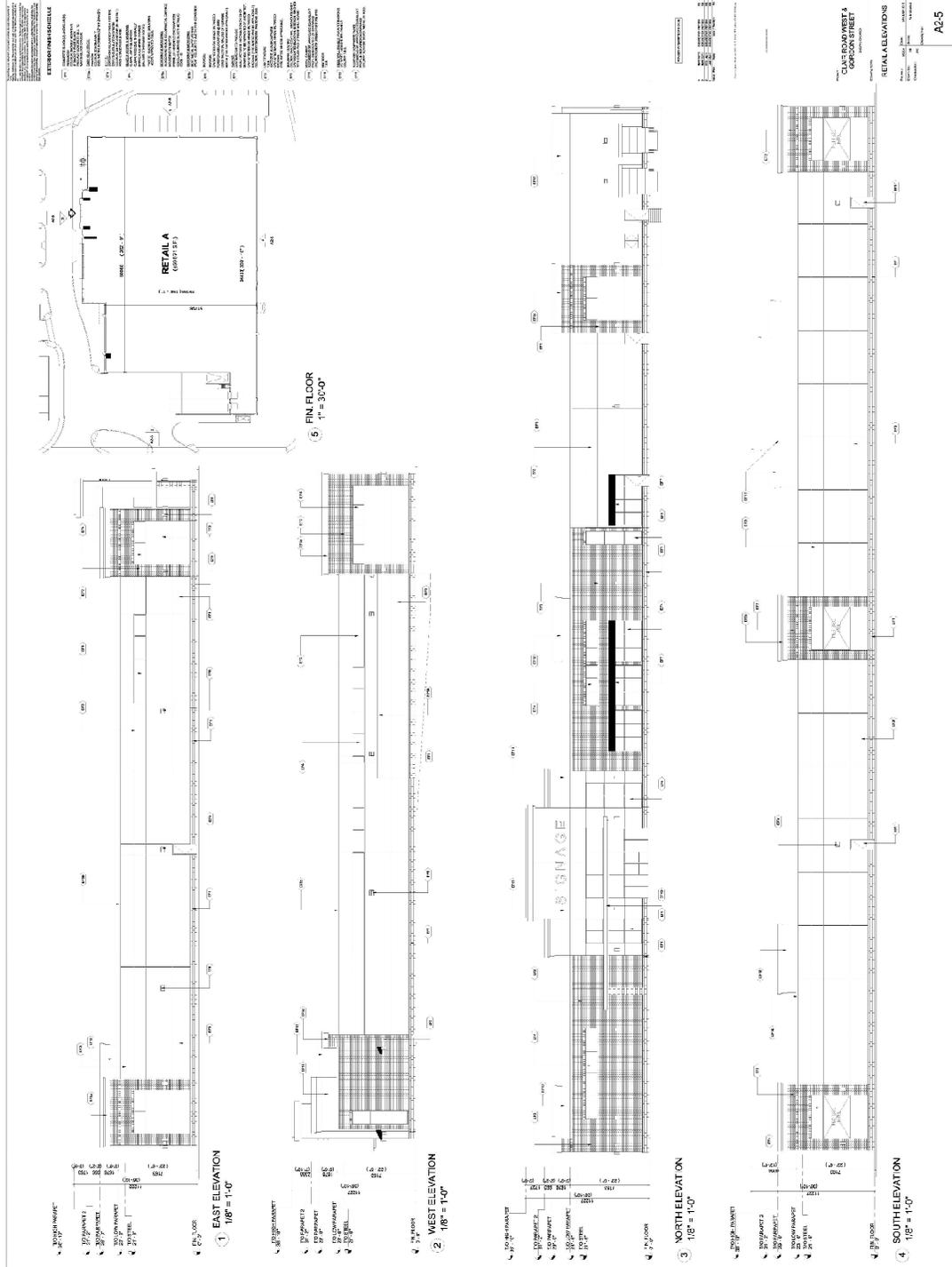
East Elevation, Composite Metal Panel, Brick, Stucco



West Elevation, Composite Metal Panel, Brick, Stucco



Attachment 8 Proposed Revised Site Concept Plan, Building Elevations & Urban Design



Attachment 8 Proposed Revised Site Concept Plan, Building Elevations & Urban Design



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Telephone (416) 425-2222
Facsimile (416) 425-6717
info@turnerfleischer.com
turnerfleischer.com

January 26, 2013

File: 05.224

Urban Design Policies for Commercial and Mixed Use Areas

Official Plan Amendment OP0605 and Zone Change Application ZC0619 Part of Lots 11 and 12, Concession 7 (former Township of Puslinch) c/o Fieldgate Commercial Developments Limited Southeast Corner of Clair Road and Gordon Street, City of Guelph

Our office has reviewed the City of Guelph's Official Plan Policy 2001. Based upon site plan A1-69 prepared by our office on October 25th 2012, we feel the site plan is generally in keeping with the requirements of the policy.

Provision for the 'site details' have been allowed for on the site plan in terms of areas for them to occur. Parking areas have been located behind the buildings adjacent to the street edge and are broken down into smaller defined sections incorporating raised landscaped islands. Buildings have been located at the intersections with their entrances generally orientated towards the street with some occurring along the side of the building. Drive Thrus have been located internal the site located behind buildings in order to screen them from public view. Generous 3m wide landscape islands have been provided throughout the development which will incorporate landscaping and berming to screen loading and drive thru areas, decorative walls and fencing to enhance site entrances and trees to provide shade within the parking areas. Both sides of the driveway entrances to the site will incorporate landscaping.

At the Site Plan Approval stage buildings will be designed to be visually attractive incorporating the use of high quality and varied building materials throughout the public and private realm. Emphasis will be placed on building entries to create a sense of arrival improving accessibility and convenience. The use of awnings and/or building overhangs will be provided where appropriate. The proposed buildings will be designed to screen roof-top mechanical equipment visually from the public realm.

The loading area for building A is designed to provide adequate screening from the street providing a generous 6m landscape setback incorporating landscaping and berms. The wall of the loading area will incorporate the same high quality finishes and materials as that of the main building.

Details such as landscaping, berming, pedestrian connections, screening, noise attenuation and building details incorporating such elements as increased height, roof features, building articulation, glazing and building finishes can be provided at the Site plan Approval stage.

Sincerely,



Jason McCauley
Associate

PRINCIPALS: PETER TURNER M.C.P. (U.D.) OAA, AANB, AAPF, NSAA, AAA, MAIBC, FRAC, MCP, RPP, LEED AP, RUSSELL FLEISCHER OAA, MAA, AANB, NSAA, AAPF, AAA, SAA, MRAC, LEED AP
ELLEN BENSKEY FINANCE JOHN CHOW OAA, AAPF, MAA, MNA, MAIBC, AAA, SAA, MRAC, LEED AP JEREMY POPE OAA, NSAA, MAIBC, AAA, SAA, MRAC, LEED AP
SENIOR ASSOCIATES: KOJO LA-ANYANE OAA, MRAC, LEED AP CLAUDIO RABAGLINO OAA, MRAC
ASSOCIATES: GINO DI VIZIO ARCHITECTURE DESIGN CALEY HOWES ARCHITECTURE DESIGN JASON MCCAULEY ARCHITECTURE DESIGN STEVE NONIS OAA, LEED AP

Attachment 8 Proposed Revised Site Concept Plan, Building Elevations & Urban Design

R.J. Burnside & Associates Limited 6990 Creditview Road, Unit 2 Mississauga ON L5N 8R9 Canada
telephone (905) 821-1800 fax (905) 821-1809 web www.rjburnside.com



Memorandum

Date: March 13, 2013 **File No.:** 3000019256
Project: Fieldgate Commercial Site – Clair Road and Gordon Street, Guelph
To: Al Hearne, Manager of Development City of Guelph
From: Matt Coleridge

This memo outlines the constraints of the Clair and Gordon Fieldgate Commercial Site that prevent the loading dock area for Building A from being at the rear of the building and prevent the rotation of Building C2 to allow more frontage along Gosling Gardens.

There is significant fall across the site from Poppy Drive to Clair Road. There is approximately 1.5m of difference between the proposed centreline of Poppy Drive and the proposed Finished Floor Elevation (FFE) of Building A. The loading dock for the building sits a further 1.2m below the FFE and this would result in a grade difference of 2.7m between a rear placed loading dock and Poppy Drive. It is not possible to provide a ramp within the 5% maximum slope threshold to Poppy Drive for trucks to either exit or enter the loading dock without significantly moving the building northwards and effectively eliminating a large portion of parking in front of the building.

It is also not possible to raise Building A in relation to Poppy Drive as the main driveway entrance off of Gosling Gardens is already set at a maximum slope.

There is significant fall between the FFEs of Building A and Building C2. By rotating Building C2 and lessening the distance between it and Building A it would no longer be possible to accommodate the grade change between the buildings within the parking field separating the two buildings.

Attachment 9 Community Energy Initiative Commitment

DFOUR DEVELOPMENTS LIMITED



ENVIRONMENTAL INITIATIVES:

Sustainable Sites

- An erosion and sediment control plan - use stabilization and structural controls to prevent loss of soil during construction/swm run off
- Alternative Transportation – provide buildings located within 400 metres of a public transit (bus) offering frequent service
- Bicycle Storage – in the form of racks for public and employees
- Provide preferred parking for high efficient fuel vehicles and provide parking for car sharing program/car pool parking
- Storm Water Management (Rate and Quantity and Treatment) - using the following Best Management Practices subject to the detailed engineering design and City Approval
 - Minimize the amount of impervious areas
 - Capturing storm water
 - Bioswales
 - Infiltration basins
 - Vegetated buffers/filter strips
- Heat island effect – Non – Roof and Roof
 - Install a highly reflective and high emissivity roof (white roof)
 - Provide shading with noninvasive vines, deciduous trees and architectural shading devices
- Light Pollution Reduction
 - Achieve a dark sky objective and reduce light trespass and impact on the nocturnal environment
 - Use Shielding devices

Water efficiency

- Investigate the collection of roof water to use for landscape irrigation, design to be determined
- Rain Harvest Scuppers,
- Mandate Low flow fixtures

Energy Efficiency

- Controllability of Systems – i.e. Light timers on pedestrian scale lighting
- Investigation of the purchase of green power
- Install Base Building HVAC systems and refrigeration equipments that do not contain HCFC's (Hydro chlorofluorocarbons)

Attachment 9 Community Energy Initiative Commitment

DFOUR DEVELOPMENTS LIMITED



ENVIRONMENTAL INITIATIVES CONTINUED:

Materials and Resources

- Dedicated Storage and Collection area for recyclables
- A dedicated construction waste management program i.e. reusing dirt on site, recycling materials and diverting products from landfills thus reducing tipping fees
- Reusing Resources – Encourage Tenants to reuse building materials and products (this includes salvaged and refurbished building materials i.e. brick, wood, structural beams, flooring, doors, cabinetry, decorative items)
- Recycled content – Use building products that have recycled content in them
 - Supplementary cementing materials (fly ash, ground granulated blast furnace slag)
 - Rebar
 - Concrete
 - Siding
 - Tile
 - Flooring
- Regional Materials
 - Use building materials that are local

Indoor Environmental Quality

- See green Initiative component attached based on interested tenants

Innovation and design

- Narrative signage about the green components of the site
- Creating a sense of community and place
- Public Art

Innovation in Design

- Narrative signage about the green components of the site

Attachment 9 Community Energy Initiative Commitment

DFOUR DEVELOPMENTS LIMITED



COMPANY	INITIATIVE
SOBEYS	
<i>Water Efficiency</i>	<ul style="list-style-type: none"> • Low flow toilets and sensor activated hand was taps in staff and public washrooms to conserve water
<i>Energy Efficiency</i>	<ul style="list-style-type: none"> • Occupancy sensors to control lighting in staff areas and all offices and rooms in the building • Store is illuminated with energy efficient T-5 lighting only, use considerable amount of glazing to improve availability of natural light • Lighting is able to be reduced by 50% to reduce energy use when required during the daylight hours • We use LED lighting for cases and fixtures where available
<i>Materials and Resources</i>	<ul style="list-style-type: none"> • Many of our wooden fixtures are manufactured “locally” with wood harvested from sustainably managed forests in Ontario
<i>Indoor Environmental Quality</i>	<ul style="list-style-type: none"> • Low or no VOC (green) paints in our stores for décor

Attachment 9 Community Energy Initiative Commitment

DFOUR DEVELOPMENTS LIMITED



ENVIRONMENTAL COMMITMENT

"DFour Developments Limited and Sobeys support the City of Guelph's Community Energy Initiative and to that end are proposing to implement the environmental initiatives related to the development of this property."

X

Jack Eisenberger
President

X

Slyvie Lachance
Executive Vice-President, Sobeys Capital Incor...

Attachment 10 Retail Cap Analysis

Clair-Gordon Mixed Use Node

The following summary of gross building floor area (GFA) calculated using both approved site plan data and existing zoning regulations for each zone and quadrant within the Clair/Gordon Commercial Mixed Use Node, concludes that with the addition of the subject proposal at 9,434m² GFA, including the future estimated 1,916m² GFA on the remainder of the mixed use designation located on the west side of Gosling Gardens, the subject application if approved, will conform to Official Plan policy 7.4.12. This policy limits the cumulative 'new retail development' for all buildings within the Clair/Gordon node to 48,500 m² GFA.

Based on available information, staff has considered each quadrant of the node to assess retail GFA. The following data and summary are offered in support of the subject proposal:

Official Plan (Section 7.4.12) Retail Cap 48,500m² (522,050SF)
Node Size 20.2 hectares (approx. 49.8 ac.)

NW Quadrant

Clairfields (1 Clair Rd. W.)

Site area 3.45 ha (8.54 ac.)

Zoned CC

Max. CC Zone GFA **12,500m²** (134,549SF)

Site Plan **7,910m²** (85,152SF)

Uses: TD and Scotia Banks, Food Basics, Shoppers Drug Mart, Bell, Optometrist, Dentist, restaurants & Starbucks

NE Quadrant

Westminister Market (1750 Gordon St. S.)

Site Area 6.34 ha (15.68 ac.)

Zoned CC-17

Max. CC-17 Zone GFA **17,650m²** (189,993SF)

Site Plan **12,600m²** (135,724SF) including (10,590m² (113,933SF) proposed Food + 2,024m² (21,791SF) in 3 built pads (Meridian Credit Union, CIBC & LCBO)

Westminister Phase 3 Block (31 Farley Dr.)

Site Area 1.42 ha (3.51 ac.)

Zoned I.1-13

Built 1,654m² (17,800SF) library

Site Plan **4,046m²** (43,550SF)

Uses: Library Branch, Dentist, Physiotherapy, Photography & Aesthetics

STAFF REPORT

SE Quadrant

First Capital (1820 Gordon St.)
Site Area 5.34 ha (13.22 ac.)
Zoned CC-20
Max. CC-20 Zone GFA **14,000m²** (150,694SF)
Site Plan **12,050 m²** (129,705SF) with Galaxy Theatre

SW Quadrant (Proposed)

Sobeys/Fieldgate (132 Clair Rd. W.)
Site Area 3.13 ha (7.73 ac.).
Zoned UR & Puslinch (proposed zoning Specialized CC Zone)
Proposed GFA **9,434m²** (101,538SF) + future remaining designation of **1,916m²** (20,625SF) west of Gosling

Summary of Retail Cap Analysis

The node is substantially developed and occupied and is comprised of a healthy mix of retail, personal service and office type uses including entertainment and recreational uses. Based on the approach that in each development at each quadrant, there will generally be a '75% retail/25% other use' ratio, the subject proposal does not create an imbalance with the objective of achieving an overall mix of uses.

Note that Gross Floor Area (GFA) includes retail uses, plus other uses such as restaurants, banks and personal service establishments, recreational, entertainment and institutional uses. Based on both approved and proposed site plans on file, the total GFA for the node is approximately 48,529m² GFA. Based on the existing zoning regulations applying to the node, the total GFA for the node is approximately 56,074m² GFA. A comparison of these two GFA calculations suggests that the quadrants while developed as they are today, are not built out and there is potential for additional development or intensification within the node without exceeding the retail cap identified in the Official Plan.

Using the site plan data calculation of a total of 48,529m² GFA, the resulting 75% retail floor area is 35,395GFA which does not exceed the 48,500m² retail cap. Using the zoning regulations calculation of a total of 56,074m² GFA, the resulting 75% retail floor area is 41,054m² which again, does not exceed the 48,500 m² GFA retail cap for the overall node.

STAFF REPORT

Attachment 10 Retail Cap Analysis

Distribution of the Clair Mixed Use Area

48,500 m² Retail GFA (75%)

12,125 m² Non-Retail (25%)

60,625 m² Total GFA (100%)

<p><u>Clairfield</u> Community Commercial Shopping Centre CC Zone</p> <p>Zoning Maximum GFA <u>12,500 m²</u></p> <p>75% RETAIL 9,375 m²</p>	<p><u>Westminster Woods</u> Specialized Commercial Shopping Centre CC-17 Zone</p> <p>Zoning Maximum GFA <u>17,651 m²</u></p> <p>75% RETAIL 13,238 m²</p>
<p><u>Cerniuk/Neumann</u> Urban Reserve UR Zone</p> <p>Remaining available <u>GFA 16,474 m²</u></p> <p>75% RETAIL 15,387 m² (165,629 ft²)</p>	<p><u>Pergola</u> Specialized Community Shopping Centre CC-20 Zone</p> <p>Zoning Maximum commercial GFA <u>14,000 m²</u></p> <p>75% RETAIL 10,500 m²</p>

Attachment 11 Planning Analysis

At the Public Meeting, Staff committed to evaluating the proposal with a focus on the following:

Provincial Policy Statement (2005)

The Provincial Policy Statement (PPS) was approved by the Ministry of Municipal Affairs and Housing on March 1, 2005. The Provincial Policy Statement 2005 (PPS) requires the proposal to be consistent with the provincial policy and conform to provincial planning legislation. The PPS encourages growth in areas with existing infrastructure and services and promotes a compact form, mix of uses, and intensification [Policy 1.1.3.2 and 1.3.3.7]. The proposal is located at the intersection of two busy arterial roads, is serviced by public transit on Clair Road, is designated to accommodate a mix of uses and is proposed for zoning that includes a mixture of uses, is easily serviced and is conveniently located to serve the local neighbourhoods and community with shopping and service establishments. This proposal, as recommended by Staff in Attachment 2, is consistent with the Provincial Policy Statement.

Places to Grow (2006)

The Growth Plan for the Greater Golden Horseshoe was approved by the Ministry of Infrastructure on June 16, 2006. The proposal must support the principles of the Provincial Places to Grow Growth Plan.

The intent of the Growth Plan is to manage growth and development within the Greater Golden Horseshoe. The Growth Plan is based on several principles including two with reference to the proposal:

- Growth should be managed to result in compact communities where more development is directed to existing built up areas to optimize existing infrastructure and services;
- Growth and development should result in complete communities that provide a range of housing, transportation and employment choices and provide easy access to stores and services that meet daily needs.

The subject site is located within the Greenfield Area and has also been identified as part of the Clair/Gordon Community Mixed Use Node, located south of the Gordon Street intensification corridor. The application supports the principles of compact development connected to existing municipal services in an area that includes a range of amenities (shopping, schools, parks, transit, library, open space, trails etc.). The expected density of the proposal is in the range of 169 to 297 employees/jobs per hectare depending on the mix of retail, office, service and

STAFF REPORT



institutional uses. This density does not include the potential for residential and live/work uses in the future. The proposed zoning by-law amendment conforms to the policies of Places to Grow.

Official Plan

The property is designated 'Mixed Use Node' in the Official Plan (See Attachment 4). Mixed Use Nodes are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole. This land use designation is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development is also permitted.

Section 7.4 (Commercial and Mixed Use) of the Official Plan applies to this application. This section includes urban design policies for commercial centres and mixed use areas (See Attachment 4).

To encourage a mixture of uses, Section 7.4.12 of the Official Plan limits the total floor area of retail development at each of the four mixed use nodes in the City and the cumulative limit of all retail GFA within the Clair/Gordon node is 48,500 m². This policy (See Attachment 4) and how the application meets the policy are explained in Attachment 10. The Clair/Gordon Node is functioning as designed.

Official Plan Amendment (OPA) 39 (in effect) identifies the site in a 'Community Mixed Use Node' designation located at the southern tip of the Gordon Street 'Intensification Corridor'. The subject site is also identified in the 'Greenfield Area'. The Community Mixed Use Node designation, similar to the existing Mixed Use Node designation in the current Plan, is intended to continue to provide a wide range of commercial uses with emphasis placed on a greater mix of uses, specifically residential.

Official Plan Amendment 42 (under appeal), the City's new Natural Heritage System, does not identify any portion of the site with a designation or environmental feature requiring protection. However, a Tree Assessment Report was submitted by the applicant to support the rezoning application which is a standard requirement of the City.

On June 5, 2012, the City adopted OPA 48, a comprehensive update to the City's Official Plan. OPA 48 is subject to Ministerial approval and is not yet in effect. Since the application for the subject property was submitted prior to the adoption of OPA 48, the proposal is not required to conform to the plan. However, consideration is

STAFF REPORT



given to the policies of OPA 48 since these policies provide current guidance for development within the City based on the Provincial Growth Plan.

OPA 48 designates the subject property at 132 Clair Road West including the other four quadrants at this Clair/Gordon intersection as 'Community Mixed Use Centre'. This land use designation supports "a mix of uses including concentrations of commercial, residential and complementary uses serving the immediate neighbourhood and the wider community". The proposal as recommended by staff in Attachment 2 will meet this objective and conform to OPA 48.

Site Design

A staff assessment of the urban design of the proposal is included in Attachment 12. Since the Public Meeting, many positive revisions have been made to the site layout by the owner. While staff recognizes the difficulty in developing a site that is bordered by four public roads (Gordon, Clair, Gosling & Poppy), the comments in Attachment 12 and the Staff Concept Plan in Attachment 2 highlight areas of the proposal that could see further revisions to improve the pedestrian walkability of the site and surroundings.

