COUNCIL PLANNING AGENDA

DATE December 13, 2010 @ 7:00 p.m.

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

O Canada
Silent Prayer
Disclosure of Pecuniary Interest

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

Application	Staff Presentation	Applicant or Designate	Delegations *(maximum of 10 minutes)*	Staff Summary
a) 1897 Gordon Street (Bird Property): Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment: (File: 23T-08505/OP0801/ZC0306) – Ward 6	Chris DeVriendt	• Tom Krizsan, Thomasfield Homes • Astrid Clos, Planning Consultant Available to answer <u>questions:</u> • Chris Sims, Gamsby & Mannerow • Steven Aboud, Aboud & Associates • Bill Banks, Banks Groundwater		
b) 161 Neeve Street: Proposed Zoning By-law Amendment (File ZC1008) – Ward 1	Chris DeVriendt	• Nancy Shoemaker	<u>Correspondence:</u> • Marie Denham • Brad & Andrea Moore *(includes petition)*	
c) 927 & 1023 Victoria Road South – Proposed Draft Plan of Residential Subdivision (Phase 3 of the Kortright East Subdivision) and Associated Zoning By-law Amendment (File 23T-1508/ZC1007)	Al Hearne	• Nancy Shoemaker		

– Ward 6				

CONSENT AGENDA

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

COUNCIL CONSENT AGENDA			
ITEM	**CITY PRESENTATION**	**DELEGATIONS** ***(maximum of 5 minutes)***	**TO BE EXTRACTED**
A-1) Proposed Demolition of 112 & 114 York Road, Ward 1			
A-2) 150 Eastview Road (Grangehill 7) – Proposed Draft Plan of Subdivision and Associated Zoning By-Law Amendment (File 23T-07501/ZC0703) – Ward 2		Julian Zilio	√
A-3) Victoria Park Village – Proposed Official Plan Amendment, Draft Plan of Residential Subdivision and Associated Zoning By-Law Amendment (File OP0502/23T07506/ZC0505) – Ward 6		Nancy Shoemaker	√

ADJOURNMENT

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning, Engineering and Environmental Services
DATE	December 13, 2010
SUBJECT	**1897 Gordon Street (Bird Property): Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (File: 23T-08505/OP0801/ZC0306) – Ward 6**
REPORT NUMBER	10-105

SUMMARY

Purpose of Report: To provide planning information on a revised application by Astrid J. Clos Planning Consultants on behalf of Thomasfield Homes Limited requesting approval of a proposed residential Draft Plan of Subdivision, Official Plan amendment and Zoning By-law Amendment for the lands at 1897 Gordon Street (Bird Property). This report has been prepared in conjunction with the statutory public meeting on the application.

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

RECOMMENDATION

"THAT Report 10-105 regarding a Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for approval of a residential subdivision development applying to property municipally known as 1897 Gordon Street, and legally described as Part of Lot 11, Concession 7 (Geographic Township of Puslinch), City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, BE RECEIVED."

BACKGROUND

A revised application for a Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (23T-08505/OP0801/ZC0306) has been received for the property municipally known as 1897 Gordon Street from Astrid J. Clos Planning Consultants on behalf of Thomasfield Homes Limited. The proposal is a request to develop the property for residential use. The application was deemed to be a complete application on November 19, 2008.

The application was initially circulated on December 18, 2008 and presented as information to Council at a Public Meeting held January 12, 2009. This initial draft plan proposal is illustrated on **Schedule 4**. The key issues raised in association with this first submission were related to the integration of the proposed development with the surrounding lands, the impacts of the development on the natural landscape and issues related to the stormwater management and servicing approach.

The latest revised plan shown on **Schedule 3** was received in September of 2010. This current proposal now includes additional lands to accommodate the southerly public road extension of Gosling Gardens from Clair Road to the subject property. These additional lands were consolidated to form part of the owner's current draft plan proposal following the approval of a requested consent for a lot addition at the Committee of Adjustment held on March 9, 2010.

On June 7, 2010, an application submitted by the owner to demolish the house at 1897 Gordon Street was approved by Council. The house has subsequently been demolished.

The second statutory Public Meeting to be held December 13, 2010 is intended to present the revised application for information purposes to ensure that the most recent proposal is communicated to Council, the public and agencies for comments.

Location
The subject lands are 5.51 hectares in size and located south of Clair Road on the west side of Gordon Street. The property is now vacant. The southerly two thirds of the property are treed, including a pine plantation. The subject lands now include the area to accommodate the future southerly public road extension of Gosling Gardens from Clair Road to the proposed development site (see Location Map in **Schedule 1**). The subject site has undulating topography with a small wetland area located along the west property boundary in an isolated depression. The area surrounding the subject site is primarily agricultural, with existing residential development located along Gordon Street to the north and south of the subject property. A future municipal street (Poppy Drive extension) abuts the subject site to the north.

Official Plan Designation
The Official Plan land use designation that applies to the subject lands is "General Residential", with the "Non-Core Greenlands Overlay" applying to the southerly portion of the property (see **Schedule 2**).

Existing Zoning
The subject lands are zoned Agricultural (A) Zone in the Township of Puslinch Zoning By-law.

REPORT

Description of Proposed Draft Plan of Subdivision

The application is a request to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 3**. Details of the proposed subdivision are also included in **Schedule 3**.

The modified draft plan includes a total of 209 residential units, consisting of 21 single detached dwellings, 36 townhouse units and 152 apartment units within four apartment blocks (Blocks 23-26). A stormwater management block (Block 28) and an open space block (Block 27) are also included within the plan. The open space block contains a small wetland area that is located along the western property line. The proposed draft plan also includes a small 0.04 hectare future development block (Block 38) as a 5 metre strip of land flanking the rear lot lines of the adjacent existing properties fronting Gordon Street.

Access to the site is proposed through a new public street connection from Gordon Street and through the southerly extension of Gosling Gardens from Clair Road West that will connect with the internal road network of the proposed development. This extension of Gosling Gardens will also provide a connection with the future public road extension of Poppy Drive that abuts the site to the north.

The density of the proposed subdivision, as calculated under "Places to Grow", is approximately 79 persons per hectare.

Description of Proposed Official Plan Amendment

The applicant is requesting an Official Plan Amendment to redesignate the lands containing the four proposed apartment blocks (Blocks 23-26) from "General Residential" to "High Density Residential". The "High Density Residential" land use designation has a minimum net density of development of 100 units per hectare and a maximum density of 150 units per hectare (see Official Plan Policy 7.2.43 on **Schedule 6**).

Description of Proposed Zoning Bylaw Amendment

To implement the proposed draft plan of subdivision, the applicant proposes to change the zoning on the subject property to the R.1C (Single Detached Residential) Zone, a Specialized R.3A-? (Cluster Townhouse) Zone, a Specialized R.4B-? (High Density Apartment) Zone for each of the four apartment blocks, and the P.1 (Conservation Land) Zone. The P.1 Zone would apply to the proposed stormwater management block and the open space block.

Specialized zoning regulations are requested for the proposed R.3A-? (Cluster Townhouse) Zone to address provisions for minimum rear yard, maximum building coverage, and minimum distance between buildings. Specialized zoning regulations are also requested for the four proposed apartment blocks to address provisions for maximum density, minimum rear yard, front yard and side yard setbacks and maximum building height. The proposed zoning concept and the details of the specialized zoning regulations requested are provided in **Schedule 5**.

Supporting Documents

The original draft plan of subdivision application was supported by the following studies:

- 1897 Gordon Street (Bird Property) Environmental Impact Study and Tree Conservation Plan. Prepared by Aboud & Associates Inc. October, 2008.
- Site Servicing and Stormwater Management Report 1897 Gordon Street. Prepared by Gamsby and Mannerow Ltd. October, 2008.

The applicant has submitted the following studies with the revised plans:

- Site Servicing and Stormwater Management Report 1897 Gordon Street. Prepared by Gamsby and Mannerow Ltd. July, 2010.
- Environmental Impact Study and Tree Conservation Plan (2nd Submission). Prepared by Aboud & Associates Inc. September 3, 2010.
- Bird Residential Subdivision Traffic Impact Study prepared by Paradigm Transportation Solutions Ltd., October, 2010.

Staff Review

The review of this application will address the following issues:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control)
- Evaluation of the proposal's conformity with the Official Plan, including the "General Residential" and "Non-Core Greenland Overlay" policies
- Consideration of the merits of the Official Plan Amendment
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation
- Review of the proposed zoning
- Review timing of the development in relation to the Development Priorities Plan and phasing policy
- Community Energy Initiative considerations

Staff will also address issues raised at the initial January 12, 2009 Public Meeting, which include:

- Integration of the proposed development and road network with the surrounding lands
- Impacts of the development on small wetland area, wildlife habitat and linkages
- Opportunities to retain the natural landscape, including portions of the existing plantation
- Impacts of grading activities and adequacy of the storm water management approach
- Impact of the proposed development on groundwater

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

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

The Notice of Public Meeting was circulated on November 19, 2010.

