

COUNCIL PLANNING AGENDA



DATE DECEMBER 1, 2008

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

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

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

- 1) **SOUTHGATE INDUSTRIAL BUSINESS PARK: Proposed Official Plan Amendment, Draft Plan of Subdivision and Associated Zoning By-law Amendment** (OPA Southgate/23T-06503/ZC0617) – Ward 6
 - a) Staff presentation by Al Hearne
 - b) Delegations on behalf of applicant
 - (i) Astrid Clos, Astrid J. Clos Planning Consultants
 - (ii) Mark Cowie, Industrial Equities Guelph Corporation
 - (iii) Leslie Marlowe, LM Real Estate Consulting
 - (iv) Bill Banks, Banks Groundwater
 - (v) John Perks, IBI Group & Dave Stephenson, Natural Resource Solutions will be present to answer questions
 - c) Delegations (limited to a maximum of ten minutes)
 - (i) Paul Rice
 - (ii) Charles Cecile on behalf of Guelph Field Naturalists
 - d) Correspondence
 - (i) Ministry of Transportation
 - e) Staff conclusion

PLANNING CONSENT DECISIONS

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

-
- 1) 98 CITYVIEW DRIVE: Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment – (23T-08501/ZC0801) (Ward 1)**
 - 2) CITYVIEW HEIGHTS SUBDIVISION: Proposed Redline Amendment to Draft Plan of Subdivision & Associated Zoning By-law Amendment (23T-01506/ZC0806) (Ward 1)**

Please bring reports which were previously distributed.

ADJOURNMENT

Ministry of Transportation

Engineering Office
Corridor Management Section
West Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4598
Facsimile: (519) 873-4228

Ministère des Transports

Bureau du génie
Section de gestion des couloirs routiers
Région de l'Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4598
Télécopieur: (519) 873-4228



Ontario

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CITY CLERK'S OFFICE

November 19, 2008

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

Attn: Lois Giles, City Clerk

RE: Applicant: Industrial Equities Guelph Corporation, and Evelyn and William Milburn
Submission No.: OPA, 23T-06503, ZC-0617
Lot 13-15, Concession 7
County of Wellington
City of Guelph - Highway 6

The ministry has completed its review of the above noted application. The application has been considered in accordance with the requirements of our highway access control policies and the Public Transportation and Highway Improvement Act. The following outlines our comments.

The ministry has no objection to the proposed OPA or Zoning amendment. Under the Public Transportation and Highway Improvement Act, Ministry Permits are required for all new developments of this type located within 800m of our existing and/or future highway property line. Please advise the owner to contact Mr. Dave Secord, Corridor Management Officer, London (659 Exeter Road, London, Ontario, N6E 1L3 Phone 519-873-4209) to discuss MTO's permit requirements and obtain the necessary applications.

The ministry provided comments and conditions of approval for the proposed industrial subdivision (23T-06503) on these lands on March 1, 2007. In addition to those comments the owner should be aware that the Southgate Drive extension to Maltby Road and any highway improvements required at the intersection of Highway 6 and Maltby Road must be in place before the ministry will issue permits for this development.

We would appreciate receiving a copy of your Council's decision on this application for our records. Should you have any questions, please contact our office.

Ian Smyth
Corridor Management Planner
Corridor Management Section
West Region, London

c: D. Secord – London
R. Bakalarczyk – P&D

COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE December 1, 2008

SUBJECT **Southgate Industrial Business Park – Proposed Official Plan Amendment, Draft Plan of Subdivision and associated Zoning By-law Amendment - (File OPA Southgate/ 23T-06503 / ZC-0617) Ward 6.**

REPORT NUMBER 08-105

RECOMMENDATION

"THAT Report 08-105 regarding a Proposed Official Plan Amendment, Draft Plan of Subdivision and associated Zoning By-law Amendment to allow an Industrial Business Park on lands municipally known as 264, 348, 384, 398, 408, 416, 452 Crawley Road and 385 Maltby Road West in the City of Guelph, from Community Design and Development Services dated December 1, 2008, BE RECEIVED; AND

That the application by Astrid J. Clos Planning Consultants on behalf of Industrial Equities Guelph Corporation and Evelyn and William Milburn, for approval of an Official Plan Amendment (File OPA Southgate/ 23T-06503/ZC0617) to re-designate Block 1 and surrounding lands from 'Reserve Lands' to the 'Industrial', 'Core Greenlands' and 'Open Space' land use designations, to permit industrial development and the protection of the adjacent wetlands and natural heritage features, on land legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch, City of Guelph, as described in the Community Design and Development Services Report 08-105 dated December 1, 2008, be placed on the agenda for the December 22, 2008 City Council meeting for a decision; AND

That the application by Astrid J. Clos Planning Consultants on behalf of Industrial Equities Guelph Corporation and Evelyn and William Milburn, for approval of a Draft Plan of Subdivision (File OPA Southgate/23T-06503/ZC0617) to permit a Business Park/Industrial Subdivision known as the Southgate Industrial Business Park, on land legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch, City of Guelph, as described in the Community Design and Development Services Report 08-105 dated December 1, 2008, be placed on the agenda for the December 22, 2008 City Council meeting for a decision; AND

That the application by Astrid J. Clos Planning Consultants on behalf of Industrial Equities Guelph Corporation and Evelyn and William Milburn, for approval of an associated Zoning By-law Amendment (File OPA Southgate/23T-06503/ZC0617) to

rezone the lands from the UR (Urban Reserve) Zone, the P.1 (Conservation Land) Zone, the WL (Wetland) Zone and the Specialized Industrial B.2 (H11) Holding Zone, to two new Specialized Industrial B.3 Zones, the WL (Wetland) Zone and the P.1 (Conservation Land) Zone, to permit a Business Park/Industrial Subdivision known as the Southgate Industrial Business Park on land legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch, City of Guelph, as described in the Community Design and Development Services Report 08-105 dated December 1, 2008, be placed on the agenda for the December 22, 2008 City Council meeting for a decision."

SUMMARY

This report provides a Staff recommendation on an Official Plan Amendment, Draft Plan of Subdivision and Zoning Bylaw Amendment application to allow an industrial business park on lands located at the north east corner of Crawley Road and Maltby Road (See **Schedule 1** Location Map & Municipal Address Map). The Staff recommendation for Council's consideration is outlined in **Schedule 2**.

BACKGROUND

The subject lands are legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch in the City of Guelph and have a total site area of 87.58 hectares (216.32 acres).

The original application for subdivision and zoning approval was received on December 5, 2006 and deemed to be complete on January 5, 2007. The original Notice of Application was circulated to the public and agencies on January 22, 2007 for comments and revised applications were circulated on October 12, 2007, April 14, 2008, and July 26, 2008. Each of the submissions highlighted changes to the proposal that were intended to address the circulation comments.

The statutory Public Meeting was held on November 5, 2007. Report 07-97 from Community Design and Development Services dated November 5, 2007 provided background information related to the proposed plan of subdivision and zoning by-law amendment. The subdivision plan that was presented to Council at the Public Meeting is attached in **Schedule 5**.

Since the November 2007 Public Meeting, two technical changes to the application have occurred and there is a need for further public notification and a second Public Meeting. These two changes to the application (See **Schedule 1**) are:

1. The owner has acquired an interest in adjoining lands at 384, 398 and 416 Crawley Road (See **Schedule 1**) which were collectively incorporated into the current subdivision and rezoning application as the lands were already designated 'Industrial' in the Official Plan (See **Schedule 3**). Also, in March of 2008 the owner severed and sold 4.9 hectares of land at 348 Crawley Road for the distribution warehouse project (ZC0617/B-4/08) (See **Schedule 1**). This parcel of land was removed from the subdivision lands.
2. The extreme easterly portion of the subdivision is designated "Urban Reserve" (See **Schedule 3**). This designation encompasses Block 1 of the plan of subdivision and surrounding natural heritage features and buffer

lands. Through the review of the subdivision and rezoning application, Staff determined the need for an Official Plan Amendment application. The purpose of the Official Plan Amendment is to re-designate the lands in the subdivision plan labeled 'Block 1' including the surrounding lands, to permit industrial development and protect the environmental features within the proposal (See **Schedule 2**).

The second statutory Public Meeting on December 1, 2008 is intended to ensure proper notification to the public and agencies regarding the two changes to the application. A Notice of these changes was circulated to surrounding property owners and placed in the local newspaper on November 7, 2008. This December 1, 2008 report includes a Staff recommendation with a request to place the application on the December 22, 2008 Council agenda for a decision.

Issues and Concerns

Issues and questions noted at the November 5, 2007 Public Meeting of City Council and highlighted during the processing of the initial applications are discussed in this report under the title "Staff Review and Planning Analysis" and in detail in **Schedule 8**. Most of the concerns were expressed by spokespersons of the residents of Puslinch Township living along the south side of Maltby Road (**Schedule 1**). The primary areas of concern are:

- Consideration of ground water quantity and quality to ensure clean water infiltration and the protection of the adjacent wetlands, the City water supply and local private wells.
- Confirmation that the subdivision will have appropriate municipal services including an approved storm water management system that would involve a comprehensive monitoring program to protect City and rural water quality. The application should include restrictions to avoid contamination of the groundwater and wetlands.
- The impact the development will have on the traffic carrying capacity of the roads and the proposed road closures and improvements, and in particular, Maltby Road.

Location

The lands affected by the application are located at the proposed southerly extension of Southgate Drive, north of Maltby Road West and east of the Hanlon Expressway (Highway No. 6) and Crawley Road (see **Schedule 1**).

Land uses in the vicinity of the subject site include:

- Lands zoned for industrial manufacturing and warehouse uses as shown on **Schedule 1**, to the north along the upper part of Southgate Drive. A single-detached dwelling exists at 372 Crawley Road.
- Vacant lands including rural residential housing along Maltby Road in the Township of Puslinch located beyond the City's municipal boundary to the west and south.
- Vacant lands including residential housing along the north side of Maltby Road within the City boundary to the east of the site.

Official Plan Designations

The lands are designated "Industrial", "Reserve Lands", "Core Greenlands" and "Non-Core Greenlands Overlay" on Schedule 1 of the City's Official Plan. Schedule 2 identifies "Provincially Significant Wetlands" and "Other Natural Heritage Features" applying to the site.

The Industrial designation permits manufacturing uses, warehousing, laboratories, data processing, research and development including other uses listed in Section 7.7 of the Official Plan (See **Schedule 3**). Policies that describe Industrial, Reserve Lands, Greenlands, Wetlands and Other Natural Heritage Features are also included in **Schedule 3**.

Existing Zoning

The subject lands are zoned UR (Urban Reserve) Zone, P.1 (Conservation Land) Zone, WL (Wetland) Zone and Specialized Industrial B.2 (H11) Holding Zone. Overlays applying to the subject property include the "Lands Adjacent to Provincially Significant Wetlands" and "Lands with one of the following: Locally Significant Wetlands, Significant Woodlots, Natural Corridor, or Linkage" overlay, as shown in the City of Guelph Zoning By-law (See **Schedule 4**).

REPORT

Description of Proposed Official Plan Amendment

The recommended draft plan of subdivision (**Schedule 6**) conforms, for the most part, to the policies and land use schedules in the Official Plan. The majority of the developable lands affected by the plan of subdivision and zoning application are designated "Industrial" in the Official Plan for the City of Guelph. The extreme easterly portion of the subdivision is designated "Urban Reserve" (See **Schedule 3**).

This designation encompasses Block 1 of the plan of subdivision and surrounding Natural Heritage features and buffer lands. The "Reserve Lands" designation has been applied to lands on Schedule 1 which form part of the long term urban land supply for the City and it is expected that these lands will be re-designated to other land use designations with the OP update in 2009.

This amendment proposes to re-designate Block 1 and the surrounding lands from 'Reserve Lands' to the 'Industrial', 'Core Greenlands' and 'Open Space' land use designations, to permit industrial development on Block 1 and the protection of the adjacent wetlands and natural heritage features on the subject lands (See **Schedule 2**). The South Guelph Secondary Plan Area Study which was prepared subsequent to the 1993 annexation (Official Plan Amendment 2) identifies Block 1 for industrial land use but illustrates it within an urban reserve boundary.

Description of Proposed Plan of Subdivision

The owners have asked to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 6**. The proposed subdivision will create three large blocks for industrial development, five blocks for the protection of environmental features, one storm water management block, one sanitary pumping station block, including roads, two road widenings and two 0.3 metre

reserves. All non-developable lands including the existing woodlot on Block 8 will be dedicated to the City for public ownership and management.

The original subdivision plan presented at the November 5, 2007 Public Meeting is included in **Schedule 5**. The lands are proposed to be subdivided according to the recommended plan and area breakdown as shown in **Schedule 6**.

Description of Proposed Zoning Bylaw Amendment

To implement the proposed draft plan of subdivision, the owners are proposing to amend the zoning to include two new Specialized Industrial B.3 Zones. The zones are specialized as they have distinct lists of permitted uses and a specialized regulation applying to parking provisions. These two new zones would include the Specialized B.3- _ Zone on Blocks 1 and 2 permitting mainly manufacturing and warehouse uses and the Specialized *B.3- _ Zone on Block 3. The Specialized *B.3- _ Zone on Block 3 includes, in addition to manufacturing and warehouse uses, a list of uses that are intended to assist in the reuse and possible re-location of the stone heritage house (Crawley House) located at 264 Crawley Road to a site within Block 3 of the proposed subdivision.

Specialized parking provisions applying to manufacturing and malls are also proposed in both new Specialized B.3 zones. These parking ratios were approved earlier in the Hanlon Creek Business Park application. **Schedule 7** illustrates the original zoning schedule and the requested parking ratios proposed by the owner for the industrial business park.

Support Documents

In support of this application, the following technical reports have been received:

- An Environmental Impact Study by Natural Resource Solutions Inc. dated December 2006, revised July 2007.
- A Preliminary Engineering Design Report by Planning & Engineering Initiatives Ltd. Dated November 29, 2006, revised July 2007.
- A Hydrogeological Study Report by Mitz & Associates Inc. dated August 2006.
- A Traffic Impact Study by Wentworth Consulting Inc. dated November 2006, revised March 28, 2008.

Staff Review and Planning Analysis

Schedule 8 of this report contains a detailed discussion of the main items highlighted during the processing of the application with a corresponding Staff comment. The primary issues relating to the application can be summarized under the headings "Environmental, Servicing" and "Roads and Traffic". The Staff review of these main issues ultimately deals with land use impact and compatibility with the residential uses and environmental protection.

At the November 5, 2007 Public Meeting, Council also asked that:

- a) "Staff look at best practices with respect to protection of the moraine and link that to the timing factor of the Moraine Protection Policy and legislation.
- b) Staff report back with respect to traffic capacity of new and existing businesses.

-
- c) Staff to provide current air photos with a high resolution of the site and surrounding properties to provide the Councillors with a better context of the development."

Items a) and b) are discussed in **Schedule 8** and aerial photos will be available to Council at the Council meeting when this report is scheduled.

Circulation Comments

The latest comments received from agencies and City service areas in response to the application are summarized in **Schedule 9**. There are no objections to the application however the Guelph Field Naturalists have questions related to development on the Paris Galt Moraine lands. Many key agencies included their recommended conditions and these conditions have been included in the Staff recommendation in **Schedule 2**.

Correspondence received from the public during the circulation of this application is best summarized by a letter from a spokesperson representing Puslinch Township residents living on Maltby Road and two other letters from interested parties (See **Schedule 10**). All issues and concerns highlighted in these letters are addressed in **Schedule 8** titled 'Staff Review and Planning Analysis'. There has been much correspondence received during the processing of this application and while all of this correspondence is not attached to this report, it is available for review at the Community Design and Development Services office during regular office hours.

Staff Recommendation

Community Design and Development Services supports the proposed official plan amendment, draft plan of subdivision and associated zoning by-law amendment, as recommended in **Schedule 2**. The agencies are supportive of the proposal (**Schedule 9**).

Official Plan

The recommended application (**Schedule 2**) conforms to the policies of the Official Plan. The main Official Plan policies relevant to the application are attached in **Schedule 3**.

The application to amend the Official Plan to re-designate the south east corner of the lands is necessary to recognize the proposed industrial development on Block 1. The designation is proposed to be changed from Reserve Lands to Industrial, Core Greenlands and Open Space. These designations will clarify the boundaries of developable or non-developable land and the proposed zoning will implement the recommended plan.

The application has also addressed the energy conservation policies in Section 3.8 (See **Schedule 2, Conditions 35, 36 and 49**). The Greenlands System policies and Non-core Greenlands policies have been addressed through the acceptance of the EIS by the approval agencies and through the dedication of these lands to the City for environmental protection (See **Condition 40**). To ensure land use compatibility with surrounding uses especially along Maltby Road, numerous conditions and zoning regulations have been added to the application to address concerns (See **Schedule 2 Zoning and Conditions 14, 39 and 50**).

The proposal is consistent with the Provincial Policy Statement as it supports and promotes economic development and competitiveness while ensuring the necessary infrastructure is in place to support employment areas in the municipality.

The proposed subdivision supports the Places to Grow Growth Plan legislation. The plan specifically satisfies Policy 2.2.6 which promotes employment lands while also supporting Policy 4.2.1 which requires the protection of natural areas. Based on 50.43 hectares (124.6 acres) of developable land in the plan and 25% building coverage, the proposal will create approximately 1507 jobs or 29.9 jobs per hectare.

The "Reserve Lands" designation has been applied to lands on Schedule 1 which form part of the long term urban land supply for the City and it is expected that these lands will be re-designated to other land use designations with the Official Plan update in 2009. The policies for the Urban Reserve designation (Section 7.16.3 – **Schedule 3**) indicate that new development may be considered within the Reserve lands, where:

- a) There is an adoption of an Official Plan amendment based on the adopted land use concepts in the background study for the South Guelph Secondary Plan area
- b) Adequate capacity exists in the overall municipal services
- c) Full municipal services and access can be provided, and;
- d) The development can be phased in an orderly fashion.

Through the review of the plan of subdivision, staff is satisfied that the development meets the requirements noted in clauses b), c) and d) noted above. Clause a) is being addressed by the inclusion of an application to amend the official plan and the holding of a second Public Meeting to consider the development.

Subdivision

The proposal also protects the natural heritage features on the property. The subdivision has been reviewed in light of the proposed Natural Heritage Strategy Policy even though the application has been in process since December 2006. Based on existing Official Plan policy, the application represents a balanced approach to natural heritage protection given that 40.9% of the subdivision plan will be dedicated to the City for environmental protection (**Schedule 6**).

The proposal represents a logical extension of the existing industrial node from the north comprising the existing Hanlon Business Park on the east side of the Hanlon Expressway and the proposed Hanlon Creek Business Park located on the west side. The plan will complete the road connection of Southgate Drive to Maltby Road for improved traffic circulation.

Engineering Services are recommending the proposal subject to conditions that will ensure that the lands are properly serviced and the development is meeting the targets for storm water recharge and infiltration.

Zoning

The proposed zoning is appropriate for these lands. Much of the proposed specialized zoning has been borrowed from the Hanlon Creek Business Park located on the west side of the Hanlon Expressway, to ensure land use compatibility with surrounding land uses. The permitted uses are similar and the prohibited uses are identical to the HCBP application to ensure ground water protection in this subdivision. **Condition 14 in Schedule 2** that requires the developer to produce an EIR has been detailed with numerous items that the agencies and Puslinch Township wish to have addressed in the final design. The list of items will act as a checklist when the EIR Terms of Reference are reviewed.

Timing of the proposed subdivision is consistent with the approved 2008 Development Priorities Plan that anticipates the consideration of draft plan approval during 2008, with registration and development occurring in post 2009.

The proposal, subject to the details outlined in **Schedule 2**, conforms to the goals and objectives of the Official Plan, is in the public interest and represents good planning.

CORPORATE STRATEGIC PLAN

Economic Opportunity Goal #3: A diverse and prosperous local economy.

Natural Environment Goal #6: A leader in conservation and resource protection/enhancement.

COMMUNITY ENERGY PLAN (CEP)

The City's Community Energy Plan was approved in April 2007 and established guidelines for energy use and greenhouse gas impacts from 2006 to 2031. There are 7 CEP conditions to be considered when development proposals are being reviewed:

1. Does it meet site and building efficiency expectations?
2. Has the applicant made a voluntary commitment to display Energy Performance Labels?
3. Has an Integrated Energy Master Plan for the site and possible neighbourhood integration been submitted?
4. Does it help to improve City Transportation efficiency?
5. Does it contribute to electricity peak reduction?
6. Does it employ effective storm water management?
7. Does it employ effective domestic water management?

The proposed development will contribute towards implementing the Community Energy Plan and the Energy Conservation and Climate Change Protection objectives and policies outlined in Section 3.8 of the Official Plan (See **Schedule 3**). Based on the recommended conditions of approval in **Schedule 2 (Conditions 35, 36 and 49)**, the proposal supports the City's Community Energy Plan (See **Schedule 8**).

With respect to the goal of improving City Transportation Efficiency', the proposal will provide land (**Condition 40**) and finances (**Condition 32**) towards the public trail connection between Clair Road and Maltby Road. With the build-out of the development, if approved, there may be a need for the City to consider Southgate Drive south of Clair Road, as part of a new public transit route in the future.

A summary of the developer's initiatives is included at the end of **Schedule 8** and additional conditions have been incorporated by Staff into **Schedule 2** that will assist the developer and end-users to use energy and City potable water efficiently within the industrial business park (**See Schedule 2 - Conditions 35, 36 and 49**).

FINANCIAL IMPLICATIONS

The financial implications are based on 25% building coverage of all 47.19 hectares (116.60 acres) developable land in the subdivision plan which equals 117,962 square metres (1,269,774 square feet) GFA of buildings.

Projected Taxation

Present taxes: \$22,393

Future taxes: approximately \$2,280,503

Development Charges

Guelph Equities DCs paid to date: \$10,360 – (agreement processing fee)

Future DCs: approximately \$5,228,075 (New buildings and expansion would be charged at \$44.32/m2 GFA)

DEPARTMENTAL CONSULTATION

See **Schedule 9**.

COMMUNICATIONS

The original Notice of Application was mailed January 22, 2007. The statutory Public Meeting was held on November 5, 2007 and a second statutory Public Meeting has been advertised for December 1, 2008. Notice to all surrounding property owners and to interested persons and organizations that were involved in this application were mailed on November 7, 2008. A decision by Council is planned for the December 22, 2008 Council meeting.

ATTACHMENTS

Schedule 1 – Location Map & Municipal Address Map

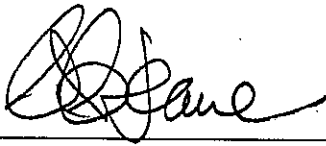
Schedule 2 – Recommendation – Official Plan Amendment, Subdivision Conditions & Zoning Permitted Uses and Regulations

Schedule 3 – Existing Official Plan Designations and Policies

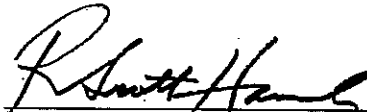
Schedule 4 – Existing Zoning

Schedule 5 – The Original November 2007 Public Meeting Plan of Subdivision (now superseded)

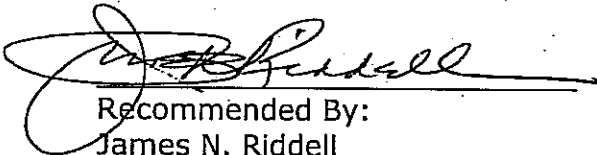
Schedule 6 – Proposed Draft Plan of Subdivision
Schedule 7 – Proposed Zoning
Schedule 8 – Staff Review & Planning Analysis
Schedule 9 – Agency Comments
Schedule 10 – Public Correspondence



Prepared By:
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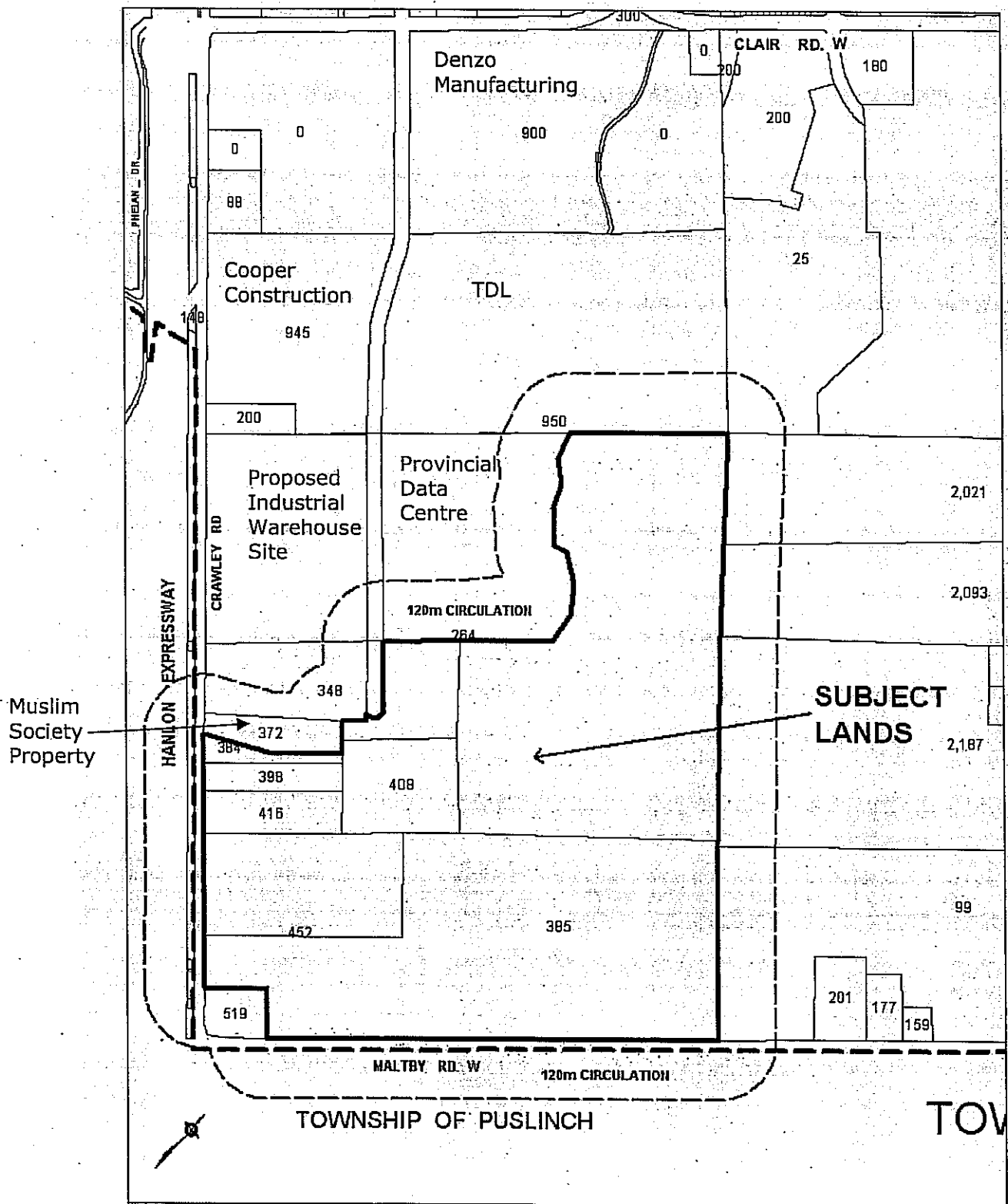
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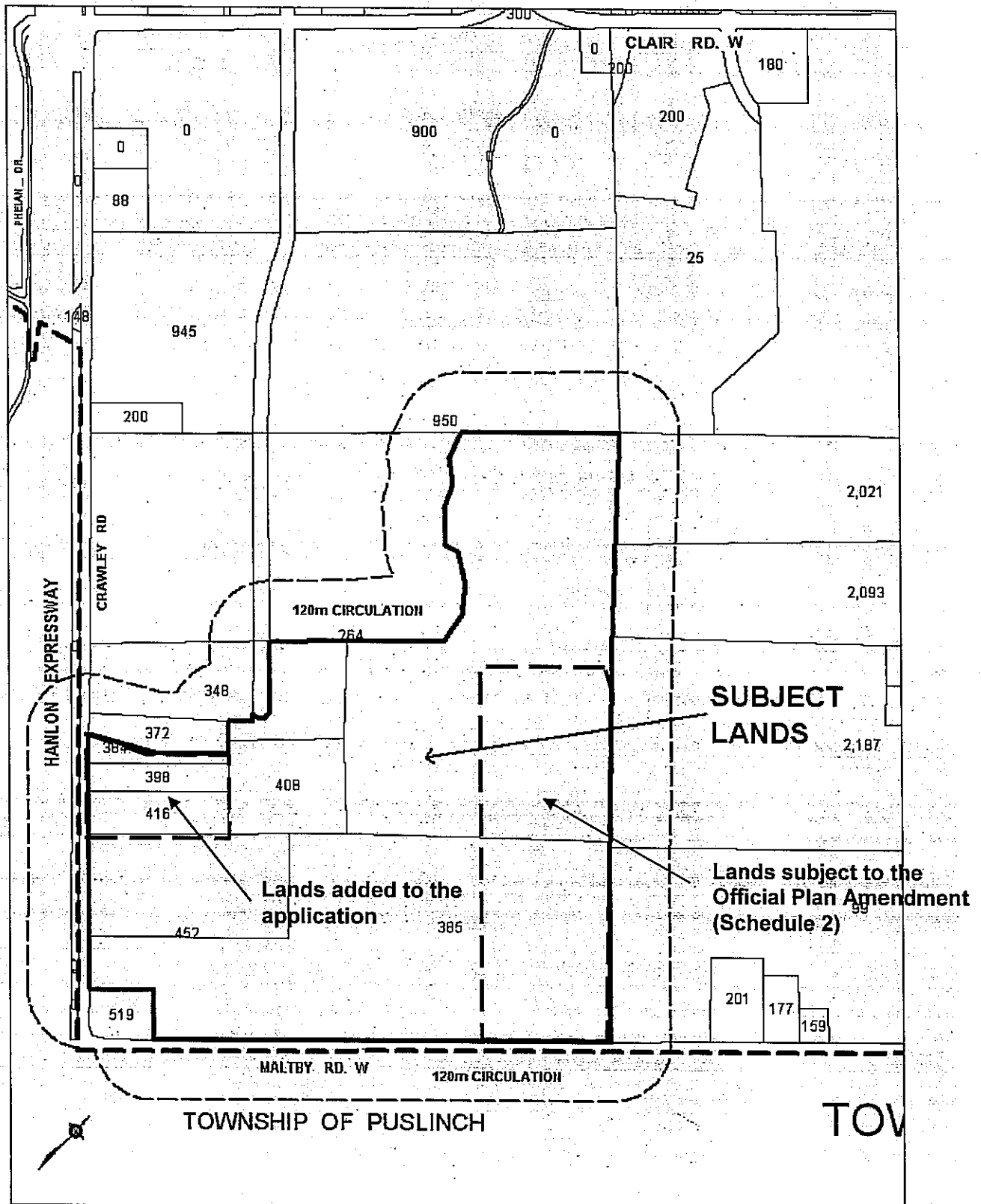
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SCHEDULE 1 LOCATION MAP & MUNICIPAL ADDRESS MAP



SCHEDULE 1

(Two technical changes to the application since the November 2007 Public Meeting)



SCHEDULE 2
RECOMMENDATION – OFFICIAL PLAN AMENDMENT, SUBDIVISION
CONDITIONS & ZONING USES AND REGULATIONS

Part A - OFFICIAL PLAN AMENDMENT

"That the application by Astrid J. Clos Planning Consultants on behalf of Industrial Equities Guelph Corporation and Evelyn and William Milburn, for approval of an Official Plan Amendment (File OPA Southgate/ 23T-06503/ZC0617) to re-designate Block 1 and surrounding lands at the extreme easterly part of the plan from 'Reserve Lands' to the 'Industrial', 'Core Greenlands' and 'Open Space' land use designations, to permit industrial development and protection of the adjacent wetlands and natural heritage features, on land legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch, City of Guelph, BE APPROVED, as described in **Schedule 2** of the Community Design and Development Services Report 08-105 dated December 1, 2008; AND

Part B - DRAFT PLAN OF INDUSTRIAL SUBDIVISION

That the application by Astrid J. Clos Planning Consultants on behalf of Industrial Equities Guelph Corporation and Evelyn and William Milburn, for approval of a Draft Plan of Subdivision (File OPA Southgate/23T-06503/ZC0617) to permit a Business Park/Industrial Subdivision known as the Southgate Industrial Business Park, on land legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch, City of Guelph, BE APPROVED, subject to the following conditions:

1. That this approval applies only to a draft plan of subdivision project 0544, prepared by Astrid J. Clos Planning Consultants dated March 31, 2008, last revised October 7, 2008, at 3:35pm.