These areas focus primarily on buildings having a direct connection to public sidewalks and the relocation of the loading area for the largest building away from Gosling Gardens (See condition #2 in Attachment 2). Gosling Gardens has been suggested as an opportunity to create a 'mainstreet' theme and staff has suggested that some on-street parking on Gosling Gardens could support that theme.

Proposed Zoning

The proposed zoning requested by the owner is included in Attachment 6. The owner has asked to rezone the site to a Specialized CC (Community Commercial) Zone to permit a community shopping centre according to the uses and regulations in Section 6.2.1.2 of the Zoning Bylaw. This request is consistent with zoning in the other City mixed use nodes and is supported by staff.

The recommended zoning by staff is included in Attachment 2. Based on public comments at the statutory public meeting and both provincial and Official Plan policies that promote compact mixed development and higher densities, staff have embellished the requested zoning with additional uses including institutional uses, apartments, hotel and live/work uses. These additional uses are promoted in a mixed use centre in OPA 48.

Staff has also included specialized zoning regulations in Attachment 2 to further improve the site design so it will conform more closely to the mixed use node urban

STAFF REPORT



design policies and objectives in the Official Plan. These regulations include a 3m build-to-line setback from Gordon Street, Clair Road and Gosling Gardens, minimum and maximum building height, minimum off-street parking ratio and prohibited locations for specific uses.

The applicant is also asking for a reduced parking ratio and for a severability provision to be included within the proposed zone that would allow individual stores to lease or purchase a portion of the site development. Both of these requests have been included in other mixed use zones in the City and are supported by staff.

Staff supports the parking ratio reduction to 1 space/23m² GFA from the required 1 space/18m² regulation in the Zoning Bylaw. This ratio of 1 space per 23m² has already been approved for the SmartCentres development at the north mixed use node and the Pergola Commons development at the Gordon/Clair node to help promote more intense development. The severability regulation that was included in the SmartCentres zoning has been included in the recommended zoning for the subject site.

Community Energy Initiative (CEI)

The owner has submitted correspondence outlining their commitment to the City's Community Energy Initiative (see Attachment 9). This support addresses Section 3.8 of the Official Plan titled Energy Conservation and Climate Change Protection, which outlines policy and objectives that promote energy conservation. The commitment has been included as condition 5 in the staff recommendation in Attachment 2.

Servicing and Traffic

Based on comments received from Engineering Services (Attachment 12), staff has accepted both the owner's Servicing Study and the Traffic Impact Study. Condition 10 in Attachment 2 requires the owner to update these studies at the time of site plan approval.

Pedestrian Connectivity

Pedestrian linkage and connectivity throughout the node and on-site was an issue raised during the Public Meeting. The plan included at the back of this Attachment illustrates pedestrian connections either existing or planned at the Gordon/Clair node. As mentioned earlier, the owner has made some positive changes to the site design but staff are recommending further revisions in the recommendation in Attachment 2 that will improve the on-site and surrounding area connectivity and circulation for pedestrians and cyclists.

STAFF REPORT



Two Area Property Owners' Concerns (See correspondence in Attachment 12)

Owner of 1819 Gordon Street

Since early pre-consultations on this application, staff has been encouraging land assembly and has suggested the owner acquire the corner property at 1819 Gordon Street to improve their proposed development. The assembly of land would not only achieve an improved site design and unified development at the southwest corner of the intersection and the node itself, but would also remove the existing dwelling which would eliminate matters relating to land use compatibility.

The lands at 1819 Gordon Street are designated Mixed Use Node in the Official Plan, are on private services and have been for sale. Staff has met with both owners and have held a joint owners meeting to discuss matters related to possible acquisition, the disposition of the existing well service on the subject site that services the 1819 Gordon dwelling and possible alternatives for vehicular access if redevelopment is proposed at 1819 Gordon Street in the future.

As the owner has not been successful at assembling the land to include the corner property in this application, staff is recommending conditions that would protect the future use of the corner property should an owner ever pursue a redevelopment proposal.

With respect to servicing, staff is asking the owner to provide, through the subject site and on easement in favour of the City, both a sanitary and water service to the common property line with the corner property. This will ensure that if the proposed development proceeds, the corner lands at 1819 Gordon Street could still be connected to municipal services and the lands could be redeveloped into a mixed use development in future (See condition #4 in Attachment 2).

With respect to the alternative access, staff is asking the owner to not preclude the possibility of a future access connection across the subject site to the corner property in their site design, should an owner of the corner property seek alternative access for a redevelopment proposal in the future (See condition #3 in Attachment 2).

FCHT Holdings (Ontario) Corporation - (Owner of 1820 Gordon Street)

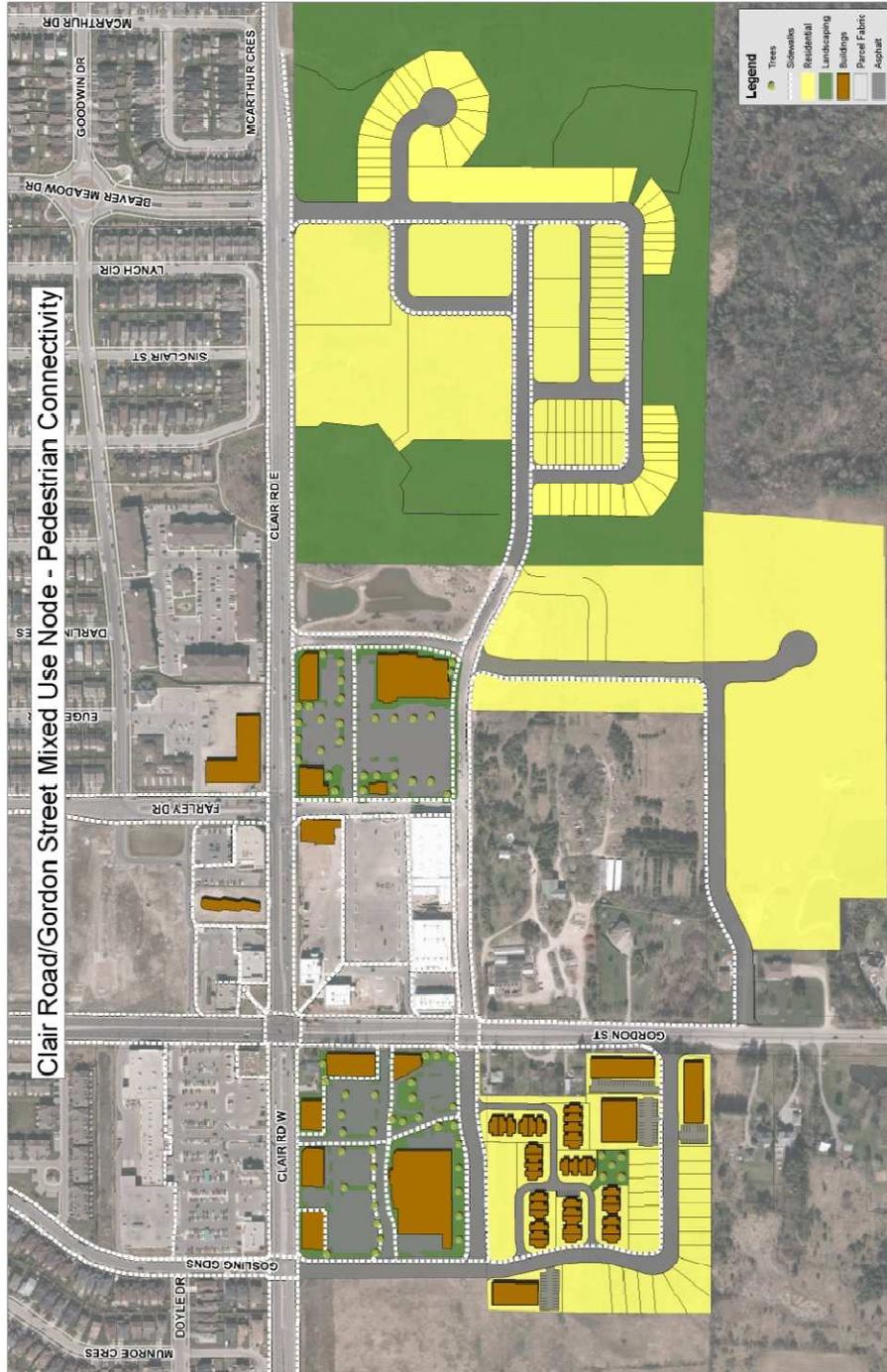
Correspondence included in Attachment 12 from FMC Law and FCHT Holdings expresses concern about inconsistency with a building size restriction that was included with a rezoning of the Pergola Commons development at 1820 Gordon Street. Rather than placing the same restriction on the subject application, staff has since processed the FCHT Holdings rezoning application to remove the building size restriction from 1820 Gordon Street. As this restriction won't apply to either development, staff believes this issue has been addressed.

STAFF REPORT

Archeological Assessment

The subject property has undergone an archeological assessment and the owner has submitted information including the Ministry of Tourism, Culture and Sport sign-off letter dated November 13, 2012 to the City. Accordingly, Staff has not included this standard requirement in the recommendation in Attachment 2.

Attachment 11 Planning Analysis



STAFF REPORT



Attachment 12 Agency and Public Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning		√	Subject to zoning & conditions in Attachment 2
Engineering		√	Subject to conditions in Attachment 2 *
Park Planner		√	Cash-in-lieu of parkland required *
Guelph Heritage Planning		√	Request Archeological Assessment - DONE
Environmental Planner		√	Request additional tree health and protection information *
Guelph Hydro Electric Systems Inc.		√	Will apply standard Hydro conditions
Senior Urban Designer		√	*
Guelph Field Naturalists	√		*
Guelph Police Service	√		No objections
Guelph Fire Service	√		No objections
Canada Post	√		No objections
Wellington Catholic District School Board	√		No objection – request Educational Development Charges
GW Development Association	√		Support application
Shawn Connolly			Property owner at 1819 Gordon Street *
FCHT Holdings (Ontario) Corporation (“First Capital”)			Concern regarding consistent application of Maximum building size regulation in zoning *

*(memo/letter attached)

STAFF REPORT



Attachment 12 Agency and Public Comments Summary

DATE May 8, 2013
TO **Al Hearne**
FROM Rajan Philips, P.Eng
DIVISION Engineering (File #16.131.001)
DEPARTMENT Planning, Engineering, Environmental & Building Services
SUBJECT 132 Clair Road West OP0605/ZC0619 – Preliminary Comments

The application is for an Official Plan Amendment and Zoning By-law Amendment to allow mixed-use commercial development on the vacant property at 132 Clair Road West.

The subject property is located in the southwest corner of the intersection of Gordon Street and Clair Road. The property is respectively bounded by Gordon Street, Clair Road to the east and north, and future Gosling Gardens and Poppy Drive extensions to the west and south. An existing residential property is located to the north and east of the subject property at 1819 Gordon Street. The existing residential property is serviced by septic tank and a domestic well which is located on the subject property.

A new residential subdivision to the south of the subject property, at 1897 Gordon Street, has been given draft-plan approval. The two developments will share a road frontage along Poppy Drive extension between Gosling Gardens and Gordon Street. They will also share access to Clair Road and Gordon Street, respectively, at the signalized intersections of Clair Road & Gosling Gardens, and Gordon Street & Poppy Drive.

It is noted that Gosling Gardens and Poppy Drive extensions including underground services will be built as part of the residential subdivision at 1897 Gordon Street and should be in place prior to the commercial development at 132 Clair Road.

The concept plan for the subject commercial development shows the site divided by two internal roads, north-south and east-west, with intersections at the surrounding roads. The principal access to the development will be on Gosling Gardens along with a truck-only access. Right-in-Right-out accesses are shown on Clair Road and Gordon Street, and an all-way access is shown on Poppy Drive. The locations of the access points and configurations will have to be reviewed as part of the Site Plan process prior to approval.

The traffic impact study undertaken for the residential subdivision included its assessment the commercial development on the subject property. The surrounding road system and intersections can accommodate the proposed development. However, a further traffic study update may be required as part of the Site Plan application to address auxiliary lane requirements and access locations/configuration.

STAFF REPORT



In regard to municipal services, servicing for potable water and fire protection will be provided by connections to the existing 400mm watermain on Clair Road and the future 400mm watermain on Gosling Gardens with a private internal looped system for redundancy. The site design will keep grades below 344m above sea level to ensure sufficient pressure. Fire protection will be provided by private onsite hydrants in accordance with the Ontario Building Code and NFPA requirements. If water pressure is insufficient to accommodate sprinkler requirements, fire protection booster pumps will be installed in buildings as required.

The sanitary servicing of the subject property, the residential subdivision to the south and the currently vacant lands to the west is planned to be provided through the existing sanitary infrastructure in the Clairfields subdivision. The surplus capacity in the Clairfield subdivision sanitary outlet is currently being assessed. The approval of the site plan will be subject to adequate capacity being available and the undertaking of improvements including flow monitoring at the developer's cost to accommodate sanitary flows from the subject development to prevent surcharging in the Clairfield sanitary system. The sanitary connection for the development will be through the future sanitary sewer on Gosling Gardens that will be constructed as part of the new residential development to the south.

Stormwater management up to and including the 100-year event will be achieved by onsite infiltration systems including quality control by oil/grit separators. An emergency overland flow route will be provided to accommodate storms in excess of the 100-year event. The storm runoff on Poppy Drive and Gosling Gardens will be captured within the road allowance and included in the servicing design for the residential subdivision.

Based on the foregoing, it is recommended that in approving Zone Change Amendment a holding symbol be placed on the property and the holding symbol will remain until, as noted earlier, the construction of Gosling Gardens and Poppy Drive is completed and the availability of sanitary capacity is confirmed.

1. A Holding symbol "H" pursuant to Section 36 of the Planning Act shall be placed on the subject lands and prior to the removal of the Holding designation, the owner shall: Obtain written confirmation from the City Engineer that both the extensions of Gosling Gardens and Poppy Drive have been constructed to a standard that is satisfactory to the City Engineer, and adequate water and sanitary service capacity is available to service the development of the subject lands for a mixed-use commercial development.
2. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to Site Plan approval, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
3. Prior to site plan approval, the Developer shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.

4. Prior to site plan approval, the Developer shall update and finalize as required by the City, any or all of the following studies, plans and reports to the satisfaction of the General Manager/City Engineer:-
 - i) a traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads including recommendations with detailed cost estimates of the works recommended on the municipal roadways;
 - ii) a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - iii) a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater management onsite together with a monitoring and maintenance program for the stormwater management facility. The report must also address the requirement for adequate sanitary capacity in the Clairfields subdivision sanitary system to receive sanitary flows from the subject development;
 - iv) a detailed erosion and sediment control plan in accordance with the Grand River Conservation Authority Guidelines, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction.
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 grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
7. That the Developer constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a **gravity connection** to the sanitary.
8. The Developer agrees that the development will keep grades below 344m (above mean sea level) and that fire protection will be provided by private onsite hydrants in accordance with the Ontario Building Code and NFPA requirements. If water pressure is insufficient to accommodate sprinkler requirements, fire protection booster pumps will be installed in buildings as required.

STAFF REPORT

9. The developer shall make available as part of onsite servicing water and sanitary connections to the residential property at 1819 Gordon Street and allow the use of the existing domestic well on the subject property as the source of water supply to the residential as long as it is required. The Site Plan for the subject development shall provide for a future internal access to the property at 1819 Gordon Street to enable the closing of the existing access at the Clair/Gordon intersection if and when that property is redeveloped.
10. The Developer is responsible for the total **cost of the design and construction** of all onsite roads, services and service lateral connections and the frontage charges for existing municipal services on Gordon Street and Clair Road as determined by the General Manager/City Engineer. The developer acknowledges that the construction of the Gosling Gardens, Poppy Drive, underground services and their respective signalized intersections on Clair Road and Gordon Street are required for the development of the subject property and must be completed as part of the residential subdivision to the south located at 1897 Gordon Street.
11. That the Developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
12. 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.
13. The Developer shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
14. Prior to the issuance of a building permit, any unused domestic wells, monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
15. That prior to the issuance of site plan approval, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

STAFF REPORT



Attachment 12 Agency and Public Comments Summary

DATE March 2, 2011

TO **Al Hearne**

FROM Rajan Philips, P.Eng
DIVISION Engineering (File #16.131.001)
DEPARTMENT Planning, Engineering, Environmental & Building Services

SUBJECT 132 Clair Road West OP0605/ZC0619 – Preliminary Comments

Engineering Services are reviewing the above-noted application for a commercial development at 132 Clair Road, in conjunction with the review of the application for a new residential subdivision located to the south, at 1897 Gordon Street. The two developments will share road frontages along two new development roads, viz. Gosling Gardens extension south of Clair Road, and Poppy Drive extension between Gosling Gardens and Gordon Street. They will also share access to Clair Road and Gordon Street, respectively, at the intersections of Clair Road & Gosling Gardens, and Gordon Street & Poppy Drive.

The concept plan for the subject commercial development shows the principal access to the development and a truck-only access on Gosling Gardens. However, the extension of Gosling Gardens south of Clair Road is proposed to be built as part of the residential subdivision at 1897 Gordon Street, and the draft plan for the latter provides a 20 metre road allowance but does not include the required 0.3 metre reserve outside the road allowance on either of its open (east and west) sides.

As the subject commercial development abuts the east side of the proposed Gosling Gardens extension and will have access points on it, Engineering Services will require as a condition of approval of the subject development that property from the subject development be secured through the planning process to provide the 0.3 m reserve along the east side of Gosling Gardens and outside its road allowance.

Engineering Services will also require as a condition of approval that property be secured through the planning process to provide for 20 metre road allowance for the proposed Poppy Drive extension (with widening at Gordon Street) and 0.3 metre reserves outside the road allowance on the open sides of the road.

STAFF REPORT

Based on preliminary reviews, Engineering staff have identified issues in regard to shared infrastructure implications and they are being addressed in coordination by the two developers. Staff will review the information provided so far and new information as required, and will provide detailed comments and conditions in regard to:

- a) Traffic impact and roadway access;
- b) Site grading and design of Poppy Drive including connection to Gordon Street;
- c) Water servicing
- d) SWM facilities for the site, and for Poppy Drive including downstream improvements;
- e) Sanitary servicing based on sanitary outlets in the Clairfields subdivision to the north, subject to monitoring sanitary flows and undertaking improvements to prevent surcharging in the Clairfields subdivision;
- f) Cost responsibilities for servicing including existing services
- g) Other matters as appropriate.

File #16.131.001

STAFF REPORT



Attachment 12 Agency and Public Comments Summary

DATE February 23, 2011

TO **Al Hearne**

FROM Jessica McEachren

DIVISION Planning

DEPARTMENT CDDS

SUBJECT Clair Rd. W & Gordon St. – Environmental Review

Al,

I have now had an opportunity to review the circulated materials and provide the following comments for your consideration:

1. The tree inventory includes the species, size and canopy for the trees on the site, but it does not include the health of each tree. Given the rationale for removals was both the location of the development as well as the health of the trees, the assessment should include the health of the trees assessed.
2. Details for tree protection fencing included in the Tree Assessment identify the use of orange snow fencing. The City will be looking for the use of at least paige wire fencing with T-bars at the center. And wherever necessary, sediment and erosion control fencing attached. Should you require any clarification please feel free to contact the undersigned.
3. Section A: Pre Construction Recommendations, point 4 states that "*Stem damage to trees from skidding operations during the removal process should be avoided. Trunks of trees to be retained near the construction zone should be wrapped with three layers of snow fencing to provide protection*". This is not an appropriate method of tree protection. All fencing should be installed at least at the drip line of trees to be retained, and no work should be taking place within the fencing (tree protection zone).

Thank you for the opportunity to comment. Please feel free to be in touch if you have any questions or points of clarification.

Jessica McEachren
Environmental Planner

Attachment 12 Agency and Public Comments Summary

[Email dated March 25, 2013]

Hi Al

Thanks for your note. As you can see below, you did respond to my questions in 2011.

As this rezoning only applies to the smaller area at the very corner of Gordon and Clair, we have no comments or concerns on this application.

However, we'll likely have comments/concerns on the larger, remaining portion of the Fieldgate lands as shown on the Public Meeting Notice of Feb. 9, 2011 when this becomes subject of a future rezoning application.

Thanks

Charles
Guelph Field Nats.

STAFF REPORT



Attachment 12 Agency and Public Comments Summary

DATE March 14, 2011
TO **Al Hearne**
FROM Helen White
DIVISION Parks & Recreation
DEPARTMENT Community & Social Services
**SUBJECT Proposed Zoning Bylaw Amendment
132 Clair Road West**

Park Planning has reviewed the plan submission dated February 14, 2012 and circulated on February 28, 2012 and have the following comments:

- Cash in lieu of parkland is required for the R.3A townhouse zone in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof. Please check density to see if any clauses 209-3 (b) (ii) to (iv) apply to this calculation.

- The proposed landscape area at the corner of Gordon Street and Clair Road should be entirely located within the private parcel to ensure private maintenance and setback from the roadway to promote healthy plant growth. I encourage the applicant to continue to pursue acquisition of this parcel so this feature can be incorporated into the development.

Helen White
Park Planner
Parks & Recreation
Community & Social Services
Location: City Hall
T 519-822-1260 x 2298
E Helen.white@guelph.ca

C Murray Cameron

Attachment 12 Agency and Public Comments Summary

DATE May 13, 2013
TO **Al Hearne, Sr. Development Planner**
FROM David de Groot, Senior Urban Designer
DIVISION Planning Services
DEPARTMENT Planning, Engineering & Environmental Services

SUBJECT Southwest Corner of Clair Road and Gordon Street: Official Plan Amendment and Zoning By-law Amendment Application Urban Design Comments

Urban Design Staff have the following comments based on the February 14, 2012 preliminary site concept plan. I have also reviewed the letter dated January 26, 2013 from Jason McCauley, Associate for Turner Fleischer Architects.

Background

As well as the general urban design policies, the existing Official Plan contains urban design policies to specifically address the Commercial and Mixed Use Areas designation.

In addition, through the Urban Design Action Plan and subsequent Official Plan Amendment 39, these nodes are identified as part of the structuring elements of the City containing multiple land use designations such as high density residential designations in combination with permitting shopping and service uses.