ATTACHMENTS

Schedule 1 – Location Map
Schedule 2 – Existing Official Plan Designations and Policies
Schedule 3 – Proposed Draft Plan of Subdivision and Details
Schedule 4 – Subdivision proposal presented at January 12, 2009 Public Meeting
Schedule 5 – Proposed Zoning and Details
Schedule 6 – "High Density" Residential Official Plan Policies

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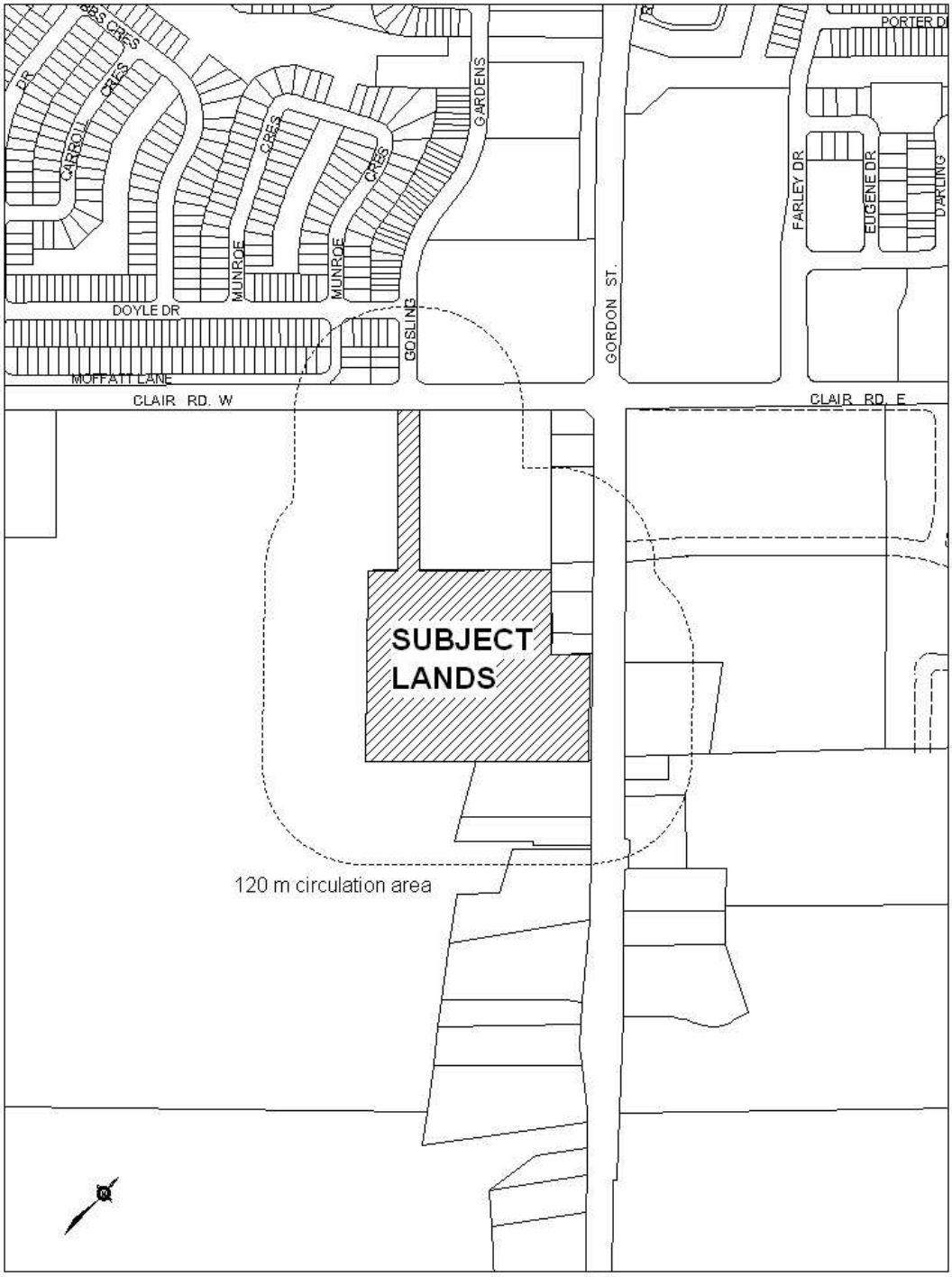
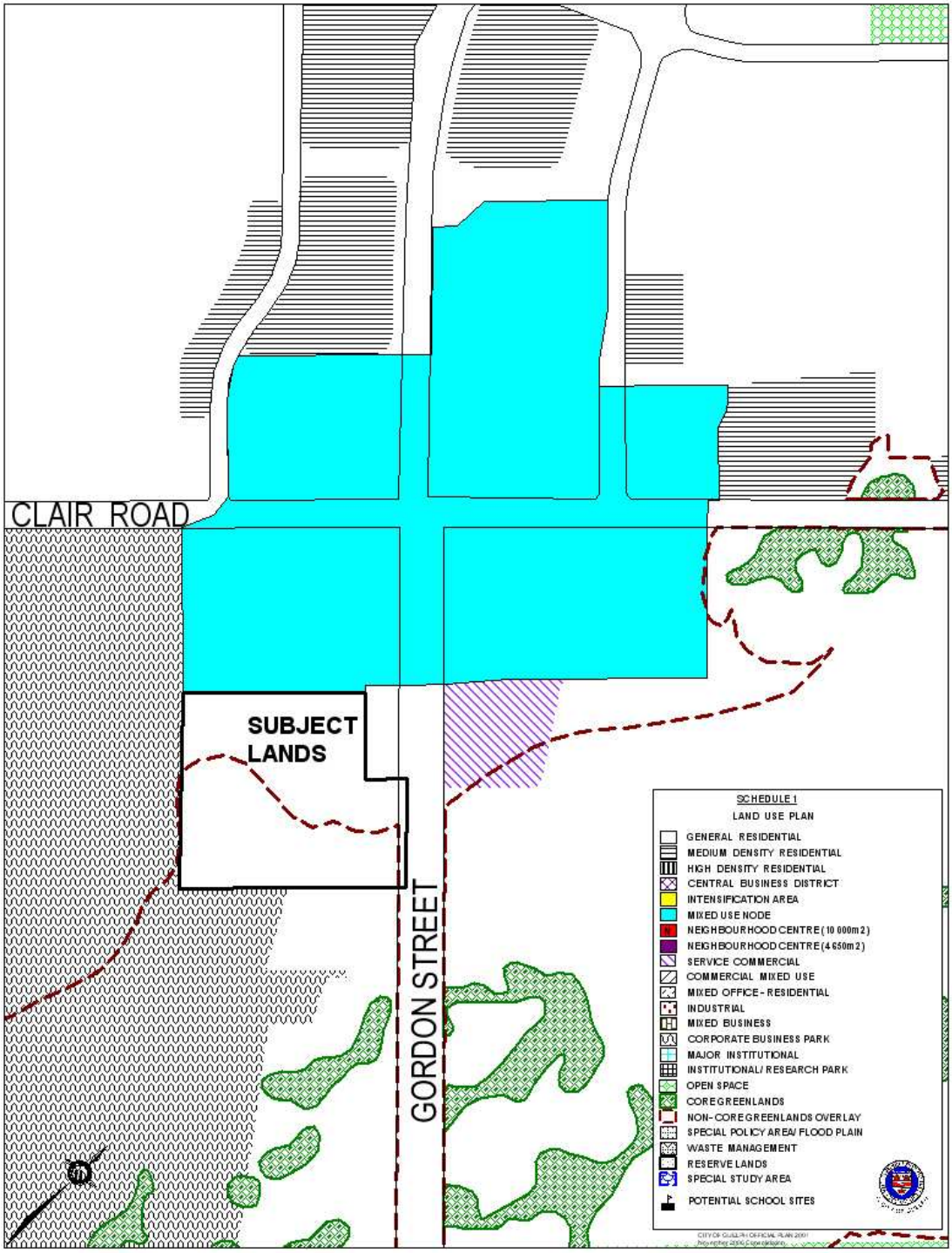
SCHEDULE 1

Location Map



SCHEDULE 2

Relevant Official Plan Designations and Policies



SCHEDULE 2 (continued)

Related Official Plan Policies

'General Residential' Land Use Designation

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

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

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

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

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

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

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

“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.