CITY CONDITIONS

Conditions to be met prior to any grading or site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer.
4. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City. (Engineering)
5. The Developer shall prepare a **soil stabilization plan** to the satisfaction of the City Engineer until the release of the subdivision agreement on the block/lot so disturbed. Further, the Developer shall submit to the City, a

report indicating how regular **dust suppression** will be accomplished during the construction phase of the subdivision. (Engineering)

6. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer. (Engineering)
7. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer. (Engineering)
8. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. The approved overall grading plan shall be the basis for any site specific grading plan to be submitted prior to the final site plan approval for any blocks within the subdivision. (Engineering)
9. That the developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements (Planning)
10. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer. (Engineering)
11. The Developer shall provide a qualified **environmental inspector**, satisfactory to the Director of Community Design and Development Services and the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environmental Impact Study. The environmental inspector shall report on their findings to the City as recommended by the Environmental Implementation Report. (Planning, Engineering)
12. The Developer shall submit a **Storm Water Management Report and Plan** to the satisfaction of the City Engineer. The Report and Plan shall be prepared in accordance with recognized best management practices, Provincial Guidelines, the City's current "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the Mill Creek Watershed, and address the following: (a) Stormwater Management for Southgate Drive and Street A including runoff from Maltby Road; (b) maintenance and operational requirements for any control and/or conveyance facilities described in a format to be available for the City of Guelph's Operations Department; and (c) SWM criteria and guidelines to be

followed by future Stormwater Management of individual development parcels. (Engineering)

13. The Developer shall provide a **Detailed Design Report** for the proposed sanitary pumping station including the forcemains on Southgate Drive and on Maltby Road. The report shall address spill response measures as well as maintenance of the proposed pumping station in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. (Engineering)
14. The Developer shall prepare an **Environmental Implementation Report** (EIR) based on a terms of reference approved by the City and Grand River Conservation Authority (GRCA). The Developer and every subsequent owner of any of the subdivision lands shall implement all recommendations of the EIR to the satisfaction of the City and GRCA. The EIR shall also specifically include:
- a) Address the comments from the Environmental Planner and EAC (dated Dec. 12, 2007 – See **Schedule 9**).
 - b) Establish recharge targets to be met and the responsibilities of the developer and every subsequent owner of the subdivision lands to demonstrate how the recharge targets will be met through the site plan approval process. The EIR shall establish post-development recharge infiltration rate targets that set target infiltration rates on a block by block basis.
 - c) Address the avoidance of Pesticides and Private Road Salt impact on wetlands and local wells.
 - d) Establish a comprehensive monitoring program including a monitoring period to the satisfaction of the City and GRCA. The scope of the comprehensive monitoring program shall include monitoring of the adjacent wetlands and private wells of nearby residents living along Maltby Road, provided permission is granted by the home owner. The proposed monitoring program shall include potential mitigation measures and contingency plans.
 - e) Detail and implement all recommendations expressed in the owner's Mitz Hydrogeological Report (Section 6, page 19 including 5 – (See Schedule 6)
 - f) Participation in the fire safety plan 'Lock Box' program.
 - g) In addition to Section 4.8 of the Zoning Bylaw titled Outdoor Lighting, the EIR shall consider lighting provisions that will apply along Maltby Road that would provide residents with added protection from glare and indirect illumination of their properties on Maltby Road.
 - h) Include details of the implementation of the Puslinch Township's recommendations contained in the report by Harden Environmental dated December 14, 2007, page 2 (See Schedule 9).
 - i) Include route plan and sufficient information about the future City - developed open space off-road trail to demonstrate that the final dedicated open space blocks contain sufficient land to accommodate a trail designed to City standards outside of the wetland buffers.

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- j) Preparation and implementation of a Pollution Prevention Program including Spill Prevention and Contingency Plans.
 - k) Identify key indicator parameters, targets, and establish an environmental monitoring program as part of a Post-Development Adaptive Management Plan.
15. That the developer shall at its expense implement and address all recommendations contained in the latest **Environmental Impact Study** that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City.
16. That any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned. (Engineering)

Conditions to be met prior to execution of subdivision agreement

17. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
18. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction** of all services within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including sanitary facilities, storm facilities, water facilities and road works with the distance, size and alignment of such services to be determined by the City. (Engineering)
19. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer shall pay to the City the cost of all **municipal services** within and abutting the proposed subdivision, as determined by the City Engineer. (Engineering)
20. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City. (Engineering)
21. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision. (Engineering)
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit. (Engineering)

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23. The Developer shall implement to the satisfaction of the City Engineer the recommendations of the **Traffic Impact Study** undertaken for this subdivision and approved by the City Engineer and the Ministry of Transportation. (Engineering)
 24. The Developer shall pay the cost of the installation of Second Order, **Geodetic Benchmarks** within the proposed subdivision at locations satisfactory to the City Engineer. (Engineering)
 25. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform with the current Development Priorities Plan.
 26. The Developer shall provide Community Design and Development Services with a **digital file** of the plan of subdivision in either AutoCad – DWG format or DXF Format containing the following information: parcel fabric, street network, and final approved grades/contours.
 27. That the developer makes arrangements, satisfactory to the City Engineer concerning the **scheduling of the development** and the developer's payment of costs for services within the subdivision.
 28. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Community Design and Development Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Director of Community Design and Development Services. (Parks Planning)
 29. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Director of Community Design and Development Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Director of Community Design and Development Services. (Parks Planning)
 30. The Developer shall design and develop the **Storm Water Management Facility Landscaping** in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Director of Community Design and Development Services and the City Engineer. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee

period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Community Design and Development Services. (Parks Planning, Engineering)

31. The Developer shall provide Community Design and Development Services with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the open space and storm water management blocks. (Planning)

Conditions to be met prior to registration of the plan

32. The developer shall be responsible for paying **2% cash-in-lieu of parkland** for the subdivision, based on developable land, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545 and By-law (2007)-18225, or any successor thereof, prior to registration of the plan.
33. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof. (Engineering)
34. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph. (Engineering, Legal)
35. The Developer agrees to advise all purchasers, within the offer to purchase agreement, that once the City of Guelph Council has adopted a City-wide **Community Energy Implementation Plan** any site plan applications will need to be prepared by the purchaser in compliance with this **Community Energy Implementation Plan** City-wide Plan. This Plan will (a) identify high quality energy efficient land uses; (b) establish feasible energy efficiency targets for development and construction; and (c) identify tools/incentives for achieving established targets.
36. The Developer agrees to advise all purchasers, within the offer to purchase agreement, that once the City of Guelph Council has adopted a City-wide **Water Sensitive Urban Design Plan** (WSUDP) any site plan applications will need to be prepared by the purchaser in compliance with this City-wide **Water Sensitive Design Plan** (WSUDP). The City-wide **Water Sensitive Design Plan** (WSUDP) will provide guidelines for (i) achieving efficient and optimized use of the City's potable water supplies and (ii) minimizing discharges to the City's wastewater treatment facility. The WSUDP guidelines will address the following: communal and site-specific grey water (bath, shower and laundry flow) collection, treatment, storage and reuse; rainwater harvesting; stormwater management; outdoor irrigation systems; landscaping; and green roof feasibility.
37. The Developer shall pay any **outstanding debts** owed to the City.

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38. The Developer or its successors shall pay **development charges** to the City in accordance with the City's Development Charges By-law, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
39. Prior to the registration of any phase of the development, the developer shall install a landscaped **buffer strip including a berm** on Blocks 2 and 3 located adjacent to Maltby Road, to the satisfaction of the Director of Community Design and Development Services. The buffer strip required for these blocks shall be a minimum of 14 metres in width and shall consist of a 2 metre high landscaped earth berm measured from the surrounding on-site grade. Landscaping shall include coniferous and deciduous trees planted at 3 metre centre intervals. Landscape material shall be a minimum of 6 centimetre caliper for deciduous trees and 2 metre height for coniferous trees. Where there is existing tree or shrub growth the existing plantings may provide the required buffer strip and landscaping.
40. The developer shall **deed to the City** all lands required by the City for Storm Water Management Facilities, Sewage Pumping Station, Woodlot and Wetlands/Open Space, including Blocks 4 to 10 of the plan. These lands shall be dedicated to the City at the expense of the Developer, in a form that is satisfactory to the City Solicitor and free of all encumbrances. In recognition of the dedication of Blocks 4 to 8 inclusive, the City shall issue a tax receipt for the ecological gift to the City upon receipt of an acceptable appraisal prepared at the owner's sole expense. Furthermore, the developer shall demarcate and fence (living and/or chain link) the boundaries of any lands conveyed to the City in accordance with the policies of the City.
41. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
42. That the **road allowances** included in the draft plan and the road widenings shown as Blocks 11 and 12, be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria - July 23, 1993" with exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision. (Engineering, Legal)

43. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer. (Engineering, Legal)
44. That all **telephone service and cable TV service** in the plan be underground and the Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service. (Engineering)
45. That **street lighting** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc. (Engineering)
46. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Community Design and Development Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
47. Prior to the registration of the subdivision plan or any part thereof, the owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future businesses within the plan, with such payment based on a cost of one handbook per business unit, as determined by the City. (Planning)
48. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title (Planning):
- "Purchasers and/or tenants of advised that the Stormwater Management Blocks have been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."
 - "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."

- "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to lot numbers and/or black vinyl chain link fence adjacent to lot numbers."
- The Developer shall also send written notification of proposed demarcation types to any existing owners in lots adjacent to open space, stormwater management and park blocks.

Conditions to be met prior to granting of site plan approval

49. The owner shall, to support the **Community Energy Plan** to the satisfaction of the Director of Community Design and Development Services, prior to the issuance of site plan approval, provide the City with evidence that:
 - a) The owner shall participate with the City and Guelph Hydro Electric Systems Inc. to explore and demonstrate building energy efficiency options for the development that will further contribute to the peak reduction of electrical power on the subject site.
 - b) The owner shall encourage prospective purchasers to voluntarily display Energy Performance Labels for all main buildings, once the City provides details of the pilot project with NRCan.
 - c) The owner shall participate in a study funded by the City, to review the possibilities for neighbourhood energy integration at or including the subject lands. Site plan approval may be granted if the City has not commenced or funded this study.
50. The owner shall submit to the City for approval, **noise and vibration assessment reports** for development on Blocks 1, 2 and 3, in order to confirm that the proposed use, activity and development, together with the proposed zoning restrictions and regulations, meets the Ministry of Environment noise and separation distance guidelines, prior to the granting of site plan approval by the City.
51. The Developer shall provide the City with written confirmation from the Engineering Department of Guelph Hydro that the subdivision **hydro servicing** has been completed to the satisfaction of Guelph Hydro. (Engineering)
52. The Developer shall provide the City with written confirmation from Union Gas that the subdivision **gas servicing** has been completed to the satisfaction of Union Gas. (Engineering)
53. Prior to the issuance of a building permit, **all services**, including, but not limited to, linear infrastructure; the extension of Southgate Drive to Maltby Road, improvements to the Hanlon/Maltby intersection, and Maltby Road upgrading, shall be constructed and operational to the satisfaction of the City Engineer; provided that the sewage pumping station and forcemain shall be

in operation prior to issuance of a building permit on lands that cannot be serviced by a gravity sanitary sewer. (Engineering)

Conditions to be met prior to the issuance of building permits

54. The owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official **certifying all fill** placed below proposed building locations. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line. (Building)
55. The owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the **presence of soil gases** (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code. (Building)

AGENCY CONDITIONS:

56. The Owner agrees to meet all the requirements of **Guelph Hydro Electric Systems Inc.** including the relocation of existing hydro services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro Electric Systems Inc. in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro Electric Systems Inc., prior to the registration of the plan.
57. The owner acknowledges and agrees that under the Public Transportation and Highway Improvement Act, **Ministry of Transportation Permits** are required for all new developments located within the applicable MTO corridor of the existing and/or future highway property line.
58. Prior to final approval, the owner shall submit to the **Ministry of Transportation** for their review and approval, a copy of a **Stormwater Management Report/Plan** indicating the intended treatment of the calculated stormwater run-off. The owner's consultant should refer to the website at www.mto.gov.on.ca/english/engineering/drainage/index.html for a comprehensive set of MTO drainage related documentation requirements that may have to be satisfied before obtaining MTO approval.
59. Prior to final approval, the owner shall submit to the **Ministry of Transportation** for their review and approval, a copy of a **Traffic Impact Study** (report/analysis/assessment) indicating the anticipated traffic volumes and their impact upon the intersections of Maltby Road, Laird Road and Clair Road with Highway 6.
60. Prior to final approval, the City of Guelph shall enter into a **Legal Agreement** with the **Ministry of Transportation** whereby the City agrees to assume financial responsibility for the design and construction of all necessary highway improvements associated with this and other

developments in the area. The Agreement shall cover interim improvements at the three existing at-grade intersections and ultimately, the construction of an interchange at Laird Road.

61. Prior to final approval, the owner shall submit to the **Ministry of Transportation** for their review and approval a draft copy of the **M-Plan** for this subdivision and when the subdivision has been given final approval, the owner shall submit a copy of the registered plan for the MTO files.
62. Prior to final approval, the owner shall submit to the **Ministry of Transportation** for their review and approval a draft copy of the subdivision agreement for this development and when the **subdivision agreement** has been registered, the owner shall submit a copy of the registered agreement for the MTO files.
63. The owner acknowledges and agrees to advise all potential purchasers of lots within the subdivision that when the **MTO** upgrades Highway 6 to full freeway status, the only **access** to the subject lands from Highway 6 in the future will be via the Laird Road interchange and Southgate Drive.
64. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the **Grand River Conservation Authority**:
 - a. A detailed Environmental Implementation Report (EIR) in accordance with the recommendations of the Hanlon Creek Subwatershed Study and the South Guelph Secondary Plan. The developer agrees that the GRCA shall have the opportunity to comment on the terms of reference for the EIR.
 - b. A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit for all works proposed within the regulated areas on site.
 - c. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - d. Detailed lot grading and drainage plans.
65. That the subdivision agreement between the owners and the municipality contain provisions for the **completion and maintenance of the works** in accordance with the approved plans and reports. GRCA
66. The owner shall meet all of the requirements of **Canada Post** to the satisfaction of Canada Post prior to the registration of the plan.
67. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc.** shall advise the City in writing how conditions 45, 51 and 56 have been satisfied.

68. That prior to the registration of all or any portion of the plan, the **MTO** shall advise the City in writing how conditions 57 to 63 have been satisfied.

69. That prior to the registration of all or any portion of the plan, the **GRCA** shall advise the City in writing how conditions 12, 14, 15, 64 and 65 have been satisfied.

70. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 66 has been satisfied.

71. Draft Plan Approval of the Southgate Industrial Business Park shall lapse at the expiration of **5 years** from the date of issuance of Draft Plan Approval.

AND

Part C - ZONING BYLAW AMENDMENT

That the application by Astrid J. Clos Planning Consultants on behalf of Industrial Equities Guelph Corporation and Evelyn and William Milburn, for approval of an associated Zoning By-law Amendment (File OPA Southgate/23T-06503/ZC0617) to rezone the lands from the UR (Urban Reserve) Zone, the P.1 (Conservation Land) Zone, the WL (Wetland) Zone and the Specialized Industrial B.2 (H11) Holding Zone, to two new Specialized Industrial B.3 Zones, the WL (Wetland) Zone and the P.1 (Conservation Land) Zone, to permit a Business Park/Industrial Subdivision known as the Southgate Industrial Business Park on land legally described as Part of Lots 14, and 15, Concession 7, formerly Township of Puslinch, City of Guelph, **BE APPROVED**, and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current zoning, to the following uses and regulations:

Intended Land Use	Numerical reference to lots or blocks	Proposed Zone	Land area (hectares)	Percentage of total site
Industrial	1-3	Specialized B.3	47.19ha 116.6ac.	54%
Wetlands and buffers, woodlot	4-8	WL and P.1	Approximately 35.66ha 88.11ac.	40.9%
Stormwater Management	9	P.1	0.75ha 1.85ac.	<1%
Sanitary Pumping Station	10	P.1	0.07ha 0.17ac.	<1%
Road	11&12	n/a	0.97ha	1%

Widenings			2.39ac.	
Roads& Reserves	13-16	n/a	2.42ha 5.97ac.	2.8%
TOTAL	16		87.09ha 215.19ac.	100%

Specialized B.3 Zones

B.3- _ Zone on Blocks 1&2

Permitted Uses

Manufacturing

Warehouse

Office, Factory Sales Outlet, fleet servicing area and other Accessory Uses are permitted provided that such Use is subordinate, incidental and exclusively devoted to a permitted Use listed in Section 7.1.2 and provided that such Use complies with Section 4.23.

Temporary Uses including Agriculture (Vegetation Based), Outdoor Sportsfield Facilities and driving range.

Malls

All B.3 Uses listed in Section 7.1.2 and the following:

Catering Service

Cleaning Establishment

Commercial Entertainment/Recreation Centre (excluding movie theatres, bowling alleys and roller rinks)

Commercial School

Computer Establishment

Financial Establishment

Industrial or construction equipment rental or sales firm

Office

Office Supply

Personal Service Establishment

Photofinishing Place

Print Shop

Repair Service

Research Establishment

Restaurant

Tradesperson's Shop

Vehicle Specialty Repair Shop

Specialized *B.3- _ Zone on Block 3

(to accommodate the possible re-location of the stone heritage house from 264 Crawley Road)

Permitted Uses

Catering Service
Club
Commercial School
Computer Establishment
Convenience Store
Dry Cleaning Outlet
Mall
Manufacturing
Warehouse
Research Establishment
Museum
Office
Office Supply
Personal Service Establishment
Print Shop
Public Hall
Restaurant
Tavern
Veterinary Service

Regulations Applying to both Industrial Zones

All B.3 Zone regulations as outlined in Section 7.3 of the Bylaw shall apply, with the following modifications:

Prohibited Uses in both B.3 Zones

Abattoir

A facility, the primary use of which is electroplating

A facility, the primary use of which is the manufacturing of hazardous chemicals, not including pharmaceutical/medical.

Asphalt/concrete/tar plants

Bulk fuel oil storage yards

Bulk Storage of Petroleum Products

Cemetery

Cleaning Establishment (i.e. a dry cleaning facility)

Contractor's Yard

Disposal of leachable waste (including the spreading of biosolids)

Facilities for treating or disposing of hazardous waste

Furniture and wood stripping and refinishing

Garden Centre

Intensive livestock operations including the spreading of manure

Meat Processing Plant

Outdoor storage of road salt or other de-icing materials and the importation of salt laden snow.

Petroleum product refining and manufacturing

Underground pipeline transmission of oil, gasoline, or other petroleum liquid products

Sanitary Landfill Site

Tradespersons' Shop

Towing Establishment

Trucking Operation
Underground Storage Tank for Fuel or Hazardous substances
Vehicle Gas Bar
Vehicle Salvage Yard
Vehicle Service Station (defined to include a car wash)
Vehicle Wrecking Establishment
Waste Transfer Station
Wood preserving and treating

Off-Street Parking requirements in both B.3 Zones

For 'manufacturing' and 'malls', the following parking requirements shall apply:

- 1 parking space per 50 square metres up to 1,000 square metres of gross floor area.
- 1 parking space per 100 square metres between 1,000 squaremetres and 5,000 squaremetres of gross floor area, and
- 1 parking space per 150 square metres over 5,000 square metres of gross floor area.

In addition, the following regulations related to development along Maltby Road shall apply within both Specialized B.3 Zones:

Buffer Strips

That a buffer strip be provided for lots which abut Maltby Road. The buffer strip required for properties abutting Maltby Road shall be a minimum of 14 metres in width and shall consist of a 2 metre high landscaped earth berm measured from surrounding on-site grade. Landscaping shall include coniferous and deciduous trees planted at 3 metre centre intervals. Landscape material shall be a minimum of 6 cm. caliper for deciduous trees and 2 metre height for coniferous trees. Where there is existing tree or shrub growth the existing plantings may provide the required buffer strip.

Minimum Rear Yard and Exterior SideYard

That lots abutting Maltby Road shall have a minimum rear yard or exterior side yard of 14 metres.

Off-Street Parking

In accordance with the specialized B.3 Zone regulations with the additional requirement that off-street parking shall be set back a minimum of 14 metres from Maltby Road.

Off-Street Loading

In accordance with B.3 Zone regulations with the additional requirement that off-street loading shall be set back a minimum of 14 metres from Maltby Road and must be visually screened from any public street by a fence, wall or berm.

Outdoor Storage

In accordance with B.3 Zone regulations with the additional requirement that outdoor storage shall be set back a minimum of 14 metres from Maltby Road and must be visually screened from any public street by a fence, wall or berm.

Garbage, Refuse and Storage Composters

In accordance with B.3 Zone regulations with the additional requirement that garbage, refuse and storage composters shall be setback a minimum of 14 metres from Maltby Road and must be visually screened from any public street by a fence, wall or berm.

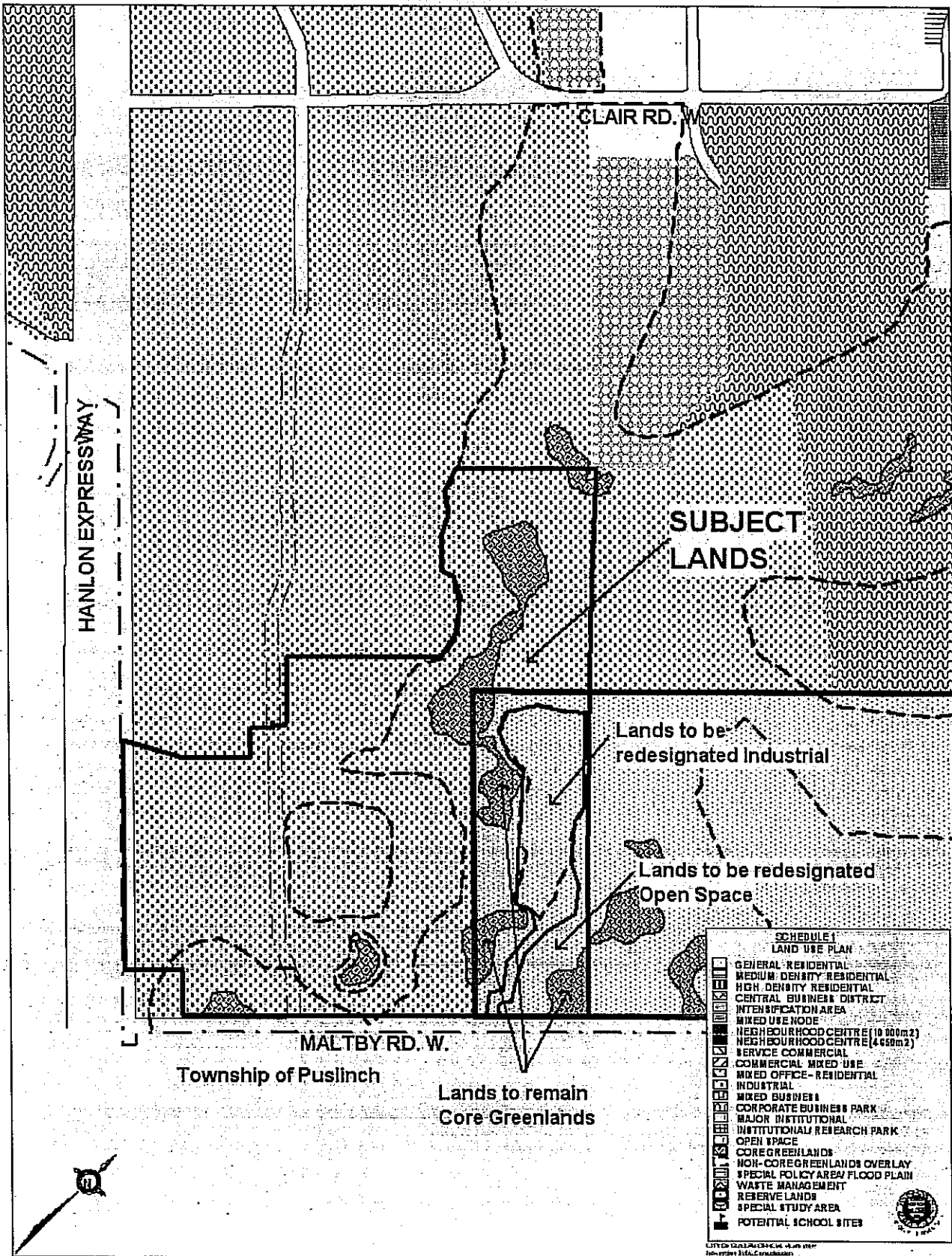
All Wetlands

WL (Wetland) Zone

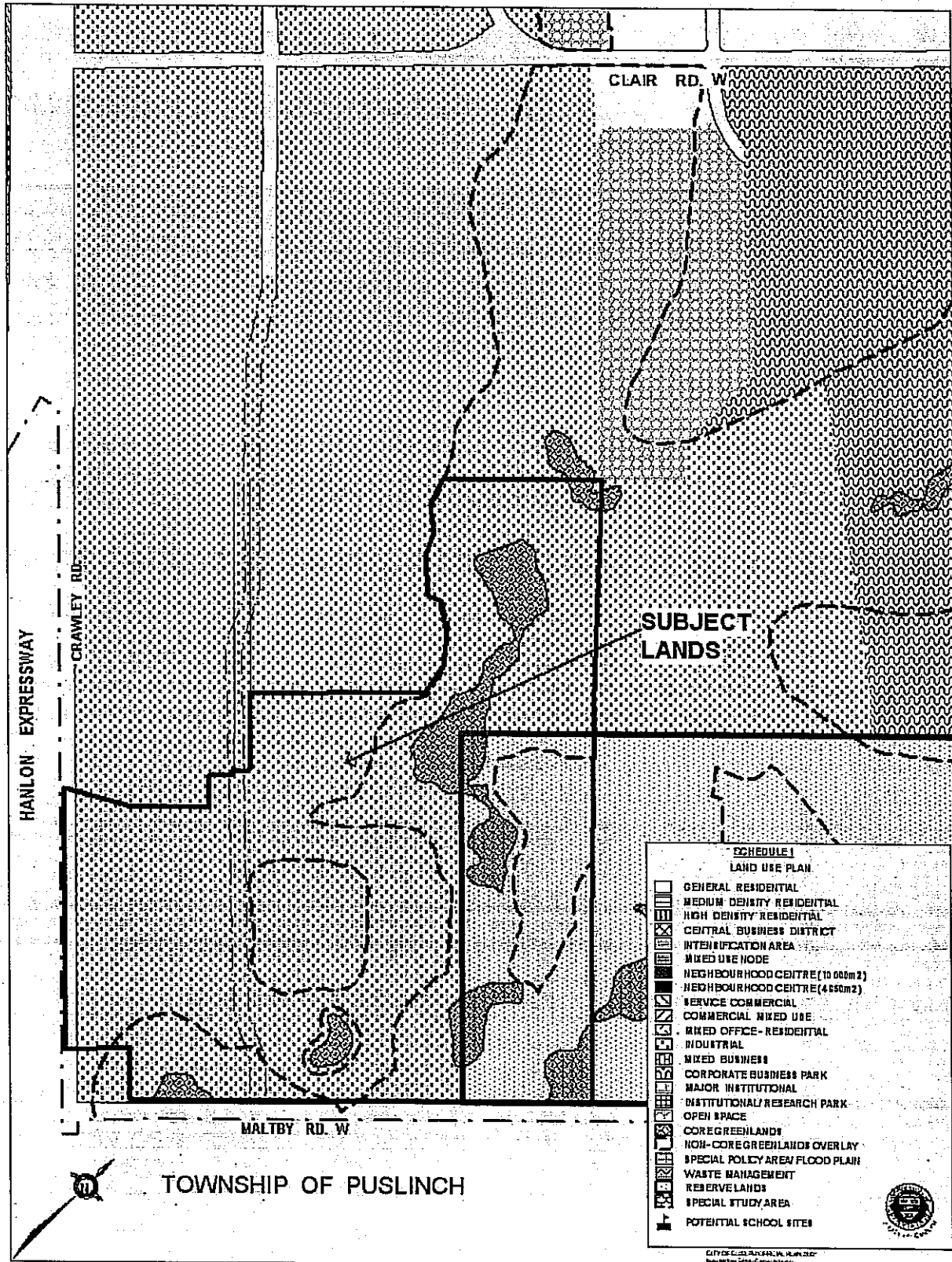
All Other Non-developable Natural Heritage Feature Lands

P.1 (Conservation Land) Zone

SCHEDULE 2 - PROPOSED OFFICIAL AMENDMENT



SCHEDULE 3 EXISTING OFFICIAL PLAN DESIGNATIONS & POLICY



SCHEDULE 3 OFFICIAL PLAN DESIGNATIONS & POLICY

3.8 Energy Conservation and Climate Change Protection

Objectives

- a) To promote a compact urban form and develop an energy efficient pattern and mix of land use.
- b) To maximize opportunities for the use of energy efficient modes of travel and reduce energy consumption for motor vehicles within the City.
- c) To ensure efficient site planning and design for future subdivisions and development projects.
- d) To encourage energy efficient building design and construction techniques that minimizes space heating and cooling energy consumption.
- e) To promote a reduction in energy consumption in all sectors by encouraging the upgrading/retrofitting of existing buildings and facilities.
- f) To encourage a reduction in greenhouse gas emissions in order to minimize Guelph's contribution to climate change impacts.

General Policies

3.8.1 The City will encourage and facilitate, where feasible, the effective use and conservation of energy through the upgrading and retrofitting of buildings and facilities.

3.8.2 In an effort to promote increased sustainability, the City will implement a climate change protection program that is intended to reduce greenhouse gas emissions and reduce energy consumption in Guelph. The year 2010 targets for this program are set to reduce corporate Municipality greenhouse gas emissions by 20% and community greenhouse gas emissions by 6%, based on 1994 baseline emissions. To implement this program, the following steps will be completed:

- a) Prepare a baseline emissions analysis and outline a forecast of emissions growth;
- b) Establish reduction targets for the community;
- c) Develop and implement action plans that will assist in reducing emissions and energy use in the City's operations and the community at large. These action plans will include City leadership initiatives as well as measures to improve community information and heighten awareness; and
- d) Establish a benchmarking and monitoring system to measure the success of this program.

3.8.3 The City may, by amendment to this Plan, introduce specific policies and regulations requiring energy conservation and climate protection measures.

Urban Form

3.8.4 It is the policy of this Plan to promote a compact urban form in order to reduce energy used for municipal services, transportation and space heating by:

- a) Phasing expansion and directing *development* to areas contiguous to the built-up edge of the City in order to optimize use of existing infrastructure;
- b) Encourage the *infill* of vacant and underutilized lands as well as residential *intensification*;
- c) Considering increased density of residential development; and
- d) Discourage the *down-zoning* of existing multiple-unit zoned land in instances where multiple-unit densities are appropriate.

Land Use

3.8.5 It is the policy of this Plan to promote an energy efficient pattern and mix of land use by:

- a) Encouraging the concentration of major economic activity;
- b) Encouraging the distribution of convenience food stores and personal services within walking/cycling distance of residential areas;
- c) Encouraging joint education/recreation facilities close to high density residential areas;
- d) Discouraging strip commercial development along the major roads of the City;
- e) Restricting service commercial and highway-oriented service commercial development to designated areas;
- f) Encouraging combined forms of commercial development, with shared parking, limited entrances, and shared walls; and
- g) Promoting mixed use commercial-residential developments in appropriate locations.

Site and Design

3.8.6 In order to reduce artificial heating/cooling demands, it is the policy of the City to encourage energy efficient design in the preparation and approval of secondary plans, plans of subdivision and site plans.

- 1. The City will encourage more intensive development (higher density) for all forms of housing in plans of subdivision.
- 2. The City will encourage innovative design, that optimizes the potential for alternative energy technologies, energy production and conservation.
- 3. The City will encourage the retention of woodlands and expansion of tree cover to assist in moderating micro-climatic conditions in localized areas of the City.

3.8.7 Where solar access has been incorporated into subdivision or building site plan design, the City may pass by-laws or otherwise regulate the height and construction on lands which would cast shadows on an adjacent building.

3.8.8 The City will facilitate a reduction in energy consumption for the construction and servicing requirements of subdivisions and other *development* by:

- a) Considering the use of alternative development standards; and
- b) Maintaining the policy of requiring gravity feed sanitary sewers.

3.8.9 The City will promote the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures.

Transportation

3.8.10 Since transportation is the largest user of energy, it is the policy of this Plan to reduce per capita energy consumption for motor vehicle travel by encouraging land use patterns which reduce travel needs, and maximizing the opportunity to use more energy-efficient modes of travel such as public transit, cycling and walking.