The vision articulated in the Urban Design Action Plan is to transform, over time, the city's five major Community Nodes into distinct "urban villages"—mixed-use, transit and pedestrian oriented places that provide focal points for civic life, higher-density housing, office and retail employment, and live-work opportunities.

OPA 39, which is in full force and effect, began to create a policy framework and vision for evolving these "urban villages".

OPA 48 provides additional direction regarding implementing the vision for the Mixed Uses Nodes over the long-term but is not in full-force and effect. OPA 48 was adopted by Council

STAFF REPORT

on June 5, 2012 and has been forwarded to the Province for their review as the approval authority.

Comments on Urban Design

Based on the above the following urban design comments are made.

From an urban design perspective, the following aspects of the revised preliminary site plan are particularly encouraged when compared to the previous preliminary site plan shown at the public meeting:

- Additional pedestrian walkways with potential tree alley—for example a new pedestrian connection is shown between the grocery store and Clair Road; and,
- The creation of a grid of drive-aisles to break-up the site into blocks.

The revised concept plan raises the following comments that should be addressed through the refinement of the concept plan, conditions to be considered at site plan, and/or added to the Zoning By-law regulations where appropriate:

- Staff understand that the corner property immediately at the intersections is not part of this application, however, similar to the southeast corner of Gordon Street and Clair Road, the minimum building height of all buildings located at the corner intersection of Gordon Street and Clair Road should be 2 storeys;
- A signature landscaping and pedestrian connection into the site should be protected and provided for at the major corner of Clair Road and Gordon Street.
- The site plan needs to better address the perimeter streets (e.g. with building entrances facing Gordon and Clair in particular) and extension of Gosling Gardens as a “main street” (see bullet below). Corner buildings such as Retail C2, Retail B3 and Retail B2, need to be directly connected to the street edge and have doorways facing the street and connect to the public sidewalk in accordance in policy 7.4.40.2;
- A High Density residential block is designated at the southwest corner of Gosling Gardens and Poppy Drive. In addition, to the west of Gosling Gardens is also designated as Community Mixed Use Centre in OPA 48 and Corporate Business Park beyond. In keeping with the vision of the nodes as facilitating pedestrian and cycling traffic as well as supporting a walkable community, staff propose that Gosling Gardens streetscape requires further examination and should be treated as a “main street”, with on-street parking being provided and building entrances oriented to this street. In short, Gosling Gardens should be designed to encourage pedestrian circulation between these land uses rather than being treated as simply the edge of commercial development. To this end, loading bays and service corridors should not be located directly adjacent to Gosling Gardens. The location of the loading bay negates the ability for on-street parking to be provided, pushes the building away from the corner of Gosling Gardens and Poppy Drive and creates the need for multiple curb cuts along the street that cross the sidewalk; and,
- Where surface parking is adjacent to the public street, landscaping allowances should be made for over-sized landscaped strips to allow better screening of the parking areas and room for additional plantings.

STAFF REPORT

There are outstanding issues to be addressed through the site plan process. As part of site plan staff will be:

- Reviewing building elevations. In particular the long blocks of built form will need to be appropriately subdivided through a combination of building articulation and a variety of materials. Buildings facing Clair Road Gordon Street and Gosling Gardens (e.g. the west elevation of Retail A) in particular will require particular emphasis;
- Reviewing circulation including the impact on loading areas (e.g. Retail B loading area); and,
- Reviewing landscaping materials and other site plan-level design elements—especially:
 - Ensuring sidewalks are made continuous across the site and are generously wide at the building facades and major routes;
 - Retaining walls will be strongly discouraged adjacent to buildings along Gordon Street. Instead, buildings that are near the street should generally be built into the grade.
 - That planting areas along pedestrian areas, and landscape areas within the parking lot are adequately sized to provide for trees.

Prepared By:

David de Groot

Senior Urban Designer

519.822.1260 ext. 2358

David.deGroot@guelph.ca

STAFF REPORT



Attachment 12 Agency and Public Comments Summary

From: Shawn Connolly [mailto:Shawn@techniquemicro.com]

Sent: March 2, 2011 1:16 PM

To: lois.giles@guelph.ca

Cc: Robyn Loree; Al Hearne; Karl Wettstein; Todd Dennis

Subject: Public Meeting Notice File OP0605/ZC0619, development of 132 Clair Road West

To: Guelph City Council

Re: Public Meeting Notice File OP0605/ZC0619, development of 132 Clair Road West

We are the owners and residents of the property located at 1819 Gordon Street, on the southwest corner of the intersection of Clair Road and Gordon Street. We are interested in the future development of 132 Clair Road West, as it directly impacts us.

Our questions and concerns are listed below:

Currently, there is a well located on the property beside us (previously 1827 Gordon Street, before it was included in the surrounding land) that provides us with our water. There is a legal easement on the property deed that stipulates our water access and rights to this property. On the proposed plan, the existing structure that contains that well has been replaced by a "Retail Building E", and no mention of the well, or what has been done with the existing house that contains it. We also have not been informed of any environmental studies that show the impact of this development on that water source.

The plan also does not show any fences or greenspace between our property and the development. The positioning of "Retail Building E", would have the back facing our property, and likely have the garbage refuse and dumpsters too close to our residence.

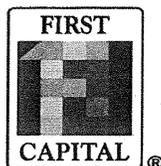
Whenever construction does commence, we are concerned on the impact on our daily living. The previous development in the Shoppers/Food basics plaza generated a significant amount of dust and garbage that blew into our property. Since this is even closer, the impact will be much greater.

We have not been contacted by anyone at Sobeys Capital, or any of their agents in regards to this development. Knowing that proper urban planning would prefer a homogeneous plan for this corner, we are surprised that no contact has been made, and that a plan would be drafted without consideration of the corner property to be part of it. In addition, the property has been listed for sale since mid-January, and we have received multiple offers from other vendors, and are considering our options.

We will be in attendance of the meeting on March 7th, and will be available for questions or comments.

Shawn Connolly Robyn Loree 1819 Gordon Street Guelph, ON N1L 1G7 (519)837-9906

Attachment 12 Agency and Public Comments Summary



FCHT HOLDINGS (ONTARIO) CORPORATION

85 HANNA AVENUE, SUITE 400, TORONTO, ON M6K 3S3
TEL: 416-504-4114 FAX: 416-941-1655

July 28, 2010

Mr. Scott Hannah
Manager of Development Planning
City of Guelph
1 Carden Street
Guelph, ON
N1H 3A1

Dear Mr. Hannah:

**Re: Fieldgate Planning Application
Southwest Corner of Gordon Street/Clair Road
City of Guelph
Our File No.: 2008/45**

This is further to your discussion yesterday with our Planning Consultant Glenn Wellings regarding the above-noted matter.

As you are aware, FCHT Holdings (Ontario) Corporation ("First Capital") is in the final planning stages of obtaining approvals for a large scale commercial development at the southeast corner of Gordon Street and Clair Road.

First Capital has significant concerns regarding the Fieldgate application. It is our understanding that the original 2006 application was for a "big box" retail commercial development which proposed significantly more commercial lands than those presently designated by the Official Plan. We also understand that the commercial intent of the application will change substantially in comparison to the 2006 application. Due to the dormant state of the 2006 application over the past four (4) years, and given the significant anticipated changes expected to the application, we are of the view that a new application is warranted. The new application should be accompanied by comprehensive planning and market justification in support of the new submission. Furthermore, we believe the new application should be assessed under the current Provincial planning regime and measured against the most up to date City of Guelph policies. Further, we would also like clarification whether Fieldgate is required to proceed through a subdivision approval process similar to First Capital.

We would ask that we be kept apprised of the Fieldgate application(s) and receive any future reports and notices of public meetings/open houses. If you have any questions or wish to discuss further, please do not hesitate to call.

Yours truly,
FCHT Holdings (Ontario) Corporation

A handwritten signature in cursive script, appearing to read "J Shpigel".

Jodi Shpigel, Director, Urban Development.

cc. Glenn Wellings, Wellings Planning Consultants Inc.

Attachment 12 Agency and Public Comments Summary



Fraser Milner Casgrain LLP
77 King Street West, Suite 400
Toronto-Dominion Centre
Toronto, ON, Canada M5K 0A1

MAIN 416 863 4511
FAX 416 863 4592

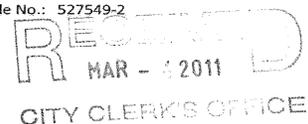
March 3, 2011

DELIVERED BY OVERNIGHT COURIER

Mayor and Members of Council
City of Guelph
City Hall
1 Carden Street
Guelph ON N1H 3A1

**Attention: Ms. Lois Giles,
City Clerk**

Patrick J. Devine
Patrick.Devine@FMC-Law.com
DIRECT 416 863 4515
File No.: 527549-2



Dear Mayor Farbridge and Members of Council:

RE: Public Meeting Scheduled for Monday, March 7, 2011
- Proposed Zoning By-law Amendment re: 132 Clair Road West
(File No. OP0605/ZC0619)
- Submission filed on behalf of FCHT Holdings (Ontario) Corporation

Please be advised that we are the solicitors for FCHT Holdings (Ontario) Corporation ("First Capital"), the owner of the property located at the southeast corner of Gordon Street South and Clair Road East, municipally known as 1820 Gordon Street South. Our client would like to express its concerns with respect to the above-noted proposed Zoning By-law Amendment.

As members of Council will recall, the First Capital lands were the subject of an extensive Zoning By-law Amendment process which culminated in the adoption of By-law No. (2008)-18569. For reference purposes, a copy of that By-law is enclosed.

One of the requirements for the approval of the zoning on the First Capital site was the imposition of a maximum building size limitation. In particular, we would draw your attention to Section 6.2.3.2.20.2.5 found on Page 2 of the enclosed By-law. This provision limits the maximum size of any one building to 3,250 square metres (35,000 square feet).

Having reviewed Schedule 5 of the Planning Staff Report for the subject application, we note that on the applicant's Site Concept Plan there is reference to Retail Building A which is shown as having a size of 4,757 square metres (51,200 square feet). In addition, what is shown as Retail Building B appears to be an addition to Retail Building A in the amount of 929 square metres (10,000 square feet). Accordingly, both Retail Building A and the proposed addition of Retail Building B are far in excess of the 3,250 square metre (35,000 square foot) provision imposed with respect to the First Capital lands.

Attachment 12 Agency and Public Comments Summary

Fraser Milner Casgrain LLP

Page 2

Since the First Capital lands and the lands which are the subject of the currently proposed Zoning By-law Amendment are designated under the Official Plan in exactly the same way, it is only fair and equitable that the same maximum building size limitation be included in the Zoning By-law Amendment proposed for the applicant's lands.

Therefore, we would request that the Zoning By-law Amendment on the applicant's lands contain the same maximum building size limitation as on the First Capital lands, namely, that the maximum building size of each building should be limited to no more than 3,250 square metres (35,000 square feet). To do otherwise would be to treat sites with exactly the same Official Plan designation in an inconsistent manner which would not constitute good land use planning.

Kindly add our name to the list of persons to be provided with further notice with respect to any further actions taken concerning to this matter.

Yours very truly,

Fraser Milner Casgrain LLP



Patrick J. Devine

PJD/mp
Enclosure

cc: FCHT Holdings (Ontario) Corporation
cc: Mr. Scott Hannah
Manager of Development Planning, City of Guelph
cc: Mr. Glenn Wellings

fmc-law.com

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STAFF REPORT



Attachment 13 Public Consultation Summary

December 22, 2006	Official Plan Amendment & Zoning By-law Amendment Applications applying to 44.2 hectare site received by the City
July 5, 2010	Further to several meetings between City and applicant, applicant notifies City that application is being revised
December 22, 2010	City receives revised application applying to Sobeys site including Poppy Drive and townhouse sliver of land, requesting commercial and residential zoning
February 9, 2011	Notice of Complete Application and Public Meeting circulated to property owners within 120 metres of the subject property, to local Agencies, Utilities and City Service Areas for review and comment.
March 7, 2011	Statutory Public Meeting of Council
April 21, 2011	City advised that owners of Bird Subdivision and Sobeys have reached agreement regarding land swaps, to include Poppy Drive and Gosling Gardens in the Bird subdivision plan, thereby eliminating the need for road dedications and the R.3A (Residential Townhouse) Zoning in the subject application.
October 17, 2011	Third revised submission received by the City
February 27, 2012	Revised Concept Plan received by the City
April 9, 2012	Consulting Engineering submission received by the City, responding to Staff questions and requests.
May 2012-present	Meetings and dialogue between applicant and staff regarding urban design detail and 1819 Gordon St. issues.
August 15, 2013	Notification of Decision Meeting mailed to persons providing comments or signed attendees at the Public Meeting that the matter will be before Council for a decision
September 9, 2013	City Council Decision Meeting

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 9, 2013

SUBJECT 185-187 Bristol Street - Proposed Zoning By-law Amendment (File ZC1216) Ward 5

REPORT NUMBER 13-42

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve a Zoning By-law Amendment to rezone the subject lands to a R.4D-? (Specialized Apartment Infill) Zone to permit an affordable housing development consisting of 9 supportive residential units and accessory office space.

KEY FINDINGS

Planning staff support the proposed rezoning subject to the regulations and conditions in Attachment 2.

FINANCIAL IMPLICATIONS

Council has previously approved financial incentives to support this project from the City's Affordable Housing Reserve (PBEE Report 13-02). Municipal incentives under the Investment in Affordable Housing for Ontario program in the form of a grant to offset municipal fees and charges is estimated at \$159,865.

ACTION REQUIRED

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

RECOMMENDATION

1. That the application by James Fryett Architect Inc. on behalf of Michael House Pregnancy Care Centre for approval of a Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to a R.4D-? (Specialized Infill Apartment) Zone to permit an affordable housing project consisting of 9 supportive residential units at the property municipally known as 185-187 Bristol Street and legally described as Lot 18, Part Lot 19, Registered Plan 42, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-42 dated September 9, 2013.

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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 185-187 Bristol Street.

BACKGROUND

An application for a Zoning By-law Amendment (ZC1216) has been received for the property municipally known as 185-187 Bristol Street from James Fryett Architect Inc. on behalf of Michael House Pregnancy Care Centre. The application would permit an affordable housing development, consisting of 9 supportive residential units, which includes accessory office use. Michael House is a charitable non-profit organization that provides support for low income young mothers and their infants.

The application was deemed complete on January 18, 2013. The statutory Public Meeting was held on May 6, 2013. Report 13-16 from Planning, Building, Engineering and Environment provided background information related to the proposed Zoning By-law amendment application.

At a meeting of City Council held February 25, 2013, a resolution was adopted to offer municipal incentives under the Investment in Affordable Housing for Ontario program in the form of a grant to offset municipal fees and charges (PBEE Report 13-02). This grant would be equivalent to the cost of the rezoning application, site plan approval fees, building permit fees, development charges and parkland dedication to Michael House, estimated at \$159,865.

Location

The subject property has a site area of 0.1 hectares and is located on the north side of Bristol Street, east of Edinburgh Road South (see Attachment 1). There are currently two detached dwellings on the subject property. The detached dwelling closest to Bristol Street (187 Bristol Street) is proposed to be substantially retained and the detached dwelling at the rear of the site (185 Bristol Street) is to be demolished. This demolition was approved by Council through PBEE Report 13-02.

Adjacent land uses include:

- Commercial and office uses to the north along Waterloo Avenue;
- Single detached residential to the east;
- Apartment buildings to the south across Bristol Street; and
- Office (medical) to the west.

Existing Official Plan Land Use Designation and Policies

The Official Plan land use designation that applies to the subject property is "General Residential", which permits a range of housing types including single, semi-detached residential dwellings and multiple unit residential buildings.

The subject property is also located within the Special Policy Area of the Official Plan. The Special Policy Area illustrates a built-up portion of Guelph which is within

STAFF REPORT



the regulatory flood plain of the Speed and Eramosa Rivers. The Special Policy Area permits residential intensification within the flood plain provided that new buildings or structures meet certain design and floodproofing requirements. The relevant policies of the "General Residential" land use designation and the Special Policy Area are included in Attachment 3.

Existing Zoning

The subject property is zoned R.1B (Residential Single Detached) Zone, which permits single-detached houses and compatible uses such as a day care centre or group home.

The subject property is also located within the Special Policy Area and is subject to specific regulatory floodplain requirements, as outlined in Section 12.4 of the Zoning By-law. Details of the existing zoning are included in Attachment 4.

REPORT

Description of Proposed Zoning By-law Amendment

The applicant is requesting to rezone the subject property from the R.1B (Residential Single Detached) Zone to the R.4D-? (Specialized Residential Apartment) Zone to permit an affordable housing development consisting of 9 residential units with associated onsite support services.

The applicant has requested to develop the property in accordance with the permitted uses and regulations of the standard R.4D Zone, with the following exceptions:

- Providing a definition of "Supportive Housing" as the only permitted use within the proposed site specific R.4D-? zoning category.
- Permitting a maximum of 9 "supportive housing" dwelling units;
- Permitting a minimum easterly side yard of 2.5 metres;
- Permitting a minimum of 7 off-street parking spaces for the "Supportive Housing" use; and:
- Permitting a 2.5 metre parking space width for a maximum of 6 off-street parking spaces (one 4.5 metre wide parking stall would remain as a barrier free parking space).

The proposed zoning details are provided in Attachment 4.

Revisions to Application

Through discussions with Planning staff, the applicant has revised their proposed zoning bylaw amendment application from the proposal presented at the May 6, 2013 Public Meeting. The main change was to provide a specific definition of "Supportive Housing" to more accurately reflect the nature of the affordable housing project that Michael House provides to their residents. The initial zoning proposed at the Public Meeting was to permit 9 residential apartment units and additional office use on the subject site. In an effort to address issues raised with respect to the amount of off-street parking that would need to be provided to serve 9 typical apartment units and additional office space, the application was revised to provide a new definition of

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"Supportive Housing" as the only permitted use within the proposed zoning of the subject site. The definition is as follows:

"Supportive Housing" shall mean the use of a building with dwelling units to provide services and supports on-site that are designed to assist residents who need specific support services while allowing them to maintain a level of independence. Support services may include, but are not limited to, collective dining facilities, laundry facilities, counselling, educational services and life skills training.

The separate office use that was proposed within the original application is no longer being requested, noting that this would be permitted as an accessory use to the supportive housing development. Further, the proposed specialized zoning regulations permitting a maximum of 9 dwelling units and the requirement for providing a minimum of 7 parking spaces are requested in association with the supportive housing use. One additional parking space from the 6 originally proposed can be provided on site by reducing the width of 6 parking stalls to 2.5 metres. One barrier free parking space with a minimum width of 4.5 metres would still be provided.

Proposed Development Concept

The applicant's proposed development concept is shown in Attachment 5. The main portion of the existing limestone house at the front of the subject property (187 Bristol) is proposed to be retained to accommodate the accessory administrative offices for Michael House. A three storey addition to this main dwelling is proposed to accommodate the 9 supportive housing units. The 9 residential units proposed would consist of 1 one-bedroom unit and 8 two-bedroom units of affordable and supportive housing for young women and their infants. Access to the site and to the 7 proposed parking spaces at the rear of the property would utilize the existing driveway and continue along the westerly side of the proposed building. The proposed building elevations are also included in Attachment 5.

The proposed building would include a central and communal atrium area as a key feature of the proposed building. This area would include a play space and be designed to promote interaction and community among the residents. The residential units would overlook this area. In addition, 24 hour/7 days a week staffing and supervision would be available to residents.

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in Attachment 6. The analysis addresses all relevant planning considerations, including the issues that were raised by Council at the statutory Public Meeting held May 6, 2013 and other issues raised through review of the application. The issues generally include:

- Evaluation of the proposal against the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed zoning, including specialized regulations requested

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- for reduced parking;
- Review of the proposed site design and building elevations;
 - Compatibility with surrounding development;
 - Protection of existing easements on the subject property;
 - Integrity of rock wall along rear property line; and
 - Community Energy Initiative considerations.

Planning Staff Recommendation

Planning staff are satisfied that the Zoning By-law Amendment application is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*. In addition, the application to amend the zoning from the R.1B Zone to a Specialized R.4D-? Zone conforms to the objectives and policies of the Official Plan. The revisions made to the 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 Zoning By-law Amendment subject to the conditions and regulations outlined in Attachment 2.

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 on Attachment 9.