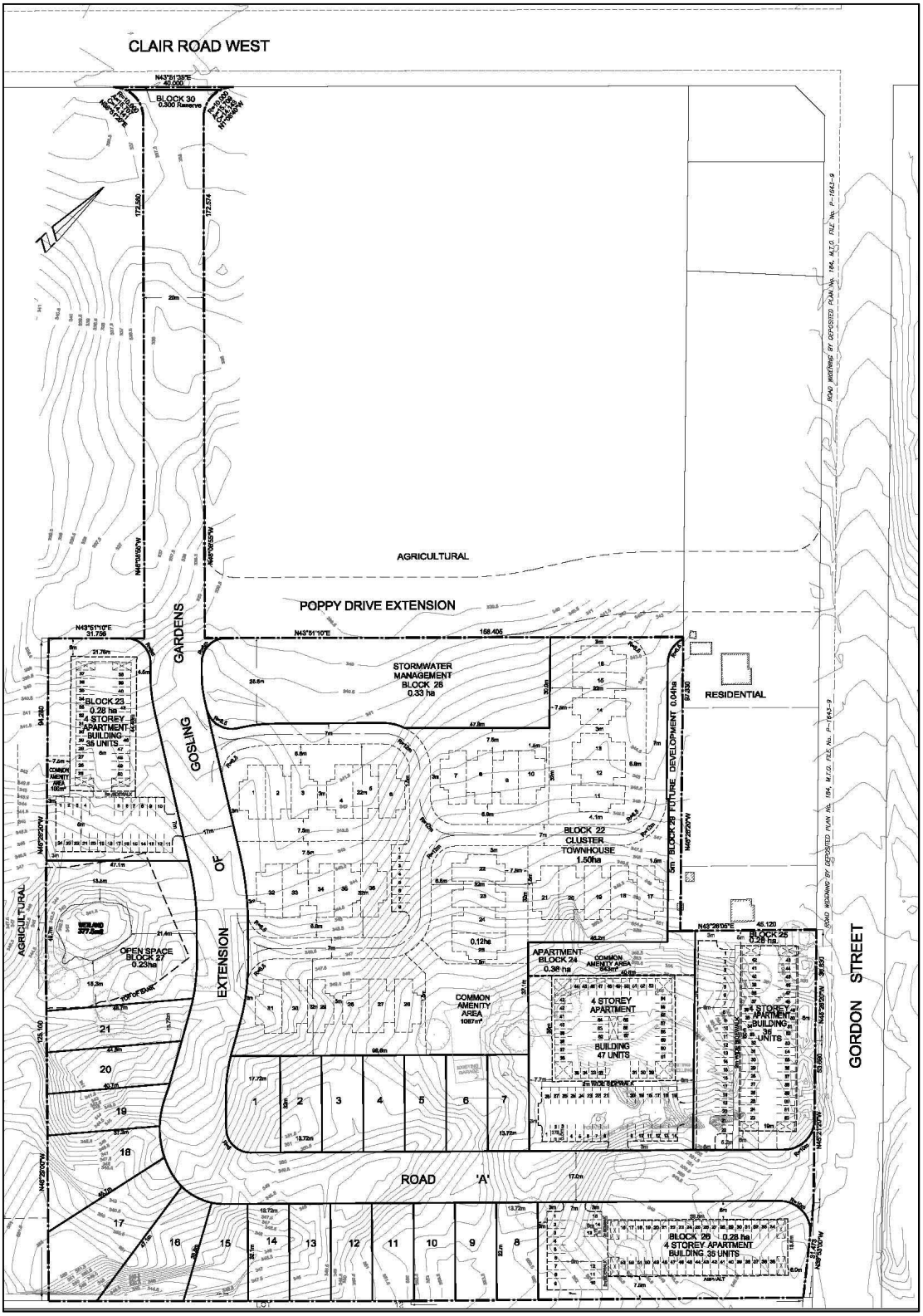
Interpretation Considerations

7.13.9 The physical limits of the ‘Core Greenlands’ designation and Non-Core Greenlands overlay on the various Schedules to this Plan may be subsequently refined by more detailed mapping on individual properties or through the completion of *scoped* and *comprehensive environmental impact studies*. It is intended that, in circumstances where more detailed mapping is available, this Plan will be interpreted as applying to the most recent information available.

7.13.10 The boundaries of the Greenlands System are approximate. The completion of environmental impact studies will be used to determine the exact limits of *development* and areas to be afforded protection. In instances where an approved environmental impact study adjusts the boundaries of the ‘Core Greenlands’ designation or the Non-Core Greenlands overlay, the land use policies of the adjacent or underlying designation will apply.

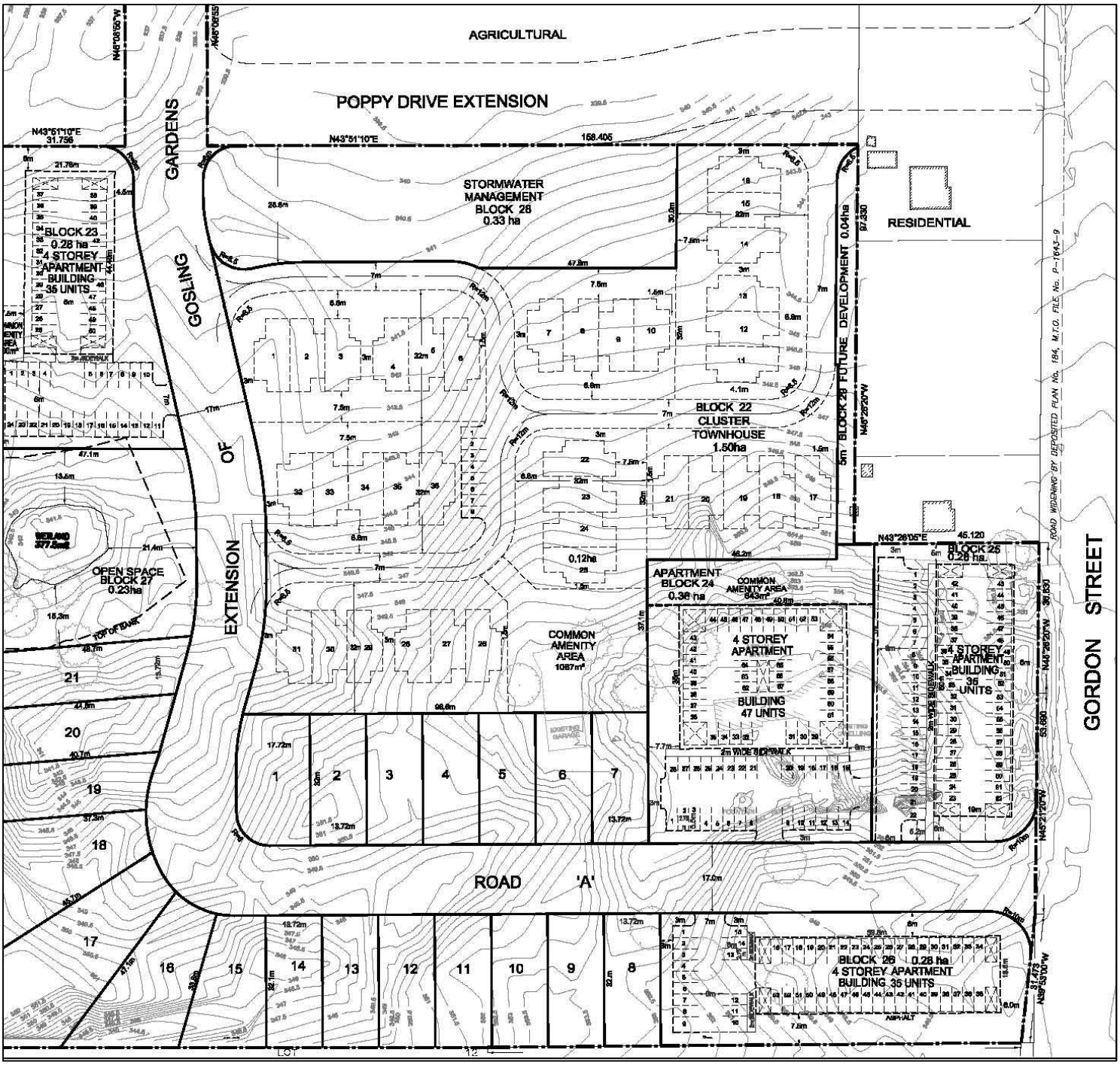
SCHEDULE 3

Proposed Draft Plan of Subdivision



SCHEDULE 3 (continued)

Proposed Draft Plan of Subdivision
(Development Area Enlarged)



SCHEDULE 3 (continued)