- 1. The City will promote land use measures to reduce the length and frequency of vehicular trips.
- 2. The City will maintain, and improve, where feasible, the free flow of traffic on existing and future roads.
- 3. The City will actively promote the use of public transit by supporting "transitfriendly" land use planning measures.
- 4. The City will provide facilities for walking and cycling.

5. The City will encourage measures to increase automobile occupancy rates.

3.10 Urban/Rural Boundary

Objectives

a) To promote a clear demarcation between the urban uses found within Guelph and the agricultural/rural lands in the surrounding townships.

General Policies

3.10.1 The City will give consideration to *development* applications processed by the County of Wellington, the Townships of Guelph-Eramosa and Puslinch within the County of Wellington Official Plan's "Urban Protection Area" (generally considered being within one kilometre of the City of Guelph boundary).

3.10.2 The City will rely upon the provisions of the County of Wellington's Official Plan and the "Provincial Policy Statement" to discourage *development* within the "Urban Protection Area" of the surrounding Townships.

3.10.3 With respect to commenting on *development* applications within the surrounding townships, the City's land use planning comments shall be consistent with the following provincial requirements:

City of Guelph Official Plan 2001 Page 40

November 2006 Consolidation

a) The Ministry of Agriculture, Food and Rural Affairs' guidelines to protect prime agriculture lands in the surrounding municipalities;

b) The Ministry of Environment's "Guidelines for Municipally and Privately Owned Sewage and Water Systems" (as amended from time to time) to protect surface/groundwater resources and the natural environment.

3.10.4 Consultation between the City and the County of Wellington will be encouraged to prepare a coordinated planning approach in dealing with issues which cross municipal boundaries including:

a) River, watershed and water resource protection issues;

b) Transportation, trails, infrastructure and other public service facilities;

c) Other land use planning matters requiring a coordinated approach.

7.7 Industrial

Objectives

a) To ensure sufficient serviced industrial land to attract a diversified range of industrial activities.

b) To ensure efficient utilization of existing industrial land and promote redevelopment of under-utilized, or obsolete sites.

c) To recognize and provide for the needs of, and facilitate the establishment of small-scale industries, incubator-type establishments, and the expansion of existing industries.

d) To maintain adequate standards to ensure attractive industrial developments.

e) To minimize the journey-to-work trips within the community.

f) To prevent the establishment of offensive trades and nuisances that will hinder the orderly development of the community and be detrimental to the environment in accordance with policy 7.1.5.

General Policies

7.7.1 Within areas designated as 'Industrial' on Schedule 1 of this Plan, the following land uses shall be permitted:

a) Industrial uses including the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials;

b) Warehousing and bulk storage of goods;

c) Laboratories;

d) Computer and data processing;

e) Research and development facilities;

- f) Printing, publishing and broadcasting facilities;
- g) Repair and servicing operations;
- h) Transportation terminals;
- i) Contractors' yards;
- j) Complementary uses (such as corporate offices, open space and recreation facilities, public and institutional uses and utilities) which do not detract from, and which are compatible with, the development and operation of industrial uses.

7.7.2 Complementary uses, as outlined in policy 7.7.1(j), may be permitted within the 'Industrial' designation by *Zoning By-law* amendment. The adequacy of municipal services to support the proposed complementary uses will be considered as a component of the zone change request.

7.7.3 Generally, commercial uses will not be permitted within areas designated as 'Industrial'. Factory sales outlets will be permitted as an accessory use, provided that only those items that are substantially manufactured or assembled on site are sold. The sales outlet must be entirely located on the site in which the items for sale are manufactured or assembled.

7.7.4 Legally-existing industrial establishments not located within areas designated 'Industrial' on Schedule 1 of this Plan shall be recognized as legal conforming uses, subject to the zoning Provisions in effect at the time of passing of this Plan. When these industries require expansion or the site is to be redeveloped for another land use activity, these industrial establishments will be encouraged to relocate into one of the designated industrial areas of the city.

7.7.5 It is the policy of the City to maintain a high standard of industrial development.

1. In order to encourage the development of attractive *industrial* areas, and to preserve sites along arterial roads for those industries that desire or require visibility, the City will pursue the following:
 - a) Direct such uses as contractors' yards, repair and servicing operations, transportation terminals and utility yards to locate along local or collector roads that are not located within an *industrial park*;
 - b) Maintain higher development standards along arterial roads or within an industrial park for such matters as: parking, loading areas, outside storage, landscaping, buffer strips and setback requirements; and
 - c) Recognize a variety of categories of industrial zones in the Zoning Bylaw.

7.7.6 The City shall ensure an adequate supply and variety of serviced industrial land to meet the requirements of industrial development.

1. The City will continue to purchase, develop, and market lands for industrial use.
2. The City will continue to provide a variety of industrial activity locations in the various geographic sectors of Guelph in order to minimize journey-to-work trips.

7.7.7 Where industrial and residential (or other sensitive) uses are proposed in proximity to one another, the City, will use Ministry of the Environment guidelines, to require appropriate planning/land use regulatory measures that will promote compatibility between these two land use types. Measures that can assist in creating compatible environmental conditions for these basic land uses may include but not be limited to the requirement for minimum separation distances, sound proofing measures, odour and particulate capture devices.

1. Industrial land within the Hanlon Creek Business Park (lands located to the west of the Hanlon Expressway and in proximity to Laird Road) will be subject to the following land use compatibility considerations. Where a development application is proposed which would permit industrial and residential (or other sensitive uses) to be located in proximity to one another and may have an adverse effect, the City may

require that one or more of the following measures be used to promote land use compatibility;

- a) Require that the Ministry of the Environment Guidelines be applied to encourage adequate separation distances.
- b) Require that a noise evaluation study be prepared, in compliance with the Ministry of the Environment Guidelines, by a recognized acoustical consultant. This study will be prepared to the satisfaction of the City. Where appropriate, noise mitigation measures and warning clauses will be included in the recommendations.
- c) Require that appropriate conditions of development approval be imposed to mitigate identified compatibility issues.
- d) Include appropriate regulations in the implementing Zoning By-law. These regulations may include but are not limited to, minimum building setbacks, maximum building heights, loading space locations, garbage, refuse and composting facility locations, outdoor storage locations, requirements for buffer strips, fencing and berms.
- e) Impose a Holding Zone to ensure that conditions encouraging land use compatibility are implemented.

7.7.8 Within areas designated as 'Industrial' on Schedule 1 of this Plan, there are a number of properties that have existing zoning, which permits a variety of commercially oriented uses. Although the presence of these commercial uses is not in keeping with the policies of this Plan, the City will recognize these existing zoning anomalies at the time of the passing of this Official Plan, and will zone these properties accordingly in the implementing Zoning By-law.

7.13 Greenlands System

The Greenlands System represents a planning framework which recognizes that *natural heritage features* and their associated landscapes need to be considered in a holistic manner in order to provide a comprehensive and integrated approach for conservation and enhancement.

The Greenlands System is intended to include those *features* and areas which, are part of the City's *natural heritage* as well as areas in which *natural hazards* may pose a threat to public safety. These often inter-related areas include:

- wetlands;
- forestry resources;
- streams and valleys;
- ponds;
- areas of natural and scientific interest;
- fish, wildlife and plant habitats;
- flood plains and hazard lands;
- habitat areas for endangered and threatened species.

Objectives

- a) To outline a comprehensive natural heritage system – Greenlands - containing landscapes, resources and *ecological functions* that are essential to environmental and public health in the City.
- b) To recognize the many important and inter-related *functions* of our natural environmental system, and to encourage its protection and enhancement.
- c) To provide for the careful conservation of our land, animal, plant, water and air resources to provide a healthy, prosperous and enjoyable community.
- d) To include within the system those certain parts of the City including *flood plains* and areas of steep slopes, erosion hazards and unstable soils that may pose safety and property damage constraints to people and their activities.
- e) To acknowledge that the system also has a spiritual value providing visual

pleasure, tranquility, recreation and renewal, essential to human health and well being.

f) To acknowledge that the system has an economic value related to tourism, recreation and community vision, which is sustainable if properly managed.

Core Greenlands

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

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

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

7.13.2 The *natural heritage features* contained within the 'Core Greenlands' designation are to be protected for the *ecological* value and *function*. *Development* is not permitted within this designation.

Uses that are permitted include conservation activities, open space and passive recreational pursuits

that do not *negatively impact* on the *natural heritage features* or their associated *ecological functions*.

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

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

Non-Core Greenlands Overlay

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

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

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

7.13.6 *Development* may occur on lands associated with the Non-Core Greenlands

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

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

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

6.4 Wetlands

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

Objectives

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

General Policies

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

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

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

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

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

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

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

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

SECTION 6: NATURAL HERITAGE FEATURES

6.1 Introduction

This section of the Plan provides policy for the protection of features and ecological functions of Guelph's natural environment.

The policies of this section are intended to identify and provide a level of protection for lands representing the full spectrum of Guelph's natural heritage features and ecosystems.

Natural heritage features are important for their environmental and social values and as a legacy of the natural landscapes of the area. These features include areas containing wetlands, forested areas, wildlife habitats for terrestrial and aquatic species (including endangered and threatened species), valleylands, areas of natural and scientific interest (ANSI), *environmental corridors* and *ecological linkages*.

Natural heritage features are included within the Greenlands System as identified on Schedule 1 to this Plan. Subsection 7.13 of this Plan provides land use policies respecting lands within the Greenlands System.

A more refined illustration of the various forms of *natural heritage features* that have been currently inventoried in the City is outlined on Schedule 2. The following categories are outlined on this Schedule: *Provincially Significant Wetlands*, *Areas of Natural and Scientific Interest*, *Locally Significant Wetlands* and *Other Natural Heritage Features*. The "Other Features" category includes lands that primarily comprise *environmental corridors*, *ecological linkages* and buffers to *natural heritage features*. The specific delineation of any of these *features* on the Schedule is intended to indicate the primary function that is associated with the lands outlined on the Schedule. However, this *feature* delineation does not create a mutually exclusive classification of natural features, e.g. animal habitat is found in all *natural heritage feature* areas.

Objectives

- a) To recognize and identify existing *natural features* and their associated *ecological functions* in the City that should be preserved and/or enhanced.
- b) To provide ecologically-appropriate recreational and educational opportunities in the unique natural areas incorporated into the urban form and structure of the City.
- c) To protect, preserve and enhance land with unique or environmentally significant *natural features* and *ecological functions*.
- d) To maintain and enhance natural river valleys, vistas and other aesthetic qualities of the environment.
- e) To promote the continued integrity and enhancement of *natural features* by interconnecting these features with *environmental corridors* and *ecological linkages*, where possible.

- f) To establish a comprehensive systems approach to the protection and enhancement of *natural heritage features*.
- g) To ensure *development* activities on lands adjacent to *natural heritage features* do not detrimentally impair the *function* and ecological viability of the abutting heritage feature.
- h) To provide a clear and reasonable mechanism for assessing the impact of applications for land use change on *natural features* and *functions*.

General Policies

6.1.1 The City requires the protection of *natural heritage features* and their associated *ecological functions* and also encourages their enhancement where appropriate. The City also encourages *feature* protection in areas adjacent to the Municipality's boundaries.

1. In addition to implementing the other policies of this Plan, the City may use one or more of the following alternative means to protect *natural heritage features*:

- a) The acquisition of lands;
- b) Requesting the Grand River Conservation Authority to acquire those lands associated with a hydrologic function and/or suitable for conservation purposes;
- c) Entering into agreements with landowners using measures such as the use of conservation easements to secure the protection of lands;
- d) Encouraging landowners to preserve or convey land to a public agency or land trust;
- e) Implementing municipal by-laws to protect lands.

6.1.2 Where any land is delineated as a *natural heritage feature* on Schedule 2 and the land is under private ownership, this Plan does not intend that such land is open to the general public, or that the lands will be purchased by the City or any other public agency.

6.1.3 The City shall undertake public *infrastructure* works and actions that are consistent with the protection of *natural heritage features*. In instances where *infrastructure* works may impinge upon these areas, the City will give consideration to the impacts of its proposed actions, consider alternatives and implement measures to minimize impacts.

6.1.4 *Natural heritage features* and their associated *ecological functions* are a central component of the Greenlands System as outlined in subsection 7.13.

7.16 Reserve Lands

Objectives

- a) To outline areas of the City where there may be servicing, access or other development related limitations for urban growth.
- b) To outline areas that may be required for future urban expansion beyond the year 2021.
- c) To outline the City's requirements to bring reserve lands into urban use.

General Policies

7.16.1 The 'Reserve Lands' designation is applied to lands on Schedule 1 forming part of the long term urban land supply but which have servicing, access or other limitations to their use. As a result, it is considered premature to apply site specific land use designations to these areas until the provisions in Sections 3 and 4 of this Plan are adequately addressed.

7.16.2 This Plan recognizes those existing legal uses of land that occurred within this designation in accordance with the implementing *Zoning By-law* that was in effect on these lands as of March 1, 1996. Servicing of such uses will be in accordance

with Section 4, Municipal Services. Minor expansion of existing uses may be considered in accordance with the provisions of this Plan.

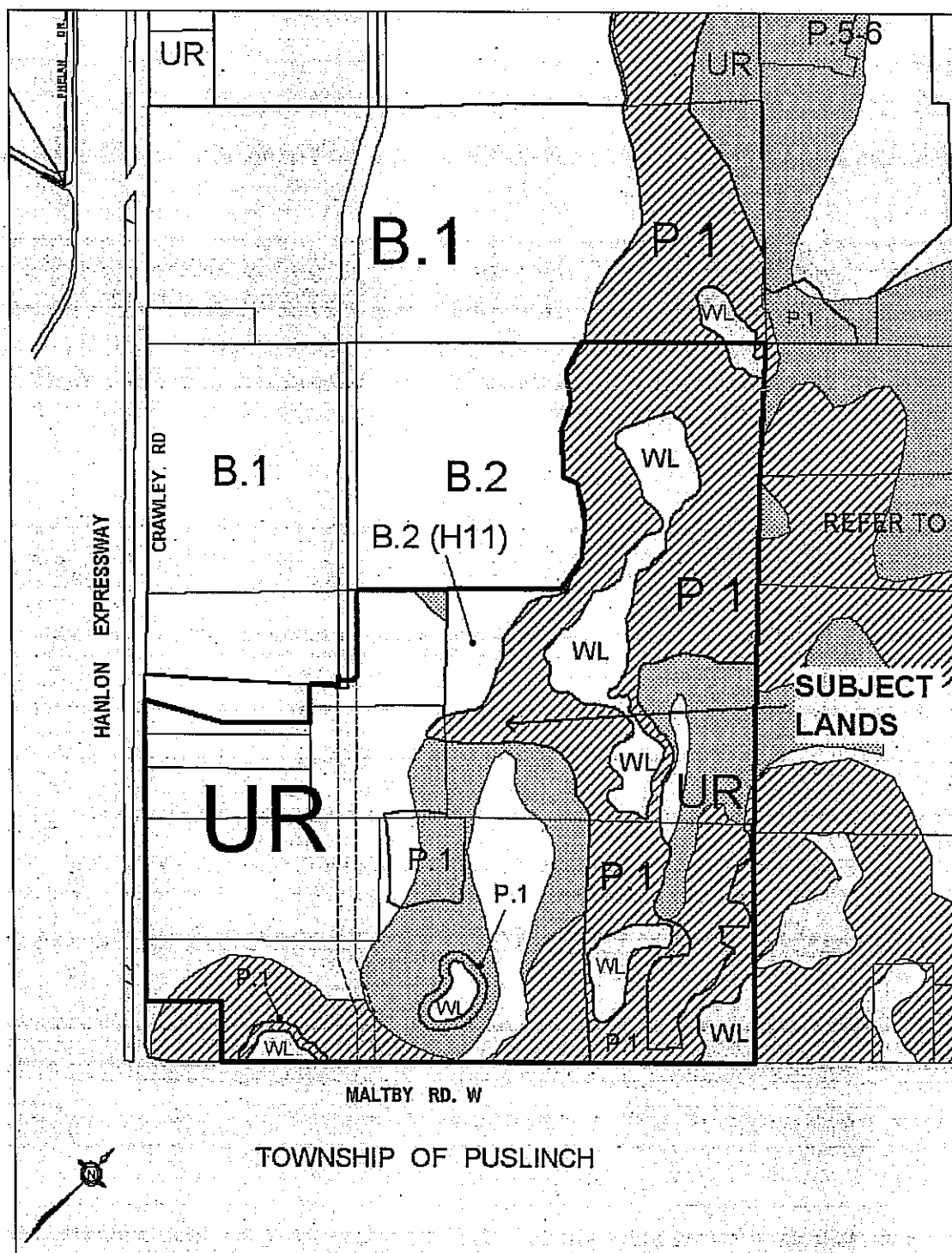
7.16.3 New land use *development* may be considered within the 'Reserve Lands' designation where the following criteria are satisfied:

- a) Adoption of an Official Plan amendment in accordance with the provisions of this Plan. For lands within the South Guelph Secondary Plan Area, this amendment should be based on the adopted land use concepts of the background Secondary Plan study;
- b) Adequate capacity exists in overall municipal services as noted in subsection 4.1 and community facilities are available;
- c) Full municipal services and access can be provided to the *development* proposal;
- d) The *development* can be phased in an orderly and contiguous fashion in relation to the existing built-up area.

7.16.4 The redesignation of 'Reserve Lands' to other land use designations will be considered at the next Official Plan review. At that time, the following matters will be considered:

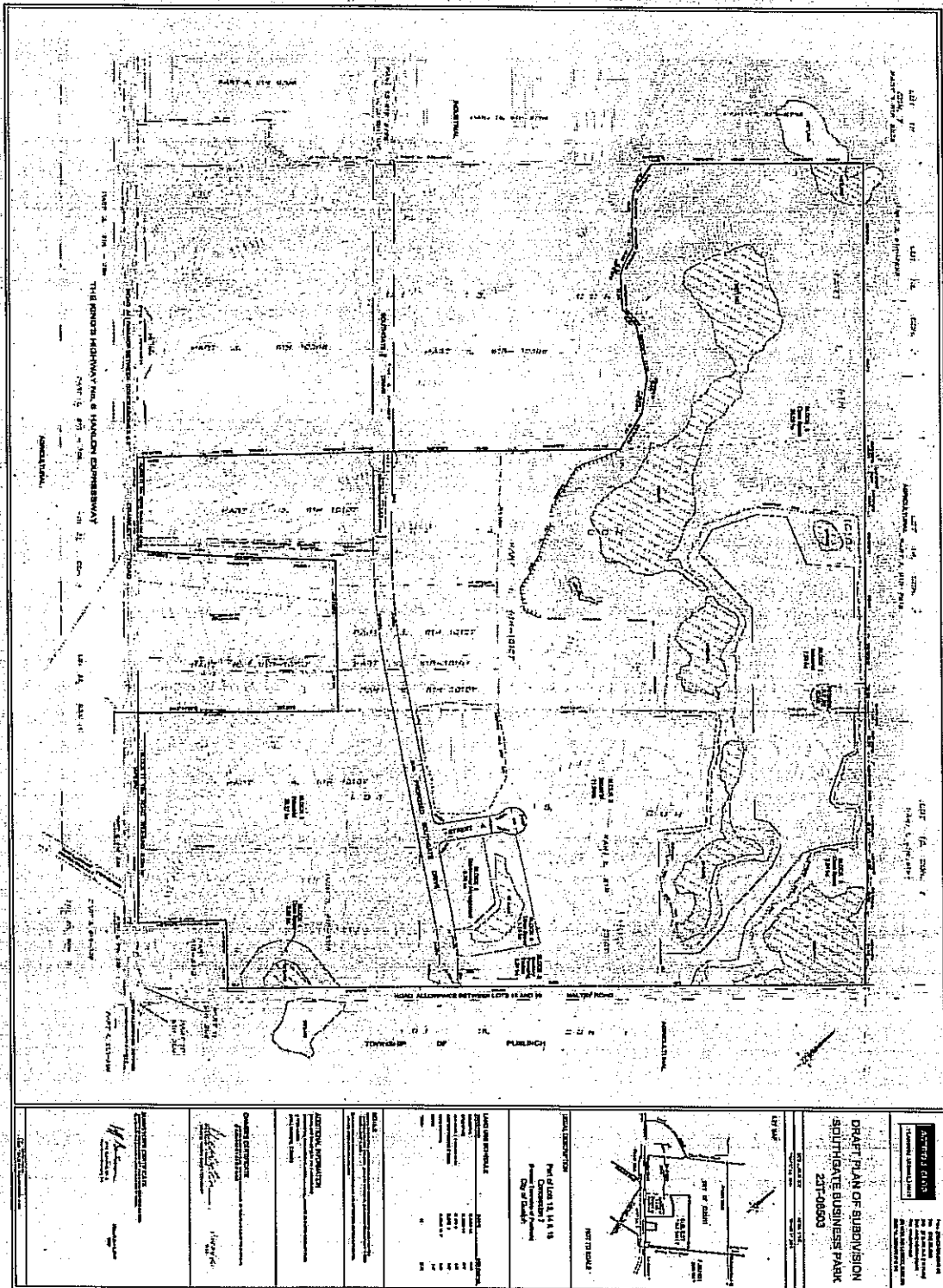
- a) Whether City population and household forecasts justify the need for incorporating such land as part of the City's unconstrained short to medium term land supply;
- b) Whether additional residential and non-residential lands are required, and the basis for the requirement;
- c) Alternative development policies, which may include consideration of increased densities within the older, established areas of the City to accommodate growth;
- d) Whether the reserve lands can be designated for urban uses in accordance with the application of minimum distance separation requirements to adjoining *agricultural* use operations.
- e) The availability and capacity of municipal services and community facilities;
- f) The City will prepare detailed community development plans that will serve as a basis for amendments to the Official Plan.

**SCHEDULE 4
EXISTING ZONING**

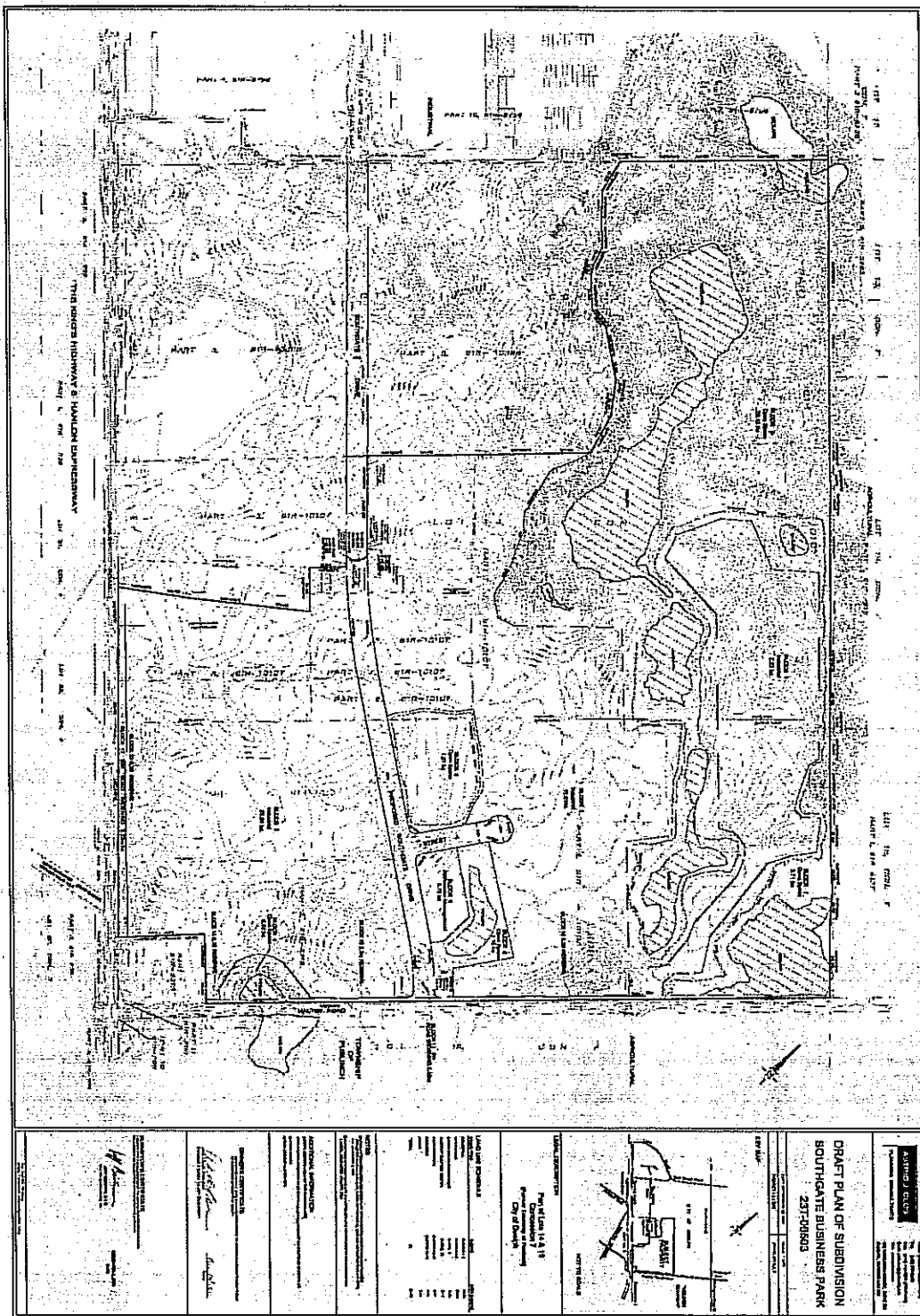


B.1 & B.2 Zones - Industrial
P.1 Zone - Conservation Land
WL Zone - Wetlands
Hatched Overlay - Lands Adjacent to Provincially Significant Wetlands
Shaded Overlay - Locally significant wetlands, significant woodlots, natural corridor or linkage.

SCHEDULE 5
EARLIER SOUTHGATE PLAN OF SUBDIVISION
The November 2007 Public Meeting Plan of Subdivision (now superseded)



SCHEDULE 6 PROPOSED DRAFT PLAN OF SUBDIVISION



(Large-scale plans will be available to Council in the agenda packages.)

**SCHEDULE 6
PROPOSED DRAFT PLAN OF SUBDIVISION**

Intended Land Use	Numerical reference to lots or blocks	Proposed Zone	Land area (hectares)	Percentage of total site
Industrial	1-3	Specialized B.3	47.19ha 116.6ac.	54%
Wetlands and buffers, woodlot	4-8	WL and P.1	35.66ha 88.11ac.	40.9%
Stormwater Management	9	P.1	0.75ha 1.85ac.	<1%
Sanitary Pumping Station	10	P.1	0.07ha 0.17ac.	<1%
Road Widenings	11&12	n/a	0.97ha 2.39ac.	1%
Roads& Reserves	13-16	n/a	2.42ha 5.97ac.	2.8%
TOTAL	16		87.09ha 215.19ac.	100%

SCHEDULE 6

Recommendations of the Owner's Hydrogeological Study Report by Mitz & Associates Inc. dated August 2006.



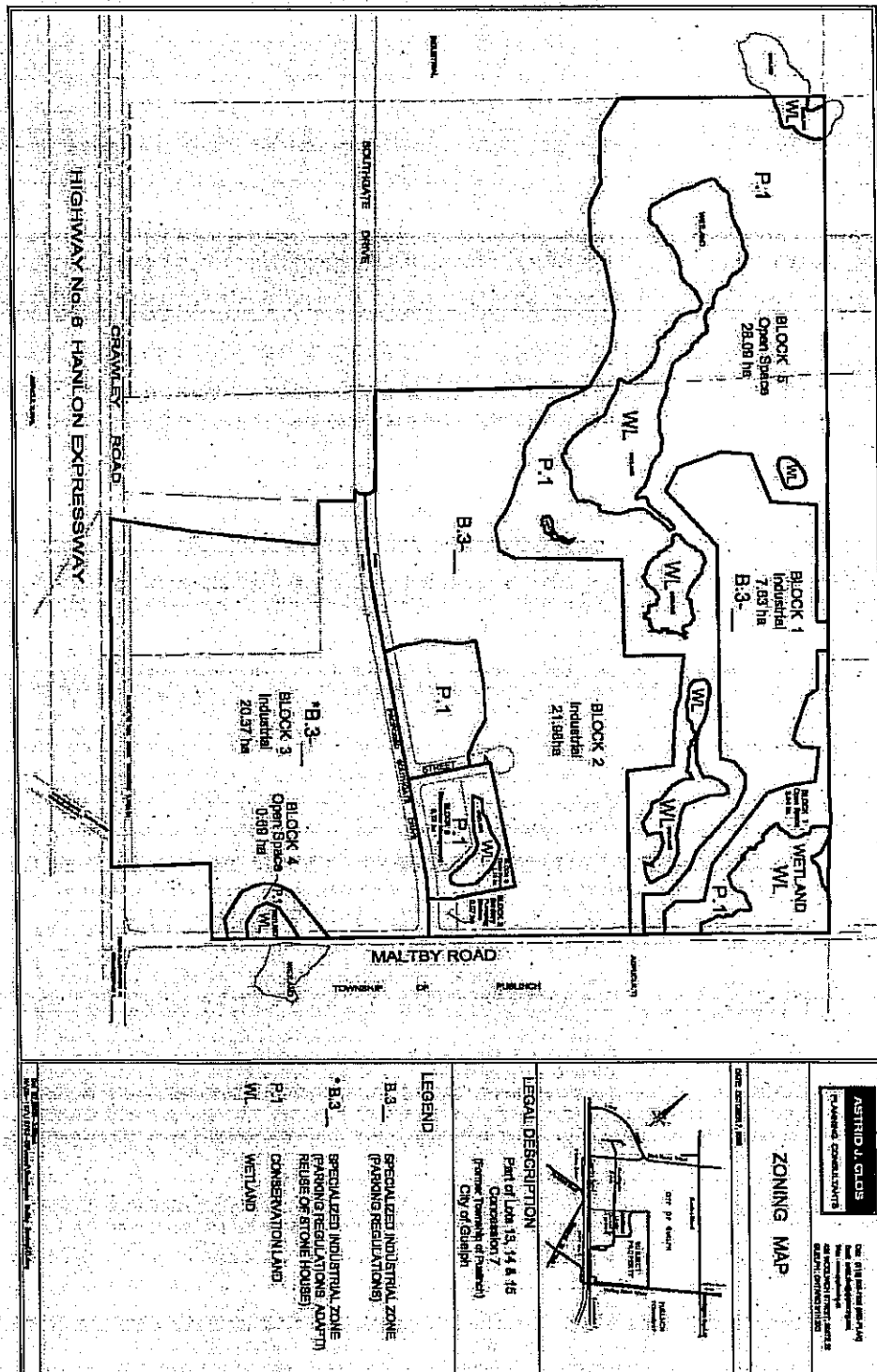
SOUTHGATE BUSINESS PARK

6. Recommendations

Based on our review of the site and available information we offer the following recommendations:

1. Development must incorporate measures to ensure that groundwater recharge is maintained and that local groundwater flow directions are not influenced by anthropogenic features such as utility trenches, trench backfill, and foundation walls.
2. Stormwater management structures must be designed to match as closely as possible the existing recharge patterns at the site both for the site as a whole and, to the extent possible, within each major SWM development block.
3. Consideration should be given to restricted or alternate deicing salt application techniques or even an outright ban on deicing salts with the exception of pedestrian walkways.
4. It is recommended that each industry locating in the Southgate Business Park incorporate all appropriate best management practices in the transport, handling, containment, use, and disposal of all wastes/chemicals used within their facility.
5. The monitoring wells installed by Gartner-Lee Limited are ideal for long term monitoring. These wells should be located (not all were found during the current study, georeferenced, rehabilitated, and preserved for their long term monitoring value.

SCHEDULE 7 PROPOSED ZONING (Original 2006 Submission)



**SCHEDULE 7
PROPOSED ZONING
(Original 2006 Submission)**

The two proposed Specialized B.3 Zones would be created as follows:

Specialized B.3- _ Zone on Blocks 1&2

Permitted Uses

Manufacturing

Warehouse

Office, Factory Sales Outlet, fleet servicing area and other Accessory Uses are permitted provided that such Use is subordinate, incidental and exclusively devoted to a permitted Use listed in Section 7.1.2 and provided that such Use complies with Section 4.23.

Temporary Uses including Agriculture (Vegetation Based), Outdoor Sportsfield Facilities and driving range.