COMMUNICATIONS

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

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Recommended Zoning Regulations and Conditions
- Attachment 3 – Existing Official Plan Land Use Designations and Policies
- Attachment 4 – Existing and Proposed Zoning and Details
- Attachment 5 – Conceptual Development Plan and Proposed Building Elevations
- Attachment 6 – Planning Analysis
- Attachment 7 – Illustration of Easement on Subject Lands
- Attachment 8 – Community Energy Initiative Commitment Letter
- Attachment 9 – Agency and Public Comments Summary
- Attachment 10 – Public Notification Summary

Report Author

Chris DeVriendt
Senior Development Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning

STAFF REPORT



Original Signed by:

Approved By

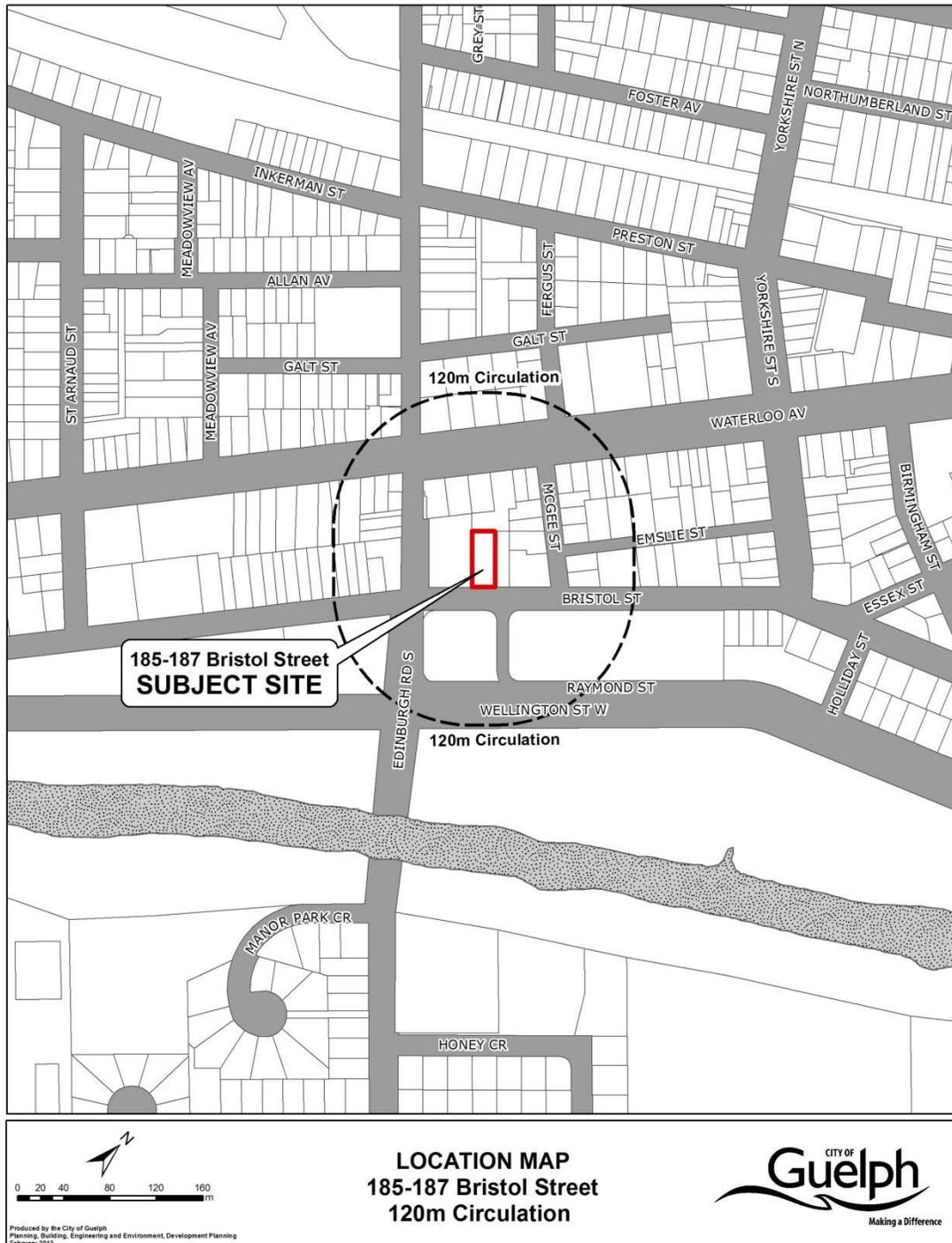
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Recommended By

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Planning, Building, Engineering
and Environment
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ATTACHMENT 1 Location Map



ATTACHMENT 2 Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 185-187 Bristol Street and is legally described as Lot 18, Part Lot 19, Registered Plan 42, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for 185-187 Bristol Street:

Specialized R.4D-? Apartment Infill Zone

Permitted Use

- Supportive Housing
- Accessory Uses in accordance with Section 4.23.

For the purposes of this Zone, *Supportive Housing* shall mean the use of a building with dwelling units to provide services and supports on-site that are designed to assist residents who need specific support services while allowing them to maintain a level of independence. Support services may include, but are not limited to, collective dining facilities, laundry facilities, counselling, educational services and life skills training.

Regulations

In accordance with Section 4 (General Provisions), Section 5.4.3 and Table 5.4.2 (Infill Apartment Zone Regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

Maximum Number of Dwelling Units

9

Minimum Side Yard

Notwithstanding the provisions of Table 5.4.2, Row 8, the minimum easterly side yard shall be 2.5 metres.

Off-Street Parking

A minimum of 7 parking spaces shall be provided

Parking Space Dimensions

Notwithstanding the provisions of Section 4.13.3.2.3, the minimum exterior parking space dimensions shall be 2.5 metres by 5.5 metres for a maximum of 6 parking spaces.

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PROPOSED CONDITIONS

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

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to Site Plan approval, and furthermore the Developer agrees to develop the said lands in accordance with the approved plan.
 - a) Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the conceptual development plan attached as Attachment 5 to the September 9, 2013 Planning, Building, Engineering and Environment Report Number 13-42.
 - b) Further, the Owner commits and agrees that the detailed site plan shall recognize and respect the easement on the subject lands in favour of the Owner of Part Lot 22, Plan 42 (180 Waterloo Avenue) that is in effect, as per the terms of the easement agreement registered on title of 180 Waterloo Avenue.
2. That the Owner shall provide to the City, to the satisfaction of the City Engineer, any of the following studies, plans and reports that may be requested by the City Engineer:
 - a) Site servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site;
 - b) A grading and drainage plan prepared by a Professional Engineer for the site;
 - c) 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.
3. The Owner shall, to the satisfaction of the City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsection 2. a) to c) inclusive.

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4. The Owner shall locate the position of the existing sanitary sewer serving the right side of the existing house and be responsible for the entire cost of removing the existing sanitary sewer lateral from the said lands, satisfactory to the Plumbing Inspector, prior to site plan approval.
5. The Owner shall locate the position of the existing water lateral serving the existing cottage and be responsible for the entire cost of removing the existing water lateral from the point where the existing water lateral connects to the cottage at 185 Bristol Street, satisfactory to the Plumbing Inspector, prior to site plan approval.
6. The Owner shall pay the actual cost of constructing and installing sanitary and water service laterals required including any curb cuts and/or curb fills and furthermore, prior to any construction or grading on the lands, the Owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
7. The Developer grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
8. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
9. That prior to the issuance of site plan approval, the Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof.
10. The Owner shall enter into a Storm Sewer Agreement, as established by the City, providing a grading and drainage plan, registered on title, prior to any construction or grading on the lands.

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11. The Owner shall pay to the City the actual cost of the construction of the new driveway entrance and the required curb cut and/or fill and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost of the new driveway entrance and the required curb cut and/or curb fill, as determined by the City Engineer.
12. The Owner shall construct the new building at such an elevation that the lowest level of the new dwelling can be serviced with a gravity connection to the sanitary sewer.
13. A sump pump will be required for the lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, sump pumps must be discharged to the rear yard.
14. Prior to site plan approval, the Owner agrees to take any necessary measures within the limits of the subject property to remove or secure any rock pieces or debris at the top of the rock outcrop at the rear of the subject site and within its final exposed face to eliminate any potential hazards to the satisfaction of the General Manager of Planning Services.
15. The Owner agrees to construct a solid screen privacy fence along the easterly property line to the satisfaction of the General Manager of Planning Services.
16. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval.
17. The Owner 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.
18. The Owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the lands.
19. The Owner shall ensure that the height of any new proposed retaining wall that abuts existing residential properties does not exceed 1.0 metres.
20. The Owner shall complete all requirements of the Grand River Conservation Authority (GRCA) contained in Attachment 9 of the Planning, Building, Engineering and Environment Report 13-42 dated September 9,

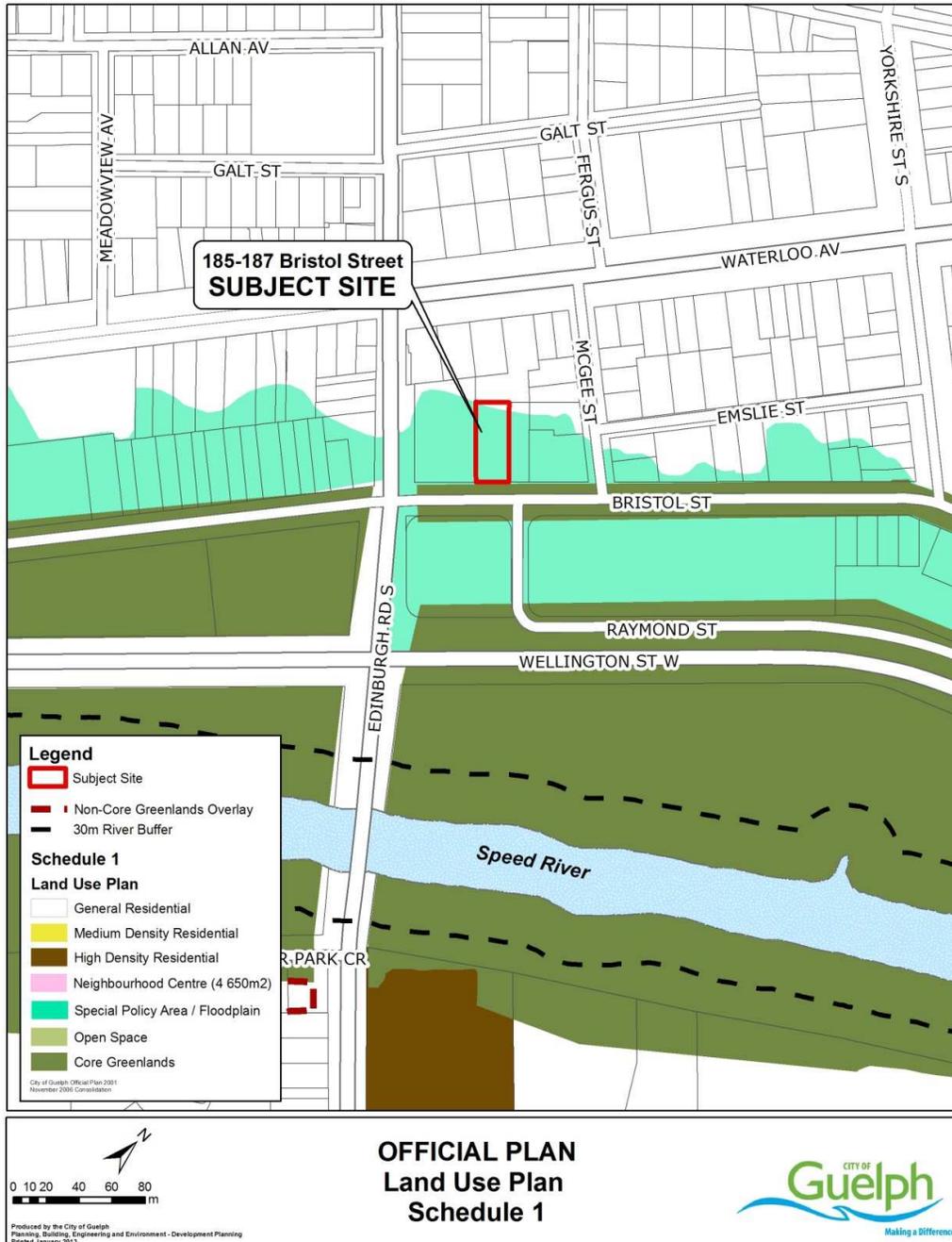
STAFF REPORT



2013 to the satisfaction of the General Manager of Planning Services and the City Engineer.

21. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the subject site will be developed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 8 to Report 13-42 from Planning, Building, Engineering and Environment dated September 9, 2013.
22. The Owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

ATTACHMENT 3 Official Plan Land Use Designations and Policies



ATTACHMENT 3(continued) Official Plan Policies

General Residential / Housing Policies

- 7.2.2 The City shall encourage and assist, where possible, in the production of an adequate supply and mix of *affordable housing* by:
- a) Expediting the *development* approval process and other administrative requirements;
 - b) Partnering with the private sector and other government levels to implement housing programs;
 - c) Encouraging the provision of *affordable housing* in plans of subdivision that are designed for moderate and lower income households, and, more particularly, for large subdivisions requiring this housing form to be provided to a minimum 25% of the total potential units.
 - d) Encouraging the use of alternative development techniques that can assist in lowering development costs and potentially lower housing costs;
 - e) Promoting a 3 percent *vacancy rate* for rental housing;
 - f) Encouraging the provision of additional rental housing;
 - g) Promoting the provision of *affordable housing*, located near transit, shopping, parks and other community facilities, in order to meet the needs of lower income and senior citizen households;
 - h) Supporting student housing developments conveniently accessible to the University of Guelph;
 - i) Supporting the provision of specialized housing facilities to meet the needs of persons with disabilities.
- 7.2.3 In order to provide for the housing needs of a wide array of socio-economic groups, the City will encourage the development of a variety of housing types and forms in large plans of subdivision.
- 7.2.4 The City shall provide for the creation of *accessory apartments* and other alternative, low impact housing forms for the lower density residential areas of the City. Regulations promoting compatibility of this housing form will be outlined in the *Zoning By-law*.
- 7.2.5 The City will encourage the conversion of suitable non-residential structures to residential accommodation, provided other non-residential land uses in the vicinity would not pose an *adverse effect*.
- 7.2.6 The conversion of a residential building and the conversion or redevelopment of existing non-residential buildings for multiple unit housing will be encouraged, where appropriate. Where the proposed conversion or redevelopment is of a building previously used for industrial, or other use having the potential to have resulted in environmental contamination, the provisions of subsection 5.6 will also apply to the building as well as the property. Such conversions or redevelopment shall require an amendment to the Zoning By-law and satisfy the criteria outlined in policy 7.2.7.

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

'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.

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

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

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

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

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

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

1. Any new building or structure shall be designed such that its structural integrity is maintained during a regulatory flood. In spite of the lower minimum levels specified by the policies of this subsection, every attempt should be made to floodproof buildings and structures to the regulatory flood level.
2. The various forms of floodproofing, as outlined in the "Implementation Guidelines of the Provincial Policy Statement on Flood Plain Planning" (October, 1988) may be used to achieve the necessary floodproofing requirements of this Plan.
3. The replacement of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes will be permitted, provided the building or structure is not located within the floodway.

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

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

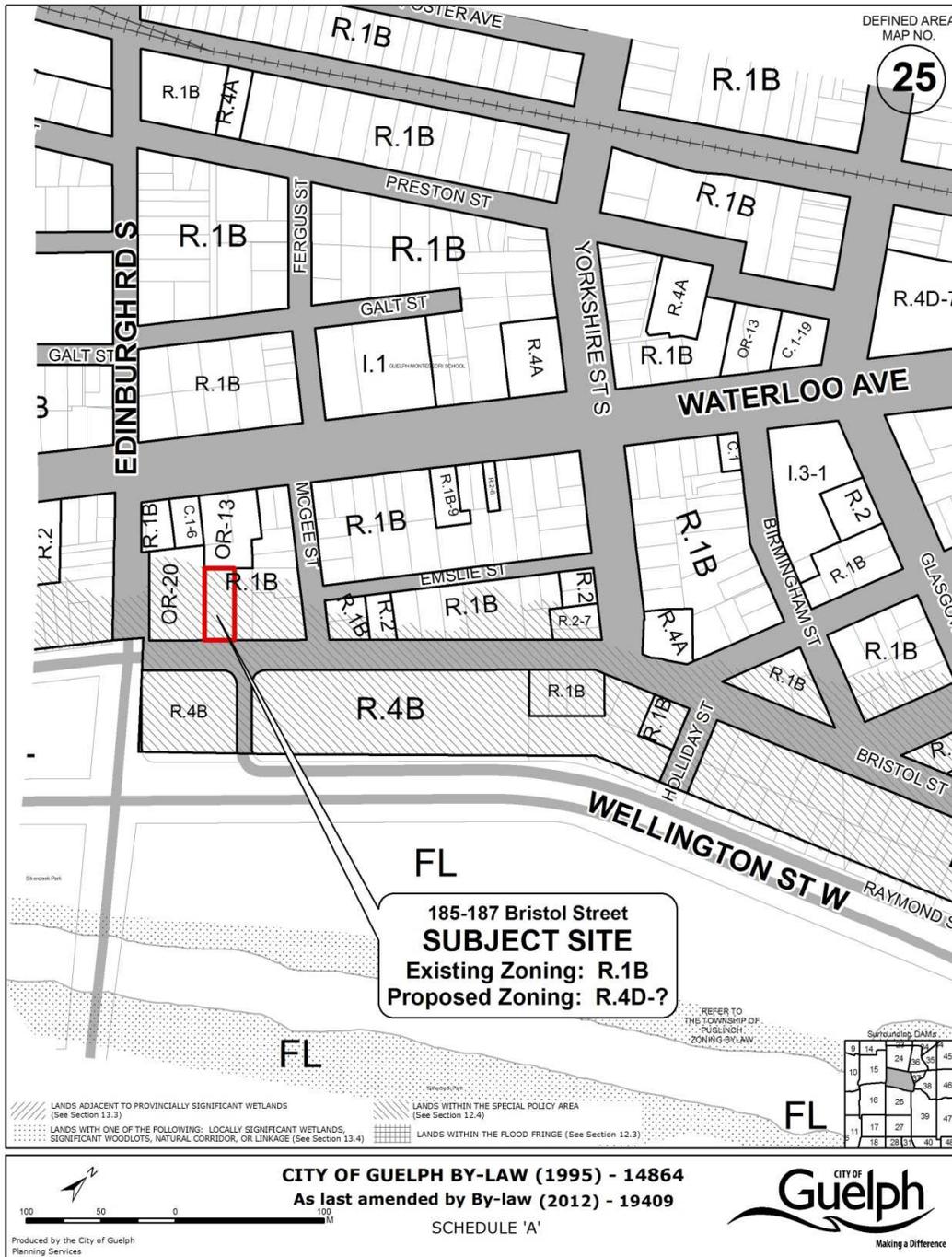
1. *Renovation* of existing residential buildings shall be permitted provided any new *habitable floor space* is no lower than the elevation of the existing ground floor level.
2. Residential intensification, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an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

4. *Development/redevelopment* of new residential units, excluding forms of residential intensification noted in policy 7.14.6.2, shall be permitted provided that the new building and related structures are *floodproofed* to the *regulatory flood level*; and

STAFF REPORT

- a) The *habitable floor space* of any new residential unit is constructed to an elevation equal to or greater than the *regulatory flood level*;
- b) Windows, doors and other building openings for any new residential unit will be located above the *regulatory flood level*;
- c) Mechanical, electrical and heating equipment for any new residential unit will be located above the *regulatory flood level*;
- d) Access is available to the site at an elevation no lower than one metre below the *safe access level*; and
- e) Unenclosed parking facilities shall be located at or above an elevation of the *100 year flood level*. Enclosed facilities shall be *floodproofed* to the regulatory flood level.

ATTACHMENT 4 Existing and Proposed Zoning



ATTACHMENT 4 (continued) Existing Zoning Details

R.1B Detached Residential Zone

Permitted Uses

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

Regulation	Required in the Standard R.1B Zone
Minimum Lot Area	460m 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 Over 2 storeys	1.5m 2.4m
Minimum Rear Yard	7.5m or 20% of the lot depth
Accessory Buildings or Structures	Section 4.5
Fences	Section 4.20
Off-Street Parking	Section 4.13
Minimum Landscaped Open Space	The front yard of any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped open space. The driveway shall not constitute more than 40% of the front yard. A minimum area of 0.5m between the driveway and the nearest lot line must be maintained as a landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species
Garbage, Refuse Storage & Composters	See Section 4.9

SECTION 12.4 - ZONING BY-LAW

REGULATIONS FOR LANDS WITHIN THE SPECIAL POLICY AREA (S.P.A.)

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

12.4.1 Restricted Uses

12.4.1.1 Development or Redevelopment is not permitted within the Hydraulic Floodway.

12.4.1.2 Hotels may be permitted if the Use can be Floodproofed to the Regulatory Flood level and Safe Access can be provided.

12.4.1.3 Within the S.P.A., Vehicle Service Stations, Vehicle Gas Bars and other Uses involving the Manufacture, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.

12.4.1.4 Within the S.P.A., Parking Facilities shall be designed to the satisfaction of the City and the Grand River Conservation Authority.

12.4.2 General Floodproofing Requirements

Floodproofing shall be required for all forms of Building activity within the S.P.A. to the satisfaction of the City and the Grand River Conservation Authority.

12.4.2.1 Any new Building or Structure shall be designed such that its structural Integrity is maintained during a Regulatory Flood.

12.4.2.2 All forms of Floodproofing, as outlined in the "Implementation Guidelines of the Provincial Policy Statement on Flood Plain Planning", may be Used to achieve the necessary Floodproofing requirements of this By-law.

12.4.3 Floodproofing Requirements for Residential Uses

The following regulations apply to the Renovation of, intensification of, Conversion to, and Development or Redevelopment of residential Uses:

12.4.3.1 Renovation of existing residential Buildings shall be permitted provided any new Habitable Floor Space is not lower than the elevation of the existing ground floor level.

12.4.3.2 Residential intensification, comprising the Building of a new Single Detached, Semi-Detached or Duplex Dwelling on an existing vacant Lot, or adding an additional unit to an existing Single Detached, Semi-Detached, or Duplex Dwelling or the creation of a new Lot for a Single Detached, Semi-Detached, or Duplex Dwelling, shall be permitted provided that the new Building or Structure is Floodproofed to an elevation no lower than 1 metre below the Regulatory Flood level; and

12.4.3.2.1 the Habitable Floor Space is constructed to an elevation equal to, or greater than the elevation of at least one of the adjacent Buildings but in no case lower than 1 metre below the Regulatory Flood level;

12.4.3.2.2 basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of 1 metre below the Regulatory Flood level. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing;

12.4.3.2.3 mechanical, electrical and heating equipment will be located no lower than 1 metre below the Regulatory Flood level; and

12.4.3.2.4 access is available to an elevation no lower than 1 metre below the Safe Access level.

12.4.3.3 **Conversion of a non-residential Building to a residential Use** will be permitted provided the Building is Floodproofed to an elevation no lower than 1 metre below the Regulatory Flood level; and

12.4.3.3.1 the Habitable Floor Space elevation of any new residential unit is located at an elevation no lower than 1 metre below the Regulatory Flood level;

12.4.3.3.2 mechanical, electrical and heating equipment will be located no lower than 1 metre below the Regulatory Flood level; and

12.4.3.3.3 access is available to the site at an elevation no lower than 1 metre below the Safe Access level.

12.4.3.4 **Development and Redevelopment of new Residential Units** shall be permitted provided that the new Building and related Structures are Floodproofed to the Regulatory Flood level; and

STAFF REPORT

- 12.4.3.4.1 the Habitable Floor Space of any new residential unit is constructed to an elevation equal to or greater than the Regulatory Flood level;
- 12.4.3.4.2 windows, doors and other Building openings for any new residential unit will be located above the Regulatory Flood level;
- 12.4.3.4.3 mechanical, electrical and heating equipment for any new residential unit will be located above the Regulatory Flood level;
- 12.4.3.4.4 access is available to the site at an elevation no lower than 1 metre below the Safe Access level; and
- 12.4.3.4.5 unenclosed Parking Facilities shall be located at or above an elevation of the 100 Year Flood level. Enclosed facilities shall be Flood proofed to the Regulatory Flood level.