Proposed Draft Plan of Subdivision Details

LAND USE SCHEDULE

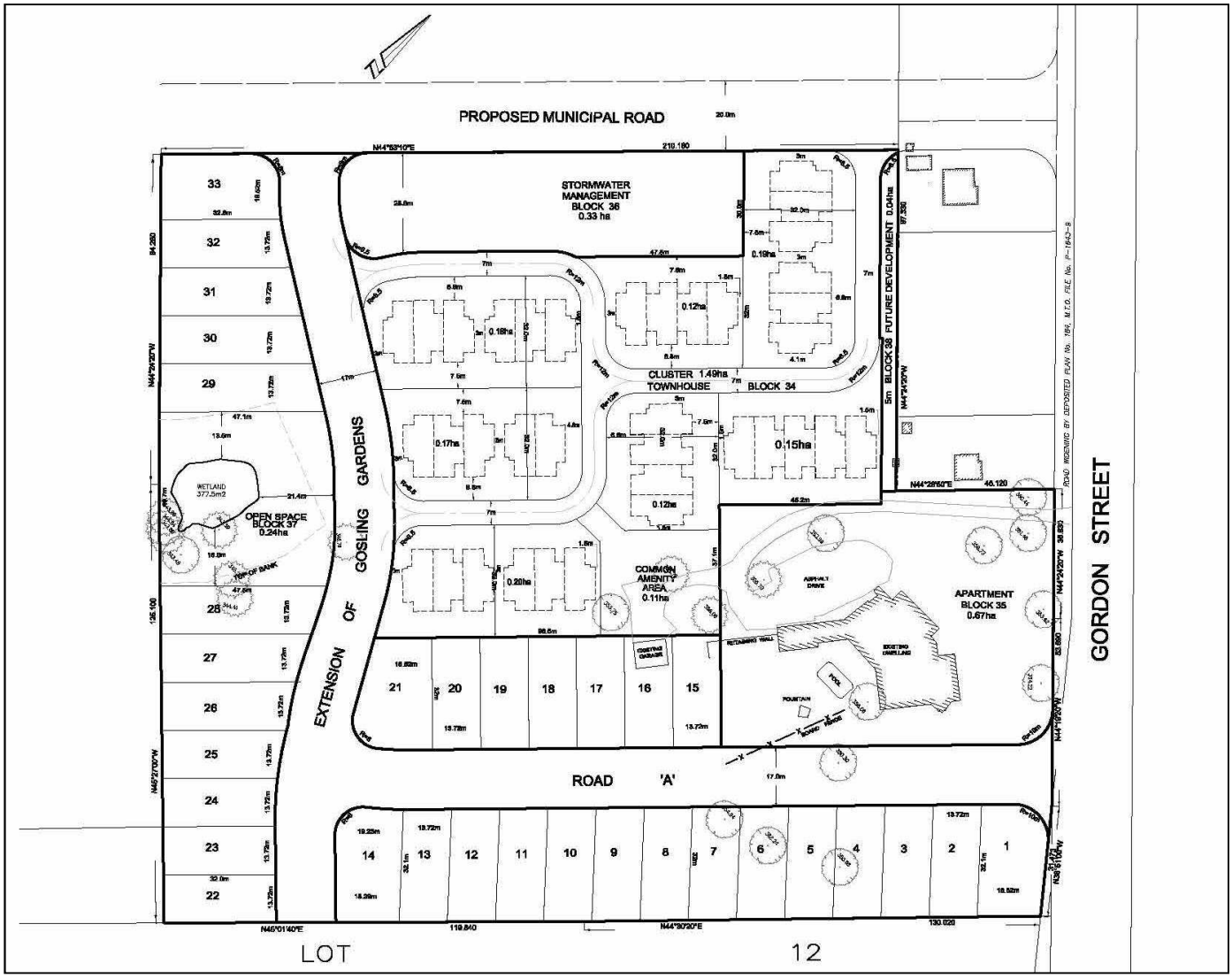
LOTS/BLOCKS	LAND USE	AREA
Lots 1-21	Single-Detached Residential	1.10 hectares
Block 22	Medium Density Residential	1.50 hectares
Blocks 23-26	High Density Residential	1.23 hectares
Block 28	Stormwater Management	0.33 hectares
Block 27	Open Space	0.23 hectares
Block 29	Future Development	0.04 hectares
	Roads	1.08 hectares
TOTAL AREA		**5.51 hectares**

DWELLING UNIT BREAKDOWN

LOTS/ BLOCKS	UNIT TYPE	UNITS
Lots 1-21	Single-detached dwelling	21
Block 22	Cluster Townhouse	36
Block 23-26	Apartment units	152
TOTAL UNITS		**209**

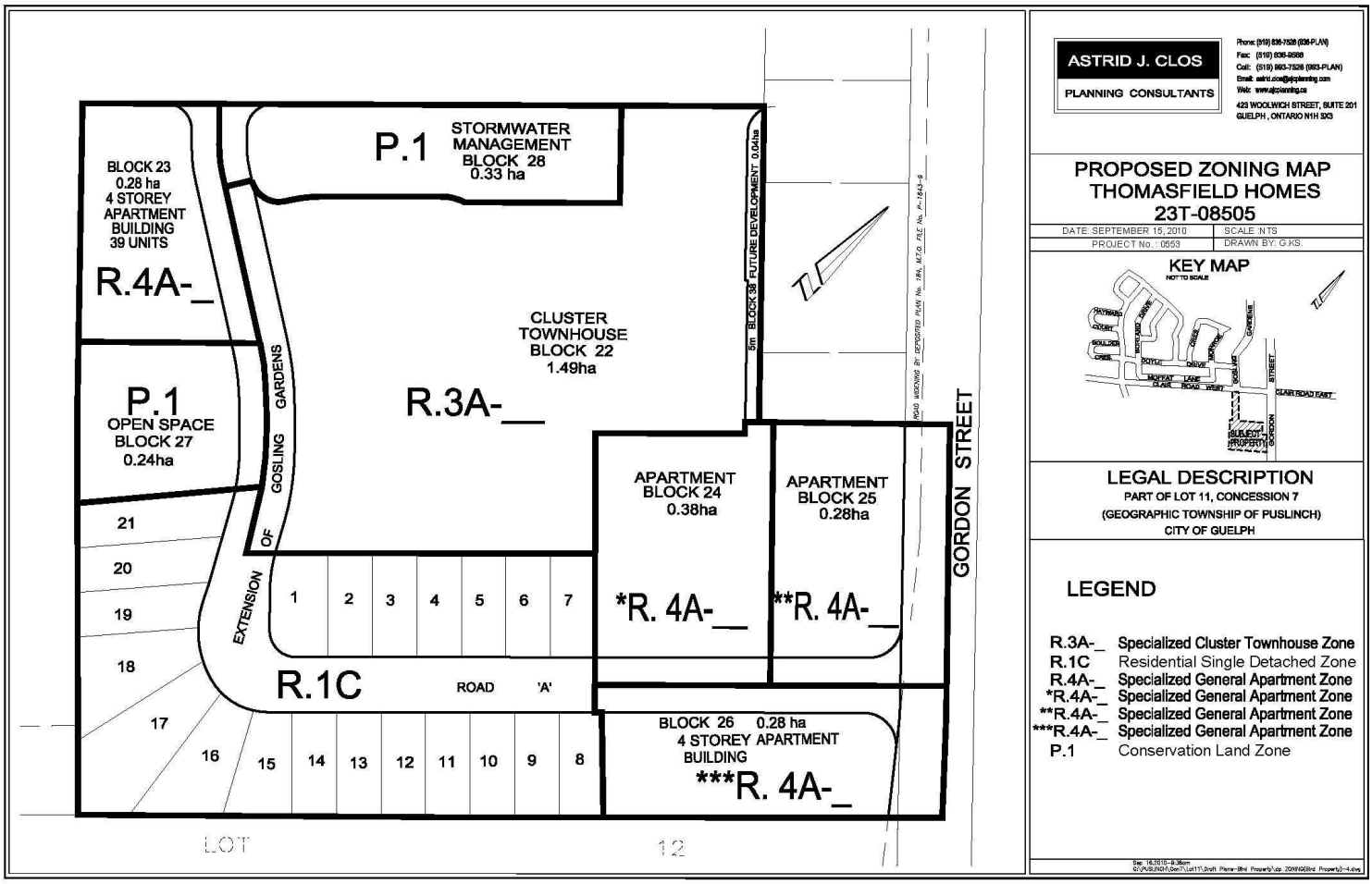
SCHEDULE 4

Previous Draft Plan of Subdivision Proposal presented at January 12, 2009 Public Meeting



SCHEDULE 5

Proposed Zoning



SCHEDULE 5 (continued)

Proposed Zoning Details

LOTS/BLOCKS	LAND USE	ZONING
Lots 1-21	Single Detached Residential	R.1C
Block 22	Cluster Townhouses	R.3A-?
Block 23	Apartment	R.4A-?
Block 24	Apartment	R.4A-?
Block 25	Apartment	R.4A-?
Block 26	Apartment	R.4A-?
Block 28	Stormwater Management	P.1
Block 27	Open Space	P.1

Specialized Zoning Regulation Requests

Cluster Townhouse Block 22

R3A-?

- Minimum Rear Yard of 1.5m where the By-law requires 7.5m.
- Maximum Building Coverage of 31.5% where the By-law requires 30%.
- Minimum distance between buildings of 9m where the By-law requires 15m.

Apartment Block 23

R.4A-?

- Maximum Density of 125 units per hectare where the By-law requires 100
- Maximum Front Yard of 4.5 m where the By-law requires 6m.
- Minimum Rear Yard of 7.5m where the By-law requires half the building height.
- Maximum Building Height of 4 storeys where the By-law permits 8 storey maximum height

Apartment Block 24

R.4A-?

- Maximum Density of 125 units per hectare where the By-law requires 100
- Minimum Side Yard of 1.5 m where the By-law requires half the building height.
- Maximum Building Height of 4 storeys where the By-law permits 8 storey maximum height

Apartment Block 25

R.4A-?

- Maximum Density of 125 units per hectare where the By-law requires 100
- Minimum Rear Yard of 5m where the By-law requires half the building height.
- Maximum Building Height of 4 storeys where the By-law permits 8 storey maximum height

Apartment Block 25

R.4A-?

- Maximum Density of 125 units per hectare where the By-law requires 100
- Maximum Building Height of 4 storeys where the By-law permits 8 storey maximum height

SCHEDULE 6

“High Density Residential” Official Plan Policies

'High Density Residential' Land Use Designation

7.2.41 The predominant use of land within areas designated as 'High Density Residential' on Schedule 1 shall be for *multiple unit residential buildings,* generally in the form of apartments.

7.2.42 The 'High Density Residential designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:

a) High density housing forms in new growth areas to assist in providing opportunities for *affordable housing;*

b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;

c) A variety of housing types and forms to be situated throughout all areas of the community; and

d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.