Malls

All Uses listed in Section 7.1.2 and the following:

Catering Service

Cleaning Establishment

Commercial Entertainment/Recreation Centre (excluding movie theatres, bowling alleys and roller rinks)

Commercial School

Computer Establishment

Financial Establishment

Industrial or construction equipment rental or sales firm

Office

Office Supply

Personal Service Establishment

Photofinishing Place

Print Shop

Repair Service

Research Establishment

Restaurant

Tradesperson's Shop

Vehicle Specialty Repair Shop

Specialized *B.3- _ Zone on Block 3

(to accommodate the possible re-location of the stone heritage house from 264 Crawley Road)

Permitted Uses

Catering Service

Club

Commercial School

Computer Establishment

Convenience Store

Dry Cleaning Outlet

Mall
Manufacturing
Warehouse
Research Establishment
Museum
Office
Office Supply
Personal Service Establishment
Print Shop
Public Hall
Restaurant
Tavern
Veterinary Service

Regulations for both Industrial Zones

All B.3 Zone regulations as outlined in Section 7.3 of the Bylaw shall apply, with the following modification:

For 'manufacturing' and 'malls', the following parking requirements shall apply:

- 1 parking space per 50 square metres up to 1,000 square metres of gross floor area.
- 1 parking space per 100 square metres between 1,000 squaremetres and 5,000 squaremetres of gross floor area, and
- 1 parking space per 150 square metres over 5,000 square metres of gross floor area.

SCHEDULE 8 STAFF REVIEW AND PLANNING ANALYSIS

Since the application was submitted in December of 2006, much work has been undertaken to address all of the issues raised. Meetings have been held with EAC, GRCA, County of Wellington, Township of Puslinch, City Staff and Maltby Road residents to review and resolve all issues.

All issues and questions discussed at the November 5, 2007 Public Meeting of Guelph City Council and highlighted in the circulation responses from interested citizens are addressed below and through the recommendation in **Schedule 2**. Staff comments are included for explanation.

General Summary of the Issues and Concerns

The "primary issues" relating to the application can be summarized under the headings "Environmental and Servicing" and "Roads and Traffic".

The County of Wellington, Puslinch Township and residents living along the south side of Maltby Road have asked for consideration (See letters in **Schedules 9 and 10**) of establishing a rural/urban interface that would help ensure land use compatibility. They realize the lands are designated 'Industrial' for the most part but are asking that residents be considered and protected from noise, unnecessary lighting and adverse traffic impact. They have also asked for consideration of water quality especially as it affects the wetlands, the natural heritage and private wells. They have stressed the importance of the servicing of the plan and storm water management system and its proper functioning, infiltration and monitoring water quality and quantity and the collection of baseline data to set targets and monitor progress, along with back-up contingency plans should water quantity or quality data indicate a problem. Woodlot preservation, pollution prevention and spill protection are also primary concerns. The letters from the County, Township and Township residents are included in **Schedules 9 and 10**.

The County, Township and Maltby Road residents have also asked for clarification on the proposed improvements to Maltby Road and the impact of increased traffic volumes that result from the development of the subdivision (**Schedules 9 and 10**).

The Guelph Field Naturalists and concerned citizens submitted letters (**Schedules 9 and 10**) regarding the protection of the Paris-Galt Moraine feature and the importance of groundwater infiltration and protection – example: Prohibiting specific uses that pose a greater threat to the groundwater regime.

At the November 2007 Public Meeting, Council asked Staff to look at best practices with respect to protection of the moraine and consider the timing of the Moraine Protection Policy and legislation.

Environmental and Servicing Staff Comments

The conditions in the recommendation will collectively address the resident's concerns and ensure land use compatibility between the proposal and the surrounding land uses. In particular, see **Conditions 14, 15, 23, 39, 40 and 50 in Schedule 2**.

Additional revisions have been made to the Draft Plan of Subdivision application to respond to the resident's comments regarding compatibility and interface, including:

- A 0.3 metre reserve has been added to the plan along Maltby Road for Blocks 2 and 3. This 0.3 metre reserve will not allow direct driveway access from these blocks to Maltby Road.
- Block 1 will have only a private driveway access directly onto Maltby Road.
- A 5 m road widening has been added to the plan along the north side of Maltby Road.
- The Open Space Block 5 has been extended to Maltby Road to provide the opportunity for a continuous wildlife link to Maltby Road.
- Block 8 has been added to the subdivision to dedicate the woodlot to the City.
- Special conditions and zoning regulations have been added to the zoning to address the residents concerns regarding visual, noise and light impact.

These recommendations are contained in **Schedule 2**. The primary requirement is for a landscaped berm and buffer strip along the north side of Maltby Road (**Condition 39**) and **Condition 50** requires noise and vibration studies at the time of site plan approval.

The visual screen or 14 metre buffer that was applied in the Hanlon Creek Business Park approval to protect Forestell Road residents and create a proper interface has been applied to this development (**Condition 39**). This condition requires, in conjunction with a reserve and road widening, a 14 metre strip of land along the north side of Maltby Road that would be used for the construction of a 2 metre high landscaped berm to provide visual screening. The proposed zoning also places restrictions within the 14 metres that prohibit buildings, parking, loading, outdoor storage and garbage and storage composters. The conditions and zoning regulations dealing with the monitoring of water quality (**Condition 14**) and the visual, noise and lighting impacts that are a concern to the Maltby Road residents have been addressed in the **Schedule 2** recommendation.

The EIS has been accepted by all approval agencies including the GRCA, EAC and the Environmental Planner. Any conditions associated with agency comments have been added into the recommendation in **Schedule 2**. These matters will all be addressed further and in more detail through the EIR (**Condition 14**).

The storm water management strategy has been accepted by City Staff and the GRCA. Essentially;
"The SWM approach for the Southgate Business Park is described in detail in the following reports:

- "Environmental Impact Study" (NRSI, Dec 2006);
- "Hydrogeological Study Report" (Mitz & Associates, August 2006).
- "South Guelph Secondary Plan Area Scoped Environmental Impact Study (LGL et al, Nov 1998)

In order to maintain groundwater levels and wetland hydrology in the Southgate Business Park area, at-source infiltration with each landowner responsible for its own SWM structures such as, vegetated swales, dry ponds, and infiltration galleries (perforated pipe systems) is recommended. The on-site SWM structures will be designed to match as closely as possible the groundwater recharge pre-development patterns within each development block.

City staff will review the SWM design at Site Plan Approval stage to ensure that the proposed SWM approach for each parcel is consistent with the SWM recommendations presented in the EIS and Hydrogeological Study reports."

The Servicing Report and the recommendations of the two Hydrogeological Reports have been accepted by the City, GRCA and EAC for further follow-up and detail as part of the EIR process (**Condition 14**). The two Hydrogeological Report recommendations (**Schedules 6 and 9**) have been included in **Condition 14** to ensure the recommendations are considered at the detailed design stage of the proposal. These recommendations will cover for example, groundwater recharge, swm design, pollution protection and monitoring. The City Engineer has noted that the sanitary pump will be ultimately owned by the municipality.

Monitoring has been included in the recommendation and the range of monitoring will be determined in the EIR (See **Condition 14**). This will establish the type, location and timing of the monitoring. To address the concerns of the Township regarding the monitoring of adjacent wetlands and private wells in the Township, off-site monitoring by the developer may be required.

To address the Puslinch Township and Maltby Road resident's concerns, the recommendations of the Township's Hydrogeological Engineer have been added to the EIR **Condition 14**. These recommendations include:

- "That the developer be required to monitor the public stormwater management facility to ensure that it is functioning in accordance with its design.
- That prior to site plan approval, a monitoring plan for the private stormwater management facilities be required by the City.
- That the developer be required to monitor both base line (pre-construction) and post construction conditions in the on-site wetlands.
- That the City reviews the grading plan to ensure that the pre-development drainage patterns will not be altered to the south across Maltby Road to Puslinch Township.
- That the developer be required to monitor both base line (pre-construction) and post construction ground water quality."

Prohibited Uses lists used in the zoning for the Hanlon Creek Business Park to contribute to the protection of water quality are recommended in the zoning for this application in **Schedule 2** for both specialized B.3 Zones. The prohibited uses are

listed in the new zoning for added protection and this is consistent with the recommendations of the hydrogeological reports.

The Block 8 woodlot has been logged heavily and there has been much discussion on whether or not it is worth saving and protecting. Opinions have varied on whether the bush can regenerate or not and whether the woodlot should be protected or developed. After weighing various options and considering the woodlot has been in the P.1 (Conservation Land) Zone for years, Staff are recommending the woodlot be dedicated to the City for protection as an addition to the urban canopy (**See Condition 40**).

Noise and Vibration Mitigation and Light Pollution is addressed in the Zoning Bylaw and in the Schedule 2 recommendation. **Condition 50** establishes the requirement for noise and vibration reports at the time of site plan approval for the protection of surrounding residents. This was also a requirement of the HCBP for the protection of Forestell Road residents in the Township.

Lighting is normally reviewed during site plan approval according to Section 4.8 of the Zoning Bylaw. **Condition 14** asks for a more detailed review through the EIR to ensure that residents along Maltby Road are protected against unnecessary light at night. With respect to odours and airborne particulate, the MOE has responsibility for this area through their MOE certificate of approval process.

Consideration of Pesticide and Road Salt impact on wetlands and wells is raised as an issue by the Hydrogeological Report and Maltby Road residents and is a logical topic relating to the protection of the moraine and the need for recharge. The topic has been added to **Condition 14** so it is specifically considered in detail in the EIR.

The Paris and Galt Moraines are 1189 hectares in size located in the Counties of Halton and Wellington including a portion in the City of Guelph. The Paris and Galt Moraines form a belt 6.4 to 8 km wide crossing the eastern part of the Guelph map area in a northeast to southwest direction (see internet sites of MNR, Natural Heritage Information Centre). Much development is located within the moraine already but approval authorities continue to develop strategies for recharge areas that include assurances that groundwater recharge continues and potential threats to water sources are reduced or avoided.

The focus of the Clean Water Act 2006 applies to both existing and future sources of municipal drinking water. One of the areas identified by the Act is a "Groundwater Recharge Area". A recharge area is the area where an aquifer is replenished through the infiltration of rainwater and snow melt and seepage from lakes, streams and wetlands or from built structures such as stormwater management systems.

The Southgate Business Park implements moraine protection and the Clean Water Act objectives by requiring the production of an EIR that will address all details relating to water quality and quantity (See above titled 'Acceptance of the Stormwater Management Strategy/infiltration and recharge') and **Conditions 8,**

12, 14, 40, and 41 in Schedule 2). These conditions collectively focus on moraine and groundwater protection.

With respect to the Moraine Protection Policy and legislation, Staff offers the following chronological update:

In the summer of 2007 Mayor Farbridge and MPP Liz Sandals made a request to the Minister of the Environment that provincial policy or legislation be developed to protect the Paris Galt Moraine in order to protect groundwater recharge in the Upper Grand River watershed..."

In July 2007 the Minister of the Environment agreed to review the potential need for new policies. The review was predicted to take approximately 18 months. The results of this review are intended to be available in January 2009.

On October 19, 2007 Mayor Farbridge wrote to the Minister of Municipal Affairs requesting that "portions of City Guelph be included in the Greenbelt. In order to better protect the Galt-Paris Moraine from increasing development pressures and thereby help to protect our municipal drinking water supply."

In February 2008 the Minister of Municipal Affairs and Housing circulated draft criteria for Growing the Greenbelt. The City provided comments on the draft criteria in April 2008. The Ministry refined the criteria and produced final criteria for Growing the Greenbelt in August 2008. The criteria includes:

- A request, supported by a council resolution, may be made by a single tier municipality.
- Public engagement must be demonstrated and may build on the consultation process used for a comprehensive review under the *Planning Act*.
- Expansions may be adjacent to the Greenbelt Plan or alternatively demonstrate a clear functional relationship to the Greenbelt Plan based on natural resources, recharge areas and associated wetlands.
- Demonstrate how the proposed expansion meets the vision for the Greenbelt Plan.
- One or more of the Greenbelt Systems (e.g., Natural Heritage System) is identified and included in the proposed expansion along with a demonstration of its functional relationship to the existing Greenbelt system.
- The proposed expansion does not impede the implementation of the Growth Plan and supports the goals, objectives and targets of both the Greenbelt Plan and the Growth Plan.
- Major Natural Heritage Systems within existing urban areas may be considered provided it is designated within the municipal official plan.

-
- The request to expand the Greenbelt Plan may be considered by the Ministry while complimentary provincial initiatives are being developed such as the Source Protection Areas under the *Clean Water Act*.

On October 15, 2008 Community Development and Environmental Services Committee received the Growing the Greenbelt criteria and resolved:

"That the matter of Growing the Greenbelt be referred to staff for consideration in development of the local Growth Strategy and the Natural Heritage Strategy."

Currently work is ongoing to study the 'Growing the Greenbelt' criteria and how it can be applied to the Guelph situation. In the meantime, the EIS has been actively reviewed by the City and the GRCA and has been found to be acceptable.

Roads and Traffic Staff Comments

The question was asked by Council about future consideration of servicing and access for the adjacent Crawley Rd. properties (See 372,384,398 and 416 Crawley Road on **Schedule 1**).

The owner has contributed toward the costs for the interim improvements to the Hanlon/Clair and Hanlon/Laird intersection improvements which are now under construction. They will also participate in the Maltby/Hanlon intersection improvements. As mentioned earlier in this report, the owner recently acquired an interest in adjoining lands at 384, 398 and 416 Crawley Road which were collectively incorporated into the revised plan of subdivision (See **Schedule 1**). The property at 372 Crawley Road which was the subject of an earlier rezoning application by the Guelph Muslim Society (OP0702/ZC076) is the only property on this section of Crawley Road that is not forming part of the subdivision lands. Engineering Services has confirmed that when the MTO require the closure of Crawley Road at Maltby Road, access to 372 Crawley would be maintained from the north end of Crawley Road (See Engineering comments **Schedule 9**). This property may possibly be incorporated into the plan of subdivision in the future.

The closure of Crawley Road and the interim improvements and possible fly-over only at Maltby Road and Crawley Road are under review by the MTO EA which has been in process the past year. The Preferred Plan to change the Hanlon Parkway to a grade-separated expressway between Wellington Street and Wellington Road 34 has just recently been presented at a Public Open House.

Regarding the upgrading of Maltby Road specifically, the City advertised and held a Public Information Centre meeting on October 28, 2008 regarding the road reconstruction project. The proposal is to upgrade and improve portions of Gordon Street, Maltby Road and Wellington County Road 46. The Maltby Road work is to be done in conjunction with the improvements to Gordon Street south of Clair Road. Timing is to be a 2009 start but that is for the entire project which includes Gordon Street from Clair to WR34 and Maltby Road from Hanlon to Gordon. The remaining work is planned to be done in 2010.

The only planned improvements to Maltby Road to date are a smoothing of the vertical elevations through cut and fill operations to provide better driver sight-lines and an asphalt surfacing. The existing right-of-way can accommodate the proposed 2-lane paved roadway.

With respect to the resident's concerns about increased traffic volumes and impact on Maltby Road in front of their homes, a Revised Traffic Study was prepared by Wentworth Consulting Inc. dated, March 28, 2008 that has been accepted by the City and MTO. This traffic study may need updating prior to the registration of the plan (See **Condititon 59**) if the MTO feels it is required.

The Traffic Study by Wentworth Consulting has been amended to clarify the concerns raised by Maltby Road residents about increased volumes. The revised Traffic Study specifically addressed traffic volumes between Gordon Street and the new Southgate/Maltby intersection along Maltby Road. The projected traffic on Maltby Road, east of Southgate Drive to Gordon Street will be 400 vehicles per hour in the peak hours. This is considered well within the traffic level acceptable for a two lane arterial roadway like Maltby.

The residents on Maltby Road have also commented on the location of the Southgate Drive extension in the plan to connect to Maltby Road. Their preference would be that it is connected further to the west towards Crawley Road or that Maltby swing north to create a 'T' intersection with Southgate Drive. Staff has confirmed that the proposed location of Southgate Drive where it intersects with Maltby Road:

- Is consistent with the Southgate Drive Environmental Assessment which was completed by the City of Guelph.
- Is consistent with the extension of Southgate Drive shown in the City of Guelph Official Plan.
- Meets the minimum 500 metre setback from Highway 6 required by MTO and is supported by MTO.
- Does not preclude any options available to ultimately connect to the future interchange planned for the Hanlon Expressway, north of County Road 34 in the Township of Puslinch.

Community Energy Plan

The owner has committed to supporting the CEP through a list of actions outlined in a letter to the City (Next in this **Schedule 8**). Staff is recommending additional requirements through **Conditions 35, 36 and 49** to address site energy, water, building energy efficiency, energy performance labeling, exploring the possibilities of neighbourhood energy integration and solid waste management.

There are seven CEP criteria to be considered when development proposals are being reviewed. Outlined below are the CEP conditions as well as an outline of how the subject proposal is working toward meeting the condition:

CEP Condition		Comments
Meets site and building efficiency expectations?		<p>See Condition 35 The owner has agreed to advise all purchasers that once the City has adopted a City-wide Community Energy Development Plan, site plan applications will need to be prepared by the purchaser in compliance with this City-wide Community Energy Development Plan. This condition will appear in the subdivision agreement which will be registered on title.</p> <p>See Condition 49a The owner has agreed to notify purchasers that they must participate with the City and Guelph Hydro Electric Systems Inc. to explore and demonstrate building efficiency options for the development that will further contribute to the peak reduction of electrical power on the subject site. This condition must be satisfied by the purchaser prior to site plan approval.</p>
Makes voluntary commitment to display Energy Performance Labels?		<p>See Condition 49b The owner has agreed to encourage prospective purchasers to voluntarily display Energy Performance Labels for all main buildings, once the City provides details of the pilot project with NRCan.</p>
Submit Integrated Energy Master Plan for site and possible neighbourhood integration?		<p>See Condition 49c The owner has agreed to participate in a study funded by the City, to review the possibilities for neighbourhood energy integration at or including the subject lands. Specific City Guidelines are not yet available.</p>
Improves City transportation efficiency?		<p>See Condition 40 The developer will deed to the City all lands required by the City for Storm Water Management Facilities, Sewage Pumping Station, Woodlot and Wetlands/Open Space, including Blocks 4 to 10 of the plan. The open space and swm blocks will allow the City to complete a public pedestrian/bicycle trail linkage between Clair Road and Maltby Road. The developer's cash-in-lieu payment will assist in funding the trail construction.</p>
Contributes to electricity peak reduction?		Condition 49a (see above)
Has effective storm water		<p>See Condition 12. The City has added additional criteria to the standard</p>

management?		swm condition. The swm plan and report for the subdivision and individual swm reports at the site plan stage, will be clarified further in the EIR (Condition 14). The owner's SWM and Servicing Report has been accepted by the City, GRCA and EAC.
Has effective domestic water management		See Condition 36 The owner has agreed to advise all purchasers that once the City has adopted a City-wide Water Sensitive Urban Design Plan (WSUDP), site plan applications by the purchaser will need to be prepared in compliance with the City-wide Water Sensitive Urban Design Plan (WSUDP). This condition will appear in the subdivision agreement and registered on title.

Other Environmental Initiatives

The following letter submitted by the owner lists commitments and actions towards supporting the CEP and these commitments have been added as **Condition 49e in Schedule 2.**

SCHEDULE 8
Owner's Letter of Commitment to Support the Guelph Community
Energy Plan

Industrial Equities Guelph Corporation (IEGC)

55 Kelfield Street
Toronto, Ontario
M9W 5A3
Tel: 416-247-3399 / Fax: 416-241-4015

July 3, 2008

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

Attention: Al Heame, Senior Development Planner
Community Design and Development Services

Re: **Southgate Business Park**
Draft Plan of Subdivision 23T-06503
Zone Change ZC-0617

Further to the City of Guelph's request, we are pleased to outline how the above-referenced application will comply with the Community Energy Plan for the City of Guelph.

The Southgate Business Park Subdivision has a total area of 87.09 hectares (215 acres). A considerable portion of this area (approximately 41%, or 35.66 hectares/88 acres) will be protected from development and will be in an Open Space designation and Zoning. The protected areas will be "untouchable" and include wetlands, sanctuaries, set backs and woodlots. We have worked vigorously with the City to achieve sensible targets for the development of the Southgate Business Park.

In April 2007, Guelph City Council endorsed the vision, goals and directions provided for in the Community Energy Plan (CEP). This plan represents a commitment to use energy more wisely and to help fight climate change. The Southgate Business Park proposal is undertaking the following in compliance with the Community Energy Plan:

- The existing wetlands are being preserved on the property. These wetlands will be well buffered and nearly 41% of the property will be protected as a natural area. This will ensure that the tree canopy in the protected area remains.
- The existing woodlot located on the property will be maintained and protected. The woodlot will be conveyed to the City for their ongoing stewardship.

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- 88 acres of Open Space will be dedicated to the City, at no cost to the City. This land can be used by the City to continue the City-Wide Trail Network. This will provide for alternative modes of travel to this employment area, such as walking and cycling.
- The asphalt used for the construction of the roads in this subdivision will be up to 30% recycled material for the base coat of asphalt and up to 15% recycled material for the final coat of asphalt.
- The developer will provide double the standard tree planting allowance required by the City. This will enable the City, at its discretion, to install either larger City street trees, or double the amount of street trees..
- There will be no development of identified steep slopes of floodplain areas.
- We have been working with Guelph Hydro to source LED street light fixtures. If these LED fixtures are commercially available when the Hydro Installation is required for this Business Park, Industrial Equities Guelph will allow these to be installed.
- 100% up to the Regional Storm will be infiltrated and recharged into the groundwater. No storm water flows below the Regional Storm will be permitted to leave the property or outlet to a storm sewer or the wetlands.
- Where enhancement area plantings are recommended within the approved Environmental Implementation Report, native species will be planted.
- The overall site grading will be designed at relatively flat grades to reduce erosion and maximize infiltration.
- The existing topsoil on site will be stockpiled and, as required, will be reused on the site.
- Lot-level storm water management controls will be used to mimic existing conditions and infiltrate storm water rather than a large centralized storm water facility.
- The achievement of recharge targets will be required for future employment uses. How the recharge targets will be achieved will be evaluated prior to site plan approval being granted by the City.
- The stone heritage house will be retained in situ or will be relocated to a location within the Southgate Business Park for adaptive reuse. The embedded energy used to construct this house will be preserved along with a part of the area's heritage.
- We have agreed to limit "heavy industrial" uses from locating on site, which will minimize the energy consumed and extracted from Southgate Business Park.

In summary, we have gone to great lengths to mitigate the environmental footprint of the Southgate Business Park. We hope that our actions will act as a catalyst for other planned developments in Guelph, and encourage all developers to participate and contribute to advancing the Community Energy Plan.

We look forward to a positive response to our application.

Yours truly,



Mark Cowie
President
Industrial Equities Guelph Corporation (IEGC)

cc: Astrid Clos, Astrid Clos Associates
Leslie Marlowe, LM Construction

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**SCHEDULE 9
AGENCY COMMENTS**

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	Support subject to Schedule 2
Engineering		✓	Support subject to Schedule 2
G.R.C.A.		✓	Standard Conditions
Parks		✓	Standard Conditions
Puslinch Township			Township forwarded private consultant's reports for consideration.
Environmental Advisory Committee (EAC)		✓	Retention of the woodlot and restrictions on land uses similar to HCBP
Wellington County		✓	
MTO		✓	Standard Ministry conditions relating to future interchange, road improvements and costs
Guelph Development Association	✓		Support proposal
Police Services	✓		
Finance		✓	Development Charges
Guelph Hydro Electric Services Inc.		✓	Standard Conditions
WDG Health Unit	✓		
Guelph Chamber of Commerce	✓		
Emergency Services / Fire Department	✓		
Canada Post		✓	Need centralized mail

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
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facilities for multi-unit
buildings

Hydro One

✓

Zoning

✓

Guelph Field
Naturalists

✓

Do not oppose application
but have concerns regarding
development within the
Paris-Galt Moraine.

The latest comments received from Engineering Services, City Environmental Planner, EAC, Parks Planning, GRCA, Guelph Field Naturalists, MTO, County of Wellington and Puslinch Township are attached in this Schedule.

SCHEDULE 9 AGENCY COMMENTS

DATE October 1, 2008

TO **Al Hearne, Development Planning**

FROM Rajan Phillips, Engineering Services

DIVISION Engineering Services (File: 16.131.001)

DEPARTMENT Community Design & Development Services

**SUBJECT Southgate Business Park, Phase 2 – Draft Plan of Subdivision and
Zone Change Application: File 23T-06503 / ZC-0617**

The following are Engineering Services comments and conditions for approval of the above-noted application based on the revised Draft Plan and related submissions by the developer.

1. Provincial/Municipal Road Infrastructure and Access

These comments should be read in conjunction with MTO's letter of March 1, 2007.

- The revised draft plan includes (a) the extension of Southgate Drive to Maltby Road as required; (b) 5 metre road widening for upgrading Maltby Road a two lane roadway; and (c) 10 metre road widening along Crawley Road.
- The revised Draft Plan shows Block 1 Industrial with only one access from Maltby Road. Engineering has no objection to this provided the road connection from Maltby Road is identified and developed as a private road.
- The developer has submitted a traffic impact study to identify the improvements to the at-grade intersection at Maltby Road and the Hanlon Expressway and the configuration of the future intersection at Maltby Road and Southgate Drive. This has been reviewed by MTO and will form the basis for implementing the improvements and related cost estimates. MTO has indicated that the Maltby/Hanlon intersection will be closed when the new interchange on the Hanlon Expressway south of Maltby Road is constructed.
- The developer will be responsible for the cost of the following road works internal and external to the subdivision: (a) the extension of Southgate Drive to Maltby Road; (b) the intersection at Southgate Drive and Maltby Road; (c) interim improvements at the Hanlon/Maltby intersection; and (d) one half of the cost of upgrading Maltby Road from the Hanlon/Maltby intersection limits to the easterly limit of the subdivision. The payment of these costs will be effected through the Subdivision Agreement (Conditions #15 and #23).
- MTO has indicated that Crawley Road should be closed at Maltby Road as part of improving the Hanlon/Maltby intersection. Crawley Road will remain open at Clair Road to provide alternative access to any remaining properties that have driveways on Crawley Road.
- The conditions of approval required by MTO as per the letter of March 1, 2007, should be included in the conditions of draft plan approval.

2. Municipal Services

As noted in our earlier comments the proposed subdivision will be serviced by the extension of sanitary sewer (gravity main and force main along with a pumping station) on Southgate Drive, and the extension and looping of water main on Southgate Drive, Crawley Road and Maltby Road. We note the following based on the revised Draft Plan and submissions by

developer:

- The location for the new sanitary pumping station is identified in Block 10 of the Draft Plan; the sizing of Block 10 will be finalized based on the design details of the pumping station to be submitted by the developer (Condition #12).
- The developer has indicated that Block 1 will be serviced by a sanitary gravity main along Maltby Road connecting to the proposed pumping station, and has proposed the extension of a water main along Maltby Road to provide potable water and fire protection. These extensions will be included in the reconstruction of Maltby Road.
- The cost of providing the above-noted extensions (subject to City's share for over-sizing) and the cost of the sanitary pumping station will be the responsibility of the developer. The payment of these costs will be effected through the Subdivision Agreement (Conditions #15 and #23).

3. Stormwater Management

Further to our earlier comments, GRCA has confirmed that they have no objection to the Zone Change and Subdivision applications for the proposed development and have provided relevant conditions for the approval of the draft plan. The developer has confirmed that runoff from Maltby Road can be accommodated in the SWM pond identified as Block 9 in the Draft Plan.

4. Community Energy Plan and Water Sensitive Urban Design Plan

We have included Conditions 10 and 11 to facilitate the achievement of the City's goals identified in the Community Energy Plan approved by Council, and consistent with the City's comprehensive approach to water management.

5. Draft Plan Details

As we have indicated earlier, the Draft Plan should be revised to include consistent Part Numbers for the former Gyuro lands and surrounding Southgate Drive cul-de-sac as per registered plan 61R-10808; and the portion of land between Blocks 10 and 6 should be added to Block 10.

6. Conditions of Approval

The following conditions should be included in the approval of the draft plan. In addition, conditions stipulated by MTO and GRCA should also be included.

Note: All recommended conditions received from Engineering Services have been attached to the Staff recommendation in Schedule 2 by the author.

ENVIRONMENTAL PLANNING REPORT
December 12th, 2007
Environmental Advisory Committee

Item 1 Southgate Business Park - File No.: 23T- 06503 / ZC0617
Environmental Impact Study (EIS)

(prepared by Natural Resource Solutions Inc., December 2006 amended July 2007)

Proposal A draft plan of subdivision and zoning by-law amendment to allow the creation of an industrial business park.

Location The subject property is located east of Crawley Road and north of Maltby Road. The project is proposed for 264, 348, 408, 452 Crawley Road and 385 Maltby Road West. (Location Map - Page 2 and 3)

- Background**
- The subject lands are approximately 87.58 hectares (216.32 acres).
 - Schedule 1 of the Official Plan identifies the lands as Industrial, Core Greenlands, and Non-Core Greenlands.
 - Schedule 2 of the Official Plan identifies the lands as Provincially Significant Wetland (Hanlon Creek Wetland Complex) and Other Natural Heritage Features.
 - The properties are currently zoned as Urban Reserve, Park, Wetland and Lands Adjacent to a Locally Significant Wetland, Significant Wood Lot, Natural Corridor, or Linkage.
 - The majority of the lands fall within the Hanlon Creek Subwatershed, with a small portion draining towards the Mill Creek Subwatershed.
 - The subject lands were previously studied for the City by LGL as part of the "South Guelph Secondary Plan Area – Scoped EIS".
 - EAC reviewed the December 2006 EIS at the April 2007 EAC meeting and chose at that time to defer support of the EIS until such time that an amendment was submitted addressing concerns raised.

Comments The following comments have been prepared by staff as per the review of the Environmental Impact Study dated July 2007 from Natural resource Solutions Inc.:

- The City requires a trail concept plan, including a main linear north-south off-road route to link the South End Community Park to Maltby Road, connections to the road network and lateral connections between off-road and on-road routes if possible to be included within the EIS.
- The City requires a letter from the Ministry of Natural Resources conforming or denying the presence of provincially and regionally significant species on the subject lands especially within the woodlot located at the corner of the proposed Southgate Drive extension and Street 'A'. The presence of significant species will need to be determined prior to any further discussion taking place regarding the future of the woodlot.
- The City requires additional information be provided in the EIS

concerning potential impacts on vegetation and wildlife associated with the creation of the proposed access road from Maltby to Block 1.

- The City requires additional comment (such as the incorporation of information contained within the December 4th, 2007 letter from Mitz & Associates Inc. to PEIL) be provided in the EIS on the degree that each of the wetlands is sustained by groundwater vs. surface water.
- The City has requested that the 'potential future road' located on Block 1 be removed from all plans.

**Suggested
Motion**

"THAT the Environmental Advisory Committee supports the Environmental Impact Study prepared by Natural Resource Solution Inc., dated July 2007 related to the Southgate Business Park (23T-06503/ZC0617) subject to the retention of the woodlot at the corner of the proposed Southgate Drive extension and Street 'A';

AND if at such time the woodlot at the corner of the proposed Southgate Drive extension and Street 'A' is deemed not to have significant species and a proposal is submitted supporting removal of the woodlot that the Environmental Advisory Committee be circulated for review."

December 12/07 EAC.

Moved by P. Smith, seconded by Scott Robertson

"THAT the Environmental Advisory Committee supports the Environmental Impact Study prepared by Natural Resource Solution Inc., dated July 2007 related to the Southgate Business Park (23T-06503/ZC0617) subject to the retention of the woodlot at the corner of the proposed Southgate Drive extension and Street 'A';

AND that the City prepares a Zoning By-law that restricts land use similar to the restricted zones of the Hanlon Creek Business Park."

MOTION CARRIED
Unanimous

2. **Approval of Minutes from August 08, 2007**

Moved by J. DeBruyn and seconded by Scott Robertson

"To accept the minutes as printed."

MOTION CARRIED
Unanimous

3. **Election of EAC Chair**

- Paul Smith was elected as the new Chair for the Environmental Advisory Committee.

4. **Other Business**

- The next Environmental Advisory Committee meeting will be January 30th, 2008. This meeting will be to discuss the Hanlon Creek Business Park Environmental Implementation Report. Committee members will receive the report the first week of January for review.

5. **Next Meeting**

January 30, 2008

The meeting was adjourned at 9:35 p.m.

Chairman



Memo

To: Al Hearne, Carrie Musselman, Mary Angelo
From: Helen White, Park Planner
C.C.:
Department: CDDS
Date: July 16, 2007
Subject: Southgate Business Park: Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment to allow an Industrial Subdivision applying to lands municipally known as 264, 348, 408, 452 Crawley Road and 385 Maltby Road West (File 23T-06503/ZC-0617)

Parks Planning has reviewed the application for the above noted Proposed Draft Plan of Subdivision, Environmental Impact Study, Hydrogeological Study Report and Preliminary Engineering Design Report (dated December 2006) circulated on January 22, 2007 and offers the following comments:

Environmental Impact Study

Study Area:

- Note the presence of the South End Community Park site and the adjacent Industrial site which adjoin the subject property to the north and have natural areas within the corridor between the Hanlon Creek Conservation Area and the subject property.