ATTACHMENT 4 (continued) Proposed Zoning Details

R.4D-? (Apartment Infill) Zone

PERMITTED USES

The following is the only use requested within the proposed R.4D-? Zone:

- Supportive Housing

For the purposes of this Zone, *Supportive Housing* shall mean the use of a building with dwelling units to provide services and supports on-site that are designed to assist residents who need specific support services while allowing them to maintain a level of independence. Support services may include, but are not limited to, collective dining facilities, laundry facilities, counselling, educational services and life skills training.

Regulations

In accordance with Section 4 (General Provisions), Section 5.4.3 and Table 5.4.2 (Infill Apartment Zone Regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

Maximum Number of Dwelling Units

9

Minimum Side Yard

Notwithstanding the provisions of Table 5.4.2, Row 8, the minimum easterly side yard shall be 2.5 metres.

Off-Street Parking

A minimum of 7 parking spaces shall be provided

Parking Space Dimensions

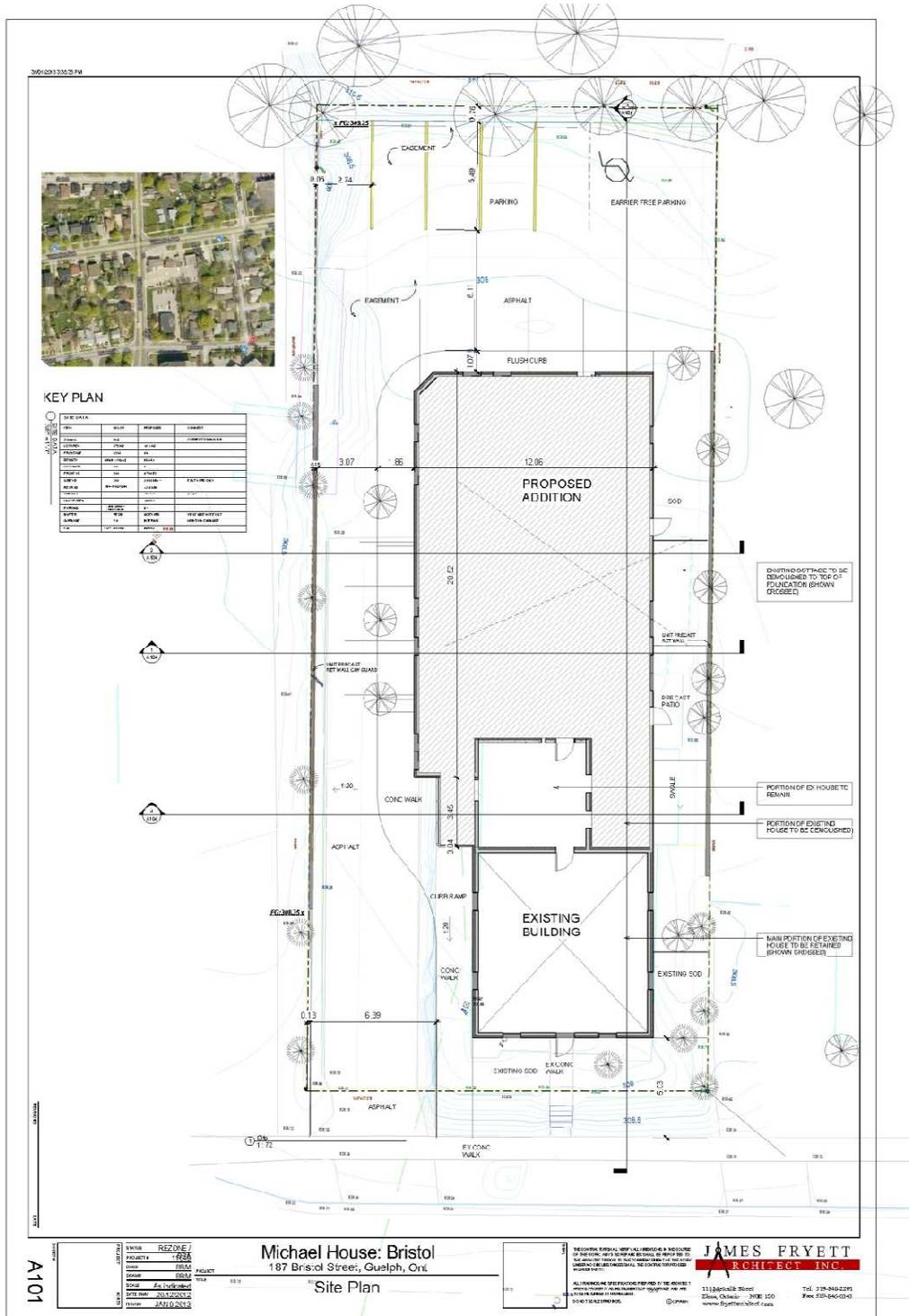
Notwithstanding the provisions of Section 4.13.3.2.3, the minimum exterior parking space dimensions shall be 2.5 metres by 5.5 metres for a maximum of 6 parking spaces.

ATTACHMENT 4 (continued) Proposed Zoning Details

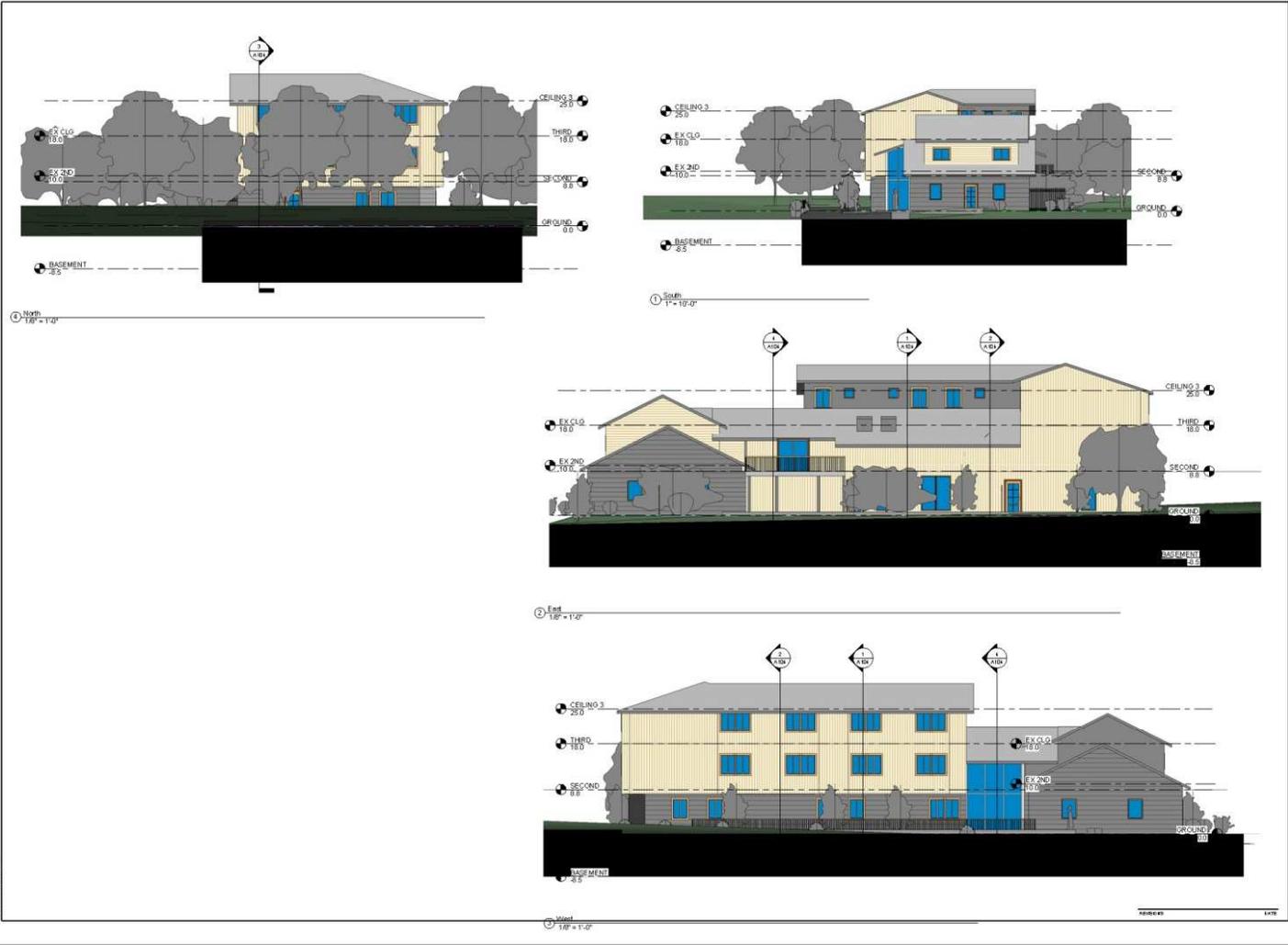
REGULATIONS GOVERNING R.4D ZONE

Regulation	Regulations in the Standard R.4D Zone	Proposed R.4D-? Zone
Minimum Lot Area	650 m ²	
Minimum Lot Frontage	15 m	
Maximum Density (units/ha)	100	
Minimum Front and Exterior Yard	3 m	
Maximum Front and Exterior Side Yard	6 m	
Minimum Side Yard	Equal to half the building height but in no cases less than 3 metres	Easterly side yard of 2.5 metres
Minimum Rear Yard	In no case less than 7.5 metres	
Maximum Building Height	4 Storeys	
Fences	Section 4.20	
Off-Street Parking	Section 4.13 (19 spaces required)	7 spaces
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.	
Accessory Buildings or Structures	Section 4.5	
Buffer Strips	Where an R.4 Zone abuts any other residential zone or any Institutional, Park, Wetland, or Urban Reserve Zone, a Buffer Strip shall be developed	
Minimum Common Amenity Area	None required	
Garbage, Refuse Storage & Composters	In accordance with Section 4.9	

ATTACHMENT 5 Conceptual Development Plan



ATTACHMENT 5 (continued) Proposed Building Elevations



JAMES FRYETT ARCHITECT INC.
3116 GERRARD STREET EAST, SUITE 100
SCARBOROUGH, ONTARIO M1S 4T7
Tel: 416-291-2277
Fax: 416-291-2278
www.jamesfryett.com

Michael House: Bristol
187 Bristol Street, Guelph, Ont.
Elevations

DATE	DESIGNED BY	PROJECT
2018.01.15	J. FRYETT	187 BRISTOL ST
2018.01.15	CHECKED BY	CLIENT
2018.01.15	APPROVED BY	DATE
2018.01.15	DATE	2018.01.15

A103

ATTACHMENT 6 Planning Analysis

Provincial Policy Statement and Places to Grow

The proposed Zoning By-law Amendment is consistent with the direction of the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow Plan).

Section 1.4 of the PPS requires municipalities to provide for an appropriate range of housing types and densities to meet the projected requirements of current and future residents. These policies require the establishment of affordable housing targets and development standards that minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety. The PPS requires municipalities to permit and facilitate all forms of housing to meet the social, health and well-being requirements of current and future residents, including those with special needs. Further, the PPS encourages growth in areas with existing infrastructure and services, and promotes a compact form, mix of uses, and intensification in previously developed built-up areas. This proposal will contribute to providing affordable housing that is accessible to people with special needs. Providing affordable residential units for young mothers and their infants within a supportive living environment meets the intent of these policies.

The proposed development also satisfies Places to Grow legislation that promotes the provision of a diverse and compatible mix of land uses. This includes introducing a supportive housing development that would support a vibrant neighbourhood and help serve long term needs. Further, the application conforms to the Places to Grow Plan by contributing to the provision of an appropriate mix of residential uses to meet the diverse needs of residents and to foster complete communities, which includes accommodating people at all stages of life.

The proposed Zoning By-law Amendment allows for residential development within the City's Built-Up Area and promotes intensification and introduces a new housing type to this neighbourhood that addresses an identified need. The introduction of additional density on this site in a compact, efficient form also makes efficient use of existing infrastructure and supports public transit. Overall, the proposed Zoning By-law Amendment conforms to the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The proposed development satisfies a number of the Major Goals of the Official (Section 2.3, see Attachment 3). This includes:

- ensuring that any development in established areas of the City in a manner that is compatible and sympathetic with built form of existing land uses (Section 2.3.6);
- protecting heritage resources and unique character of the urban environment (Section 2.3.13); and

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- ensuring that an adequate supply and range of housing types and supporting amenities are provided to satisfy the needs of all residents (Section 2.3.16).

Section 2.4 of the Official Plan (Growth Management Strategy) contains objectives and policies to implement the Growth Plan for the Greater Golden Horseshoe. This includes affordable housing policies outlined in Section 2.4.11. The proposal to introduce 9 affordable and innovative supportive housing units on the subject property supports this policy to “maintain and enhance a healthy and complete community by providing for an adequate range of house types and affordability options by permitting and facilitating all forms of housing required to meet social, health and well being requirements, including special needs requirements of current and future residents”. The proposed development addresses this identified need and would be subject to a 25-year operating agreement with the County of Wellington, ensuring that the low-income clients served will be the type of occupants for the long-term.

The proposal supports Official Plan Urban Form Policies that encourage intensification of existing urban areas in a manner that is compatible with existing built form. The application provides increased residential density within the built boundary of the City with good access to transit, surrounding amenities and services. Section 3.2 of the Official Plan (Community Form Statement) also specifies that the City will provide a wide range of living accommodation for both owners and renters, including the special needs of the physically challenged, senior citizen and low income households.

Section 7.2 of the Official Plan (Residential) contains a number of affordable housing policies that the application satisfies. This includes:

- ensuring proper location and suitable distribution for the various housing types necessary to accommodate a diversity of lifestyles and housing needs (Section 7.2 b);
- promoting innovative housing types and forms in order to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups (Section 7.2 k);
- partnering with the private sector and other government levels to implement housing programs (Section 7.2.2 b);
- encouraging the use of alternative development techniques that can assist in lowering development costs and potentially lower housing costs (Section 7.2.2 d); and
- promoting the provision of affordable housing located near transit, shopping, parks and other community facilities, in order to meet the needs of lower income and senior citizen households (Section 7.2.2 g).

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The proposal also supports the objectives and policies of the Official Plan for “General Residential” designated lands, intended for a range of residential uses and complementary uses. Multiple unit residential buildings are permitted within the “General Residential” designation. Section 7.2.7 of the Official Plan includes development criteria to be utilized to evaluate development proposals for multiple unit housing, as follows:

- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
- b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
- c) That the vehicle traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and,
- d) That adequate municipal infrastructure, services and amenity areas for the residents can be provided.

The application to permit 9 supportive housing units is in conformity with these development criteria. The surrounding neighbourhood is characterized by a mix of land uses, consisting of office, commercial, single detached residential and apartment dwellings. The proposed development, which will incorporate the existing limestone house at the front of the property into the design, will maintain the character of the streetscape. Further, the three storey addition accommodating the 9 residential units would extend into the rear yard directly behind the existing house, representing a compatible building form, massing, and appearance with surrounding development. The elevation of the subject site is significantly lower than the adjacent properties to the north that front onto Waterloo Avenue, which will mitigate any height or massing impacts from the proposed building addition extending into the rear yard. While the adjacent owner of the single detached dwelling to the east of the subject site has not expressed concerns with the proposed development, the owner has agreed to erect a privacy fence along the easterly property line to help address privacy and compatibility in association with the proposed building. Condition 15 in Attachment 2 outlines this requirement.

The proposed development is within easy walking distance to downtown and can be adequately served by local convenience and neighbourhood shopping facilities and other services located downtown. The subject site is located close to several parks in the area and is well served by recreational facilities. The subject site has excellent access to public transit, being on a bus route that connects to the downtown transit hub.

The vehicle traffic from the proposed development can also be accommodated with minimal impact on surrounding residential streets, noting that residents of this supportive housing development are unlikely to have vehicles. Vehicle traffic is

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expected to be limited to Michael House staff (maximum of 4) and other visitors. Staff support the findings of the Parking Justification Study submitted in support of the application, indicating that the proposed minimum of 7 off-street parking spaces is sufficient to meet the parking demands of this use. In addition, adequate municipal infrastructure, services and amenity areas can be provided in association with the proposed development.

Proposed Zoning

The request to rezone the subject site from the R.1B (Residential Single Detached) Zone to a Specialized R.4D-? (Specialized Infill Apartment) Zone is appropriate to accommodate the proposed development for the subject site.

The proposed zoning by-law amendment has been revised to include a definition of "Supportive Housing" as the only permitted use within the proposed R.4D-? Zone. The applicant's original application presented at the May 6, 2013 Public Meeting requested the standard list of permitted uses within the R.4D Zone, which included "apartment dwellings". In response to issues identified with proposing a total of 6 off-street parking spaces in association with 9 apartment units with additional office space, the application was revised to define a "Supportive Housing" use as the only use allowed through the proposed zoning. This use was defined to more accurately describe the type of housing that Michael House provides to support low income young mothers and their infants. It is also recognized this building will be designed quite differently from a typical rental apartment building. The building includes an atrium and other communal areas, as well as office space to accommodate onsite support services, specifically designed to support residents and foster community.

The specialized zoning regulation requiring a minimum of 7 off-street parking relates specifically to the defined supportive housing use and is considered appropriate, recognizing that this use would be associated with significantly less off-street parking demands than a conventional apartment building. The applicant submitted a Parking Justification Study in support of the application, concluding that a total of 6 off-street parking spaces would be sufficient to meet the parking demands of Michael House's supportive housing development. It was recognized that residents of Michael House are not anticipated to have cars and that the off-street parking spaces were intended to serve the staff of Michael House (maximum of four at any given time) and visitors to the site.

This specialized off-street parking zoning regulation also supports Official Plan Policy 7.7.2 d) that encourages the use of alternative development techniques that can assist in lowering development costs and potentially lower housing costs. The City of Guelph Affordable Housing Discussion Paper (2009) and the City of Guelph Affordable Housing Strategy (2005) both speak to reducing barriers to the construction of affordable housing, which includes the reduction of parking requirements.

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It is also noted that by reducing the width of the parking stalls from 2.75 metres to 2.5 metres an extra off-street parking space can be achieved from the 6 spaces proposed within the initial application. As a result, a specialized zoning regulation permitting a maximum of 6 parking spaces to have a width of 2.5 metres has been proposed, with the seventh parking space at the northeast corner of the site remaining a barrier free off-street parking space with a width of 4.5 metres. The conceptual development plan included in Attachment 5 illustrates these proposed 7 off-street parking spaces.

The applicant's request to permit an easterly side yard setback of 2.5 metres in lieu of the required 3 metres is considered minor and will still maintain a suitable separation between the proposed three storey building addition and the neighbouring property. This proposed side yard setback for the addition would be consistent with the existing easterly side yard setback for the main portion of the existing limestone house at the front of the property that will be retained and incorporated within the overall development proposal. Condition 15 in Attachment 2 also outlines the requirement for the owner to erect an appropriate solid screen privacy fence along the easterly property line to improve privacy between the subject site and the adjacent property to the east that contains a single detached dwelling.

Site Design and Building Elevations

The conceptual development plan and proposed building elevations are provided in Attachment 5. This illustrates the proposed building addition to accommodate the 9 affordable housing units as a rear addition to the existing limestone house that will serve as the accessory office space for Michael House. The proposed development will maintain the existing streetscape with the incorporation of the existing 2 storey house being incorporated within the development proposal. The site's current driveway location will be used to provide access to the 7 off-street parking spaces at the rear of the property, which will also minimize any visual impact of the parking area from the street.

A question with respect to snow storage and removal in association with the proposed site design was raised at the May 6, 2013 Public Meeting. The applicant has indicated that it is their intention to remove snow from the site via a private contractor given the limitations of the site to store significant accumulations of snow.

Condition 1 in Attachment 2 will require future development of the site through site plan review to be in general accordance with the development concept plan attached as Attachment 5 to this report. The final site design would be established through formal site plan approval to secure specific urban design and architectural details to ensure a high quality of design is implemented.

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Public Comments

Public comments expressing concerns with the proposed development were received through the circulation of the application and expressed at the May 6, 2013 Public Meeting. The letters of opposition and support for the zone change application are included in Attachment 9.

The main concern stated with the proposal was regarding a lack of off-street parking being provided in association with the intensity of the development proposal. The owner of the adjacent property to the north at 180 Waterloo Avenue was a delegation at the Public Meeting and expressed additional concerns with respect to potential hazards from the rock outcrop at the rear of the subject site and with the impact of the proposed development on an existing easement on the subject site. A meeting with planning staff, the applicant and representatives from Michael House was held with the owner at 180 Waterloo Avenue on June 12, 2013 in an effort to discuss and attempt to resolve these issues. On July 10, 2013, another meeting was held with this owner, as well as the agent representing the owner of 190-196 Waterloo Avenue and 86 Edinburgh Road South to discuss these issues further. Although the residents still express some concerns, the meetings did result in productive discussions to gain a better understanding of specific concerns, to allow further details of the proposal to be explained and to discuss efforts being made to address these issues. The following outlines planning staff's response to the three issues discussed at these meetings.

Provision of Off-Street Parking

As discussed earlier in this report, the applicant revised their application to only allow a "Supportive Housing" use through the proposed zoning. Through discussions with planning staff, the applicant implemented this change to their application in response to concerns identified that insufficient off-street parking would be provided to serve the standard "apartment dwelling" and "office" uses originally requested.

It is recognized that there is a 25 year long-term commitment for Michael House to administer this residential program on the site as per their obligations through the Ontario Affordable Housing Program. However, planning staff still identify the need to ensure that another potential use in the future does not create any undesirable issues with respect to insufficient off-street parking. By defining this specific "Supportive Housing" use as the only permitted use, typical apartment dwelling units would not be permitted based on the zoning being proposed. A separate and future planning application would need to be approved by Council in order for an "apartment dwelling" use to be established on the subject site.