7.2.43 The *net density* of *development* shall not occur at less than 100 units per hectare (40 units/acre) and shall not exceed 150 units per hectare (61 units/acre), except as provided for in policy 7.2.10.

7.2.44 High density residential *development* proposals shall comply with the development criteria established for *multiple unit residential buildings* as outlined in policies 7.2.7 and 7.2.45 and shall be regulated by the *Zoning By-law*.

7.2.45 The establishment of a new high density residential use, not within a 'High Density Residential' designation on Schedule 1, will require an amendment to this Plan. When considering such amendments to this Plan, the criteria of policy 7.2.7 will be considered, as well as the following:

a) That the proposal is located in proximity to major employment, commercial and institutional activities; and

b) That the proposal is located on an arterial or collector road.

7.2.46 Within the “High Density Residential” designation on the University of Guelph lands on the east side of Edinburgh Road South, development will comply to special standards established in the Zoning Bylaw to recognize this area as an integrated housing complex comprised of individual apartment buildings on separate parcels.

a) In spite of the maximum density provisions of Policy 7.2.43, net density of residential development on the lands known municipally as 400, 420 and 430 Edinburgh Road South shall not occur at a density of less than 73 units per hectare and shall not exceed 150 units per hectare

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning, Engineering and Environmental Services
DATE	December 13, 2010
SUBJECT	**161 Neeve Street: Proposed Zoning By-law Amendment (File: ZC1008) – Ward 1**
REPORT NUMBER	10-107

SUMMARY

Purpose of Report: To provide planning information on an application by Black, Shoemaker, Robinson & Donaldson Limited requesting approval of a proposed Zoning By-law Amendment for the lands at 161 Neeve Street. This report has been prepared in conjunction with the statutory public meeting on the application.

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

RECOMMENDATION

"That Report 10-107 regarding a proposed Zoning By-law Amendment for the property municipally known as 161 Neeve Street, to permit the development of a new semi-detached dwelling and to recognize the existing two-unit residential dwelling, from Planning, Engineering and Environmental Services dated December 13, 2010, BE RECEIVED"

BACKGROUND

An application for a Zoning By-law Amendment (ZC1008) has been received for the property municipally known as 161 Neeve Street from Black, Shoemaker, Robinson & Donaldson Limited. The application was deemed to be a complete application on October 20, 2010.

The application is to rezone the subject property to permit the development of a semi-detached dwelling on the vacant westerly portion of the site fronting on Richardson Street and to recognize the existing two-unit dwelling at 161 Neeve Street. Should the zoning by-law application be supported, the applicant intends to

submit a subsequent consent to sever application to the Committee of Adjustment to create the new lot to accommodate the proposed semi-detached dwelling. The existing dwelling would be accommodated on the retained lands.

Location

The subject site consists of 0.15 hectares of land located on the south side of the intersection of Neeve Street and Richardson Street (see Location Map on **Schedule 1**). The subject property is irregular in shape and has 15.4 metres of frontage along Neeve Street and 32.4 metres of frontage along Richardson Street. The topography of the subject site is characterized by a significant decline in elevation from the street frontage towards the rear of the property. Surrounding land uses consist primarily of single detached and semi-detached dwellings.

The property contains a two-unit residential dwelling on the easterly portion of the site. The westerly portion of the subject property that has frontage along Richardson Street is vacant. There is a well-defined ridge on this vacant portion of the property, approximately 6 metres back from the Richardson Street frontage, with a sudden drop in elevation to the bottom of the bank.

Official Plan Designation

The existing Official Plan land use designation that applies to the subject site is "General Residential". The rear portion of the subject property that is below the top of the bank is also located within the Special Policy Area of the Official Plan. The Special Policy Area illustrates a built-up portion of Guelph which is within the regulatory flood plain of the Speed and Eramosa Rivers. Development, redevelopment and rehabilitation of buildings and structures in this area is considered vital to the continued economic and social viability of the City. Consequently, the Special Policy Area permits residential intensification within the flood plain provided that new buildings or structures meet certain design and floodproofing requirements. The relevant policies of the "General Residential" land use designation and the Special Policy Area are included in **Schedule 2.**

Existing Zoning

The subject site is zoned R.1B-10 (Specialized Single Detached Residential) Zone. The specialized regulations for this site stipulate that the average setback of front yards in the area should be six metres or the average setback of adjacent properties. This special regulation applies to all of the residential properties in this area.

The rear portion of the property below the top of the bank is also located within the Special Policy Area and is subject to specific regulatory floodplain requirements, as outlined in Section 12.4 of the Zoning By-law (see **Schedule 3**).

REPORT

Description of Proposed Zoning By-law Amendment

The applicant proposes to rezone the entire property from R.1B-10 (Specialized Single Detached Residential) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone to permit the development of a semi-detached dwelling and to recognize the existing two-unit dwelling at 161 Neeve Street. A future consent to sever application would be submitted to the Committee of Adjustment to create the proposed lot for the new semi-detached dwelling on the vacant westerly portion of the site. The proposed zoning concept is shown on **Schedule 3**.

Proposed Development Concept

The proposed development concept is shown on **Schedule 4**. This concept illustrates the location of the existing two-unit residential dwelling on the proposed retained lot at the intersection of Neeve Street and Richardson Street and the intended development of the new semi-detached dwelling on the vacant portion (proposed severance) with frontage on Richardson Street. The driveway location for the existing two-unit dwelling at 161 Neeve Street is at the west side of the building and is proposed to be extended to access three new parking spaces at the rear of the building.

The new semi-detached lot proposed on the vacant westerly portion of the current property would have 18.5 metres of frontage along Richardson Street, with each individual semi-detached unit having 9.25 metres of lot frontage.

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the relevant policies of the Official Plan;
- Site design and compatibility with adjoining land uses;
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation;
- Review of the proposed zoning and need for specialized zoning regulations; and
- Community Energy Initiative considerations.

Once the application is reviewed and all issues are addressed, a report with a recommendation will be considered at a future meeting of Council

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

The Notice of Application and Notice of Public Meeting was circulated on November 19, 2010.

ATTACHMENTS

Schedule 1 – Location Map
Schedule 2 – Official Plan Designations and relevant Official Plan Policies
Schedule 3 – Existing and Proposed Zoning and Details
Schedule 4 – Proposed Development Concept

"original signed by Chris DeVriendt"