General:

- The City requirement for trail development in this subdivision should be addressed in the study in text and figures. Refer to details below and Environmental Planner report.

Recommendations Section:

- It should be recommended that a proactive approach to tree preservation will be followed for significant trees outside the wetland protection zones: not simply overlaying the developer's desired grading on the tree inventory and eliminating those which conflict, but noting that an arborist report will identify particularly significant trees to remain and that grading will be adjusted to suit. I recommend protective covenants registered on title for significant trees to remain on individual lots.
- Add note that hazard tree removal must be reviewed on site and approved by City and GRCA representatives prior to implementation.
- Enhancement of the natural area edges is mentioned in text and on Figure 6, but not for the large cultural thicket/savannah area between Wetland B and the development. I recommend some additional vegetation treatments in the area, especially as a City trail is proposed and additional ad-hoc (i.e. user developed) trails into the wetland should be discouraged.
- Detailed plans showing demarcation of open spaces to be dedicated to the City, educational signage for open spaces and storm water areas, City storm water area planting plans, trail plans, open space enhancement plans and monitoring of human impacts on open spaces are expected in the EIR. Please refer to City Property Demarcation Policy, Design Principles for Stormwater Management Areas, Guelph Trail Master Plan, and Facility Accessibility Design Manual.

Memo



Parkland Dedication:

The current draft plan of proposed subdivision proposes a development area of 87.58 hectares and showing a Parkland Dedication of 0 hectares. Park Planning would require a minimum Parkland Dedication in the amount of hectares (per City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545), calculated as follows:

Total Development Area	87.58 hectares
less open space (to be conveyed)	<u>34.64</u> hectares
	52.94 hectares @ 2%= 1.059 hectares

TOTAL PARKLAND DEDICATION REQUIRED **1.059 hectares**

Parks Planning recommends that in lieu of Parkland Dedication, the developer be responsible for the design & full development of the entire Open Space Trail System within this plan of subdivision including the off-site connection to the South End Community Park. The trail development should include surfacing, trail signage, barriers, road crossing elements etc. to City standards (per Guelph Trail Master Plan) to the satisfaction of Parks Planning and Engineering. The work shall also include the cost of any permits (e.g. GRCA permit). See comments on trail routes and draft plan condition wording below.

Note that the developer shall also dedicate all of the Open Space areas in the subdivision to the City at nil cost, of sufficient size and configuration to accommodate the City trail system and protect the environment to the satisfaction of the City and GRCA.

Proposed Zoning:

The proposed zoning of the City storm water management areas should be P.1.

Open Space Trail System:

The Guelph Trail Master Plan (GTMP) requires that a section of the public pedestrian trail system be developed through the open space blocks in this development. Please refer to attached excerpt from GTMP Map 4, and trail route sketch. The EIS should include a trail concept plan, including a main linear north-south off-road route to link the South End Community Park to Maltby Road, connections to the road network and lateral connections between off-road and on-road routes. The route locations should be chosen to minimize potential environmental impacts such as grading, tree removal, close proximity to sensitive features and wildlife corridors, minimize road crossings, and avoid inaccessible steep longitudinal grades (over 4%) wherever possible and cross pitches (over 2%). The routes should take advantage of existing trail routes if appropriate. The trail routes should be planned in conjunction with the road network, storm water areas and lot layout, and any adjustments to these required to accommodate trails should be made. Opportunities for providing the lateral trail links should be sought in conjunction with other required City easements or roadways.

EIS Trail mapping should also indicate on-road bike routes (i.e. shared lanes) on all internal subdivision roads and Southgate Drive (per Official Plan Schedule 9C). Note on plan that future sidewalks may be required on one side of subdivision roads if City deems that proposed uses warrant them (to be determined at Site Plan application stage). Typical road cross sections should verify feasibility of providing the shared lanes and sidewalk in the proposed right of

Memo



way per City standards. Also on trail plan indicate the future City trail on Crawley Road and bike route on Maltby Road for reference.

Lot Fabric and Layout:

Rear lot lines should be realigned if needed to accommodate a target trail width of 3.6 (2.4m trail surface with 0.6m offset to obstacles on either side) and trail grades as described above while protecting the environment to City and GRCA satisfaction.

Conditions of Subdivision Approval:

Based on my review of the Proposed Draft Plan of Subdivision, Parks Planning recommends the following subdivision approval conditions:

Conditions to be met prior to execution of subdivision agreement

1. The Developer shall be responsible for the cost of design and development of the demarcation of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Community Design and Development Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Director of Community Design and Development Services. (Parks Planning)
2. The Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration in accordance with the "Environmental Implementation Report" to the satisfaction of the Director of Community Design and Development Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Director of Community Design and Development Services. (Parks Planning)
3. The Developer shall design and develop the Storm Water Management Facility Landscaping in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Director of Community Design and Development Services and the City Engineer. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Community Design and Development Services. (Parks Planning, Engineering)
4. The Developer shall be responsible for the cost of design and development of the entire Pedestrian Trail System for the Storm Water Management & Open Space Blocks in lieu of Parkland Dedication for the entire development in accordance with City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007-18225), or any successor thereof. This shall include submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member to the satisfaction of the Director of Community Design and Development Services and the City Engineer. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Director of Community Design and Development Services. The developer's financial contribution toward the trail construction shall not exceed the cash-in-lieu of parkland dedication as required by the Planning Act (Parks Planning, Engineering)



5. The Developer shall provide Community Design and Development Services with a digital file in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the open space and storm water management blocks. (Planning)

Conditions to be met prior to registration of the plan

6. The Developer shall place the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title (Planning):
- "Purchasers and/or tenants of advised that the Stormwater Management Blocks have been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."
 - "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
 - "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to lot numbers *, and black vinyl chain link fence adjacent to lot numbers *." The Developer shall also send written notification of proposed demarcation types to any existing owners in lots adjacent to open space, stormwater management and park blocks.

Summary:

Based on the information provided, I would not support the proposed development as currently presented. An approved EIS and incorporation of staff comments on the draft plan are required.

I trust that this is of assistance.

Sincerely,

Helen White, OALA, CSLA
Park Planner

Phone: (519) 822-1260 ext. 2298 Fax: (519) 837-5640 Email: @guelph.ca Web: guelph.ca

File: Z:\Riverside\ Park Planning\PLANNING\SOUTH DISTRICT\Subdivisions\Southgate Business Park\Southgate-Draft Plan&EIS.doc



May 16, 2008

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

Attention: Al Hearne

Re: Southgate Industrial Business Park – Draft Plan of Subdivision and associated Zoning By-law Amendment, 23T-06503/ZC-0617)

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

Community Design
and Development Services

MAY 27 2008

We have reviewed the Preliminary Engineering Design Report prepared by PEIL and the Environmental Impact Study prepared by Natural Resource Solutions. In addition, we have reviewed the revised Draft Plan and information provided by Astrid Clos Planning Consultant. Based on our review of the information provided we have no objection to the passing of the proposed Zoning By-law Amendment or the plan receiving draft approval subject to the following conditions.

1. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:
 - a) A detailed Environmental Implementation Reports (EIR) in accordance with the recommendations of the Hanlon Creek Subwatershed Study and the Guelph South Secondary Plan. The GRCA would like the opportunity to review and comment on the Terms of Reference for the EIR. The GRCA agrees with the specifics outlined in Astrid Clos Planning Consultants Condition, *"that the EIR confirms the recharge targets to be met and the developers' responsibilities to demonstrate how the recharge targets will be met through the site plan approval process. The EIR shall establish post-development recharge infiltration rate targets that set target infiltration rates on a block-by-block basis. The Developer shall implement all recommendations of the EIR and establish an appropriate monitoring period to the satisfaction of the City and GRCA. Further. The Developer shall address all items and recommendations expressed in the Hydrogeological Report to the satisfaction of GRCA ..."*
 - b) An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - c) Detailed lot grading plans.
 - d) A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit for works proposed within the regulated areas on site.

We trust that the subdivision agreement between the owners and the municipality contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted in Condition 1) above.



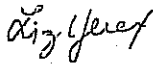
ISO 14001 Registered

Canadian
Heritage
Rivers
System



We advise that the developer should require an MOE, Certificate of Approval for each sites SWM system that stipulates operating, maintenance and monitoring requirements in perpetuity in compliance with Ministry specified terms and conditions.

Yours truly,



Liz Yerex
Resource Planner
Grand River Conservation Authority

cc: Astrid Clos, Astrid Clos Planning Consultants



GUELPH FIELD NATURALISTS

P.O. Box 1401, Guelph, Ontario N1H 6N8

Mr. Allan Hearn, Senior Development Planner
Development and Parks Planning,
Community Design and Development Services
City of Guelph

May 14, 2008

**Re: Southgate Industrial Business Park – Draft Plan of Subdivision and
associated Zoning By-law Amendment**

Dear Mr. Hearn,

We have received your Memo dated April 14, 2008 with respect to the above and offer the following comments:

1) Draft Plan of Subdivision Revisions

- We feel that the private driveway for Block 1 will become a wildlife crossing area as the proposed driveway is partially located within the 30 metre Wetland Buffer between two wetlands as mapped in the original Environmental Impact Study done by NRSI in 2006. This EIS report recommended this area for restoration/naturalization enhancement as "this area will provide additional habitat diversity as well as potential linkages between other wooded and wetland habitats".

We feel this area requires special consideration in mitigating potential impacts on wildlife, particularly amphibians. We are also concerned about how stormwater runoff from the proposed driveway will be dealt with. Potential contaminants from the driveway such as road salt and petroleum products may enter the adjacent wetlands.

- We feel that extending Open Space Block 5 to Maltby Road to provide for a continuous wildlife link is not the best idea. Maltby Road is scheduled to be upgraded and widened, handling a much higher volume of traffic once the proposed business park is developed. This could lead to an increase in wildlife/traffic collisions. Perhaps special design considerations could be implemented for the driveway between Wetlands D and F to allow for safe wildlife crossings between these two wetlands.
- We strongly support the dedication of the Woodlot near Maltby Road to the City as Block 8.

- We are unclear as to the size of the reserve that has been added to the draft plan along Maltby Road for Blocks 2 and 3. The Memo indicates the reserve is 0.3 metres under this section but elsewhere refers to a buffer strip of 10 metres in width. We support the wider dimension for this area.

2) Prohibited Uses in the Specialized Zoning

- We support the increased Prohibited Uses in the Specialized Industrial Zoning.

3) Specialized Zoning Regulations

- We support the use of only native tree and shrub species for landscaping the buffer strip for lots which abut Maltby Road. We strongly suggest that non-native coniferous trees not be planted in this area. All landscaping should attempt to mimic the surrounding naturally-occurring vegetation.

4) Conditions of Draft Plan of Subdivision

- We strongly support the dedication of Blocks 4 to 7 inclusive to the City for open space and natural heritage protection and preservation.

5) Woodlot

- We congratulate the City of Guelph and Industrial Equities Guelph Corporation for having been able to agree to retain and preserve the Woodlot shown as Block 8 on the Draft Plan of Subdivision. We commend the City and the developer for achieving this natural heritage protection.
- It is unfortunate that this Woodlot will be isolated from other natural heritage features in the proposed development. The South Guelph Secondary Plan (1998) recommended that this Woodlot be connected by linkages to the wetland areas to the north and south, being addressed at the site planning stage. The report states that the location of the linkage is flexible and that where feasible, existing hedgerow vegetation should be incorporated.

The Revised Draft Plan of Subdivision currently shows the Woodlot isolated from the south wetland (Wetland G) by Road A cul-de-sac. We would therefore support a naturalized linkage from the Woodlot to the main Core Natural Area to the north. This may be achieved by naturalized landscaping between individual parcels of industrial land and could be included as a specialized zoning regulation.

The South Guelph Secondary Plan provides some specific measures for protection of the Woodlot.

Thank you for the opportunity to comment.

Charles Cecile
Environment Committee
Guelph Field Naturalists

Corridor Control Office
659 Exeter Road
London, ONT
N6E 1L3
Telephone: (519) 873-4598
Fax: (519) 873-4600

March 1, 2007

by fax (519-837-5640) & mail

Allan C. Hearne, Senior Development Planner
City of Guelph
Community Design and Development Services
Planning Division
City Hall
59 Carden Street
Guelph, Ontario
N1H 3A1

COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

MAR 08 2007

RE: Applicant: Industrial Equities Guelph Corporation, and Evelyn and William
Milburn
Submission No.: 23T-06503, ZC-0617
Lot 13, 14, 15, Concession 7
County of Wellington
City of Guelph - Highway 6

The ministry has completed its review of the above noted Draft Plan of Subdivision application. The application has been considered and reviewed in accordance with the requirements of our highway access policies, criteria, and the Public Transportation and Highway Improvement Act. The following outlines our comments, requirements, and conditions of approval.

The owner should be made aware that under the Public Transportation and Highway Improvement Act, Ministry Permits are required for all new developments of this type located within 800m of our existing and/or future highway property line.

The location of the proposed Southgate Drive onto Maltby Road is acceptable to this Ministry. Block 10 on the plan is reserved for a sanitary pumping station. The plan does not identify any sanitary sewer trunk line connections.

As conditions of draft approval and prior to final approval, we require the following to apply:

Prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Stormwater Management Report/Plan indicating the intended treatment of the calculated stormwater runoff. The owner's consultant should refer to our website at www.mto.gov.on.ca/english/engineering/drainage/index.html for a comprehensive set of MTO drainage related documentation requirements that may have to be satisfied before obtaining MTO approval.

.../2

<http://www.mto.gov.on.ca>

Prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study (report/analysis/assessment) indicating the anticipated traffic volumes and their impact upon the intersections of Maltby Road, Laird Road and Clair Road with Highway 6. The application states that a traffic impact study was prepared in support of this application by Wentworth Consulting Inc. in November, 2006. The most recent study we have from Wentworth is a draft study dated January, 2006. That study did not include the lands being considered under this application. The owner should be aware that any highway improvements identified from our review and analysis of the study will be the financial responsibility of the owner/City of Guelph.

Prior to final approval, the City of Guelph shall enter into a Legal Agreement with the Ministry of Transportation whereby the City agrees to assume financial responsibility for the design and construction of all necessary highway improvements associated with this and other developments in the area. The Agreement shall cover interim improvements at the three existing at-grade intersections and, ultimately, the construction of an Interchange at Laird Road.

Prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval a draft copy of the M-Plan for this subdivision. When the subdivision has been given final approval we will require a copy of the registered plan for our files.

Prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval a draft copy of the subdivision agreement for this development. Once the agreement has been approved we will require a copy of the registered agreement for our files.

The owners should be aware that the City is currently undertaking an Environmental Assessment (EA) and Preliminary Design for interim improvements at the Clair Road and Laird Road intersections with Highway 6. The interim improvements are being developed in order to permit 1.6 million square feet of development within the Southgate Industrial lands. The determination of the amount of allowable development did not include this proposed subdivision. The City should amend its EA and Preliminary Design to include interim improvements at Maltby Road. If an amendment is not desirable at this time then all parties should be aware that no permits will be available for development within this subdivision until all traffic matters have been resolved.

It should also be noted that any proposed interim improvements at Clair Road and Maltby Road must include the closure of Crawley Road and Hanlon Road. The owners of the lands within the Southgate Industrial Area must consider making public road connections between Crawley Road and Southgate Drive in order to provide access for existing businesses and residences on Crawley Road.

.../3

- 3 -

The owners should also be aware that when the ministry upgrades Highway 6 to full freeway status Maltby Road will become a fly-over and will have no direct access to Highway 6. In addition, Clair Road will be closed. With the current municipal road infrastructure, including the extension of Southgate Drive to Maltby Road, the only access to these lands from Highway 6 in the future will be via the Laird Road Interchange and Southgate Drive. Any potential purchaser of lots within this subdivision should be informed of this.

We would appreciate receiving a copy of your Committee's decision on this application for our records. Should you have any questions, please contact our office.



Ian Smyth
Regional Development Review Coordinator
Planning and Design Section
Southwestern Region, London

- c. K. Boudreau - London Operational Services
B. Goudeseune - Planning and Design



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-863-0750

ADMINISTRATION CENTRE
74 WOLWICH STREET
GUELPH ONTARIO
N1H 3T9

Community Design
and Development Services

May 14, 2008

MAY 20 2008

TO: Mr. Allan Hearne
Senior Development Planner

FROM: Gary Cousins, MCIP
Director of Planning & Development

SUBJECT: Southgate Industrial Business Park
Draft Plan of Subdivision 23T-06503
Zoning Amendment ZC-0617

I would like to thank City staff and the consulting team for the developers for meeting with representatives of the County, Puslinch and Maltby Road residents and for the willingness to make changes to address concerns.

The County is generally satisfied with the subdivision design but we have some general comments related to the implementation of the plan.

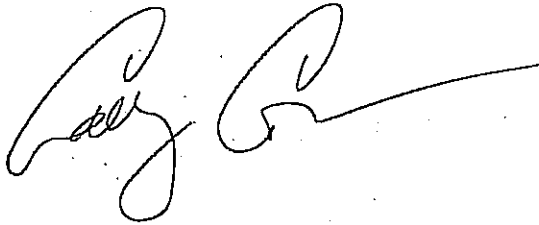
1. **Boundary Treatment:** In my view, the setbacks, berming, landscaping and zoning along the Maltby Road boundary with Puslinch should be similar to the treatment or the west side of the Hanlon along Forrester.
2. **Monitoring:** Monitoring of the wetland features and nearby resident wells in Puslinch should be made a condition of approval. Local residents are quite concerned about changes to their environment and want to be assured that monitoring takes place.
3. **Site Plan Approvals:** We were satisfied with the zoning provisions that called for noise assessments prior to site plan approval on the west side of the Hanlon and assume that this will be part of the Southgate approval.

We understand that the City would normally require a lighting plan which would ensure light is not directed onto adjoining properties. Loading areas and outdoor storage areas should be screened from the view of public roads.

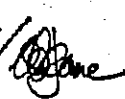
4. **Maltby Road:** It would be helpful to have a clear understanding of any plans to upgrade Maltby Road. We understand that there will be significant improvements from Southgate to the Hanlon - which seems appropriate. Is it the City's plan to retain Maltby east of Southgate as a rural two lane road for the foreseeable future?

While we understand that the north side of Maltby Road is urbanizing and there will inevitably be changes, the area residents would like to retain the characteristics of the area as far into the future as possible. Anything that can be done to ensure environmental features and the rural standard road to the east are maintained and to mitigate visual, noise and lighting impacts would be helpful in retaining the character of the area.

Thank you for your assistance.



C: Township of Puslinch
Paul Rice

May 2018.
cc'd: Rajant Engineering
Astra Chos. Applicant / 

Township of Puslinch

7404 Wellington Rd. 34, R.R.3, Guelph, Ontario N1H 6H9
Telephone: (519) 763-1226 Fax: (519) 763-5846



COMMUNITY DESIGN AND
DEVELOPMENT SERVICE
JAN 16 2008

January 15, 2008

Via Fax - (519) 837-5640
~ 8 Pages ~

City of Guelph
City Hall
59 Carden Street
Guelph, ON

Attention: Al Hearne, Planning Department

Dear Mr. Hearne:

Re: Southgate Business Park

With respect to the above-referenced development, the Township of Puslinch submits the enclosed correspondence prepared by our consultants as follows:

Stan Denhoed, Harden Environmental Services Ltd. dated December 14, 2007

Greg Scheifele, GWS Ecological & Forestry Services Inc. dated December 12, 2007

Hans Groh, Gamsby and Mannerow Limited dated December 7, 2007

Please be advised that Township Council concurs with the comments submitted and look forward to receiving your response accordingly.

Yours very truly,

(Mrs.) Brenda Law, AMCT
CAO/Clerk-Treasurer

BL*hk

Encl:

cc. Gary Cousins, Director of Planning and Development County of Wellington
Mr. Paul Rice (paul.rice014@sympatico.ca)

Jan 16/08
cc'd FYI: Astrid Claes
Rajan P., Mary A., Michelle F., Carrie M., Pory T. [initials]



cc Paul R
Al Hume
Gary C

4522 Nassagaweya-Puslinch Townline R.R. 1 Moffat Ontario Canada L0P 1J0
Phone: 519.826.0099 fax: 519.826.9099 www.hardenv.com

Groundwater Studies
Geochemistry
Phase I/II
Regional Flow Studies
Contaminant Investigations
OMB Hearings
Water Quality Sampling
Monitoring
Groundwater Protection
Studies
Groundwater Modelling
Groundwater Mapping

December 14, 2007

Township of Puslinch
R.R. 3
Guelph, ON
N1H 6H9

Attention: Brenda Law A.M.C.T.,
Clerk-Treasurer

Dear Mrs. Law:

Re: Southgate Development

We have reviewed the submissions for the Southgate Business Park and recommend that the Township submit a letter of concern regarding this development and request that the City demand adequate post development monitoring from the developer to ensure that infiltration of the stormwater occurs as stated in the engineering reports.

The report prepared by Planning and Engineering Initiatives Ltd. (PEIL) states that:

- up to 90% of the property will be covered with impervious material,
- that much of the property will be graded (cut and fill) to create level lots,
- that infiltration rates tested in the natural soils are sufficient to infiltrate the runoff from the municipal road network,
- runoff from individual lots will not be allowed to flow onto the municipal road system and
- individual lot owners will be responsible for on-site stormwater management including providing sufficient geotechnical assessment to ensure that infiltration will occur within approximately 48 hours.

Development of the moraine will not be limited to this property. Lands to the east of this property were discussed in the meetings as potentially being developed and Real Estate signs along Maltby Road suggest that other lands east of this site are also available for development. Each of



the sites has similar topography with natural internal drainage able to infiltrate surplus water. If all properties are developed in a similar manner to Southgate, the physical moraine features responsible for capturing and infiltrating the surplus water will be altered and replaced with engineered infiltration facilities.

Given that drainage is presently naturally infiltrated and that post-development drainage will be directed southerly towards Maltby Road, we recommend that the Township of Puslinch request that the City of Guelph monitor the drainage across Maltby Road to ensure that it does not increase over time. This will provide a measure of assurance that runoff from the developed sites is not leaving the properties. This coupled with the regular inspection of SWM facilities to ensure that water is infiltrated within the required 48 hours will confirm that water is not being removed from the site either through runoff or evaporation/evapotranspiration.

The grading of the property will eradicate the macro-pores developed at the site (worm holes, root holes, freeze/thaw fractures etc...) and therefore significantly decrease the natural infiltration capacity. Geotechnical studies required for each site, conducted in the fill material may indicate that the infiltration of the fill is adequate, but over time this may change due to compaction and siltation.

Therefore, we recommend that the City consider the following:

- Covenants that require the developer to monitor stormwater facilities for ten years to ensure that the water is being infiltrated as designed in both municipal and private systems.
- Covenants that require sufficient seasonal water level measurements prior to and post development in the wetlands to confirm that water condition in the wetlands do not change after the development.
- Covenants with the developer to ensure that drainage (from north to south) across Maltby Road does not occur.
- Covenants that require the developer to monitor the water quality of infiltrated water and if necessary improve water quality control measures.

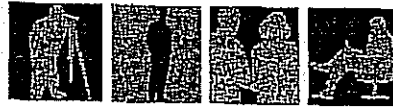
Sincerely,

Harden Environmental Services Ltd.

Stan Denhoed, P.Eng., M.Sc.
Senior Hydrogeologist



Gamsby and Mannerow
ENGINEERS



December 7, 2007
Our File: 107-090

cc Paul R.
Al Hearn

Gary C.

Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, ON N1H 6H9

RECEIVED
Township of Puslinch
DEC 13 2007

Attention: Mrs. Brenda Law, AMCT
Clerk Treasurer

Re: Industrial Equities Guelph Corporation,
and Evelyn and William Milburn,
Proposed Industrial Subdivision
(North of Maltby Road) City of Guelph

Dear Mrs. Law:

As per your request, we have reviewed the draft plan of subdivision for the Southgate Business Park, Plan 23T-06503 dated June 20, 2007 as prepared by Astrid J. Clos, Planning Consultants. In conjunction with the draft plan, we have also reviewed the "Southgate Business Park - Phase 2, Preliminary Engineering Design Report" dated July 4, 2007, completed by Planning & Engineering Initiatives Ltd. The current draft plan is a revision of the document previously circulated during the spring of 2007.

The Township may recall in our correspondence of June 14, 2007 that the initial Southgate Business Park generally involved the development of larger sized lots fronting onto the southerly extension of Southgate Drive up to its intersection with Maltby Road. The plan also proposed the construction of two (2) roads located within the south-east corner of the development. These roads connected together and also intersected with both Southgate Drive and Maltby Road.

The new draft plan (June 2007), has basically stayed the same except for the replacement of the roads in the south-east corner with a small cul-de-sac accessed only from Southgate Drive. The new draft plan also makes provisions for an easterly road connection with the adjoining private lands at approximately 400 m north of Maltby Road.

We generally have no concerns with the new property configurations and road patterns shown on the revised draft plan.

people engineering environments
Gamsby and Mannerow Limited • Guelph, Kitchener, Listowel, Owen Sound
255 Woodlawn Road W, Suite 210, Guelph, ON N1H 6J1 519-824-8150 fax 519-824-8089 www.gamsby.com

SITE SERVICING AND STORMWATER MANAGEMENT

The proposed subdivision will be fully serviced through the extension of existing municipal infrastructure such as sanitary sewers, a sewage pumping station, watermains, roads with stormwater ditches and a municipal stormwater management facility. The development is also proposing the construction of "at source" site specific stormwater management controls to maintain groundwater recharge and infiltration.

As there are no receiving watercourses to accommodate stormwater run-off from these lands, each individual property will be required to infiltrate and recharge the stormwater within its own limits. Much of the existing Phase I portion of the Southgate Business Park located to the north of this proposal has been designed to incorporate these same principles of stormwater management.

The owner's consultants have provided preliminary reports to support the implementation of these methods of stormwater management within the development. We have no concerns with the recommendations to control the stormwater run-off on each lot and therefore anticipate that the City will initiate the necessary requirements for individual stormwater management plans through the conditions of draft plan approval.

ROADWAYS

The roadway pattern on the revised draft plan has been modified to provide for one (1) intersection with Maltby Road via the extension of Southgate Drive. The roadways previously located in the south-east quadrant of the initial draft plan have been deleted and no longer form an additional intersection with Maltby Road. We believe that the revised draft plan adequately addresses traffic flow within the subdivision and we have no concern with the road pattern.

Although the draft plan has been revised, the roadway changes are not significant enough to alter the general findings of the previous traffic reports covering this immediate vicinity. Therefore, it is still our expectation that the City of Guelph will continue to work with the Ministry of Transportation relating to interim traffic solutions such as signalization improvements at the Hanlon Expressway and Maltby Road as well as the implementation of building construction caps by the City until all interchange connections within this area of the Hanlon Expressway have been constructed.

The implementation of these transportation strategies prior to the complete build-out of the industrial lands in this section of City is of significant importance to the Township since this will control traffic growth and reduce the potential for vehicles short circuiting around City roads and seeking alternative routes in the Township.

In concluding our comments for the roadways in this subdivision, we have observed that no widening is shown along Maltby Road for the extent of the development. The existing 20 m right-of-way may need to be increased to accommodate any future arterial road. Should this be necessary, we suggest that the appropriate widening be acquired within the City.



107-090

Page 3 of 3

We trust that our comments have been of assistance and are respectfully submitted for Township Council consideration.

Yours truly,

GAMSBY AND MANNEROW LIMITED

Per:



Hans Groh, P.Eng.

HG/sh

cc. Gary Cousins, County of Wellington

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Gamsby and Mannerow
ENGINEERS

SCHEDULE 10 PUBLIC CORRESPONDENCE

COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

30 April 2007

MAY 02 2007

City of Guelph
Planning and Building Services Division
59 Carden St.
Guelph, ON
N1H 3A1

Attention: Mr. Allan Hearne, Senior Development Planner

Re: Proposed Plan of Subdivision 264, 349, 408 452 Crawley Rd & 385 Maltby Rd.
W. (City of Guelph File 23T-06503/ZC-0617)

In response to your letter of 22 January, I have now had the opportunity to review the available documentation related to this proposed business park and, on behalf of my wife and myself, would offer the following preliminary comments. Although I do not pretend to be an expert in the subject areas, I have read the following documents, which were graciously loaned to me by the County of Wellington Planning department:

- Draft Plan of Subdivision Environmental Impact Study prepared by Natural Resource Solutions Inc., December 2006
- Preliminary Engineering Design Report prepared by Planning & Engineering Initiatives (PEII) Ltd., November 2006
- Hydrogeological Study Report prepared by Mitz & Associates Inc., August 2006
- Traffic Impact Study prepared by Wentworth Consulting Inc., November 2006
- Preliminary comments submitted by Liz Yerex on behalf of the GRCA
- Preliminary comments submitted by Harden Environmental on behalf of the Township of Puslinch

Our interest in this proposed development is as follows:

- Our residential property is on the south side of Maltby Rd. W., Twp. of Puslinch, immediately to the south-east of the proposed development
- Our property, and surrounding properties on the south side of Maltby contain protected wetlands and mature forested areas which are part of a much larger complex, including those wetlands, forests and other environmentally sensitive areas within the proposed development
- Our property, as is the proposed development, is on the Paris Moraine, on the northern boundary of the Mill Creek watershed
- The headwaters of McCrimmon Creek, which flows southward to Aberfoyle Creek, are on our property and likely adjacent properties, including those to the north, although I'm not sure that the flows are well understood
- The wetlands and forested areas of our property are fundamental to our quiet enjoyment of our residence and, as such, we try to be good stewards of the land. The health of the wetlands and forest on our property are, however, dependent upon the health of similar features on surrounding lands.

In response to the proposal, I offer the following preliminary comments:

Wetlands, woodlots, buffers, and other environmentally sensitive areas:

The Hanlon Creek Watershed identified the protected areas within the Hanlon Creek Watershed and northern fringes of the Mill Creek Watershed as far south as Maltby Rd. Those recommendations were accepted by the Guelph City Council of the day and reflected in the current zoning (City of Guelph Zoning By-Law Map 71). The protected areas encompass virtually all of the lands on the eastern half the lands proposed for development (Environmental Impact Study (EIS), Appendix VIII, figure 3.4.2).

The business park proposal appears to have removed from protection much of the linkage area as identified in the Hanlon Creek Watershed study, and proposes to include it in the developable area. No explanation for the discrepancy is provided.

When the Hanlon Creek Watershed report was approved by city council, we were left with the distinct understanding that the city recognized the importance of not only the individual wetlands, and forested areas, but also the connections that these units had to one another, including the linkages to our property and those around us. A review of the aerial maps in the EIS, including Figure 1, well illustrates the larger context.

Paris Moraine recharge areas:

There appears to be agreement by most, if not all, parties that preservation of both the quantity and quality of the groundwater recharge is extremely important. Several sources are cited as to the necessity to protect recharge areas, particularly on the moraines.

The quantity and quality of the recharge is also extremely important both to our personal health and the health of our property.

The southward groundwater flows from the subject property, and from the property to its immediate east (lot 15, rear conc. 7), that is also slated for ultimate development, are fundamentally critical to the health of the wetlands and forest on our property.

Those same groundwater flows are also fundamentally critical to our personal health, as our domestic water well is located in the shallow aquifer, either in the sand and gravel layer beneath the till or a gravel lens.

For our own health and protection we want to see hard evidence, reviewed by appropriate third party experts, confirming that there will be no impact on the available quantity and quality of the groundwater as development occurs along Maltby Road. This applies not only to the proposed site, but also adjacent sites to the east and north. We will also be looking for mutually agreed benchmarks, on-going monitors, and documented commitments from the City to promptly mitigate and rectify any unforeseen adverse effects.

In reading the various reports and preliminary comments by the GRCA and Harden Environmental with regards to groundwater recharge, I'm left with several impressions:

- That there are as yet unreconciled differences of opinion as to the effectiveness of proposed measures to protect the groundwater flows and quality
- That insufficient work has been completed to allow appropriate experts to reach a reliable consensus on the facilities and measures required
- That performance monitors and benchmarks have not been established to ensure that actual results equal or exceed planned results

- That accountabilities have not been assigned to ensure that appropriate testing, monitoring and, where necessary, timely corrective action is taken

Habitat Linkages

The EIS makes reference to the importance of linkages and indeed the need to "bulk up" in some instances. Figure 6 shows two major corridors either side of development Block 1. Disregarding for the moment the fact that Block 1 appears to be in the middle of a protected area under the Hanlon Creek Watershed Study, there are issues such as:

- The westerly corridor is bisected by Road A and is extremely narrow either side of Road A
- The easterly corridor is dependent upon adjacent lands to provide much of the corridor. In fact there are wetlands and forested areas on the adjacent lands that are a critical part of the Hanlon and Mill Creek complexes. If the proposed development is going to depend on adjacent lands to provide sufficient corridors and buffers, and if the adjacent lands contain significant features that are part of a larger complex, should action not be taken now to firmly identify and protect those lands from any development consideration. The alternative is a piece-meal approach that risks losing important features and function.
- The Hanlon Creek Watershed Study ignored property boundaries, examined the whole complex, and was to provide a benchmark for development. It appears that the accepted results of the study are not being adhered to.