The Parking Justification Study submitted by the applicant assessed parking needs based on the anticipated parking demands from the type of affordable and supportive housing units Michael House would be providing to its young mothers and infants. This study, which included a parking comparison with other supportive housing providers in central neighbourhoods, concluded that the reduction in

STAFF REPORT

parking spaces proposed would be more than adequate for the proposed affordable, supportive housing use. It is recognized that the residents of Michael House generally cannot afford cars and are therefore not anticipated to have cars. In addition, the office component proposed within the existing stone house at the front of the property would be an accessory use to the housing component, which would accommodate a maximum of four staff at any time. The provision of a minimum of 7 parking spaces proposed through the specialized zoning is considered sufficient to serve staff and visitors to the site. Staff support the findings of the parking study and are recommending that the proposed zoning only allow this specific "Supportive Housing" use that is associated with these reduced parking demands.

As mentioned earlier, the applicant has also submitted a revised conceptual development plan to increase the total number of off-street parking spaces to 7 (see Attachment 5). This additional parking space could be achieved by reducing the parking stall width from 2.75 metres to 2.5 metres. The one 4.5 metre wide barrier free parking space that was included in the original development concept has been maintained.

The concerns expressed by the owner of the adjacent medical clinic to west of the subject property at 100 Edinburgh Road South, as outlined in Attachment 9, were satisfied following an explanation of the revision made to the application to restrict the use within the proposed zoning to "Supportive Housing" only. This addressed the concern associated with the initial application, whereby a conventional apartment building with higher parking demands could potentially be established in the future without enough off-street parking being provided.

Potential Hazards associated with Rock Outcrop

In response to the concerns expressed by the owner of 180 Waterloo Avenue at the May 6, 2013 Public Meeting regarding potential hazards with the rock outcrop at the rear of the subject site, the applicant did engage a Professional Engineer to investigate the structural integrity of the rock outcrop. This investigation recognized the 3 metre high rock outcrop as a naturally existing feature that was sound and stable in its current configuration. There were no signs of instability observed along the exposed rock outcrop face. There were some loose unsecured cobbles and rock pieces observed at the top of the outcrop adjacent to a chain link fence installed on top of the rock wall. The investigation concluded that no instability of the rock outcrop is likely to occur as a result of minor rock removal in this area, but that provisions should be made to secure any rock pieces or debris at the top of the rock outcrop that may pose a potential hazard.

Based on this investigation, the applicant did make the commitment to further investigate and take any measures necessary to address any potential hazards associated with the rock outcrop through the subsequent site plan approval process. Condition 14 in Attachment 2 outlines this commitment.

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Easement

The subject site is subject to an easement in favour of the owner of 180 Waterloo Avenue, as shown in Attachment 7. This easement was given to enable the owner of 180 Waterloo Avenue to enable the installation and maintenance of a retaining wall at the rear of 185-187 Bristol Street. It is noted that Parts 2 and 3 of the easement expired five years after the registration of the easement on September 24, 1984. The 10 foot wide easement shown as Part 1 coincides with the location of the existing driveway, which provides access to Part 4 along the rear property line for maintenance purposes.

The proposed conceptual site plan shown in Attachment 5 has been designed to respect the existing easement. There is no structure proposed over the easement and access along the westerly side of the building has been maintained with the applicant's proposed development concept. The subsequent site plan approval process would also ensure that any existing easements are protected through final approval of the detailed site design. Condition 1b in Attachment 2 highlights this requirement.

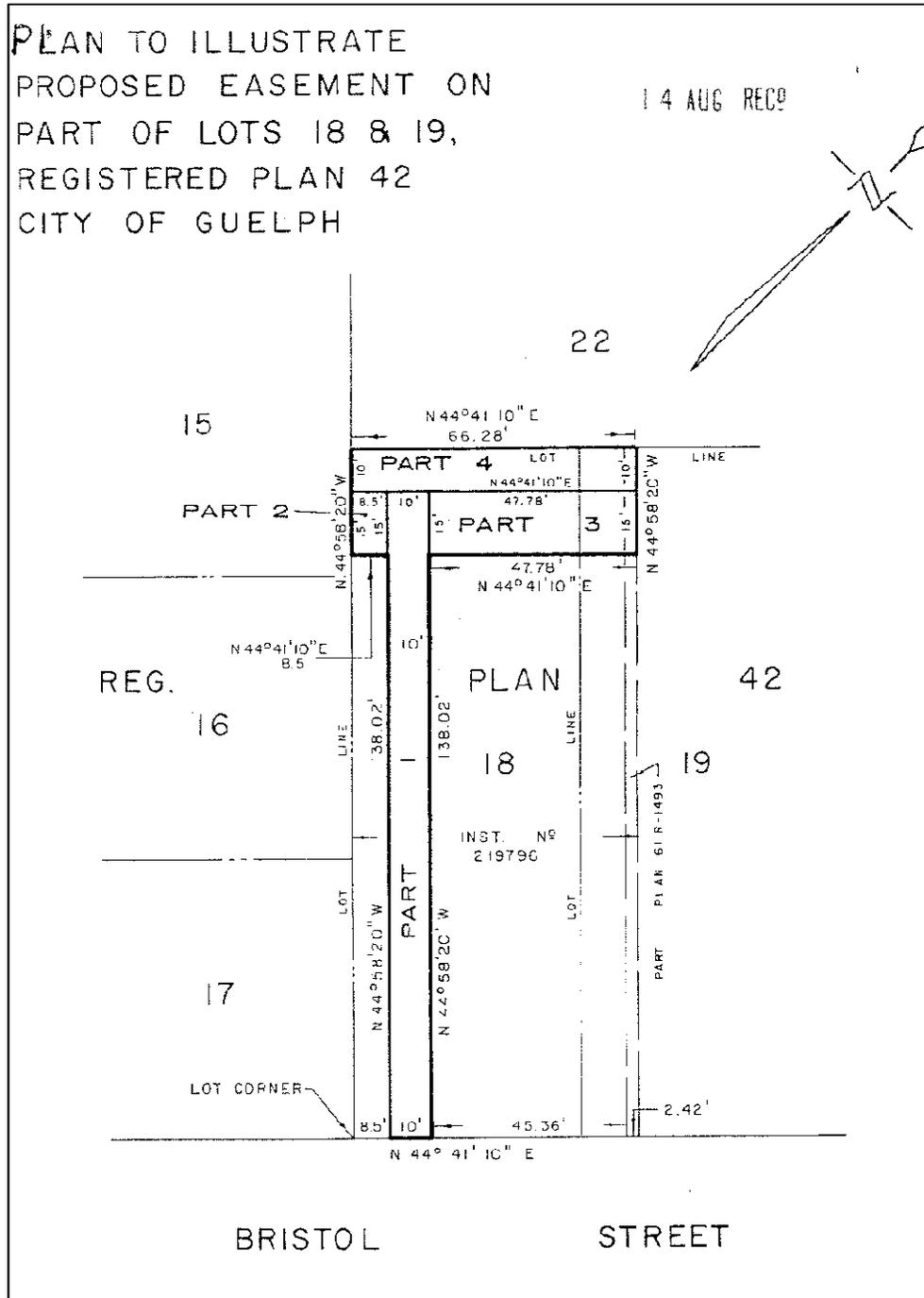
Floodplain Issues

As noted earlier in the report, the subject lands are located within the Speed River floodplain and are within the Special Policy Area designation of the Official Plan (see Attachment 3). These policies permit development within the floodplain subject to certain floodproofing design criteria and standards. The Grand River Conservation Authority has reviewed the application and proposed development and have no objection to the proposed Zoning By-law Amendment (correspondence from the GRCA is attached in Attachment 9). A permit will be required from the GRCA to construct the 3 storey addition to the main dwelling. Condition 20 has been included in Attachment 2 to outline the requirements of the GRCA through the subsequent site plan approval process.

Community Energy Initiative Considerations

The applicant has submitted information outlining some additional energy efficiency initiatives that are proposed in association with the development of the proposed development (see Attachment 8). Condition 21 has been included in Attachment 2 to ensure that the owner does submit written confirmation that the proposed building is constructed to a standard that implements energy efficiency in support of the Community Energy Initiative as part of the subsequent site plan approval process.

ATTACHMENT 7 Plan Illustrating Easement on Subject Lands



STAFF REPORT



ATTACHMENT 8 Community Energy Initiative Commitment



Telephone 519-846-2201 Fax 519-846-0343

115 Metcalfe St., P.O. Box #88, Elora, ON N0B 1S0

July 23, 2013

**City of Guelph
Department of Planning and Development
1 Carden Street
Guelph, ON**

**Att: Chris DeVriendt, Senior Development Planner
Re: Community Energy Initiative**

Dear Sir

We understand the Community Energy Initiative targets the goals to:

- use less energy in 25 years than we do today
- consume less energy per capita than comparable Canadian cities
- produce less greenhouse gas per capita than the current global average

The proposed Emily's Place (Michael House) project at 187 Bristol Street has been designed with current energy conservation principles to help meet these goals.

Firstly, the current Ontario Building Code stipulates insulation values and energy efficiencies that promote energy use reductions. The building design meets or exceeds these Building Code requirements.

Secondly, using LEED standards, our project achieves an aggregate score of 44 out of 100, placing it in the "basic" tier of LEED compliance.

Our project reuses an existing stone building, and an existing urban property and its infrastructure, and as such conserves existing resources.

Based on Community Energy Initiative goals in comparison to our current building fabric and infrastructure, we believe this project will help achieve the CEI goals for the City of Guelph.

We remain committed to including these principles in site and building design.

Sincerely

James Fryett Architect Inc.
Brian McCulloch

STAFF REPORT



ATTACHMENT 9 Agency and Public Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues / Concerns
Planning		√	Subject to conditions in Schedule 2
Engineering*		√	Subject to conditions in Schedule 2
Park Planning		√	Subject to conditions in Schedule 2
Emergency Services/Guelph Fire	√		
Union Gas	√		
Guelph Hydro		√	
Guelph Police	√		
Grand River Conservation Authority*		√	Permit to develop in floodplain required
Rick Rozyle* (representing 190-190 Waterloo Ave and 86 Edinburgh Rd S)			Concerns with insufficient parking being provided
Maneesh Jain* (100 Edinburgh Rd S)			Concerns with insufficient parking being provided
Randalin Ellery*			Support application
Wellington & Guelph Housing Committee*			Support application

* letters attached

STAFF REPORT

May 9, 2013

Mr. Chris De Vriendt
Senior Development Planner
Planning Services
Planning, Building, Engineering and Environment
1 Carden Street
Guelph ON N1H 3A1

Dear Mr. DeVriendt:

Re: Proposed Zoning By-law Amendment (File No. ZC1216)

I, Rick Rozyle, agent for Ms. Myra Buzbuzian, submit this letter advising of Ms. Buzbuzian's opposition to the proposed zoning bylaw amendment and development of 185-187 Bristol Street, Guelph, Ontario. Ms. Buzbuzian owns the properties located at 190-196 Waterloo Avenue and 86 Edinburgh Road South, Guelph, Ontario.

Although we support the concept of Michael's House, we are concerned that the proposed amendment that would permit a minimum of 6 parking spaces in lieu of the required 19 parking spaces may negatively impact our properties. Should the number of parking spaces allocated for the use of this proposed development be insufficient to meet the needs of the residents, staff, family and/or visitors of Michael's House, there is a likelihood that parking overflow will end up in the parking lots of our properties, which is parking dedicated for the use of our clients and tenants.

We also understand that an administrative office has been operating at the site of 185-187 Bristol Street while a decision regarding the zoning amendment with respect to this matter has not yet been made.

Please notify me of any decisions of the City of Guelph in respect to 185-187 Bristol Street, Guelph, Ontario and this proposed zoning bylaw amendment.

Yours truly,

Rick Rozyle



STAFF REPORT

Chris DeVriendt

From: Maneesh and Shikha [jaindentalcare@rogers.com]
Sent: February 21, 2013 4:08 PM
To: Chris DeVriendt
Subject: 185-187 Bristol St.

Hi Chris,

I received the notice of complete application for 185-187 Bristol St. My office is at the corner of Edinburgh and Bristol, adjacent to the property of concern.

I fully support Michael House and the work they do. However, to allow 6 parking spaces in lieu of the required 19 spaces is going to be a parking nightmare which will in turn be my headache. I don't intend to employ someone to patrol the cars that park in my lot. We already ask many of staff to park elsewhere so our patients can park in the lot. What happens when the women at the centre, their family and friends drive their cars to the centre? What happens when Michael House relocates, as they did once before, and the new occupants have a larger parking demand?

I would have to vote "no" to the zoning by law ammendment.

Please feel free to contact me if you have any comments or concerns.

Thank you,

Maneesh Jain

Jain Dental Care
100 Edinburgh Rd. S. Guelph, Ontario N1H 5P4
Ph. 519 821 5680 Fax 519 767 0935
jaindentalcare@rogers.com
www.jaindentalcare.com

STAFF REPORT

Randalin Ellery

City of Guelph
1 Carden Street
Guelph, ON

2 May 2013

RE: Development of Transitional Housing at 185-187 Bristol Street

Dear Mayor Farbridge and Guelph City Council Members –

I am writing to you as a Ward 3 constituent to express support for the development of transitional housing at 185-187 Bristol Street. Not only do I support the need for transitional housing for clients of Michael House, but also strongly believe that the young families living in the units would be a welcome addition to our community.

Transitional housing offers a living environment, opportunities and tools for skill development, and also helps promote the development of community among residents. These supports can be critical in enabling people to participate in employment or training programs, enroll in education opportunities or parenting programs, address mental health issues, and ultimately move to independent living in the larger community. Research continually indicates that transitional housing programs are more effective than services alone and improve permanent housing status. Unfortunately, the supply of transitional housing is extremely limited in Guelph, putting many people, including young families and pregnant women, at serious risk of homelessness.

While it is clear that I support the model of transitional housing in Guelph, I also strongly support the model existing in my family's community. The proposed site at 185-187 Bristol Street is approximately two blocks from where I live with my partner and our young son and a stone's throw away from our son's school. Like many in Guelph, we are fortunate to live in a neighbourhood with caring neighbours and a strong sense of community. There is also great diversity, with young families, seniors, and students all living side by side. I can think of no better place for the clients of Michael House to learn about community and its value, than here.

I strongly urge council to approve the necessary by-law amendments in order to support the development of transitional housing at 185-187 Bristol Street.

Sincerely,



Randalin Ellery

STAFF REPORT



Wellington & Guelph Housing Committee
85 Westmount Road
Guelph, Ontario N1H 5J2
Telephone: 519-821-0571 Fax: 519-821-7847
<mailto:jlonderv@uoguelph.ca>

March 31, 2013

Chris DeVriendt
Senior Development Planner
Planning Services
Planning, Building, Engineering and Environment
E chris.devriendt@guelph.ca

Re: File ZC1216

Dear Mr. DeVriendt:

I am writing to you on behalf of the Wellington & Guelph Housing Committee. We wish to support the proposed zoning change for 185-187 Bristol St. to allow the creation of 9 apartment units. This development helps to meet the goal of the City supported 2005 Affordable Housing Strategy to “direct staff to investigate housing for special needs groups, i.e. the senior/frail elderly, persons requiring transitional/supportive housing.”

Michael House has been assisting young pregnant women and new mothers for many years in Guelph. Their assistance leads to better beginnings for the infants and a chance for the mothers to get their lives on track. Michael House has recognized the need for some new mothers to have ongoing support through the first months of their child's life -- to learn parenting skills, receive assistance getting employment, enhance their education and learn life skills to manage a household. These 9 units will fill that need. They have had a one unit pilot project operating since they bought the Bristol property and it has been very successful for the resident.

The recent Discussion paper prepared as background to the 10 Year Housing and Homelessness plan for the Wellington and Guelph CMSM, identifies a strong need for this type of transitional housing for various client groups. See Executive Summary in:

<http://www.wellington.ca/en/socialservices/resources/HHPDiscussionPaperFeb62013.pdf>

This finding is based on extensive consultation with housing providers and social service agencies in the city and the county.

STAFF REPORT

The property is ideally located for this purpose. It has good access to public transit and is within walking distance of various social services agencies located in downtown Guelph. It also has good access to shops, parks and schools. We strongly support this addition to the transitional housing stock in Guelph.

If you wish to discuss this further I can be reached at 519-824-4120 ext 53091.

Sincerely,



Jane Londerville, former Chair
Wellington and Guelph Housing Committee

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

PLAN REVIEW REPORT TO: City of Guelph
Chris DeVriendt, Senior Development Planner

DATE: March 6, 2013
GRCA FILE: Guelph/2013/ZC/C

YOUR FILE: ZC1216

RE: Application for Zoning By-law Amendment
185-187 Bristol Street, City of Guelph
Michael House Pregnancy Care Centre (Owner)/James Fryett Architect Inc. (Agent)

GRCA COMMENT:

The Grand River Conservation Authority has no objection to the proposed Zoning By-law Amendment application as provided in the circulated material.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property is within the floodplain of the Speed River.

2. Legislative/Policy Requirements and Implications:

The subject lands are in the Guelph Special Policy Area that allows for redevelopment of new residential units within the floodplain subject to the development meeting technical criteria set out in the City of Guelph Official Plan and Zoning By-law.

3. Additional Information/Suggestions provided in an advisory capacity:

A permit will be required from the GRCA to construct the proposed 3-storey addition to the main dwelling, at which time we would ensure conformance with the technical requirements for development in the Guelph Special Policy Area.

A plan review fee of \$380.00 is required for the processing of this minor zoning by-law amendment. The applicant will be invoiced in the amount of \$380.00.

Should you have any questions or require further information, please do not hesitate to contact Heather Ireland at 519-621-2763 ext. 2320.



STAFF REPORT

Yours truly,



for:

Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
Grand River Conservation Authority
FN/hi

* *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*

Encl. (1)

cc. James Fryett Architect Inc. c/o Brian McCulloch, 115 Metcalf St. P.O. Box #88, Elora ON N0B 1S0
Michael House c/o Rosemarie Coombs, 187 Bristol Street, Guelph ON N1H 3M2

ATTACHMENT 10 Public Notification Summary

December 21, 2012	Application received by the City of Guelph
January 18, 2013	Application deemed complete
February 1, 2013	Notice of Complete Application mailed to prescribed agencies and surrounding property owners within 120 metres
April 11, 2013	Notice of Public Meeting advertised in the Guelph Tribune
April 15, 2013	Notice Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres
May 6, 2013	Statutory Public Meeting of City Council
September 9, 2013	City Council Meeting to consider staff recommendation

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 9, 2013

**SUBJECT Proposed Demolition of 76 Water Street
Ward 5**

REPORT NUMBER 13-53

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of a detached dwelling.

ACTION REQUIRED

Council is being asked to approve the demolition request.

RECOMMENDATION

1. That Report 13-53 regarding the proposed demolition of a detached dwelling at 76 Water Street, legally described as Lot 31, Plan 37, Save & Except Parts 1 & 2, 61R-3508; Part Lot 32, Plan 37, as in ROS5033040, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 76 Water Street be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

BACKGROUND

An application to demolish a detached dwelling at 76 Water Street was received on June 13, 2013 by Planning, Building, Engineering and Environment.

STAFF REPORT



The subject property is located to the west of Gordon Street and directly north of the Speed River and Royal City Park. The subject property is zoned R.1B (Residential Single Detached), which permits single detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupation and lodging house Type 1. The applicant is requesting to demolish the existing dwelling on the subject property and subsequently construct a new three (3) storey dwelling (see location map and site photos on Attachments 1 and 2).

REPORT

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

The proposed replacement dwelling is a three (3) storey detached dwelling. A complete set of conceptual elevations showing what the new dwelling may look like is attached (see Attachment 3).

The applicant applied for a minor variance to Table 5.1.2, Row 7 of the Zoning By-law to permit 1.21 metre right and left side yards, whereas the Zoning By-law requires a minimum 1.5 metre side yard in the R.1B Zone. The Committee of Adjustment considered the minor variance at their regular meeting held July 9, 2013. The Committee of Adjustment approved the side yard setback minor variance, subject to the following condition:

"That prior to the issuance of a building permit, the applicant submit for review and comment by Heritage Guelph:

- a) A full site plan (indicating all dimensions and the relationship of the proposed front wall to the front walls of the adjacent properties);
- b) Four elevations showing the design, massing and materials of the proposed dwelling;
- c) Street view indicating relationship of massing of the proposed dwelling to the adjacent buildings and streetscape."

Cultural Heritage

The subject property is not designated under the *Ontario Heritage Act* and is not listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. The subject property has been identified as a built heritage resource in the City's Couling Architectural Building Inventory.

Heritage Guelph passed a motion at their July 8 meeting regarding the proposed demolition of the existing single detached dwelling, stating that they have no objection to the proposed demolition of the existing house at 76 Water Street. The

STAFF REPORT



City's Senior Heritage Planner inspected the existing dwelling prior to this meeting, and determined it to have very little to no cultural heritage value. Heritage Guelph further requested to have the opportunity to review and comment on any proposed design of the replacement dwelling prior to the issuance of planning or building permit approvals.

Heritage Guelph noted that the subject property is a prominent lot within the proposed Brooklyn and College Hill Heritage Conservation District Plan. In their opinion, having the upcoming Heritage Conservation District Plan and Design Guidelines approved in draft form would better guide the new replacement three (3) storey dwelling proposed for the property. It is noted that Heritage Guelph has no authority under the Demolition Control By-law to attach conditions to or otherwise restrict the demolition of a non-listed or non-designated structure under the *Ontario Heritage Act*. At this time, the proposed Heritage Conservation District is not in yet in place. With the minor variance approved for a reduced side yard width, the property owner's proposal for a three (3) storey replacement single detached dwelling complies with the R.1B zoning.

As outlined earlier, as a condition of their approval, the Committee of Adjustment directed that Heritage Guelph be given the opportunity to consider the design of the proposed new dwelling prior to the issuance of a building permit. Considering this, and respecting Heritage Guelph's July 8 motion, the applicant provided Heritage Guelph the requested information which they reviewed at their meeting of August 19. At this meeting, Heritage Guelph provided advice and commentary on the design of the new replacement single detached dwelling to the applicant for their consideration in preparation of applying for a building permit.