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janet.laird@guelph.ca

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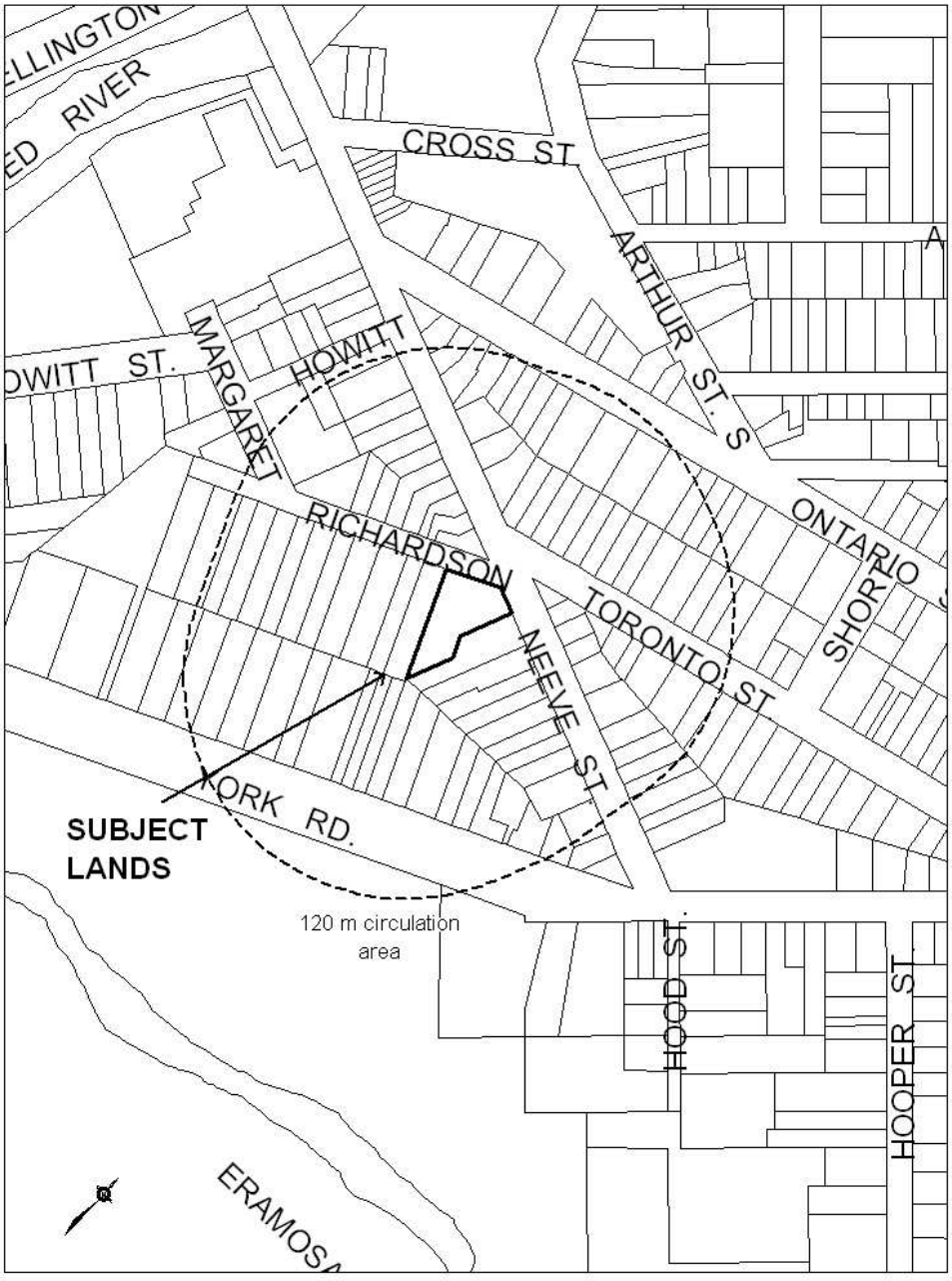
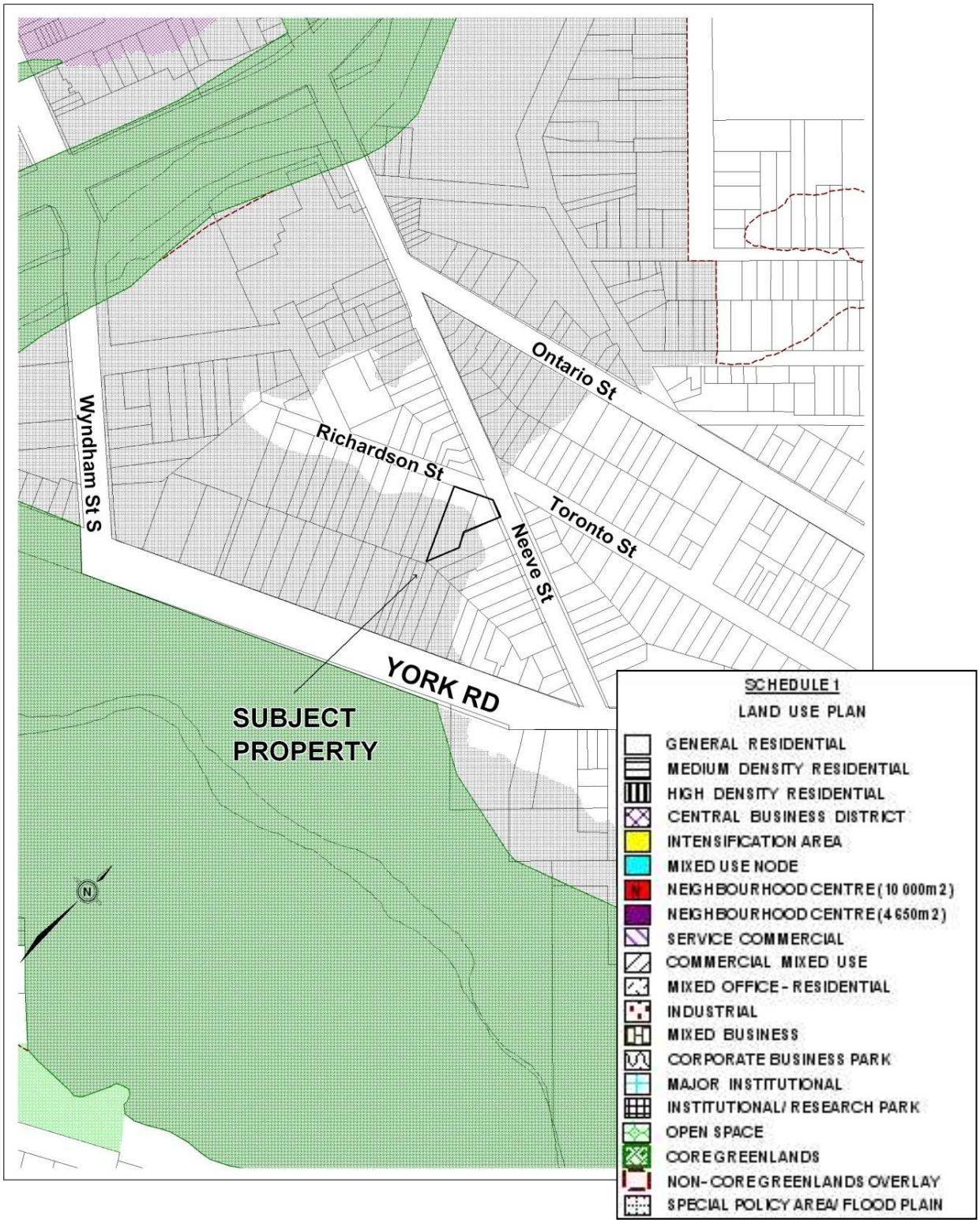
SCHEDULE 1

Location Map



SCHEDULE 2

Relevant Official Plan Designations and Policies



SCHEDULE 2 (continued)

Relevant Official Plan Policies

'General Residential' Land Use Designation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. *Renovation* of existing residential buildings shall be permitted provided any new *habitable floor space* is no lower than the elevation of the existing ground floorlevel.
2. Residential intensification, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an *accessory apartment* to an existing *single/semi/duplex* building or the creation of a new lot by *consent* for a single/semi/duplex dwelling, shall be permitted provided that the new building or structure is *floodproofed* to an elevation no lower than one metre below the *regulatory flood* level; and:

a) The *habitable floor space* is constructed to an elevation equal to, or greater than the ground floor elevation of adjacent buildings, but in no case lower than one metre below the *regulatory flood* level;

b) Mechanical, electrical and heating equipment will be located no lower than one metre below the *regulatory flood* level;

c) Basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of one metre below the *regulatory flood* level. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing; and

d) Access is available to the site at an elevation no lower than one metre below the *safe access* level.

3. Conversion of a non-residential building to a residential use will be permitted provided the building is *floodproofed* to an elevation no longer than one metre below the *regulatory flood* level: and

a) The *habitable floor space* elevation of any new residential unit is located at an elevation no lower than one metre below the *regulatory flood* level;

b) Mechanical, electrical and heating equipment will be located no lower than one metre below the *regulatory flood* level; and

c) Access is available to the site at an elevation no lower than one metre below the *safe access* level.

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

a) The *habitable floor space* of any new residential unit is constructed to an elevation equal to or greater than the *regulatory flood* level;

b) Windows, doors and other building openings for any new residential unit will be located above the *regulatory flood* level;

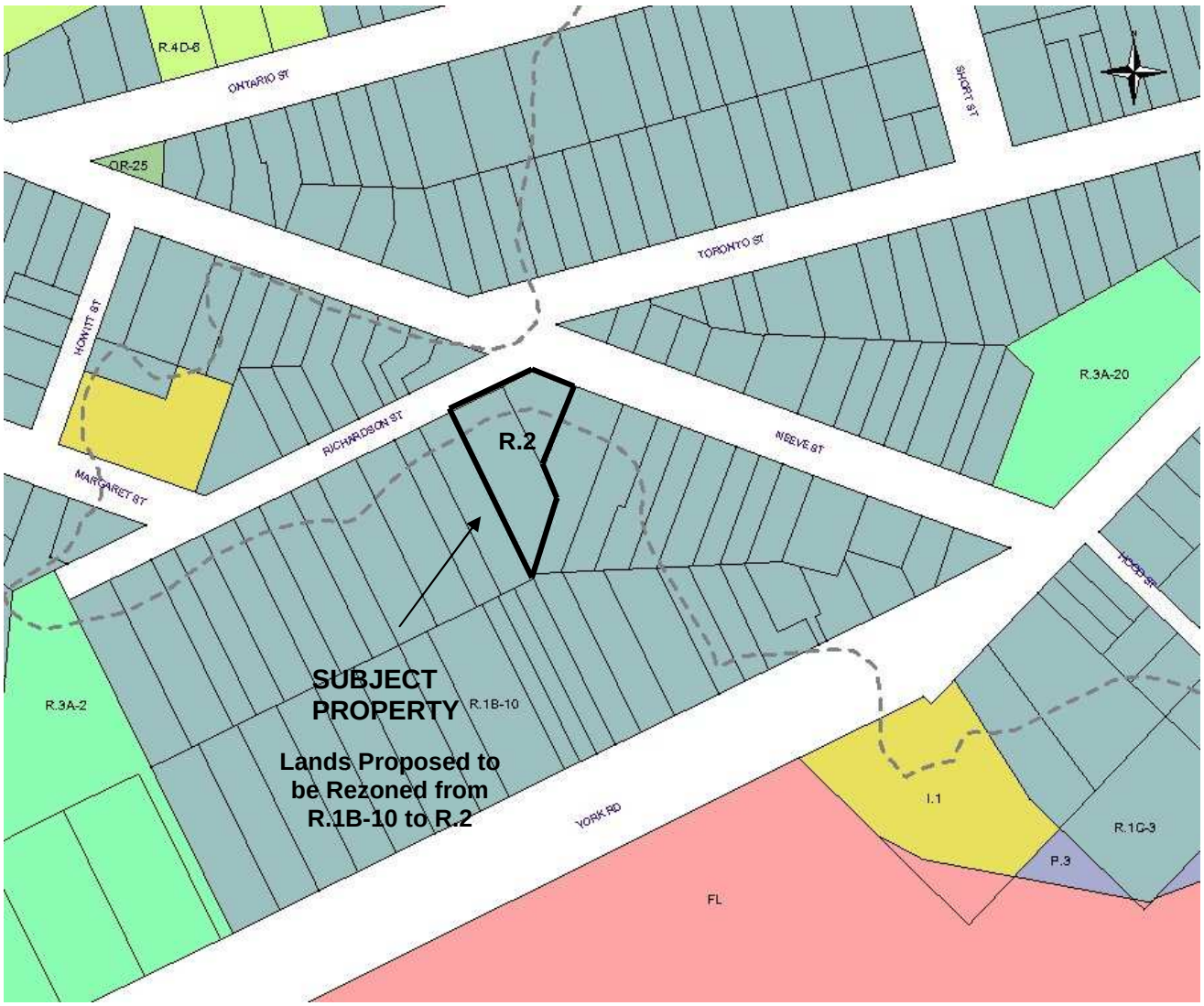
c) Mechanical, electrical and heating equipment for any new residential unit will be located above the *regulatory flood* level;