Traffic

The traffic impact study focused primarily on the Hanlon Expressway (Hwy. 6), Southgate, and the intersecting roads at Laird, Clair, and Maltby. Traffic on Maltby east of the proposed Southgate extension was not addressed.

To the immediate south of the proposed development there is currently only one farm residence in Puslinch Township. However, to the immediate east, Maltby is a rural residential road bordered by several residences, both in Puslinch Twp. and in the city. I, and I think the other residents on this road, would like to know the traffic impact on Maltby, between Gordon St. and the Hanlon, not only of this development, but the cumulative impact of all the developments currently in progress or in planning along Southgate from Laird to Maltby.

If Southgate is extended to Maltby as proposed, and if Maltby has to be upgraded to an industrial standard between Southgate and the Hanlon, as quoted in the study, there are several concerns, such as:

- How Maltby will be upgraded between Southgate and the Hanlon with nil intrusion into the wetlands, including no loss of wetland area, no loss of wetland function and no additional contaminants leeching into the wetlands or groundwater
- How the remainder of Maltby east of the proposed Southgate/ Maltby intersection will be protected, including passive solutions to limit traffic so that the residential, and indeed the rural residential, nature of the road is not compromised

See also my separate letter regarding an apparent suggestion to widen Maltby Rd.

Roads

In addition to Southgate, two additional internal roads, A and B, are proposed. Road A is proposed to intersect Maltby and curves across the wetland to access development Block 1. It is difficult to address these roads because both are within the areas the Hanlon Creek Watershed

Study recommended be excluded from development -- see comments above under "Wetlands, woodlots, etc."

That comment aside:

- Road A still crosses the major eastern wetland that everyone seems to agree should be protected and it bisects a significant wildlife corridor
- Road A also connects to Maltby and in close proximity to the wetlands and forested areas but that end of the road appears to have no significant purpose. As much as possible, the industrial area should be serviced by internal roads and the existing Crawley road, which is effectively being converted into an industrial road. There does not appear to be any pressing need for a second road to intersect Maltby and it would be best if road A, to the extent that it exists, exit through road B and Southgate. The exit to Maltby should be eliminated in order to focus the industrial subdivision traffic towards the Hanlon.
- The proposed exit onto Maltby also appears to be at the base of a significant hill on Maltby. The location does not appear to meet guidelines for safe sightlines and appears to be a traffic hazard

Other Environmental Factors

A review of the documentation does not appear to address other environmental consequences of the proposed development and possible negative impacts on the adjacent residential area such as:

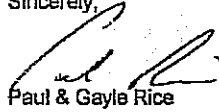
- A discussion of measures to minimize and mitigate the effects of light pollution
- A discussion of measures to set specific limits on types of activities that would generate excessive noise or, to set specific limits on volumes of noise at property boundaries

Maple Wood-lot

The EIS makes reference to the hardwood bush that was so extensively cut that its function was essentially destroyed and is beyond effective restoration. This, according to the report, occurred in 2006 under previous ownership. My personal reaction to that comment was not positive but, personal feelings and ownership aside, the property has been under Guelph stewardship since it was annexed from Puslinch in the early 1990's and I guess I'd like to know how the city allowed the destruction of a maple woodlot within the Hanlon Creek Watershed. The apparent lack of stewardship does not inspire confidence in the environmental protection promises of the proposed development.

Although I've read the reports, as I stated at the outset I do not profess to be a subject expert and I'm sure that I don't know half the questions to ask. However, as adjacent property-owners my wife and I have a very real and significant vested interest in the development of these and other lands in south Guelph. We look forward to the opportunity to review additional information, consultation amongst stakeholders, and opportunities to dialogue with subject experts.

Sincerely,

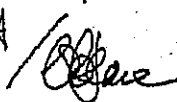


Paul & Gayle Rice

CC: Gary Cousins, County of Wellington Planning Department
Brad Whitcombe & Members of Council, Township of Puslinch
Liz Yerex, Grand River Conservation Authority
Residents of Puslinch Twp. on Maltby Rd. W.

May 3/07.

FYI ccd:

Carrie Musselman, Helen White - Planning/Parks.
Rogin Phillips, Michelle Thalen - Engineering
Liz Yerex - GRCA / 

30 April 2007

COMMUNITY DESIGN AND
DEVELOPMENT SERVICES

MAY 02 2007

City of Guelph
Planning and Building Services Division
59 Carden St.
Guelph, ON
N1H 3A1

Attention: Mr. Allan Hearne, Senior Development Planner

Re: Possible Widening of Maltby Road

In reviewing the material related to the proposed industrial subdivision at the corner of the Hanlon and Maltby Road, I came across the brief comment, "Maltby Rd widening by 5m". The comment was attributed to the City.

As residents of Maltby Road W., we wish to state categorically that we will not accept or agree to any proposal to widen Maltby Rd. West. We will not accept or agree to any proposal to alter its character from its present function as a residential road. This does not preclude reasonable improvements, provided those improvements have no impact on the surrounding environment or alter its fundamental character as a residential road.

The one possible exception might be the stretch of road between the Hanlon and proposed Southgate extension/ Maltby intersection. However, if that precipitates a need or demand by the city to alter the character of all of Maltby West, we will also oppose the extension of Southgate to Maltby. See also our separate letter regarding the proposed industrial subdivision and the need for additional traffic studies to identify the impact on Maltby and its residents.

Maltby is unsuitable for widening for the following reasons:

Maltby West, for approximately two-thirds its length between Gordon and the Hanlon bisects provincially and locally significant wetlands. There is no opportunity to widen the road without gross intrusion into those wetlands.

Maltby West is also bordered by a variety of extensive woodlands from mature mixed hardwoods to silver maple swamps and coniferous plantations.

Maltby West is located on the Paris Moraine very near the divide between the Hanlon Creek and Mill Creek watersheds. The moraine and its associated wetland and woodland complexes are essential groundwater recharge areas and widely accepted as requiring protection.

Maltby West also bisects a very large environmentally sensitive wetland/ woodland complex that extends from north-west in Guelph to south-east in Puslinch along the centre of the seventh concession (existing and former Puslinch). The Hanlon Creek Watershed Study and the city's own zoning of the area on the north side of Maltby confirms these features and need for protection. Materially altering Maltby would have significant negative consequences.

The other major issue here is one of trust and fairness. As residents of Puslinch, we took a keen interest in the City's request for additional lands in the early 1990's. We listened to the City's arguments with an open mind and in the end we reluctantly accepted the loss of a part of Puslinch when the City annexed the lands. We did not oppose the annexation, on the understanding that Guelph would service the lands between Clair Rd. and Maltby Rd. (then Puslinch Sideroad 15) with its own internal road network. We did not oppose the annexation on the understanding that Guelph would respect the Puslinch residents who lived along the new boundary roads and would, despite development on the annexed lands, minimize any negative


impacts on those residents. And, we did not oppose the annexation on the clear understanding that the City would not attempt to annex a further strip of land in order to further widen Maltby and negatively impact our residential properties.

We were fair with the City and we only ask that the City honour its agreement and be fair with us, your closest neighbours.

Sincerely,


Paul & Gayle Rice

CC: Gary Cousins, County of Wellington Planning Department
Mayor Brad Whitcombe & Members of Council, Township of Puslinch
Mayor Karen Farbridge & Members of Council, City of Guelph
Residents of Puslinch Twp. on Maltby Rd. W.

May 3/07
FYI ccd: Carrie Musselhean - Planning
Liz Verex - GRCA
Rajni Phillips, Michelle Thalen - Engineering
Helen White - Parks


November 5, 2007

RE: Report 07-97

Draft Plan of Subdivision and associated Zoning by Law Amendment to allow an industrial Subdivision – File 23T-06503 / ZC-0617 Ward 6.

Madame Mayor and Council members:

In June 2007 Mayor Farbridge and our MPP Liz Sandals filed an application that called on the province to enact legislation to protect the Paris Galt Moraine.

The application requested a review under the Environmental Bill of Rights. The review has now been approved by Gord Miller, our Environmental Commissioner and will take approximately 2 years to complete.

You have before you tonight a development application that is located entirely within the Paris Moraine. If it is the city and the province's intent to protect our moraine then any decision on developing the subject property is premature until such time as the EBR review is completed.

I read the staff report and note that the April, 11, 2007 comments sent on behalf of Puslinch Township by Stan Denhoed of Harden Environmental are not included in tonight's staff report. He indicates on page 2 that:

"The Paris moraine where the Southgate Business Park is located is a very significant recharge area for the City of Guelph and the Township of Puslinch."

Furthermore, he notes in a letter to Puslinch Council dated July 4, 2006 re Moraine Landform Alteration Policy pg. 2 that:

"We recommend that as the Township cooperates with the city of Guelph and the Regional Municipality of Waterloo in terms of obtaining additional water supply, equal efforts must be made to limit the impact of proposed and existing development on the moraines"

In part, this will require the maintenance of form and function of the Paris and Galt Moraines. Whole scale landform alteration of the moraine features to facilitate development should be discouraged in favour of developments that respect the moraine features."

Does the proposal before you tonight respect the hummocky topographic characteristics of our moraine? These are the features which provide the major source of the infiltration of water for recharging our streams, wetlands and drinking water aquifer. I suggest we have no way of knowing without seeing site

plans or a master plan for the business park how much if any, of the hummocky moraine characteristics will remain. We do know that typical industrial development maximizes land use and that there can be up to 80 -90 % impervious surfaces from buildings and parking lots. The Storm water Management areas that replace the hummocky areas do not provide the same benefits as a naturally functioning moraine system.

Page 3 of the staff report indicates that this application will be reviewed against the Clean Water Act. Correct me if I am mistaken, but I could not find any further reference in the report to the Clean Water Act and how it relates to this proposal.

The Clean Water Act requires municipalities to map sources of drinking water supply, especially for areas that need protection in order to prevent the water supply from being depleted and or contaminated. We are now setting up our Source Water Protection Committee which will develop a source water protection plan. Any decision on this development should be deferred until our Source Water Protection Plan has been identified and adopted.

I respectfully submit the following requests:

(1) Planning approval of any major project on the moraine areas of Guelph should be given only after a comprehensive moraine-function-protection policy has been adopted by Guelph City Council and only those plans that incorporate the provisions required by the moraine-protection policy should be approved. City Council has lots of experience in "freezing" planning approval pending the completion of a planning study to set new policy - new commercial developments for example - and that is the path to follow here.

(2) The moraine areas in Guelph are the most important recharge areas in the City for the groundwater that supplies stream flow in Hanlon Torrance and Mill Creeks and also the groundwater that the Amabel aquifer supplies to City of Guelph wells. The moraine areas are also important areas for wildlife.

(3) The three main features of a moraine-function-protection policy will be (1) reduction of surplus water from development sites through enhanced evaporation from roofs (obligatory green roofs on all buildings) and large rain-garden-style infiltration and evaporation elements for parking lot runoff. (2) Requirements for matching natural recharge amounts and patterns; this means each developed property must provide at least as much recharge on that property as would occur naturally. (3) Provision of continuous corridors in retained natural areas.

4) Protection of the entire remaining natural heritage features on site including minimum buffers similar to those required in natural heritage areas of the Oak Ridges Moraine.

5) The enactment as soon as possible of Tree Preservation By law that would prevent the further cutting of trees in the city without a permit. The logging of the mature forest would have been prevented if the city had identified it as a significant woodland by mapping it within the by law. The protection of this woodland by designating as significant was recommended in a city commissioned Environmental Study in 1998.

Dr. Dennis and Mrs. Laura Murr

COMMUNITY AND
DEVELOPMENT SERVICES

MAY 30 2007

Mr. Allan Hearn, Senior Development Planner
City of Guelph
Planning and Building Services Division
59 Carden Street
Guelph, Ontario
N1H 3A1

May 22, 2007

RE: Proposed plan of Subdivision 264, 348, 408, 452 Crawley Road and 385 Maltby Road West
(City of Guelph File 23T-06503/ZC-0617) (Southgate Business Park)

Dear Mr. Hearn,

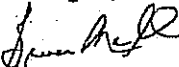
I am corresponding on behalf of my family as concerned citizens and residents of Maltby Road West regarding the proposed plans for the Southgate Business Park. I would also like to express our support of the recent communications, letters and documentation submitted by our neighbours Paul and Gayle Rice. The questions, concerns and cooperative approach that they have put forward is something that we too are in agreement with and feel will serve all parties without sparing the needs of the community nor the surrounding natural environment.

As Mr. Rice has stated clearly, there are several issues that we agree carry significant implications:

- 1) Preserving the residential quality of Maltby Road West for the many families, children and neighbours that have enjoyed the safe and peaceful place it is. It cannot be transformed into a four lane traffic artery without sacrificing that safety and communal integrity.
- 2) Conserving the surrounding lands that have been deemed provincially significant natural areas including wetlands, woodlands, plantations and important moraine and water recharge networks.
- 3) Managing the "by-products" of development - noise, nightlight and traffic flow. The proposed plans show traffic spilling out of the Southgate Business Park onto Maltby Road West. Could this flow not be kept within Southgate and towards the Crawley Road arteries?
- 4) Open collaboration and trust between the City of Guelph, Puslinch Township and the many residents who must rely on subject matter experts to make decisions that will profoundly impact the community and the precious environment intertwined within it.

Development and progress are inevitable. Our greatest hopes are that this future development will be executed with the fullest of respect - for the developers, the planners, the residents and for the natural endowment that this area of Guelph has been afforded over the years. The time is now for all of us, as concerned citizens and leaders, to ensure that we have our say and create something that will be outstanding!

With regards,



Bruce and Lisa MacEachern and Family

c.c. Mayor Brad Whitcombe and Members of Council, Township of Puslinch
Mayor Karen Farbridge and Members of Council, City of Guelph
Mr. Gary Cousins, County of Wellington Planning Department

May 30/07
FYI cc'd: Astrid Clow Applicant / [Signature]

PLANNING CONSENT AGENDA

December 1, 2008

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A Planning Consent Decisions

REPORT	DIRECTION
<p>1. 98 CITYVIEW DRIVE – PROPOSED DRAFT PLAN OF SUBDIVISION AND ASSOCIATED ZONING BY-LAW AMENDMENT (23T-08501/ZC0801) WARD 1</p> <p>"THAT Report 08-112 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment applying to property municipally known as 98 Cityview Drive, City of Guelph, from Community Design and Development Services dated December 1, 2008, be received;</p> <p>AND THAT the application by 2014707 Ontario Inc. for a Proposed Draft Plan of Residential Subdivision applying to property municipally known as 98 Cityview Drive, and legally described as Lot 26, Registered Plan 53, Division C, City of Guelph, be approved, subject to the conditions outlined in Schedule 2 of Community Design and Development Services Report 08-112 dated December 1, 2008;</p> <p>AND THAT the application by 2014707 Ontario Inc. for a Zoning Bylaw Amendment from the UR (Urban Reserve) Zone to the R.1C (Single-Detached Residential) Zone, the R.1D (Single-Detached Residential) Zone, the R.2 (Residential Semi-Detached/Duplex) Zone, and the P.2 (Neighbourhood Park) Zone affecting the property municipally known as 98 Cityview Drive, and legally described as Lot 26, Registered Plan 53, Division C, City of Guelph, be approved in the form outlined in Schedule 2 of Community Design and Development Services Report 08-112 dated December 1, 2008."</p>	Approve

2. **CITYVIEW HEIGHTS SUBDIVISION: PROPOSED REDLINE AMENDMENT TO DRAFT PLAN OF SUBDIVISION 23T-01506 AND ASSOCIATED ZONING BY-LAW AMENDMENT (ZC0806) – WARD 1**

"THAT Report 08-111 regarding a Proposed Redline Amendment to Draft Plan of Residential Subdivision 23T-01506 and associated Zoning By-law Amendment for the property municipally known as 333 Grange Road and 134 Cityview Drive, City of Guelph, from Community Design and Development Services dated December 1, 2008, be received;

AND THAT the application by 2014707 Ontario Inc. for a Redline Amendment to Residential Draft Plan of Subdivision 23T-01506 on lands municipally known as 333 Grange Road and 134 Cityview Drive, City of Guelph and legally described as Part of Lot 14, and all of Lot 23, Registered Plan 53, City of Guelph, be approved, subject to the conditions outlined in Schedule 2 of Community Design and Development Services Report 08-111 dated December 1, 2008;

AND THAT the application by 2014707 Ontario Inc. for a Zoning Bylaw Amendment from the UR (Urban Reserve) Zone to the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone and from the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone to the UR (Urban Reserve) Zone affecting the property municipally known as known as 333 Grange Road and 134 Cityview Drive, City of Guelph and legally described as Part of Lot 14, and all of Lot 23, Registered Plan 53, City of Guelph, be approved in the form outlined in Schedule 2 of Community Design and Development Services Report 08-111 dated December 1, 2008."

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE December 1, 2008

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

REPORT NUMBER 08-112

RECOMMENDATION

"THAT Report 08-112 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment applying to property municipally known as 98 Cityview Drive, City of Guelph, from Community Design and Development Services dated December 1, 2008, BE RECEIVED; and

THAT the application by 2014707 Ontario Inc. for a Proposed Draft Plan of Residential Subdivision applying to property municipally known as 98 Cityview Drive, and legally described as Lot 26, Registered Plan 53, Division C, City of Guelph, BE APPROVED, subject to the conditions outlined in Schedule 2 of Community Design and Development Services Report 08-112 dated December 1, 2008; and

THAT the application by 2014707 Ontario Inc. for a Zoning Bylaw Amendment from the UR (Urban Reserve) Zone to the R.1C (Single-Detached Residential) Zone, the R.1D (Single-Detached Residential) Zone, the R.2 (Residential Semi-Detached/Duplex) Zone, and the P.2 (Neighbourhood Park) Zone affecting the property municipally known as 98 Cityview Drive, and legally described as Lot 26, Registered Plan 53, Division C, City of Guelph, BE APPROVED in the form outlined in Schedule 2 of Community Design and Development Services Report 08-112 dated December 1, 2008."

BACKGROUND

This report provides a recommendation on an application requesting approval of a residential draft plan of subdivision and associated zoning by-law amendment application (23T-08501 / ZC0801) from 2014707 Ontario Inc. The statutory Public Meeting was held by City Council on July 7, 2008. At this meeting, Council received staff information Report 08-74 that provided background information on this application. The application was received on March 7, 2008.

Location

The subject site consists of 1.97 hectares of land at the northwest corner of the intersection of Cityview Drive and Cedarvale Avenue (see **Schedule 1**). The site is bounded by Cityview Drive to the east, Cedarvale Avenue to the south, and existing residential development to the west along Bradson Drive. The properties to the north at 134 Cityview Drive and 333 Grange Road are additional lands owned by the applicant that are subject to future residential development in accordance with draft plan of subdivision 23T-01506. The applicant has submitted a separate redline amendment and zoning bylaw amendment application (ZC0806) to implement revisions to this adjacent draft plan. This application is being considered in conjunction with this current draft plan of subdivision application due to the dependence of these developments on each other for roads and services.

Official Plan Designation

The existing Official Plan land use designation that applies to the subject lands is "General Residential".

Existing Zoning

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

REPORT

Description of Applicant's Proposed Plan of Subdivision

The applicant proposes to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 3**. This subdivision includes a total of 44 residential units, consisting of 28 detached dwellings and 16 semi-detached dwellings. The existing single detached dwelling at 134 Cityview Drive is proposed to be retained and incorporated within the lot fabric of the draft plan. A 0.12 hectare parkette with frontage on Cedarvale Avenue at the southern portion of the plan is also proposed (Block 40). Blocks 37 to 39 are shown as small lot additions to the abutting future development blocks within draft plan 23T01506 to the north. These future development blocks would be consolidated to create residential lots upon the ultimate connection of Oakes Crescent to Cedarvale Avenue.

Staff Recommended Redline Amendment

Staff are recommending a redline amendment to the applicant's proposed subdivision shown on **Schedule 3** in order to establish a larger neighbourhood park within the plan. This recommended revised plan, illustrated on **Schedule 4**, includes a larger 0.27 hectare park block with additional frontage provided along Street 'B'. This would reduce the total number of dwelling units within the plan from 44 to 39, as the expansion of parkland would replace one single detached dwelling lot (Lot 21) and 4 semi-detached dwelling lots (Lots 22 to 23) that are included in the applicant's proposal. This larger park block represents a 0.1715 hectare over-dedication of land by the applicant above the 5% parkland dedication requirement of the Planning Act. The value of this additional land would be required to be paid by the City to the owner. This approach is supported by the applicant to allow the creation of an appropriately sized and functional park within the neighbourhood. The lot sizes and breakdown for the proposed subdivision is also detailed in **Schedule 4**.

The density of this proposed 39 unit subdivision, as calculated under "Places to Grow", is approximately 63 persons and jobs per hectare. The proposed draft plan in combination with adjacent Draft Plan 23T01506 would result in the development of 113 residential units, resulting in a "Places to Grow" density of approximately 64 persons and jobs per hectare. The subject site is within the built boundary and the dwelling units generated by this development will contribute to the intensification target that stipulates that at least 40% of new residential units shall be located within the built-up area by 2015.

Adjacent Draft Plan of Subdivision 23T01506

The current subdivision application is proposed along the southerly extension of Oakes Crescent from the adjoining approved draft plan of subdivision to the north (23T01506). An application to modify Draft Plan 23T01506 has been submitted, which proposes the removal of the short section of road that provides access to this adjoining subdivision from Cityview Drive. This road is shown as Lacey Way on **Schedule 1**. The removal of this road will assist in addressing grading challenges associated with development in this area. The proposed modification to Draft Plan 23T01506 (see **Schedule 5**) is being brought forward for Council's consideration at the same time as this current subdivision proposal to allow the necessary street connections to Cedarvale Avenue to be completed, as illustrated in **Schedule 3**.

Description of Proposed Zoning Bylaw Amendment

To implement the draft plan of subdivision application, the associated zoning by-law amendment application is a request to rezone the lands to the R.1C and R.1D (Single-Detached Residential) Zones, the R.2 (Residential Semi-Detached/Duplex) Zone, and the P.2 (Neighbourhood Park) Zone. The proposed zoning concept and details, included in **Schedule 6**, represents the staff recommended redline revision to implement the larger P.2 zoned park block.

Staff Review

The issues raised at the July 7, 2008 Public Meeting were limited to concerns regarding increased traffic along Bradson Drive resulting from the proposed development, the need to provide a pedestrian walkway to improve neighbourhood connectivity and the potential impact on private wells along Cityview Drive. In addition, the appropriateness of the park location within the proposed subdivision was an issue raised in association with the redline amendment application to Draft Plan 23T01506 on the adjacent lands to the north.

Traffic Impacts

In response to the increased traffic concerns along Bradson Drive, Engineering staff did conduct further investigation on potential traffic impacts resulting from the proposed development and adjacent Draft Plan 23T01506. Based on the Traffic Impact Study submitted for the adjacent subdivision proposals on the north side of Grange Road (294-316 Grange Road), Engineering staff reviewed future traffic conditions for Grange Road and Bradson Drive. This analysis has determined that the Grange Road and Bradson Drive intersection will continue to have acceptable traffic operations after the addition of the 113 units proposed within the current draft plan of subdivision application and the adjacent redline amendment

application to adjacent Draft Plan 23T01506. While there will be a slight increase in traffic volume along Bradson Drive, these levels are considered acceptable.

Pedestrian Connectivity

The issue of improving pedestrian connectivity has been addressed through the proposed addition of a pedestrian walkway block within the adjacent draft plan to the north (23T01506) that is being brought forward for Council consideration in association with this current draft plan of subdivision application (see Block 13 in **Schedule 5**). The pedestrian walkway will serve the new neighbourhood by providing a direct pedestrian linkage to Grange Road with accessibility to transit, area schools and other amenities. Following consultations and review with the City's Transportation Demand Management Coordinator, it has been concluded that the location of this pedestrian walkway is the most appropriate to provide a direct and visible pedestrian linkage to Grange Road and the schools in the area.

Park Location and Views

The proposed neighbourhood park, as shown on **Schedule 4**, is considered to be in the most appropriate location to serve this area, which has been identified as being deficient in neighbourhood scale parkland. The size of the park (0.27 hectares) represents the applicant's 5% parkland dedication requirement for this new subdivision plus an over-dedication of 0.1715 hectares. The applicant's cash-in-lieu of parkland contribution for the adjacent subdivision to the north will be utilized towards the purchase of this additional parkland, with any difference in value being paid to the owner from the City's Parkland Reserve Fund. Condition 24 is included in **Schedule 2** to identify this over contribution of parkland and the utilization of the cash-in-lieu of parkland contribution for adjacent Draft Plan 23T01506 to create a larger and more functional park area to serve the neighbourhood.

The park is currently proposed with good visibility and excellent street frontage on Grange Road, Street "B" and Street "A", which is aligned with Henry Court to the south. This location is well-suited to serve future residents within the proposed draft plan, as well as existing and future residents to the south of Cedarvale Avenue. In addition, the location of the park will provide a scenic southerly view looking over the City. The open space frontage along the three streets at the interior southern portion of the site will also help preserve views to the south for new residents within the subdivision. The location of the park provides excellent visibility and accessibility to the neighbourhood.

Impact on existing Cityview Drive private wells

The issue regarding the hydrological impact of the development on the private wells that exist in the surrounding area was raised at the Public Meeting. Condition 16 in **Schedule 2** outlines the Developer's responsibility to pay the total cost of all municipal services required to service the subject lands, which includes the reconstruction of Cityview Drive complete with storm and sanitary sewers and watermains. This will provide existing residents along Cityview Drive with the opportunity to connect to these services (at their cost) if they so desire and allow any existing or future constraints associated with private services to be addressed. The introduction of municipal services to this area also supports Official Plan policy

to ensure the economic provision of hard services in accordance with recognized standards for urban development.

Planning Analysis

Planning staff support the proposed draft plan of subdivision application and associated zoning by-law amendment. The proposed development conforms to Official Plan policies for the "General Residential" designation and the intensification policies of the Provincial Policy Statement and Places to Grow Act that focus on increasing density in built-up areas. This application represents an infill subdivision within the built boundary as per "Places to Grow" and therefore the development will contribute towards meeting the intensification targets of the Growth Plan. This development was not included within the 2008 Development Priorities Plan (DPP), as it was submitted after the DPP was approved. The Draft 2009 DPP identifies this plan for draft plan approval and registration in 2009, as it is an infill project within the Built Boundary.

The proposed draft plan of subdivision represents the logical extension of development that has been approved on the adjacent property in accordance with Draft Plan 23T01506, as illustrated in **Schedule 5**. The proposed plan will complete development in this area and provide the logical street connections to Cedarvale Avenue that were always contemplated through the approval of Draft Plan 23T01506 to the north. The proposed draft plan with the incorporation of staff's redline revision will provide an appropriately sized neighbourhood park with good street presence along Cedarvale Avenue, Street A and Street B to serve existing and new development in this area.

The proposed lot sizes and housing types have been designed to be consistent and compatible with existing residential development in the area. The larger single detached lots proposed fronting on the west side of Cityview Drive, with minimum frontages of 12 metres, will enhance compatibility with the existing large lots on the east side of Cityview Drive and provide a transition from these larger lots to the smaller lot development that is proposed internal to the plan along Oakes Crescent.

This Draft Plan of Subdivision and associated Zoning By-law amendment application is recommended for approval subject to the regulations and conditions outlined in **Schedule 2** of this report.

CORPORATE STRATEGIC PLAN

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

COMMUNITY ENERGY PLAN (CEP)

The proposed development will contribute towards implementing the Community Energy Plan in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The owner has made the commitment, as outlined in Condition 48 of **Schedule 2**, to construct the dwelling units to standards that promote energy efficiency. In

addition, the conditions of approval also include the prohibition on the use of any covenants that would restrict the use of clotheslines that also supports the CEP.

FINANCIAL IMPLICATIONS

Based on the recommended redline amendment with a maximum of 39 residential units.

Population Projections

- 124 persons (based on "Places to Grow" density calculation)

Projected Taxation

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

Development Charges

- \$457,119 (Residential)

City Parkland Reserve Fund

- 0.15 hectare parkland over-dedication to be paid by the City to the Owner at an approximate cost of \$200,000.

DEPARTMENTAL CONSULTATION

The public and agency comments received during the review of the application are included on **Schedule 7**.

ATTACHMENTS

Schedule 1 – Location Map

Schedule 2 – Regulations and Conditions

Schedule 3 – Applicant's Proposed Draft Plan of Subdivision

Schedule 4 – Staff Recommended Redline Amendment

Schedule 5 – Proposed Redline Amendment to Adjacent Draft Plan 23T01506

Schedule 6 – Proposed Zoning Concept and Details

Schedule 7 – Circulation Comments

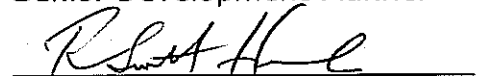
Schedule 8 – Public Notification Summary



Prepared By:

Chris DeVriendt

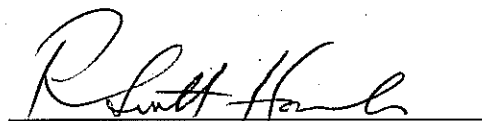
Senior Development Planner



Recommended By:

for Jim Riddell

Director of Community Design and
Development Services



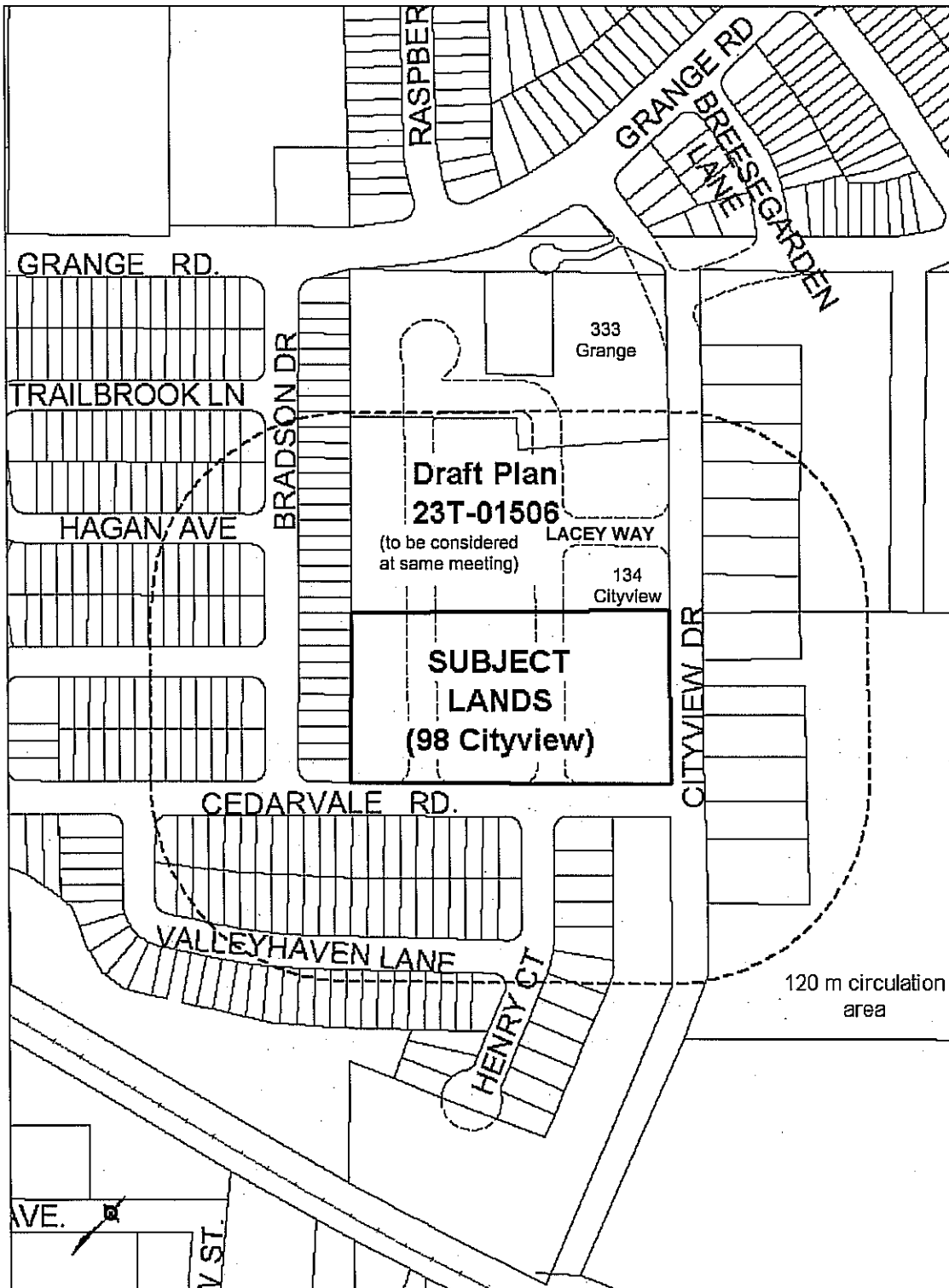
Recommended By:

R. Scott Hannah

Manager of Parks and Development
Planning

SCHEDULE 1

Location Map



SCHEDULE 2

Regulations and Conditions

PART A

"THAT the application by 2014707 Ontario Inc. for a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment (23T08501/ZC0801) on lands municipally known as 98 Cityview Drive, and legally described as Lot 26, Registered Plan 53, Division C, City of Guelph, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by 2014707 Ontario Inc., dated April 24, 2008, subject to the revisions shown on **Schedule 4** of the planning report dated December 1, 2008, which includes:
 - a) a 0.1715 hectare expansion of Park Block 40 to occupy the lands shown as Lots 21 to 23 within the applicant's proposed plan shown on **Schedule 4**; and
 - b) the resulting development of a total of 39 residential units, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer.
4. The developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare a **site drainage and grading plan**, for the entire subdivision, satisfactory to the City Engineer. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.