Tree Protection

The subject property is less than 0.2 hectares in size and, therefore is not regulated by the Private Tree Protection By-law. However, there are many mature trees in the front and rear yard. It is staff's preference to maintain and protect the urban forest and canopy where possible. As such, the owner is encouraged to preserve these trees. Some of these trees appear to be shared between abutting property owners. We note that all shared trees (when the trunk of the tree straddles the property line) require consent from both owners in order to be removed, as per the *Forestry Act* and is a private matter between two landowners, which the City has no role in administering. If these trees are to be retained, a tree protection zone (TPZ) will need to be established where protective tree hoarding would be installed to protect the trees. Further, the demolition will need to be carefully undertaken in proximity to the westerly side property line. Staff are recommending that the owner erect protective hoarding around any trees on the property prior to demolition activities and maintain the hoarding throughout the construction of the new dwelling.

The approval of the demolition application is recommended as the existing dwelling is not a significant cultural heritage resource, and is proposed to be replaced with a

STAFF REPORT



new detached dwelling. Therefore, there will be no overall loss of residential capacity proposed as a result of this application.

CORPORATE STRATEGIC PLAN

City Building – Strategic Directions 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

The City's Senior Heritage Planner as well as the Environmental Planner were consulted regarding the proposed demolition permit.

COMMUNICATIONS

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

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Site Photos
- Attachment 3 - Proposed Concept

Prepared By:

Michael Witmer
Planner / Site Plan Coordinator

Approved By:

Sylvia Kirkwood
Manager of Development Planning

Original Signed by:

Approved By:

Todd Salter
General Manager
Planning Services
519-822-1260 ext 2395
todd.salter@guelph.ca

Original Signed by:

Recommended By

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

STAFF REPORT

ATTACHMENT 1 – Location Map



ATTACHMENT 2 – Site Photos

Aerial Photograph

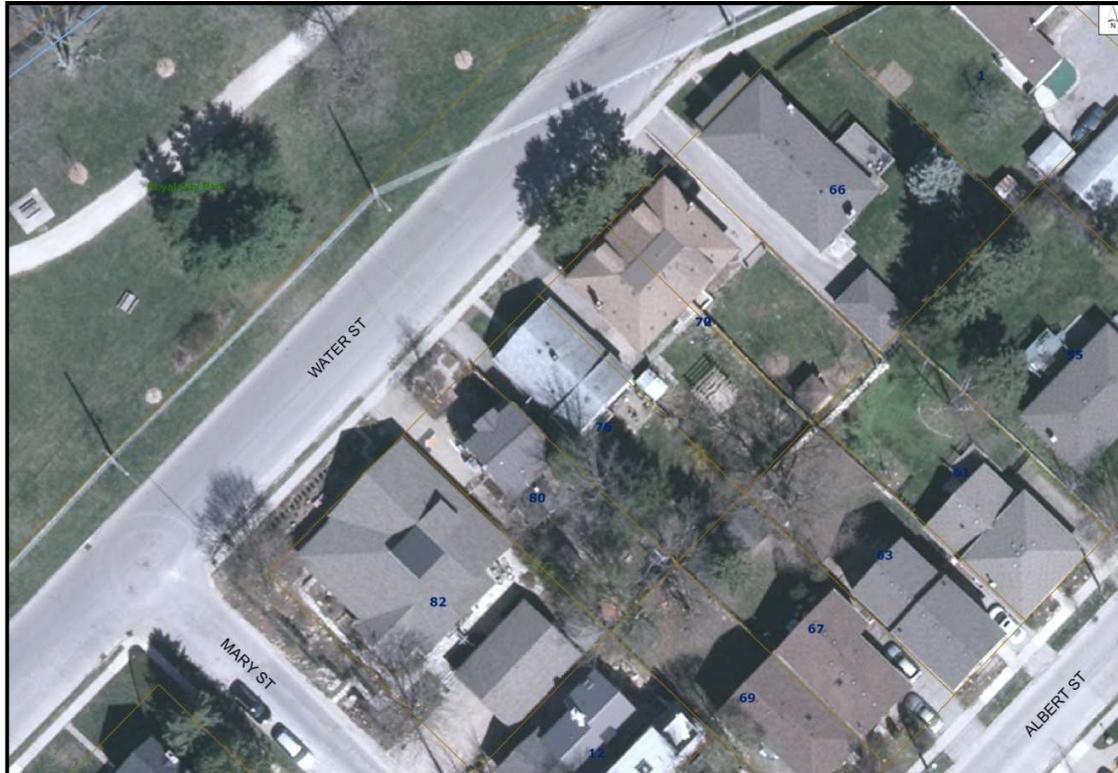


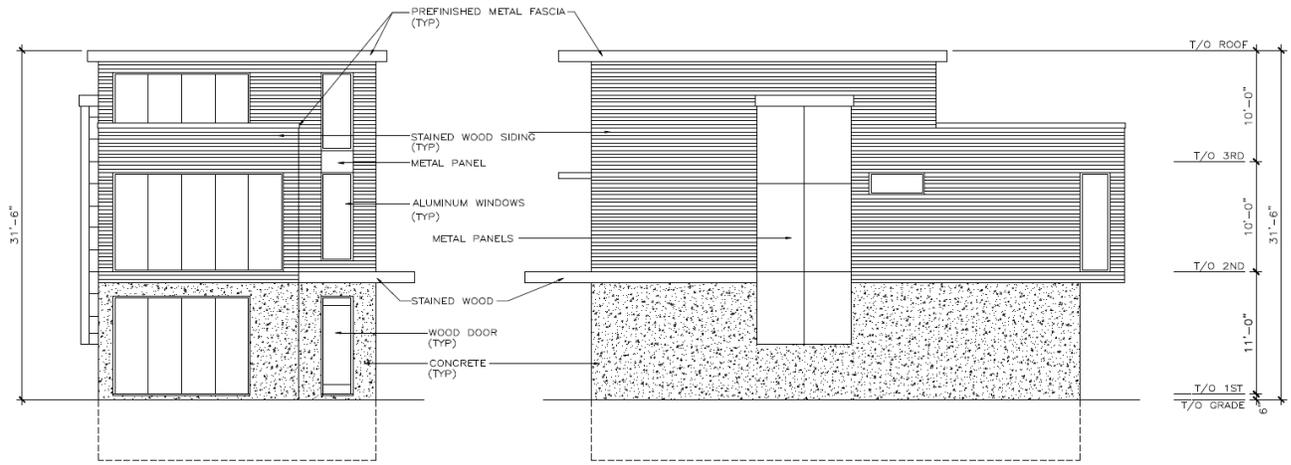
Photo of 76 Water Street



(Photo taken by M. Witmer, July 2013)

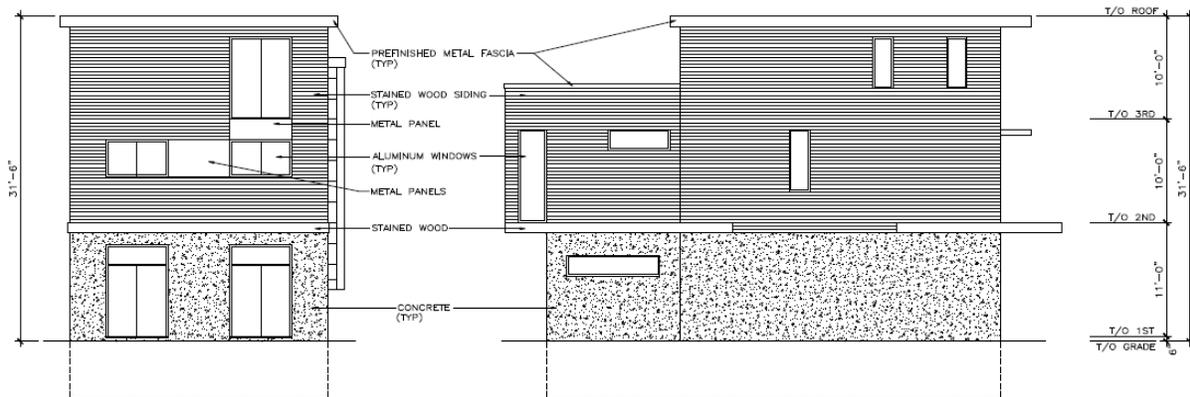
STAFF REPORT

ATTACHMENT 3 – Proposed Concept



North Elevation

East Elevation



South Elevation

West Elevation

(Concept elevations submitted with demolition permit application)

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 9, 2013

**SUBJECT Proposed Demolition of 78 Emma Street
Ward 2**

REPORT NUMBER 13-49

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of a detached dwelling.

ACTION REQUIRED

Council is being asked to approve the demolition request.

RECOMMENDATION

1. That Report 13-49 regarding the proposed demolition of a detached dwelling at 78 Emma Street, legally described as Part of Lots 46 & 47, Plan 221, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 78 Emma Street be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

BACKGROUND

An application to demolish a detached dwelling at 78 Emma Street was received on June 26, 2013 by Planning, Building, Engineering and Environment.

The subject property is located south of Speedvale Avenue East and east of Delhi Street. The subject property is zoned R.1B (Residential Single Detached), which

STAFF REPORT



permits single detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupation and lodging house Type 1. The applicant is requesting to demolish the existing dwelling on the subject property and subsequently construct a new two storey dwelling (see location map and site photos on Attachments 1 and 2).

REPORT

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

The proposed replacement dwelling is a two storey detached dwelling with an attached single car garage. A conceptual drawing of what the new dwelling may look like is attached (see Attachment 3).

The subject property is not designated under the *Ontario Heritage Act* and is not listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. The subject property has not been identified as a built heritage resource in the City's Couling Building Inventory. Therefore, Heritage Planning staff has no objection to the proposed demolition.

Tree Protection

The subject property is less than 0.2 hectares in size and, therefore is not regulated by the Private Tree Protection By-law. However, there are a number of mature trees along the westerly side property line that may be impacted by construction activities. It is staff's preference to maintain and protect the urban forest where possible therefore, the owner is encouraged to preserve these trees. Some of these trees appear to be shared between abutting property owners. We note that all shared trees (when the trunk of the tree straddles the property line) require consent from both owners in order to be removed, as per the Forestry Act and is a private matter between two landowners, which the City has no role in administering. If these trees are to be retained, a tree protection zone will need to be established where protective tree hoarding would be installed to protect the trees. Further, the demolition will need to be carefully undertaken in proximity to the westerly side property line. Staff are recommending that the owner erect protective hoarding around any trees on the property prior to demolition activities and maintain the hoarding throughout the construction of the new dwelling.

The approval of the demolition application is recommended as the existing dwelling is not a significant cultural heritage resource, and is proposed to be replaced with a new detached dwelling. Therefore, there will be no overall loss of residential capacity proposed as a result of this application.

STAFF REPORT



Finally, it is strongly recommended that the applicant contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment, regarding the proper salvage and disposal of the demolition materials.

CORPORATE STRATEGIC PLAN

City Building – Strategic Directions 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

The City's Senior Heritage Planner as well as the Environmental Planner were consulted regarding the proposed demolition permit.

COMMUNICATIONS

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

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Site Photos
- Attachment 3 - Proposed Concept

Prepared By:

Stacey Laughlin
Senior Policy Planner

Original Signed by:

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

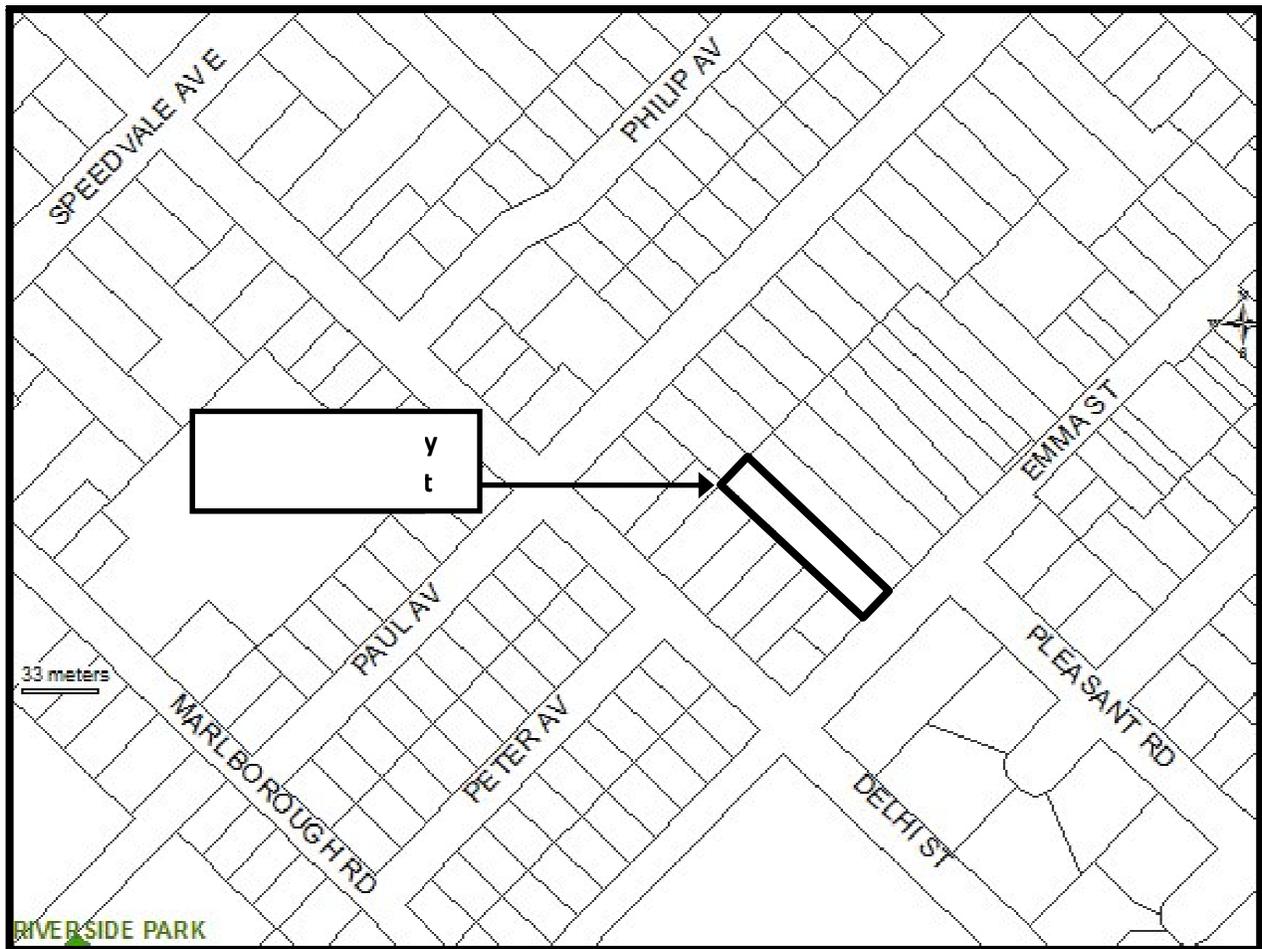
Original Signed by:

Recommended By

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

STAFF REPORT

ATTACHMENT 1 – Location Map



ATTACHMENT 2 – Site Photos

Aerial Photograph

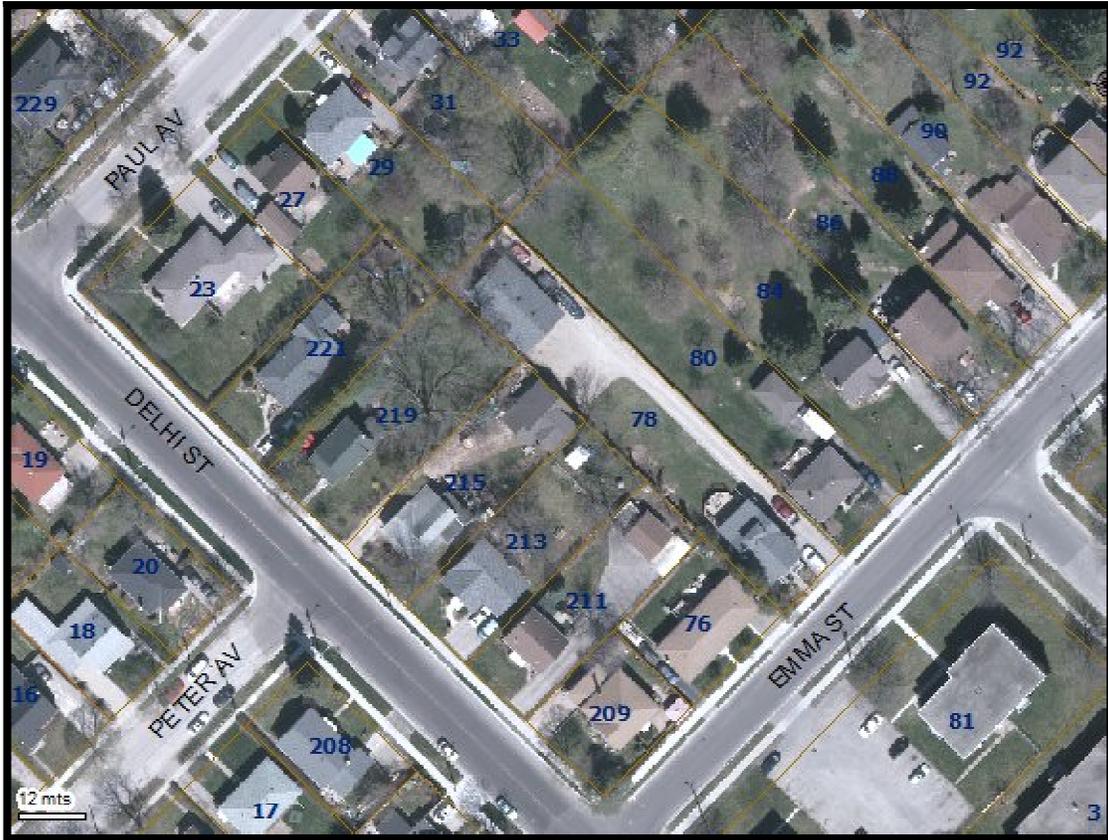
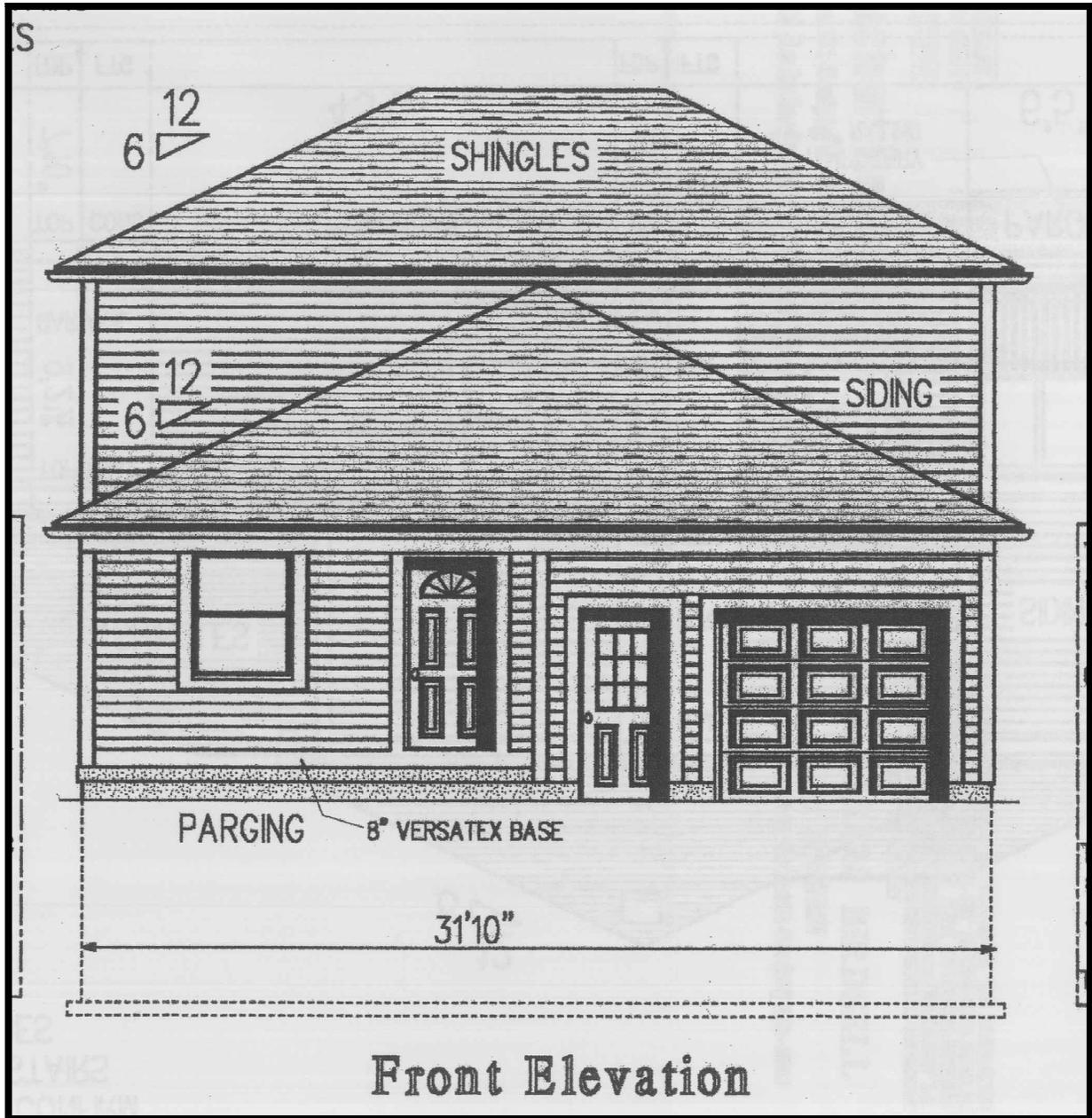


Photo of 78 Emma Street



STAFF REPORT

ATTACHMENT 3 – Proposed Concept



Concept elevation submitted with demolition permit application

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 9, 2013

**SUBJECT Proposed Demolition of 33 College Avenue West
Ward 5**

REPORT NUMBER 13-50

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of a detached dwelling.

ACTION REQUIRED

Council is being asked to approve the demolition request.