d) Access is available to the site at an elevation no lower than one metre below the *safe access* level; and

e) Unenclosed parking facilities shall be located at or above an elevation of the *100 year flood* level. Enclosed facilities shall be *floodproofed* to the regulatory flood level.

SCHEDULE 3

Proposed Zoning



SCHEDULE 3 (continued)

Zoning Details

SECTION 12.4 - ZONING BY-LAW

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

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

12.4.1 Restricted Uses

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

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

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

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

12.4.2 General Floodproofing Requirements

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

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

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

12.4.3 Floodproofing Requirements for Residential Uses

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

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

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

12.4.3.2.1 the Habitable Floor Space is constructed to an elevation equal to, or greater than the elevation of at least one of the adjacent Buildings but in no case lower than 1 metre below the Regulatory Flood level;
12.4.3.2.2 basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of 1 metre below the Regulatory Flood level. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing;
12.4.3.2.3 mechanical, electrical and heating equipment will be located no lower than 1 metre below the Regulatory Flood level; and
12.4.3.2.4 access is available to an elevation no lower than 1 metre below the Safe Access level.

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

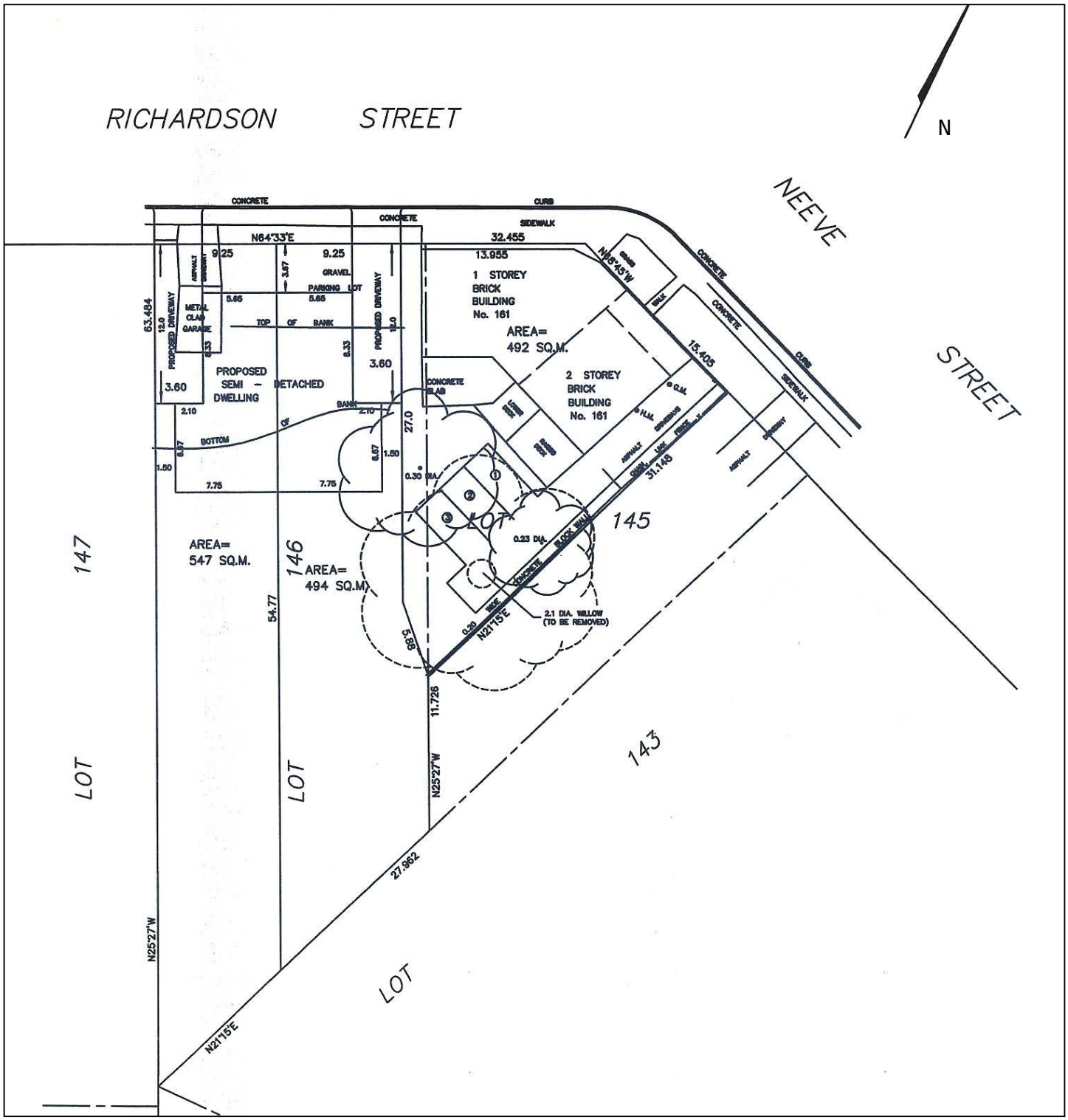
12.4.3.3.1 the Habitable Floor Space elevation of any new residential unit is located at an elevation no lower than 1 metre below the Regulatory Flood level;
12.4.3.3.2 mechanical, electrical and heating equipment will be located no lower than 1 metre below the Regulatory Flood level; and
12.4.3.3.3 access is available to the site at an elevation no lower than 1 metre below the Safe Access level.

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

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

SCHEDULE 4

Proposed Concept Plan



November 24 2010

City Clerk's Office
Guelph City Hall
1 Carden St.

RECEIVED
NOV 25 2010
CITY CLERK'S OFFICE

Attention: Lois Giles

I am writing in regard to the proposed development at 161 Neeve Street. (File Lc 1008) I am concerned about the encroachment onto the flood plain and the amount of fill, concrete and asphalt that is being put onto this low grade.

I have a property "down-stream" from this site. Storm water runoff from Neeve Street runs through all the back yards along the south side of Richardson Street in an open ditch. I have spent many years and considerable money landscaping my yard. With the development on the corner of York and Wyndham forcing alteration of the existing access of this runoff water to the river, I really worry about the impact of any additional changes on this water flow.

I assume that city engineers and the Grand River Conservation Authority have investigated this issue thoroughly and that my yard, which is probably the lowest of all the Richardson Street properties will not end up as a bog!

Yours truly
Marie Dunham

December 8, 2010

RECEIVED
DEC - 8 2010
CITY CLERK'S OFFICE

City Council
Guelph

RE: FILE ZC 1008
Proposed zone by-law-amedment
161 Neeve Street Guelph, Ontario.

Dear Councilors,

Please accept this letter expressing our opposition of the above mentioned development. If this semi-detached dwelling is built we will lose what little privacy we have left for our backyard as, not only would this new building over look ours, but the ends of the two yards would then border the side of our back yard. 161 Neeve already houses **7** students now. This plan also includes a parking lot be made behind the house at 161 Neeve and recently a 250 year old Willow tree was cut down and removed in preparation for this plan. Not only did this tree house a lot of animals and provide great shade, but it at least provided some privacy between the house and our yard. This tree was <u>not</u> rotten (as claimed) and there is photographic evidence proving this. There was only one limb that needed to be removed the rest was solid and very much alive. What a shame! 250 years old and cut down to prepare for plans that weren't even approved yet.

Please consider our opposition to this proposal carefully. We appreciate your time.

Yours truly,

Brad & Andrea Moore

Guelph Ontario

RE: File ZC 1008

Proposed Zoning By-Law Amendment

Subject lands: 161 Neeve Street.

We the residents of the Neeve /Richardson Street area would like to register our disagreement with the proposed building of a semi-detached/duplex dwelling at 161 Neeve Street. We feel that this development would result in more traffic and congestion, more noise and a further loss of privacy to the surrounding residents. The existing building at 161 Neeve Street already houses 7 student tenants. The parking on Richardson Street is very limited and generally exceeds capacity now.