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8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
 9. The Developer shall provide a qualified **Environmental Inspector**, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the approved plan. The environmental inspector shall report on their findings to the City on a monthly or more frequent basis.
 10. The Developer shall submit a detailed **Stormwater Management Report and Plans** to the satisfaction of the City Engineer which shows how stormwater will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
 11. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer with describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
 12. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
 13. The Developer shall ensure that the height of any proposed retaining wall that abuts existing residential property does not exceed 1.2 metres.
 14. That the developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the subdivision agreement on the block/lot so disturbed.

Conditions to be met prior to execution of the subdivision agreement

15. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
16. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision, including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, reconstruction of Cityview Drive to an urban standard, storm sewer on Cedarvale Avenue and construction of the sidewalk and boulevard on the west side of Cedarvale Avenue, with the distance, size and alignment of such services to be

determined by the City. This also includes the Developer paying a share of the cost of the existing downstream stormwater management system as determined by the City.

17. Should this development proceed before Draft Plan 23T01506 development to the west, the Developer shall construct **temporary turning circles** at the westerly end of both Street A and Street B.
18. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
19. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision.
20. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
21. The Developer shall provide an **on-street parking plan** for the subdivision to the satisfaction of the City Engineer.
22. Developer shall pay the cost of the installation of one Second Order, **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
23. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform with the current Development Priorities Plan.
24. The Developer shall dedicate Block 40 for park purposes in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof at the expense of the Developer. The City acknowledges that the location and configuration of these lands on the plan of subdivision represents a parkland over-dedication of 0.15 hectares to the 5% parkland dedication requirement of Draft Plan of Subdivision 23T08501. The value of this over-dedication of parkland is to be paid by the City to the Owner.
25. The Developer shall be responsible for the cost of design and development of the "**Basic Park Development**" as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading and sodding for any phase containing a Park block to the satisfaction of the Director of Community Design and Development Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the "Basic Parkland" improvements and works for the Park Block to the satisfaction of the Director of Community Design and Development Services.
26. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include submitting drawings completed by a registered Ontario Association of Landscape Architect (OALA) member for approval and to the satisfaction of the Director of Community Design and Development Services. The developer shall provide the City with **cash or letter of credit** to cover the City's estimate for the cost of the "Property Demarcation" improvements and works for the City lands to the satisfaction of the Director of Community Design and Development Services.

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27. The Developer shall provide Community Design and Development Services with a **digital file** of the plan of subdivision in either AutoCad – DWG format or DXF Format containing the following information: parcel fabric, street network, grades/contours and existing vegetation to be retained in the park.
28. The Developer shall install a 1.8 metre high board fence along any lot or block abutting the existing Bradson Drive properties to the satisfaction of the Director of Community Design and Development Services.

Conditions to be met prior to registration

29. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity** being available, prior to the registration of the plan, or any part thereof.
30. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
31. Prior to the City accepting any real property interests, the Developer shall:
- a. submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Realty Services;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
32. That the Developer enters into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
33. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria - July 23, 1993" with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.
34. That all **easements and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph,

Guelph Hydro Electric Systems Inc and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.

35. The Developer shall pay any **outstanding debts** owed to the City.
36. The Developer shall pay **development charges** to the City in accordance with the City's Development Charges By-law, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
37. The Developer shall **erect and maintain signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Community Design and Development Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
38. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, the Developer shall ensure that all sump pumps are discharged to the rear yard and the Developer shall notify all purchasers that the discharge shall be to the rear yard."
 - "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - Purchasers and/or tenants of all lots or units located in the subdivision plan are advised that a transit route may be installed on Cityview Drive and/or Cedarvale Avenue at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including street frontages."
 - "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
 - "Purchasers and/or tenants of all lots or units are advised that the boundaries of the park block will be demarcated in accordance with the City of Guelph Property Demarcation Policy."
39. The Developer shall ensure that **street lighting and underground wiring** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.

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40. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
 41. That **site plans for all corner building lots**, as determined by the City Engineer, shall be submitted to the City Engineer for approval of driveway location.
 42. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the Director of Community Design and Development Services that there are no restrictive covenants which restrict the use of clotheslines.
 43. Lots 38 and 39 are not to be developed until they are adjoined with the abutting parcels in Draft Plan 23T-01506 to the satisfaction of the City.

Conditions to be met prior to issuance of a building permit

44. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official **certifying all fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
45. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases** (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
46. Prior to the issuance of a building permit, all **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
47. Prior to the issuance of a building permit, the Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
48. Prior to registration of the plan, the Developer shall provide the City with written confirmation that the dwelling units on the subject site will be constructed to a standard that implements **energy efficiency** in order to support the Community Energy Plan, to the satisfaction of the City. The owner shall provide a letter of undertaking on the energy efficiency standards to be implemented for the dwelling units, which include an Energy Star standard and/or other recognized equivalent programs, including LEED for Homes, Ener and R-2000, and include verification through third party certification. These requirements shall be included in the subdivision agreement.

AGENCY CONDITIONS:

49. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
50. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
51. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
52. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
 - "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
53. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
54. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.
55. That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.
56. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 50 has been satisfied.
57. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 51, 52 and 53 have been satisfied.

58. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc.**, shall advise the City in writing how conditions 39 and 47 have been satisfied.

59. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 54 has been satisfied.

AND

PART B

"That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current Urban Reserve UR Zone to the following zoning categories as follows:

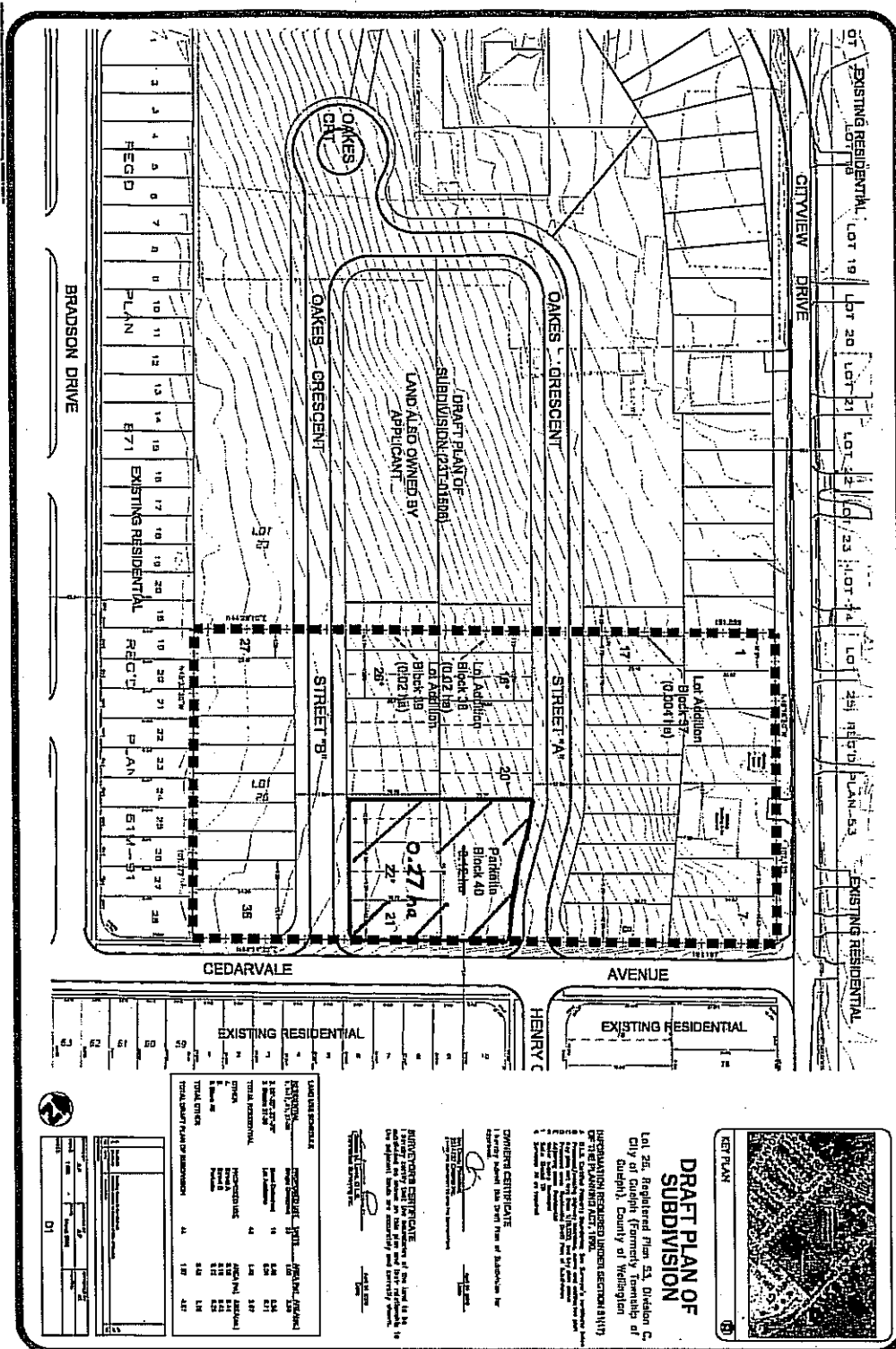
LOTS/BLOCKS	LAND USE	ZONING
Lots 1-17	Single Detached Residential Min Lot Frontage – 12 m	R.1C
Lots 27-36	Single-Detached Residential Min Lot Frontage – 9 m	R.1D
Lots 18-20, 24-26	Semi-Detached Residential Min Lot Frontage – 7.5 m per unit	R.2
Block 40	Neighbourhood Park	P.2

Applicant's Proposed Draft Plan of Subdivision



SCHEDULE 4

Proposed Draft Plan of Subdivision with Staff Recommended Redline Amendment



SCHEDULE 4 (continued)

Details of Proposed Draft Plan of Subdivision

LAND USE SCHEDULE

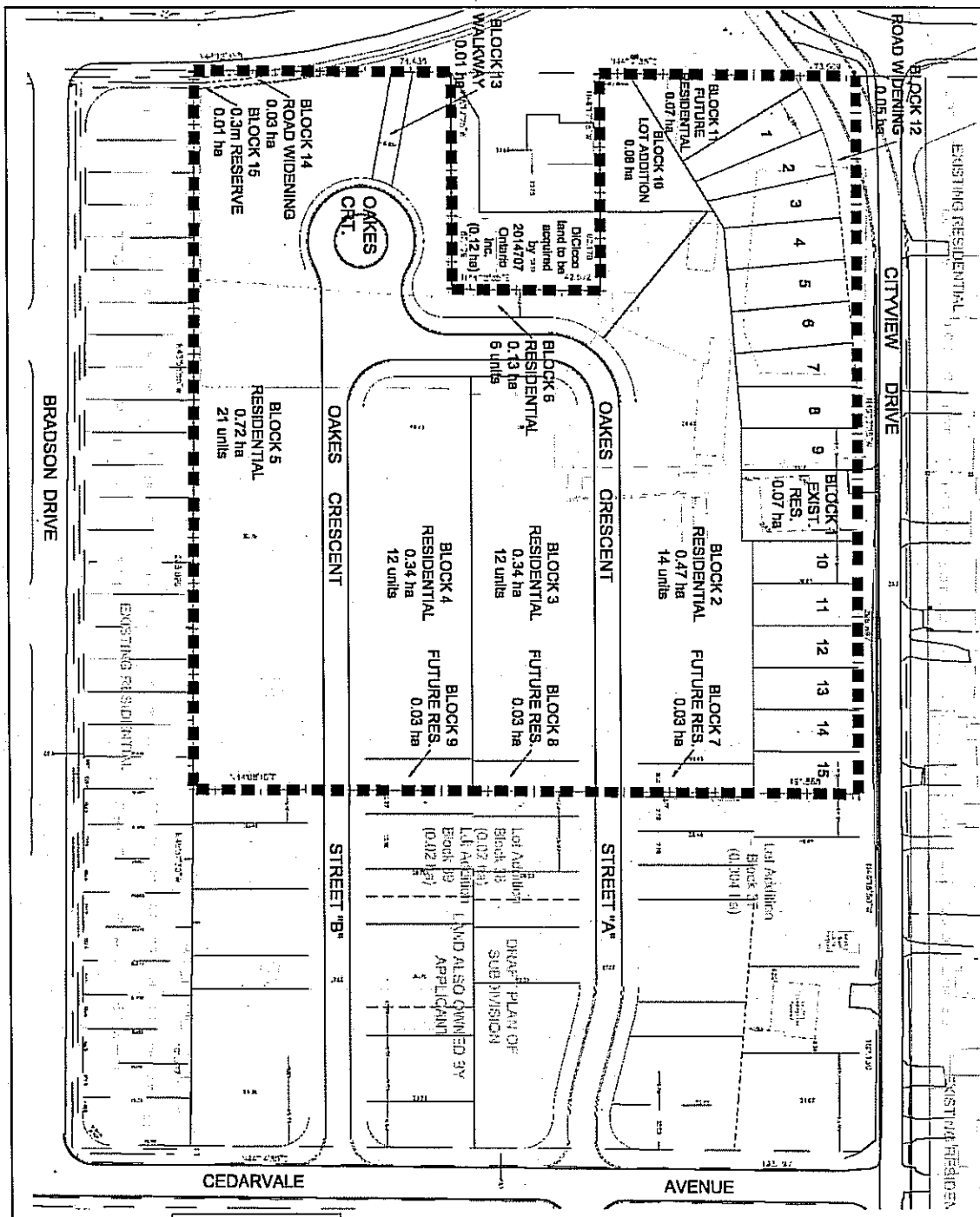
LOTS/BLOCKS	LAND USE	AREA
Lots 1-17, 27-36	Single-Detached Residential	1.01 hectares
Lots 18-20, 24-26	Semi-Detached	0.29 hectares
Blocks 37-39	Lot Additions	0.04 hectares
Block 40	Neighbourhood Park	0.27 hectares
Roads	Street A & Street B	0.36 hectares
TOTAL AREA		1.97 hectares

DWELLING UNIT BREAKDOWN

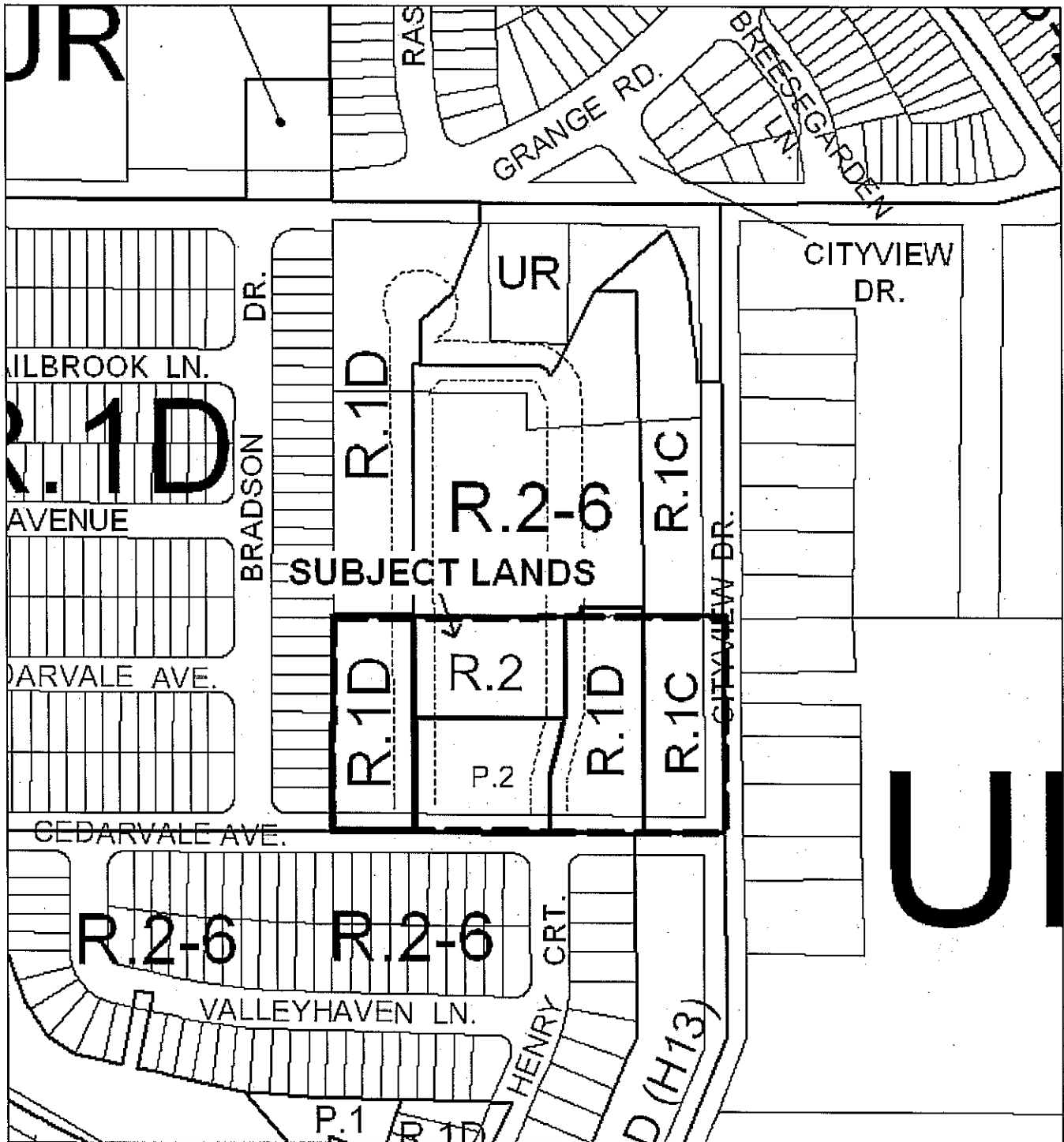
LOTS/ BLOCKS	UNIT TYPE	UNITS (minimum – maximum)
Lots 1-17, 27-36	Single-detached dwelling	27
Lots 18-20, 24-26	Semi-Detached dwellings	12
TOTAL UNITS		39

SCHEDULE 5

Proposed Redline Amendment to Adjacent Draft Plan 23T01506



SCHEDULE 6
Proposed Zoning



SCHEDULE 6 (continued)

Proposed Zoning Details

LOTS/BLOCKS	LAND USE	ZONING
Lots 1-17	Single Detached Residential Min Lot Frontage – 12 m	R.1C
Lots 27-36	Single-Detached Residential Min Lot Frontage – 9 m	R.1D
Lots 18-20, 24-26	Semi-Detached Residential Min Lot Frontage – 7.5 m per unit	R.2
Block 40	Neighbourhood Park	P.2

SCHEDULE 7

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	Support subject to Schedule 2
Engineering*		✓	Support subject to Schedule 2*
G.R.C.A.*	✓		
Parks*	✓		Support subject to Schedule 2*
Corporation of the Township of Guelph/Eramosa	✓		
Wellington County	✓		
Heritage Guelph	✓		
Guelph Development Association*	✓		Support proposal*
Canadian National Railway	✓		
Finance		✓	Development Charges
Guelph Hydro	✓		
Guelph Police Service	✓		
Guelph Chamber of Commerce	✓		
Emergency Services / Fire Department	✓		
Canada Post	✓		
Wellington Catholic District School Board	✓		
Upper Grand District School Board	✓		Education Development Charges

SCHEDULE 8

Public Notification Summary

February 14, 2008	Application received by City of Guelph
March 12, 2008	Public Notification sign erected and Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres.(400 feet).
June 13, 2008	Notice of a Public Meeting to consider draft plan approval mailed to prescribed agencies and surrounding property owners within 120 metres (400 feet).
July 7, 2008	Public Meeting of City Council
November 17, 2008	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision.
December 1, 2008	City Council Meeting to consider staff recommendation

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE December 1, 2008

**SUBJECT Cityview Heights Subdivision: Proposed Redline
Amendment to Draft Plan of Subdivision 23T-01506
and Associated Zoning By-law Amendment (File:
ZC0806) – Ward 1**

REPORT NUMBER 08-111

RECOMMENDATION

"THAT Report 08-111 regarding a Proposed Redline Amendment to Draft Plan of Residential Subdivision 23T-01506 and associated Zoning By-law Amendment for the property municipally known as 333 Grange Road and 134 Cityview Drive, City of Guelph, from Community Design and Development Services dated December 1, 2008, BE RECEIVED; and

THAT the application by 2014707 Ontario Inc. for a Redline Amendment to Residential Draft Plan of Subdivision 23T-01506 on lands municipally known as 333 Grange Road and 134 Cityview Drive, City of Guelph and legally described as Part of Lot 14, and all of Lot 23, Registered Plan 53, City of Guelph, BE APPROVED, subject to the conditions outlined in Schedule 2 of Community Design and Development Services Report 08-111 dated December 1, 2008; and

THAT the application by 2014707 Ontario Inc. for a Zoning Bylaw Amendment from the UR (Urban Reserve) Zone to the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone and from the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone to the UR (Urban Reserve) Zone affecting the property municipally known as known as 333 Grange Road and 134 Cityview Drive, City of Guelph and legally described as Part of Lot 14, and all of Lot 23, Registered Plan 53, City of Guelph, BE APPROVED in the form outlined in Schedule 2 of Community Design and Development Services Report 08-111 dated December 1, 2008."

BACKGROUND

This report provides a recommendation on an application from 2014707 Ontario Inc. for a redline amendment to revise approved Draft Plan of Subdivision 23T-01506 and an associated zoning by-law amendment application (ZC0806) to permit a 74 unit residential development. The statutory Public Meeting was held by City Council on September 2, 2008. At this meeting, Council received staff information Report 08-96 that provided background information on this application.

Location

The application affects 3.67 hectares of land located at the southwest corner of the intersection of Grange Road and Cityview Drive (see Location Map on **Schedule 1**). The subject lands surround the adjacent property and existing dwelling at 327 Grange Road. The lands that are subject to the zoning by-law amendment application have been enlarged from the applicant's previous application to include the rear 0.12 hectare portion of 327 Grange Road, representing lands that will be acquired by the applicant. The adjacent property owner at 327 Grange Road has submitted a letter granting permission to include this portion within the current rezoning application to facilitate development of these lands in conjunction with the applicant's subdivision proposal.

Official Plan Designation

The existing Official Plan land use designation that applies to the subject lands is "General Residential".

Existing Zoning

The subject lands are zoned UR (Urban Reserve) Zone, R.1D (Single Detached Residential) Zone, and R.2-6 (Specialized Detached/Semi-Detached Residential) Zone in the City of Guelph Zoning By-law (see **Schedule 3**). The Specialized R.2-6 Zone that applies to the interior portion of the plan permits single detached dwellings or semi-detached dwellings.

Original Draft Plan of Subdivision (23T01506)

The original Cityview Heights Subdivision received draft plan approval on March 4, 2005. A two year draft plan approval extension was granted by City Council on February 25, 2008. This approved residential subdivision, shown on **Schedule 4**, consists of 13 lots for detached dwellings, 1 block for the existing house (Block 1), 1 block for detached dwellings (Block 6), and 4 flex blocks for single detached or semi-detached residential units (Blocks 2-5). In addition, the draft plan includes 4 Blocks for future residential development (Blocks 7-10) and 2 Blocks for road widening (Blocks 11-12). There was a maximum of 76 residential units included within this original draft plan approval.

REPORT

Description of Proposed Redline Amendment

This redline amendment application is a request to revise approved Draft Plan 23T-01506 in accordance with the plan shown on **Schedule 5**. A total of 74 residential units are proposed within the revised plan, resulting in approximately 64 persons per hectare based on the "Places to Grow" density calculation. The details of the revised draft plan of subdivision are also included in **Schedule 5**.

At the September 2, 2008 Public Meeting, a modification to the redline amendment application that was shown in Staff Report 08-96 was presented. This previous proposal included in Staff Report 08-96 is illustrated on **Schedule 6**. The change was requested by the applicant following successful negotiations with the adjacent property owner at 327 Grange Road to integrate the rear 0.12 hectare portion into the application. The inclusion of this area will now allow lotting to be completed along the northern leg of Oakes Crescent without the need for the 27 metre

southern shift of Oakes Crescent that was proposed in applicant's previous application (see **Schedule 6**).

The current revisions to the original draft plan being requested include:

1. the elimination of Street D (Lacey Way);
2. a minor shift of Oakes Crescent to the south; and
3. the inclusion of a pedestrian walkway block.

1. Elimination of Street D

Street D (Lacey Way), as shown on **Schedule 2**, is a short segment of road that provides access from Cityview Drive to Street B (Oakes Crescent). The revision to remove this street from the approved plan has been requested to address significant grading issues associated with the development of the site. An elevation difference of approximately 18 metres exists from the easterly limit (Cityview Drive) to the westerly limit of the subdivision. The construction of Street D would necessitate the construction of high rear yard retaining walls to accommodate this significant elevation difference across the balance of the site, including along the rear lot lines of the existing properties on Bradson Drive. The removal of Street D will allow the retaining walls to be reduced in height.

While it is recognized that the proposed removal of Street D would require establishing a public road connection from the current approved draft plan to Cedarvale Avenue to the south, these connections to Cedarvale Avenue are shown in the owner's separate and related subdivision application to the south at 98 Cityview Drive (**Schedule 7**). This would provide the necessary access and servicing connections in conjunction with the revised subdivision currently being proposed.

2. Shift of Oakes Crescent

As discussed earlier, the applicant's earlier redline amendment to shift Oakes Crescent 27 metres to the south (see **Schedule 6**) is no longer proposed due to the recent agreement that has been reached between the applicant and adjacent owner at 327 Grange Road to integrate the rear 0.12 hectare portion of their property into the application. This will allow lots for single detached dwellings to be fully developed along the northern end of Oakes Crescent with now only a minor 2 metre shift of Oakes Crescent proposed (see **Schedule 5**).

3. Addition of Pedestrian Walkway Block

The final revision proposed is the inclusion of a pedestrian walkway block within the plan (see Block 13 in **Schedule 5**). This would provide a more direct pedestrian access to Grange Road from the subdivision's internal road network. The provision of a pedestrian connection to Grange Road was an issue raised at the Public Meeting held on July 7, 2008, where Council was presented information on the adjacent subdivision proposal to the south at 98 Cityview Drive.

Description of Proposed Zoning By-law Amendment

The associated zoning by-law amendment proposes to rezone a small portion of the subject site from the current UR (Urban Reserve) Zone to the R.2-6 Zone. This is requested to accommodate the revised draft plan that includes the development of the lots fronting onto the northern end of Oakes Crescent. A small portion of the subject lands abutting the west side of 327 Grange Road is also proposed to be rezoned from the current R.1D (Single Detached Residential) Zone to the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone.

The proposed zoning concept is provided in **Schedule 8**.

Staff Review

The following issues were raised at the September 2, 2008 Public Meeting and through the circulation of the application:

1. Compatibility with existing single detached lots along Cityview Drive and impact on views;
2. Traffic impacts;
3. Suitability of pedestrian walkway location;
4. Provision of road connection to Grange Road;
5. Park location and views;
6. Impact of development on existing Cityview Drive wells; and
7. Cost estimates for future connection of existing Cityview properties to municipal services

Planning staff have considered all comments received and a detailed staff response is provided in **Schedule 9**.

Planning Analysis

Planning staff support the redline amendment application and associated zoning by-law amendment. The proposed revisions to Draft Plan 23T01506 will facilitate development of the subject site while maintaining a pattern of development that is consistent with the previously approved plan.

This proposal conforms to Official Plan policies for the "General Residential" designation and the intensification policies of the Provincial Policy Statement and Places to Grow Act that focus on increasing density in built-up areas. This development represents an infill subdivision within the built boundary as per "Places to Grow" and therefore the development will contribute towards meeting the intensification targets of the Growth Plan. This development is identified in the 2008 Development Priorities Plan for registration in 2008.

The removal of Street D (Lacey Way) will help address significant grading challenges on this site. While the development of both walkout and raised bungalow lots are required to match existing property line grades, the significant elevation difference from the easterly limit (Cityview Drive) to the westerly limit of the subdivision can be accommodated more effectively without the inclusion of Street

D. Condition 12 in **Schedule 2** will ensure that the height of any proposed retaining wall that abuts existing residential property along Bradson Drive does not exceed 1.2 metres. This height limitation applies to all the subject lands, with the only exception being the height of the wall abutting the property at 327 Grange Road.

Rather than access by Street D (Lacey Way) from Cityview Drive, proposed access now will be from the two municipal road connections to Cedarvale Avenue included within the adjacent draft plan of subdivision at 98 Cityview Drive (23T-08501). These road connections external to the current draft plan are shown as Street A and Street B within the subdivision proposal at 98 Cityview Drive (see **Schedule 7**). Condition 16 in **Schedule 2** requires the Developer to construct and convey Street A and Street B to the City if development of the subject lands proceeds before development to the south at 98 Cityview Drive. However, this new draft plan of subdivision application has been submitted by the same applicant and is being brought forward for Council's consideration at the same time as the current redline amendment application. This will allow the development of the entire area to be coordinated properly and will implement the logical and preferred street pattern to complete development in this area and avoid some significant grading problems that would have been faced on Street D.

The revised proposal to rezone the rear 0.12 hectare portion of 327 Grange Road to the R.2-6 Zone is consistent with the zoning previously established within the plan and will facilitate the completion of residential lot development at the northern end of Oakes Crescent. This pattern of development was originally contemplated through the approval of Draft Plan 23T01506.

The opportunity for the future redevelopment of 327 Grange Road in association with adjacent lands at the intersection of Cityview Drive and Grange Road remains. These additional lands that could be consolidated include the City-owned unused realigned portion of Grange Road and a small remnant parcel from the adjacent Grangehill Phase 3B subdivision (Registered Plan 61M38) that is currently under separate ownership (see **Schedule 6**). The proposed modifications to Draft Plan 23T01506 do not adversely affect future development opportunities of these adjacent lands.

The addition of the pedestrian walkway within the proposed subdivision addresses an issue that was raised during the July 7, 2008 Public Meeting, where Council was presented information on the adjacent subdivision proposal to the south at 98 Cityview Drive. This issue related to the provision of a pedestrian connection from these lands to Grange Road. The pedestrian walkway, shown as Block 13 on **Schedule 5**, will provide this important linkage and improve pedestrian accessibility to Grange Road with availability to transit for the new neighbourhood.

This redline amendment to Draft Plan 23T01506 and the associated zoning by-law amendment application is recommended for approval subject to the regulations and conditions outlined in **Schedule 2** of this report. The conditions shown in **Schedule 2** include all the conditions previously endorsed by City Council in association with the original draft plan approval granted on March 4, 2005. Other conditions have been added and updated to address the proposed modifications to the draft plan.

CORPORATE STRATEGIC PLAN

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

COMMUNITY ENERGY PLAN (CEP)

The proposed development will contribute towards implementing the Community Energy Plan in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The owner has made the commitment, as outlined in Condition 48 of **Schedule 2**, to construct the dwelling units in accordance with energy efficient standards. In addition, the conditions of approval also include the prohibition on the use of any covenants that would restrict the use of clotheslines that also supports the CEP.

FINANCIAL IMPLICATIONS

Based on 74 residential units.

Population Projections

- 236 persons (based on "Places to Grow" density calculation)

Projected Taxation

- \$244,200 per year (estimated at \$3,300 per unit)

Development Charges

- \$762,570 (Residential)

DEPARTMENTAL CONSULTATION

The public and agency comments received during the review of the application are included on **Schedule 10**.