RECOMMENDATION

1. That Report 13-50 regarding the proposed demolition of a detached dwelling at 33 College Avenue West, legally described as Part of Lots 5 & 6, Plan 283 and Part of Lot 3, Plan 384, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 33 College Avenue West be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.
5. That the applicant be requested to design the replacement dwelling in keeping with Heritage Guelph's recommendations, as set out in Report 13-50.

STAFF REPORT

BACKGROUND

An application to demolish a detached dwelling at 33 College Avenue West was received on May 24, 2013 by Planning, Building, Engineering and Environment.

The subject property is located on the north side of College Avenue West, between Gordon Street and Caledonia Street. The subject property is zoned R.1B (Residential Single Detached), which permits single detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupation and lodging house Type 1. The applicant is requesting to demolish the existing dwelling on the subject property and subsequently construct a new dwelling (see location map and site photos on Attachments 1 and 2).

REPORT

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

The applicant has not yet finalized the design for the proposed replacement dwelling but has provided a conceptual drawing of what the new dwelling may look like. The conceptual drawing shows a single storey dwelling with a front porch and attached single-car garage (see Attachment 3).

Heritage

The proposed demolition has been reviewed by Heritage Planning staff and Heritage Guelph. The subject property is not designated under the *Ontario Heritage Act* and is not listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. Built in the late 1880's, the subject property has been identified in the City's Couling Building Inventory, and is recognized by the Official Plan as a built heritage resource. In their review of the demolition application, Heritage Guelph Committee members noted the following:

- concern over the garage being in front of the house and that it should be located in the rear
- it is important to re-create the front of the dwelling as it currently exists
- they would like to see similar massing of the new house
- suggestion that the owners should use wood or fibre cement siding instead of vinyl or metal
- much of the upper gingerbread on the porch is in relatively good shape
- the windows and trim are important design elements for the new design

Heritage Guelph passed the following motion with respect to the propose demolition of the existing dwelling:

STAFF REPORT



“THAT Heritage Guelph would not object to the demolition of 33 College Ave W on condition that the owner agrees that the replacement dwelling will reflect the massing, porch and the front doors and windows and that the material to be used on the front, sides of the new dwelling be such that they reflect the original cove siding of the current dwelling. Any parking or garages should be to the rear of the lot.”

Based on Heritage Guelph’s motion, Planning staff are recommending that the applicant reconsider the conceptual design for the new dwelling that was submitted with this application (see Attachment 3) and design the dwelling in keeping with Heritage Guelph’s recommendations. It should be noted that Heritage Guelph has no authority under the Demolition Control By-law to attach conditions to or otherwise restrict the demolition of a non-listed or non-designated structure under the *Ontario Heritage Act*. Further, in accordance with Section 33 of the *Planning Act*, Council does not have the authority to impose conditions on the approval of a demolition permit, except as set out in Section 33(7), which relates to conditions regarding timing of the new construction. Therefore, recommendation #5 included in this report is for the applicant’s consideration only and cannot be required by the City.

Tree Protection

The subject property is less than 0.2 hectares in size and, therefore is not regulated by the Private Tree Protection By-law. However, there are a number of mature trees on the property and along the rear and side property boundaries that may be impacted by construction activities. It is staff’s preference to maintain and protect the urban forest where possible therefore, the owner is encouraged to preserve these trees. Some of these trees appear to be shared between abutting property owners. We note that all shared trees (when the trunk of the tree straddles the property line) require consent from both owners in order to be removed, as per the Forestry Act and is a private matter between two landowners, which the City has no role in administering. If these trees are to be retained, a tree protection zone will need to be established where protective tree hoarding would be installed to protect the trees. Staff are recommending that the owner erect protective hoarding around any trees on the property that are to be retained prior to demolition activities and maintain the hoarding throughout the construction of the new dwelling.

The approval of the demolition application is recommended as Heritage Guelph has not objected to the demolition subject to additional recommendations and the dwelling is proposed to be replaced with a new detached dwelling. Therefore, there will be no overall loss of residential capacity proposed as a result of this application.

Finally, it is strongly recommended that the applicant contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding the proper salvage and disposal of the demolition materials.

STAFF REPORT



CORPORATE STRATEGIC PLAN

City Building – Strategic Directions 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

The City's Senior Heritage Planner as well as the Environmental Planner were consulted regarding the proposed demolition permit.

COMMUNICATIONS

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

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Site Photos
- Attachment 3 - Proposed Concept

Prepared By:

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Senior Policy Planner

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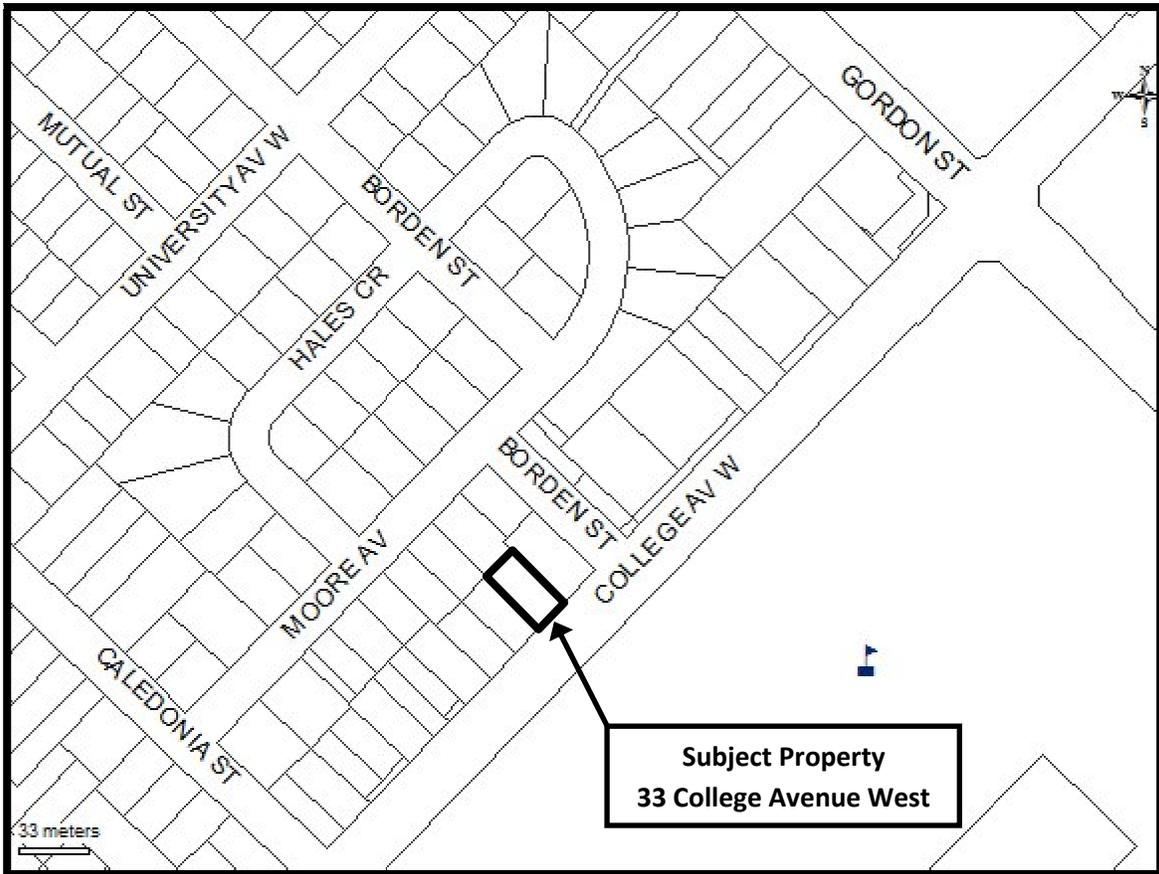
Sylvia Kirkwood
Manager of Development Planning

Original Signed by:

Recommended By

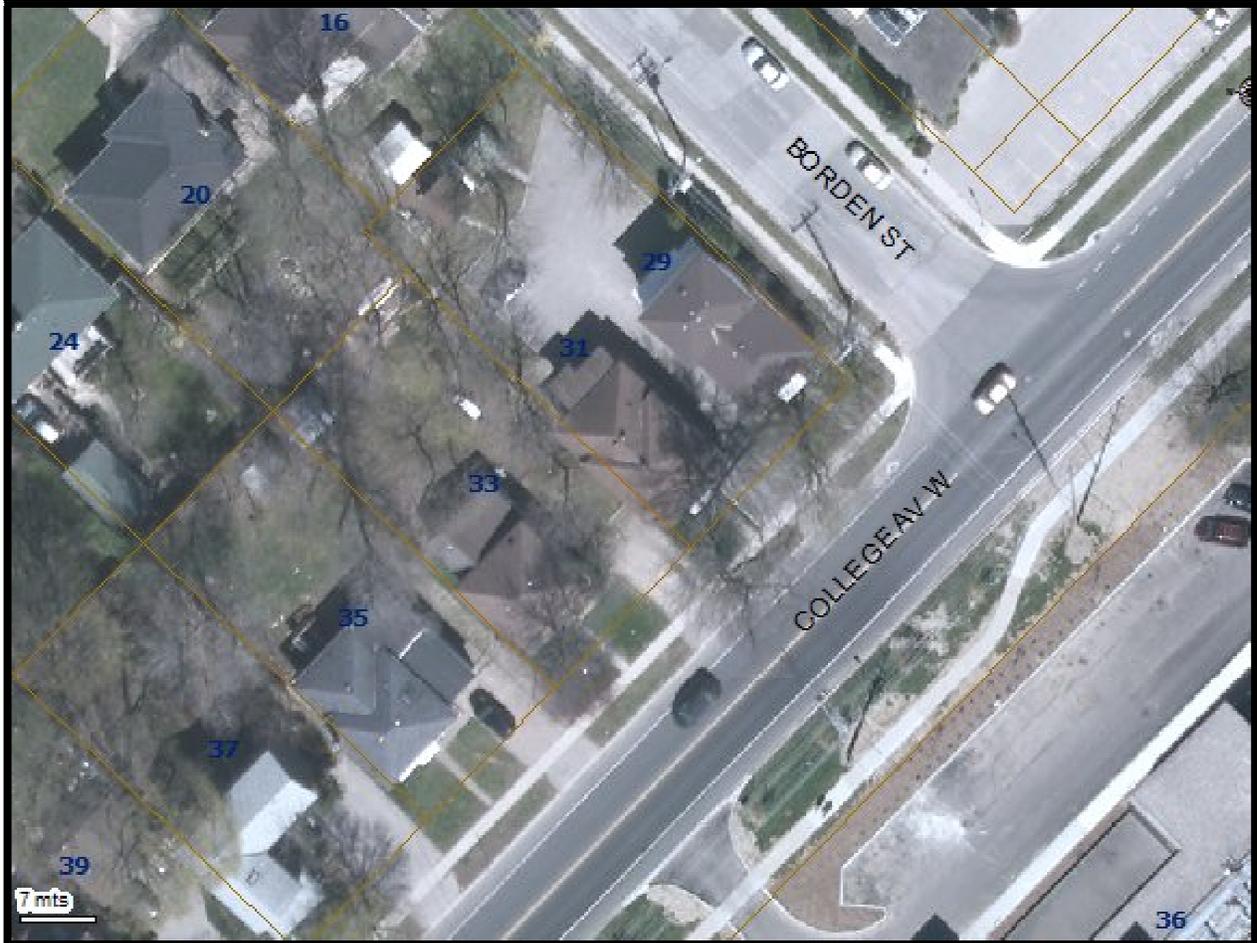
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ATTACHMENT 1 – Location Map



ATTACHMENT 2 – Site Photos

Aerial Photograph



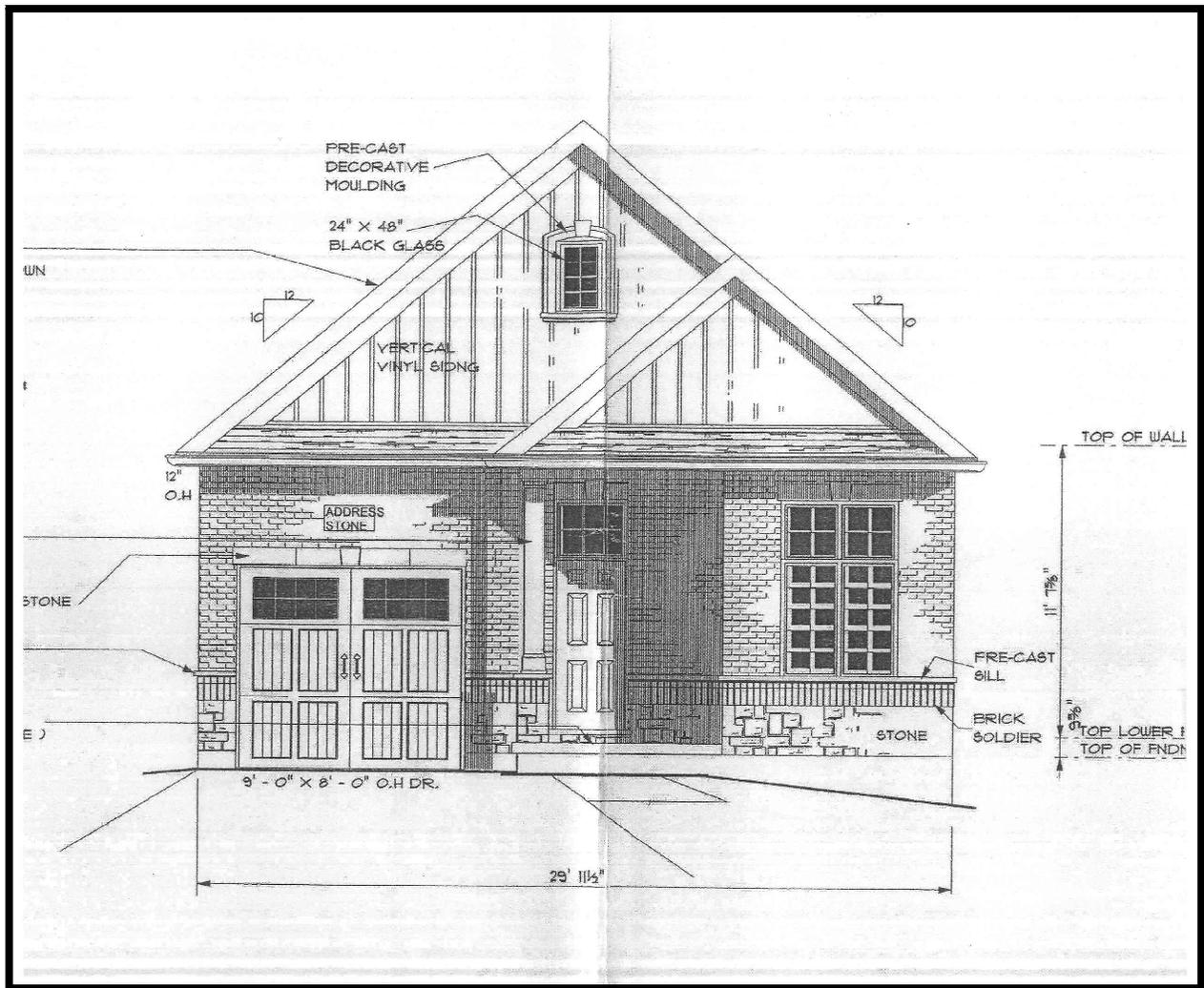
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Photos of
33 College
Avenue
West



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ATTACHMENT 3 – Proposed Concept



Concept elevation submitted with demolition permit application

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TO City Council

SERVICE AREA Chief Administrative Officer

DATE September 9, 2013

SUBJECT Guelph Community Sports Lease and Agreement

REPORT NUMBER CAO-C-1304

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide Council with an update on the Guelph Community Sports lease and agreement and to make recommendations about next steps.

KEY FINDINGS

Guelph Community Sports has been a partner with the City since the signing of the 2006 Municipal Capital Facility Agreement and Lease for the leasing of land and the construction and operation of an indoor multi-use artificial field facility on the land, located at Centennial Park. Earlier this year, Guelph Community Sports formally requested assistance from the City. Staff conducted an assessment of the situation and analyzed several options for consideration.

FINANCIAL IMPLICATIONS

In the 2006 lease agreement the City agreed to be a guarantor of the original bank loan of the funds needed for construction of the facility. In the event of a Guelph Community Sports default, the City would be responsible to pay the remaining balance of the loan, being approximately \$500,000.

ACTION REQUIRED

Staff are requesting a decision by Council on providing assistance to Guelph Community Sports.

RECOMMENDATION

1. That Council endorse staff's recommendation and approve a five year extension of the current bank loan term and amortization period until 2023 with the following additional conditions:
 - a) Guelph Soccer Club Incorporated (Guelph Soccer) is added to the existing bank loan agreement, as an additional party responsible for payment,

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- b) Guelph Community Sports submits a Business Plan to Council demonstrating the financial and operational viability of the facility until 2023 including addressing the funding for future capital requirements for the facility,
 - c) Guelph Community Sports submits an annual report to Council by June of every year until 2023 on whether and how its performance is fulfilling the Business Plan,
 - d) Guelph Soccer signs a 10 year field rental agreement with Guelph Community Sports,
 - e) The Board of Directors of Guelph Community Sports holds regular meetings, with the City staff non-voting representative present, and
 - f) The three parties decide in 2018 whether to replace the turf and decide in 2023 whether to replace the dome, and begin their deliberations two years in advance of each of those decision points.
2. The CAO is authorized to enter into and execute an agreement amending the existing agreement to include the terms set out above, the form and content of which to be approved by the City Solicitor.

BACKGROUND

In 2006 a few local community sports groups lead by Guelph Soccer, petitioned City Council to assist in the creation of an indoor multi-use artificial field facility. Council approved the Business Plan as presented, and provided assistance in the form of Centennial Park land with a 25 year lease with an option for an additional 25 years, a \$100,000 capital fund to service and grade the land, allowing the developer and operator of the facility to avoid paying development charges and future property taxes by structuring the arrangement as a municipal capital facility and co-signing and guaranteeing a 10 year loan of up to \$900,000 required to build the facility. In return, the newly formed not-for-profit Guelph Community Sports agreed to fund, build and operate the facility which has been operational since 2008. Guelph Soccer, a separately incorporated not-for-profit sports organization, is the main tenant and renter of both the field and office space. The Executive Director of Guelph Soccer acts as the facility manager and oversees day to day facility operations.

REPORT

The original Business Plan presented to and approved by Council in 2006 was based on twelve months of field rentals which forecasted enough cash flow to fund the annual operation, as well as after the third year of operation, to begin to save funds in a reserve account for capital replacement in future years. The reality has been

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that since no air conditioning unit was installed, the field has only been rented for seven months a year which has in effect lowered revenue and cash flow projections. To make up the difference, Guelph Soccer had been providing the annual cash shortfall, via an interest free loan to Guelph Community Sports for the past five years.

Facility revenues are derived from two sources, approximately 10% comes from office space rental (fixed lease agreement) and approximately 90% comes from field turf rentals. According to an independent 2011 audit report, Guelph Community Sports is economically dependent on Guelph Soccer for some 98.63% of all revenues.

Despite the cash flow situation, the bank loan payments have been maintained, the loan is in good standing, and the current balance is approximately \$500,000. However, no money has been set aside for capital replacements and Guelph Soccer has indicated it can no longer cover the annual cash shortfall.

Over the next 10 years, the facility will require two substantial infrastructure lifecycle replacements that are currently unfunded. These include the replacement of the artificial field turf by 2018 which is estimated at \$350,000 and the air-supported dome structure covering the field by 2023 which is estimated at \$1,200,000.

Guelph Community Sports approached the City in the fall of 2012, advising of the current financial situation. In March 2013, the Guelph Community Sports Board of Directors formally met and adopted a resolution requesting assistance from the City.

An internal staff team conducted an assessment of the situation and prepared an analysis of four options for consideration. These included:

- Option 1 – Do nothing and continue with the 2006 lease and agreement
- Option 2 – The City take over the Facility & contract out operations to Guelph Soccer
- Option 3 – Extend the current loan term and amortization period for an additional 5 years until 2023
- Option 4 – Provide an annual operating grant until 2018 to assist to pay off the loan.

Guelph Community Sports has indicated their preference for option 3, which will in effect reduce the monthly loan payments by fifty percent which they have indicated they would be able to afford.

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Staff recommends Council approve option 3 – extending the current loan term and amortization period for an additional 5 years until 2023 with the following additional conditions:

1. Guelph Soccer is added to the existing bank loan agreement, as an additional party responsible for payment,
2. Guelph Community Sports submits a Business Plan to Council demonstrating the financial and operational viability of the facility until 2023 including addressing the funding for future capital requirements for the facility,
3. Guelph Community Sports submits an annual report to Council by June of every year until 2023 on whether and how its performance is fulfilling the Business Plan,
4. Guelph Soccer signs a 10 year field rental agreement with Guelph Community Sports,
5. The Board of Directors of Guelph Community Sports holds regular meetings, with the City staff non-voting representative present, and
6. The three parties decide in 2018 whether to replace the turf and decide in 2023 whether to replace the dome, and begin their deliberations two years in advance of each of those decision points.
7. The CAO is authorized to enter into and execute an agreement amending the existing agreement to include the terms set out above, the form and content of which to be approved by the City Solicitor.

FINANCIAL IMPLICATIONS

The 2006 lease and agreement made the City a guarantor of the original bank loan. In the event of a Guelph Community Sports default, the City would be responsible to pay the remaining balance of the loan, being approximately \$500,000.

CORPORATE STRATEGIC PLAN

Innovation in Local Government

- 2.3 Ensure accountability, transparency and engagement

DEPARTMENTAL CONSULTATION

Community and Social Services – Business Services
Legal Services
Finance
Office of the CAO

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COMMUNICATIONS

At the request of the City, Guelph Community Sports attended and made a presentation in May 2013 to the Guelph Youth Sports Advisory Council. Members of Guelph Youth Sports Advisory Council had delegated City Council in support of the original 2006 agreement. With a member of City Council present, and after a lengthy discussion, the Guelph Youth Sports Advisory Council formally requested additional public consultation on this matter however, none was ever completed.

ATTACHMENTS

None

Signed by Mark Amorosi for Ann Pappert

Approved and Recommended By

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