ATTACHMENTS

Schedule 1 – Location Map

Schedule 2 – Regulations and Conditions

Schedule 3 – Original Draft Approved Plan of Subdivision 23T01506

Schedule 4 – Existing Zoning

Schedule 5 – Proposed Redline Amendment to Draft Plan 23T01506

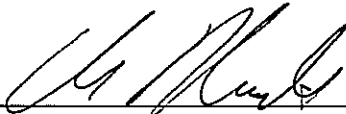
Schedule 6 – Redline Amendment Presented in Staff Report 08-73

Schedule 7 – Subdivision Proposal on Adjacent Lands at 98 Cityview Drive

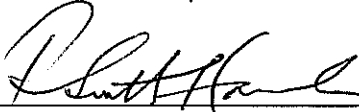
Schedule 8 – Proposed Zoning

Schedule 9 – Staff Response to Issues

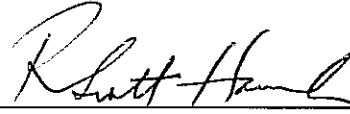
Schedule 10 – Circulation Comments
Schedule 11 – Public Notification Summary



Prepared By:
Chris DeVriendt
Senior Development Planner



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

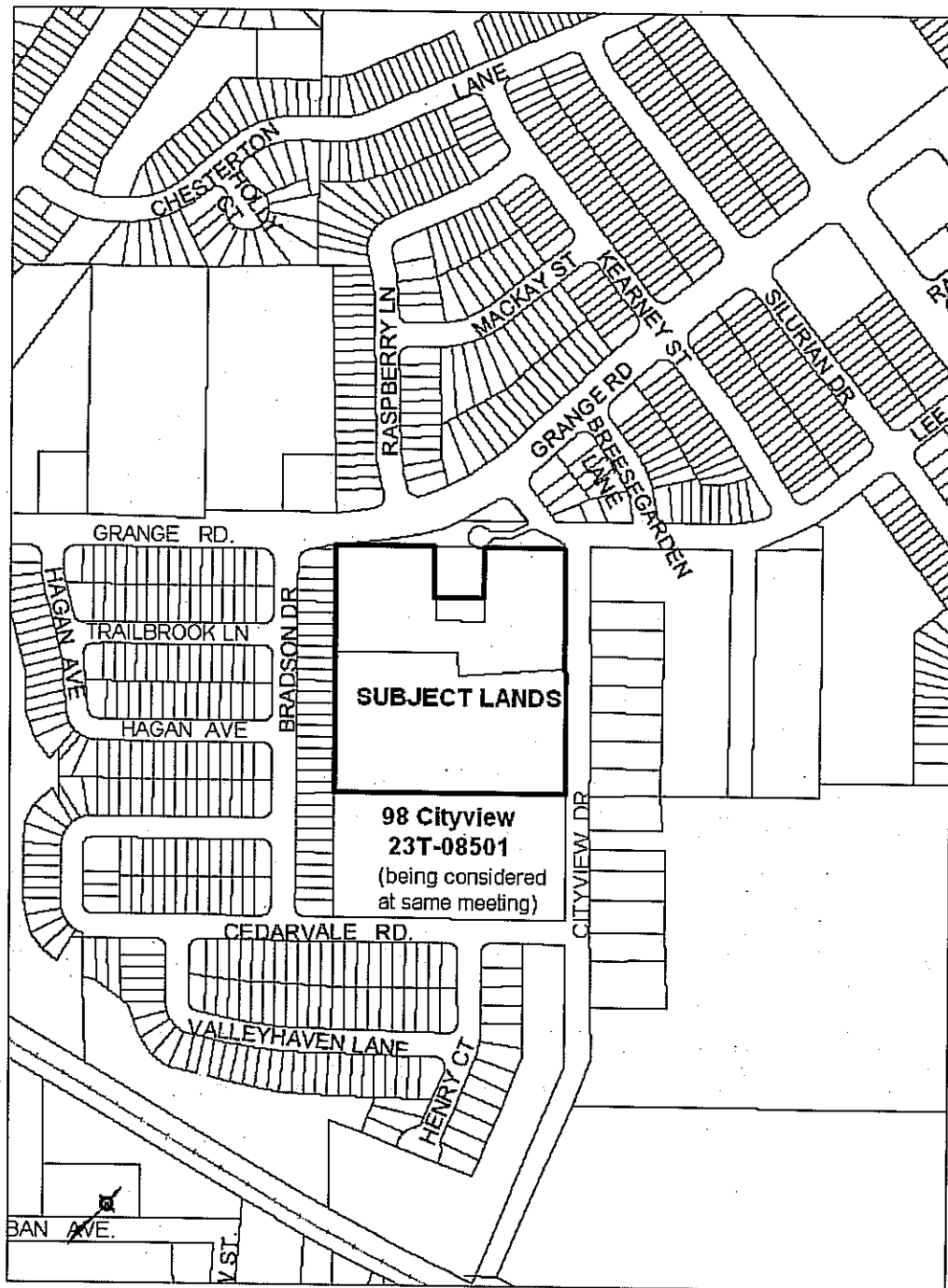


Recommended By:
R. Scott Hannah
Manager of Parks and Development
Planning

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SCHEDULE 1

LOCATION MAP



SCHEDULE 2

REGULATIONS AND CONDITIONS

PART A

"THAT the application by 2014707 Ontario Inc. for a Proposed Redline Amendment to Draft Plan of Residential Subdivision 23T01506 and associated Zoning By-law Amendment (ZC0806) on lands municipally known as 333 Grange Road and 134 Cityview Drive, and legally described as Part of Lot 14, and all of Lot 23, Registered Plan 53, City of Guelph, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by 2014707 Ontario Inc., dated September 18, 2008, to include the development of 74 residential units, as shown on **Schedule 5**, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph Bylaw (2007)-18420 to the satisfaction of the City Engineer.
4. The developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare a **site drainage and grading plan**, for the entire subdivision, satisfactory to the City Engineer. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.

9. The Developer shall provide a qualified **Environmental Inspector**, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the approved plan. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
10. The Developer shall submit a detailed **Stormwater Management Report and Plans** to the satisfaction of the City Engineer which shows how stormwater will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall ensure that the height of any proposed retaining wall that abuts existing residential property does not exceed 1.2 metres, with the exception of the height of the wall abutting the DiCicco property at 327 Grange Road.
13. That the developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the subdivision agreement on the block/lot so disturbed.

Conditions to be met prior to execution of the subdivision agreement

14. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
15. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision, including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, reconstruction of Cityview Drive to an urban standard, storm sewer on Cedarvale Avenue, with the distance, size and alignment of such services to be determined by the City. This also includes the Developer paying a share of the cost of the existing downstream stormwater management system as determined by the City and a share of the cost of the reconstruction of Grange Road.
16. Should this development proceed before Draft Plan 23T-08501 to the east at 98 Cityview Drive, the Developer shall **construct Street A and Street B** that are external to the plan to the satisfaction of the City. Street A and Street B are to be shown as separate blocks, conveyed to the City, and dedicated as right-of-way at the expense of the Developer and to the satisfaction of the City, prior to registration of the plan.

-
17. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
 18. The Developer shall submit a **Traffic Impact Study** to the satisfaction of the City Engineer addressing vehicular and pedestrian site access, the potential impact of the development on the existing road network, traffic signage, the design of bikeways and traffic calming measures.
 19. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
 20. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision.
 21. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
 22. The Developer shall provide an **on-street parking plan** for the subdivision to the satisfaction of the City Engineer.
 23. The Developer shall pay the cost of the installation of one Second Order, **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
 24. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform with the current Development Priorities Plan.
 25. The Developer shall provide Community Design and Development Services with a **digital file** of the plan of subdivision in either AutoCad – DWG format or DXF format containing the following information: parcel fabric, street network, grades/contours and existing vegetation to be retained.
 26. The Developer shall **demarcate the boundary of the Walkway Block** in accordance with the City of Guelph Property Demarcation Policy, to the satisfaction of the Director of Community Design and Development Services.
 27. The Developer shall install a **1.8 metre high board fence** along any lot or block abutting the existing Bradson Drive properties to the satisfaction of the Director of Community Design and Development Services.

Conditions to be met prior to registration

28. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity** being available, prior to the registration of the plan, or any part thereof.
29. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such

property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.

30. Prior to the City accepting any real property interests, the Developer shall:

- a. submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Reality Services;
- b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
- c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.

31. That the Developer enters into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.

32. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria - July 23, 1993" with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.

33. That all **easements and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.

34. The Developer shall pay any **outstanding debts** owed to the City.

35. The Developer shall pay **development charges** to the City in accordance with the City's Development Charges By-law, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.

36. The Developer shall **erect and maintain signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Community Design and Development Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.

37. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:

- "Purchasers and/or tenants of all lots are advised that **sump pumps** will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, the Developer shall ensure that all sump pumps are discharged to the rear yard and the Developer shall notify all purchasers that the discharge shall be to the rear yard."
- "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
- Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised that a transit route may be installed on Cityview Drive and/or Cedarvale Avenue at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including street frontages.'
- "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
- "Purchasers and/or tenants of all lots or units are advised that the boundaries of the walkway block will be demarcated in accordance with the City of Guelph Property Demarcation Policy.'

38. The Developer shall ensure that **street lighting and underground wiring** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.

39. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.

40. That **site plans for all corner building lots**, as determined by the City Engineer, shall be submitted to the City Engineer for approval of driveway location.

41. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the Director of Community Design and Development Services that there are no restrictive covenants which restrict the use of clotheslines.

42. Blocks 6, 7, 8, 9, 10 and 11 as shown on the Plan are not to be developed until they are adjoined with the abutting parcels to the satisfaction of the City.

43. The Developer shall be responsible for paying cash-in-lieu of parkland for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.

Conditions to be met prior to issuance of a building permit

44. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official **certifying all fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
45. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases** (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
46. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
47. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
48. Prior to registration of the plan, the Developer shall provide the City with written confirmation that the dwelling units on the subject site will be constructed to a standard that implements **energy efficiency** in order to support the Community Energy Plan, to the satisfaction of the City. The owner shall provide a letter of undertaking on the energy efficiency standards to be implemented for the dwelling units, which include an Energy Star standard and/or other recognized equivalent programs, including LEED for Homes and R-2000, and include verification through third party certification. These requirements shall be included in the subdivision agreement.

AGENCY CONDITIONS:

49. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
50. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
51. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.

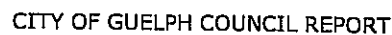
52. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
53. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
54. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.
55. That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.
56. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 50 has been satisfied.
57. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 51, 52 and 53 have been satisfied.
58. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc.**, shall advise the City in writing how conditions 38 and 47 have been satisfied.
59. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 54 has been satisfied.

AND

PART B

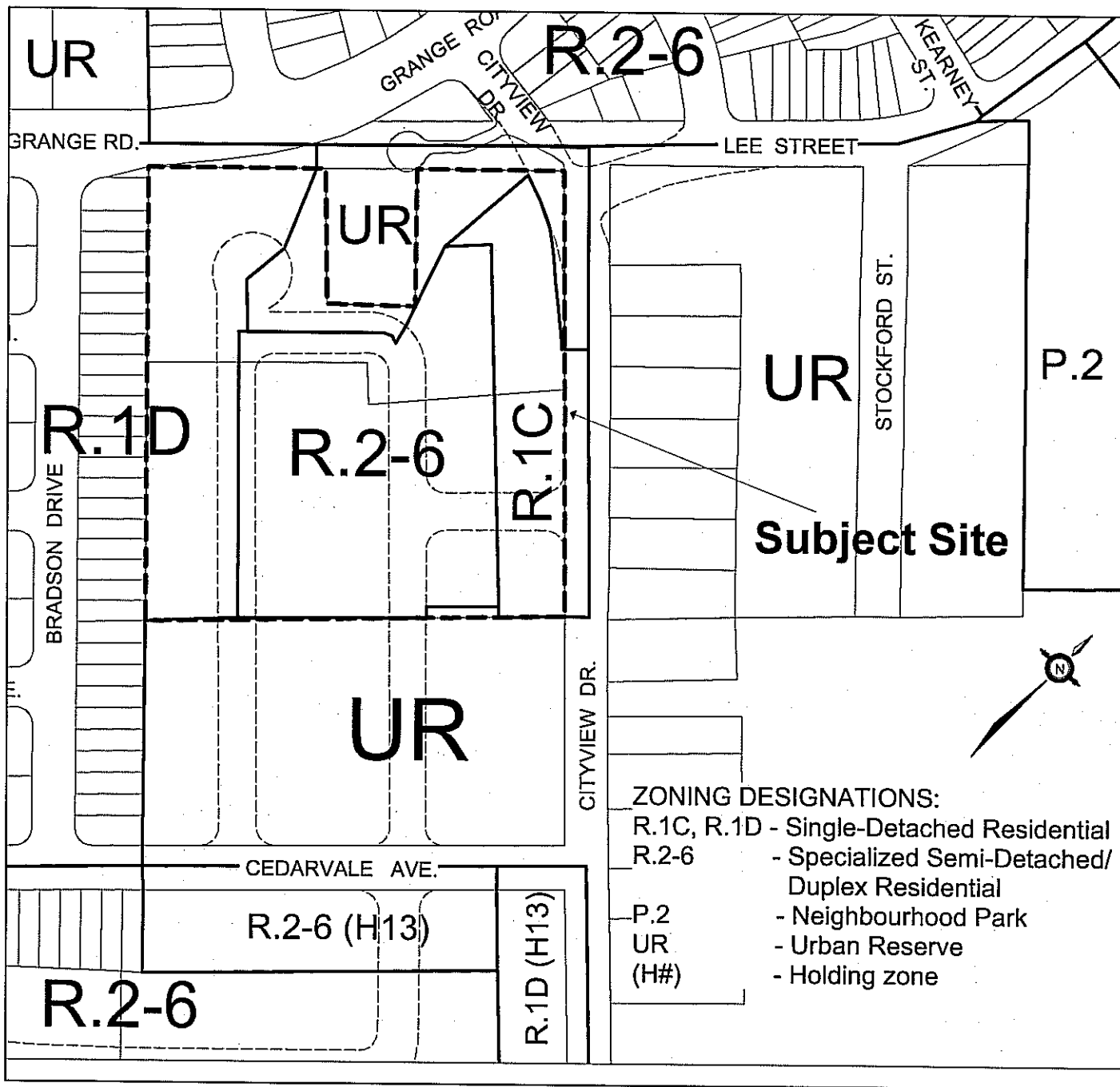
"That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer a portion of the subject lands, and the rear 0.12 hectare portion of 327 Grange Road from the current Urban Reserve UR Zone to the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone and a portion of the subject lands from the R.1D (Single Detached Residential) Zone to the R.2-6 (Specialized Detached/Semi-Detached Residential) Zone.

ORIGINAL DRAFT APPROVED PLAN OF SUBDIVISION 23T01506



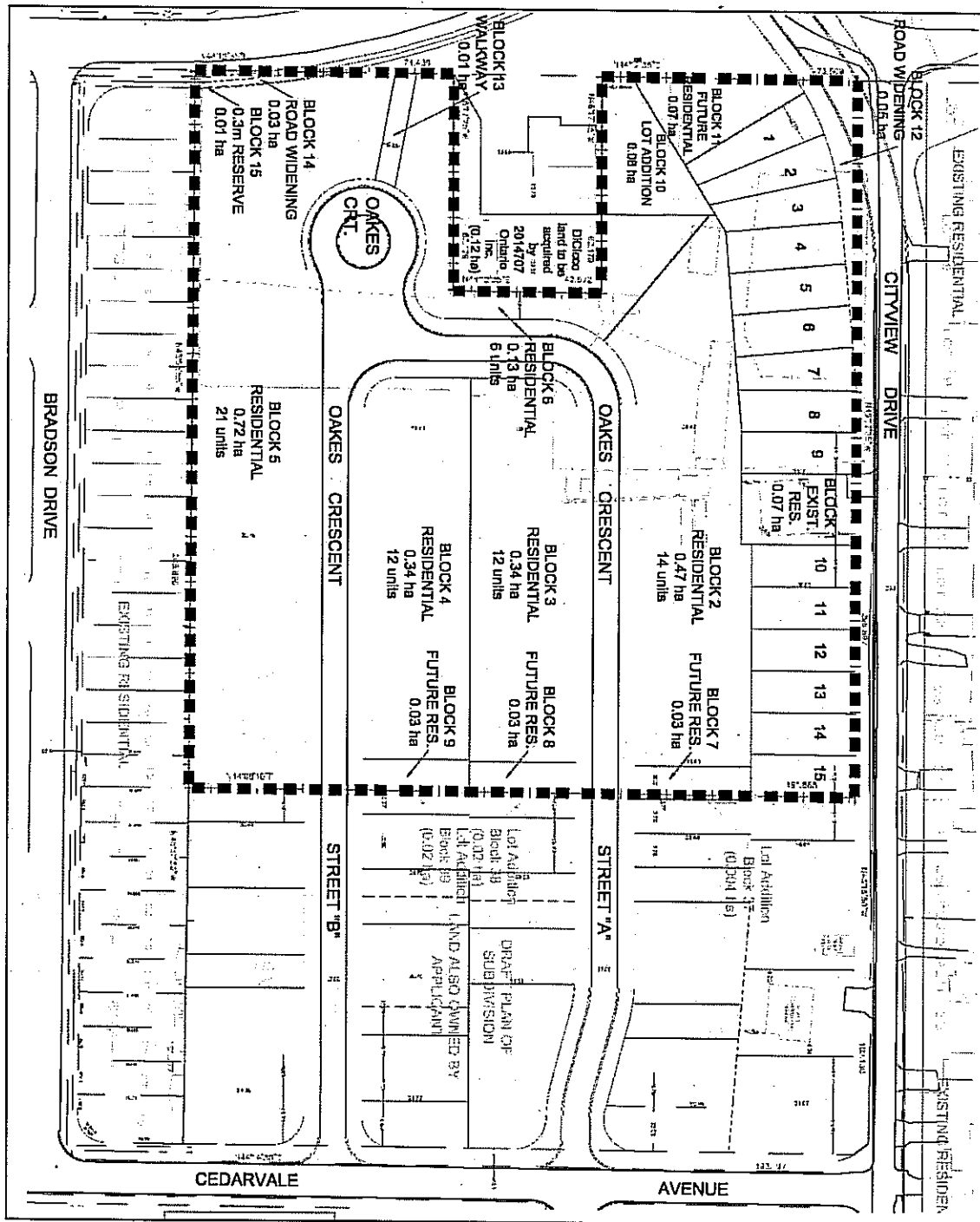
SCHEDULE 4

EXISTING ZONING



SCHEDULE 5

PROPOSED REDLINE AMENDMENT TO DRAFT PLAN 23T01506



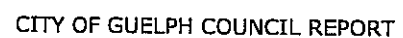
SCHEDULE 5 (continued)

DETAILS OF PROPOSED REDLINED DRAFT PLAN OF SUBDIVISION

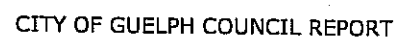
LAND USE SCHEDULE

LOTS/BLOCKS	LAND USE	UNITS	AREA
Lots 1-15	Single-Detached Residential	14	0.56 hectares
Block 1	Existing Single Detached Dwelling	1	0.07 hectares
Blocks 2-6	Blocks for Semi-Detached or Single Detached Dwellings	60	0.32 hectares
Blocks 7-10	Future Residential		0.32 hectares
Streets	Oakes Crescent / Oakes Crt		0.63 hectares
Block 15	0.3 m reserve		0.00 hectares
Blocks 12, 14	Road Widening		0.06 hectares
Block 13	Walkway		0.02 hectares
TOTAL		74	3.67 hectares

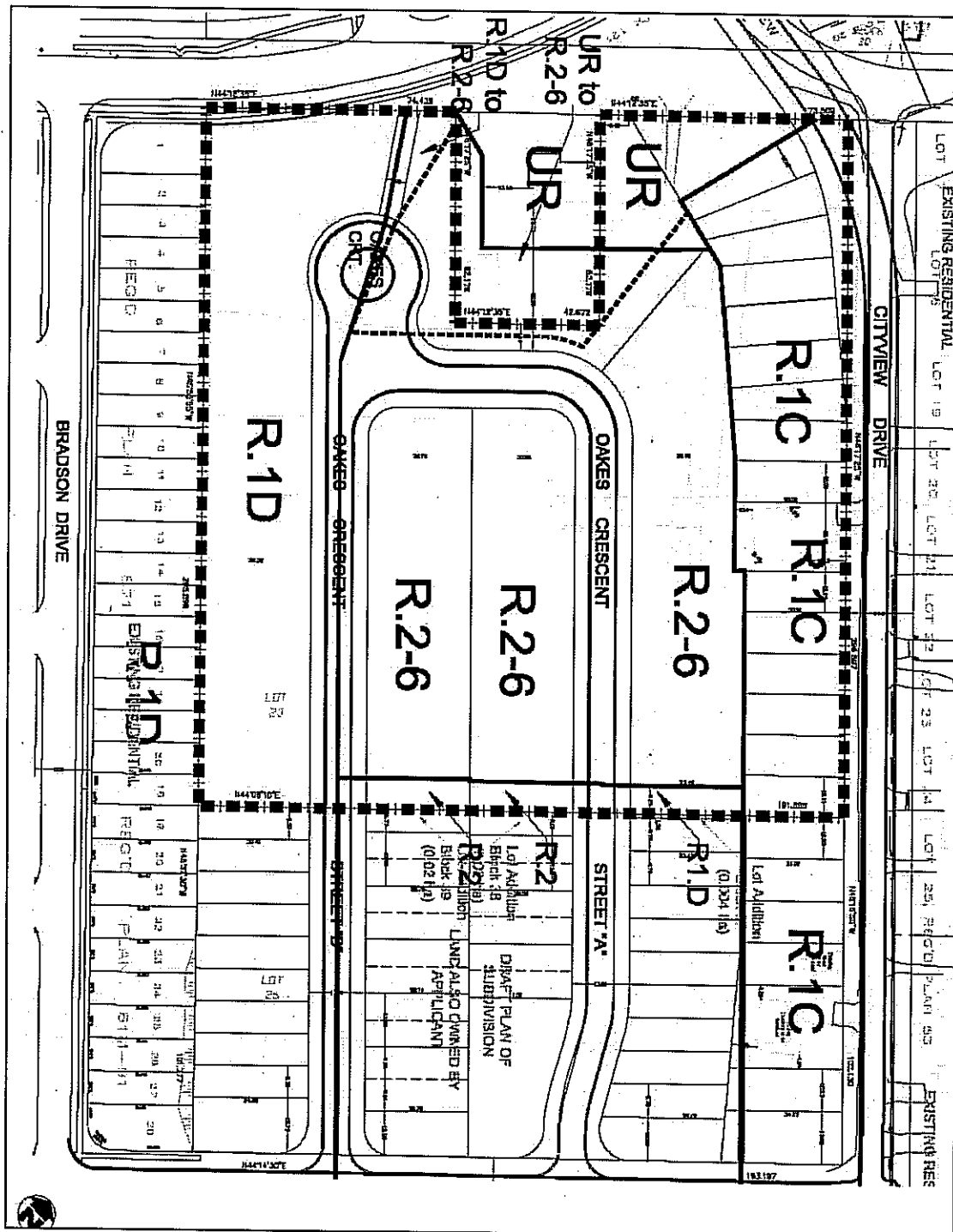
PROPOSED REDLINE AMENDMENT PRESENTED IN STAFF REPORT 08-96



**SUBDIVISION PROPOSAL ON ADJACENT LANDS AT 98 CITYVIEW
(FILE: 23T08501)**



PROPOSED ZONING



SCHEDULE 9

STAFF RESPONSE TO ISSUES

Compatibility with existing single detached lots along Cityview Drive

A concern was expressed by an existing resident along Cityview Drive that the size of the single detached lots fronting on the west side Cityview Drive within the subdivision would be incompatible with the larger single detached lots that exist on the east side of Cityview Drive, especially with regard to lot frontage.

Staff Comments: The issue of compatibility with the adjacent Cityview Drive properties was reviewed and addressed through the original draft plan of subdivision application that has been approved by Council. In association with this draft plan approval, the lots along the western frontage of Cityview Drive have already been rezoned to the R.1C Zone to incorporate larger single detached lots with a minimum frontage of 12 metres. This was done to address compatibility concerns and provide a transition in the size of lots from the larger single detached lots on the eastern side of Cityview Drive to the smaller single detached and semi-detached lots within the interior of Draft Plan 23T01506. Further, the requested revisions to the draft plan proposed through this current redline amendment and zoning bylaw application does not affect the R.1C zoning that exists along the west side of Cityview Drive.

Traffic impacts

Area residents expressed concerns with respect to increased traffic resulting from the development.

Staff Response: Condition 18 in **Schedule 2** requires the Developer to submit a Traffic Impact Study. This was an original condition of approval that was imposed in association with the draft plan approval that was previously granted by Council in March of 2005.

Further investigation was also done to assess traffic impacts. Based on the Traffic Impact Study submitted for the adjacent subdivision proposals on the north side of Grange Road (294-316 Grange Road), Engineering staff have reviewed future traffic conditions for Grange Road and Bradson Drive. This analysis has determined that the Grange Road and Bradson Drive intersection will continue to have acceptable traffic operations after approval of the current redline amendment application and the adjacent subdivision proposal to the south at 98 Cityview Drive that will yield a total of 113 units. While there will be increases in traffic on Bradson Drive and Cityview Drive, these levels are considered acceptable.

Suitability of pedestrian walkway location

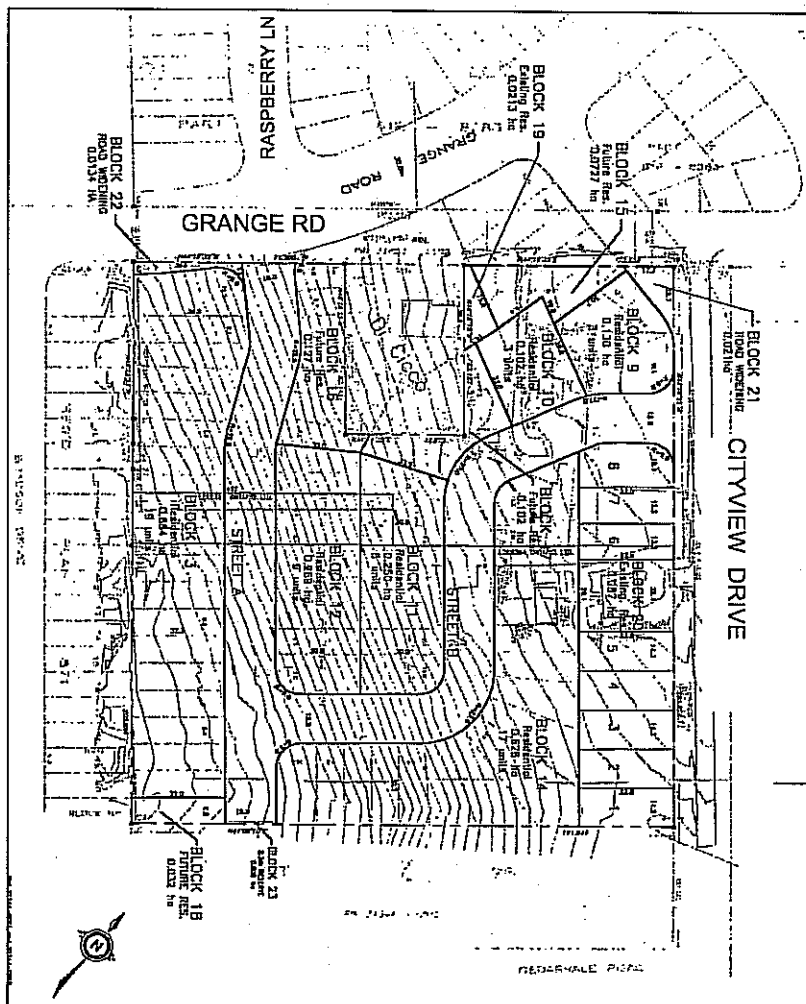
The suitability of the pedestrian walkway block that has been added as a redline amendment to the approved draft plan was an issue raised at the Public Meeting. Further investigation based on the objectives of the "Active and Safe Routes to School" and the City's "Walk to School Pilot Project" was requested to ensure that the most appropriate pedestrian linkages were established through this application.

Staff Response: Following consultations and review with the City's Transportation Demand Management Coordinator, it has been concluded that the one pedestrian walkway introduced within the current redline amendment application is the most appropriate to provide a direct and visible pedestrian linkage to Grange Road and the schools in the area.

Provision of road connection to Grange Road

Further information was requested at the Public Meeting regarding the feasibility of providing a municipal road connection from the subdivision to Grange Road.

Staff Response: The proposed subdivision that was initially submitted for review in 2001 did include a proposed access road to Grange Road, as shown below.



However, following City staff review of this application, it was determined that this proposed intersection was inappropriate, as it posed significant safety concerns due to the grades and geometry of Grange Road in this location. This issue was addressed through the submission of a revised plan in 2004 that removed the connection to Grange Road in favour of a cul-de-sac and revised street network that was designed to link with adjacent residential development to the south at 98 Cityview Drive. The new subdivision proposal at 98 Cityview Drive (File: 23T08501) that has been submitted by the same owners will establish the necessary street connections to the south to connect to Cedarvale Avenue. This represents the road network that was adopted by Council through draft plan approval on March 4, 2005.

Park location and views

The location and views from the neighbourhood park included within the adjacent subdivision proposal to the south at 98 Cityview Drive was an issue raised at the Public Meeting.

Staff Response: The neighbourhood park included within adjacent draft plan of subdivision application 23T08501 is proposed with good visibility and excellent street frontage on Grange Road, Street "B" and Street "A", which is aligned with Henry Court to the south. This location is well-suited to serve both future and existing residents within the neighbourhood. In addition, the location of the park will provide a scenic southerly view looking down to the City. The open space frontage along the three streets at the interior southern portion of the site will also help preserve views to the south for new residents within the subdivision.

Impact on existing Cityview Drive private wells

The issue regarding the hydrological impact of the development on the private wells that exist in the surrounding area was raised at the Public Meeting.

Staff Response: Development of the subject site and the adjacent property at 98 Cityview Drive will result in the upgrade of Cityview Drive to an urban standard, complete with the installation of municipal services. Condition 15 in **Schedule 2** outlines the Developer's responsibility to pay the total cost of all municipal services required to service the lands, which includes the reconstruction of Cityview Drive complete with storm and sanitary sewers and watermains. This will provide existing residents along Cityview Drive with the opportunity to connect to these services if they so desire and allow any existing or future constraints associated with private services to be addressed. The introduction of municipal services to this area also supports Official Plan policy to ensure the economic provision of hard services in accordance with recognized standards for urban development. It is also noted that the proposed redline amendment application represents minor modifications to the original approved draft plan that was previously approved in March of 2005. These proposed redline changes to this approved draft plan of subdivision do not impose any additional development impacts on surrounding properties than the original approved plan.

Cost estimates for future connection of existing Cityview properties to municipal services

If existing residents on the east side of Cityview Drive choose to connect to the municipal services installed on Cityview Drive in association with this proposed development, they would be required to pay for their apportioned share of these municipal services. At the Public Meeting, staff were directed to provide an estimate of these costs.

Staff Response: Following consultation with Engineering staff, a cost estimate for existing Cityview Drive residents choosing to connect to municipal sanitary and water services was provided. The estimated amounts were \$750 for sanitary service and \$975 for water service for a total estimated cost of \$1725.

SCHEDULE 10

CIRCULATION COMMENTS

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	Support subject to Schedule 2
Engineering*		✓	Support subject to Schedule 2*
G.R.C.A.*	✓		
Parks*	✓		Support subject to Schedule 2*
Corporation of the Township of Guelph/Eramosa	✓		
Wellington County	✓		
Heritage Guelph	✓		
Guelph Development Association*	✓		Support proposal*
Canadian National Railway	✓		
Finance		✓	Development Charges
Guelph Hydro	✓		
Guelph Police Service	✓		
Guelph Chamber of Commerce	✓		
Emergency Services / Fire Department	✓		
Canada Post	✓		
Wellington Catholic District School Board	✓		
Upper Grand District School Board	✓		Education Development Charges

SCHEDULE 11

PUBLIC NOTIFICATION SUMMARY

February 14, 2008	Application received by City of Guelph
March 12, 2008	Public Notification sign erected and Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres.(400 feet).
June 13, 2008	Notice of a Public Meeting to consider draft plan approval mailed to prescribed agencies and surrounding property owners within 120 metres (400 feet).
July 7, 2008	Public Meeting of City Council
November 17, 2008	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision.
December 1, 2008	City Council Meeting to consider staff recommendation