If you agree with the above mentioned please sign the attached petition which will be submitted to city council.

17 Signatures Received

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning, Engineering and Environmental Services
DATE	December 13, 2010
SUBJECT	**927 and 1023 Victoria Road South - Proposed Draft Plan of Residential Subdivision (Phase 3 of the Kortright East Subdivision) and Associated Zoning By-law Amendment (File 23T-01508 / ZC1007)**
REPORT NUMBER	10-104

SUMMARY:

Purpose:

This report provides information on an application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Northmanor Estates Inc. and Mr. Wolf von Teichman, requesting approval of the third phase of a residential Draft Plan of Subdivision and associated Zoning By-law Amendment. This report has been prepared in conjunction with the statutory public meeting on the application.

Council Action:

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

RECOMMENDATION

"THAT Report 10-104 regarding a proposed Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File 23T-01508 / ZC1007) applying to property municipally known as 927 and 1023 Victoria Road South, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, BE RECEIVED."

BACKGROUND

This application for Phase 3 of the Kortright East Subdivision was received on June 30, 2010 and deemed to be complete on August 25, 2010.

Detailed land use planning for this area was completed in 1999 with approval of the South Gordon Community Plan and the Torrance Creek Sub-watershed Study. The developers originally asked to subdivide the entire land assembly comprising 87 hectares (215 acres) as illustrated in **Schedule 4**. The land assembly for the proposed large-scale Kortright East subdivision is comprised of three separately-owned land parcels with frontage on Victoria Road South. The City annexed these and other lands from the Township of Puslinch in 1993 to accommodate projected urban growth. The subject lands have been historically used for agricultural purposes.

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

Phase 2 of the development lands was draft plan approved by the City on January 3, 2006. Since the lands affected by Phase 2 were held in three distinct ownerships (See **Schedule 1**), Phase 2 was registered in three distinct components as follows:

a) Phase 2c, owned by Northmanor Estates Inc., contained 2 cluster townhouse blocks and blocks for open space and storm water management facilities. This plan was registered on April 21, 2009 as Plan 61M-158.

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

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

The developer is now requesting draft plan of subdivision approval for Phase 3 of the subdivision (See **Schedules 1 and 5**).

Location

The lands are legally described as Part of Lots 3 and 4, Concession 8 (Geographic Township of Puslinch, municipally known as 927 and 1023 Victoria Road South.

The subject lands have a total site area of 15.897 hectares (39.3 acres) with frontage on MacAlister Boulevard and McCann Street (See **Schedule 1**).

The lands are bounded to the north by the Phase 2 residential subdivision lands currently under development and to the west and south by additional development lands owned by the developer. Existing residential and open space development on Robin Road and Olga Circle is located further to the west. The lands are bounded to the east by Torrance Creek Wetlands and associated open space blocks dedicated to the City during the registration of Phase 2.

Existing Official Plan Designations
The Phase 3 lands are designated "General Residential" and also include a "Non-Core Greenlands Overlay" in Schedule 1 of the Official Plan. Schedule 2 of the Plan also identifies Development Constraints including "Provincially Significant Wetlands" and "Open Space" along the west side of the lands. The subject site is also shown within the Arkell Springs Water Resource Protection Area (See **Schedule 2**).

Existing Zoning
The subject lands were annexed into the City of Guelph in 1993 and are currently zoned Agricultural (A) and Hazard (H) as described in the Township of Puslinch Zoning By-law. **Schedule 3** illustrates existing zoning of the site and surrounding area.

REPORT

Description of Proposed Draft Plan of Subdivision
The owners are asking to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 5.** Phase 3 of the subdivision includes the extension of the main entrance road, MacAlister Boulevard, the extension of McCann Street and the creation of several internal local roads. The plan proposes a variety of lots and blocks that will accommodate various forms of residential housing including single-detached dwellings, semi-detached dwellings and on-street townhouses. In addition, a park block, seven open space blocks and two storm water management blocks are included in the plan. Details of the proposed subdivision plan layout showing the breakdown of the lots, blocks and residential unit yield are attached in **Schedule 5**.

The estimated total number of residential dwelling units in this phase ranges from 204 to 227 units. This range is proposed to include 38 on-street townhouses, 62 semi-detached dwellings and 104 to 127 single-detached dwellings.

The range of total detached dwellings is because the applicant has included 7 blocks in the plan (Blocks 58 to 60 and 62 to 65 shown in **Schedule 5**) to accommodate detached dwellings with minimum and maximum lot widths. The exact widths of the lots would be determined before the plan is registered. The unit range is proposed by the developer in order to gauge market conditions and provide the homeowner with a choice of lot size.

The expected population range of the subdivision is estimated at 621 to 695 persons. The density range of the proposed 204 to 227 unit residential development as calculated under Places to Grow legislation is 45.4 to 50.8 persons per hectare. It is noted that there are both medium-density and high-density blocks proposed with frontage on Victoria Road in future phases of this large-scale subdivision. The

cover letter from the applicant has also been included in **Schedule 5** as it describes the rationale for parkland dedication for the Phase 3 plan.

Description of Proposed Zoning Bylaw Amendments
To implement the proposed draft plan of subdivision, the owner is asking to rezone the lands according to the map and chart outlined in **Schedule 6**. The owner is requesting a range of zones to permit single-detached residential dwellings including the Specialized R.1B-? Zone, the R.1C Zone and the R.1D Zone. The Specialized R.2-? Zone is proposed to permit semi-detached residential dwellings and the Specialized R.3B-7 Zone is proposed to permit on-street townhouse dwellings. The proposed specialized zoning regulations are attached in **Schedule 6** and include the following:

- The owner proposes that the Specialized R.1B-? Zone would have reduced minimum lot area and side yard regulations. The proposed zone will allow a minimum lot area of 390 m2 instead of the required 460 m2 and a minimum side yard of 1.2 m instead of the required 1.5 metres.

- The Specialized R.2-? Zone proposes reduced minimum lot area and minimum frontage regulations. The proposed zone will allow a minimum lot area of 440 sq. m for every two units instead of the required 460 m2 and a minimum lot area per unit of 220 sq. m instead of the required 230 m2 for each unit. This proposed zone will also allow a minimum frontage of 13.6 m instead of the required 15m for every two units and a minimum lot frontage per unit of 6.8 m instead of the required 7.5 metres.

- The Specialized R.3B-7 Zone proposes a maximum building coverage regulation of 50% of the lot area instead of the required 40% coverage regulation.

The balance of the lands are proposed to be rezoned to the WL (Wetland) Zone to recognize the small satellite wetland and the P.1 (Conservation Land/ Park) Zone to recognize open space corridor, woodlands and storm water management facilities. The details of the proposed zoning are attached in **Schedule 6.**

Support Documents
In support of the proposal, the owner submitted the following reports and information which have since been accepted by the review agencies as part of the earlier review and approval of Phases 1 and 2:

- *Preliminary Servicing and Storm Water Management Report: Kortright East Subdivison prepared by Braun Consulting Engineers, December 2001 and Addendum dated November 2002.*
- *Kortright Road East Traffic Impact and Neighbourhood Traffic Management Plan prepared by Paradigm Transportation Solutions Limited, December 2001.*
- *Environmental Impact Assessment (EIS) for the Proposed Kortright East Subdivison prepared by ESG International, December 17, 2001 and Addendum dated November 5, 2002.*

- *Kortright East Plan of Subdivision Traffic Noise Assessment prepared by Paradigm Transportation Solutions Limited, June 2002.*
- *Environmental Implementation Report for the Kortright East Subdivision.*

Staff Review
The review of this application will address the following issues:
- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control).
- Evaluation of the proposal against the policies of the Official Plan and Provincial policies including the Provincial Policy Statement and Places to Grow.
- Evaluate how the application conforms with the 'General Residential' designation and policies.
- Review the range of permitted uses and the proposed zoning regulations.
- Review the proposed site servicing and the availability of full municipal services and the storm water management.
- Review the Environmental Impact Study with particular attention to tree retention and the protection of the natural environment
- Review of the proposed phasing and timing in compliance with the Development Priorities Plan (DPP).
- Support for the Community Energy Initiative.
- Address all comments and issues raised during the circulation of the application.

Once the application is analyzed and all issues are addressed, a report from Planning, Engineering and Environmental Services with a recommendation for refusal or approval will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN
- Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.
- Natural Environment Goal #6: A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS
Financial implications will be reported in the future Planning, Engineering and Environmental Services recommendation report to Council.

COMMUNICATIONS
The original Notice of Application and Public Meeting was mailed and advertised in the Guelph Tribune on November 19, 2010.

ATTACHMENTS:
Schedule 1 – Location Map
Schedule 2 – Existing Official Plan Designations and Policies
Schedule 2a – South Gordon Community Plan Land Use Guideline
Schedule 3 – Existing Zoning
Schedule 4 – Original Large-scale Subdivision Plan
Schedule 5 – Proposed Phase 3 Draft Plan of Subdivision
Schedule 6 – Proposed Phase 3 Zoning

"original signed by Allan Hearne"

Prepared By:
Allan C. Hearne
Senior Development Planner
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"original signed by Scott Hannah"

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"original signed by James Riddell"

Recommended By:
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General Manager
Planning & Building Services
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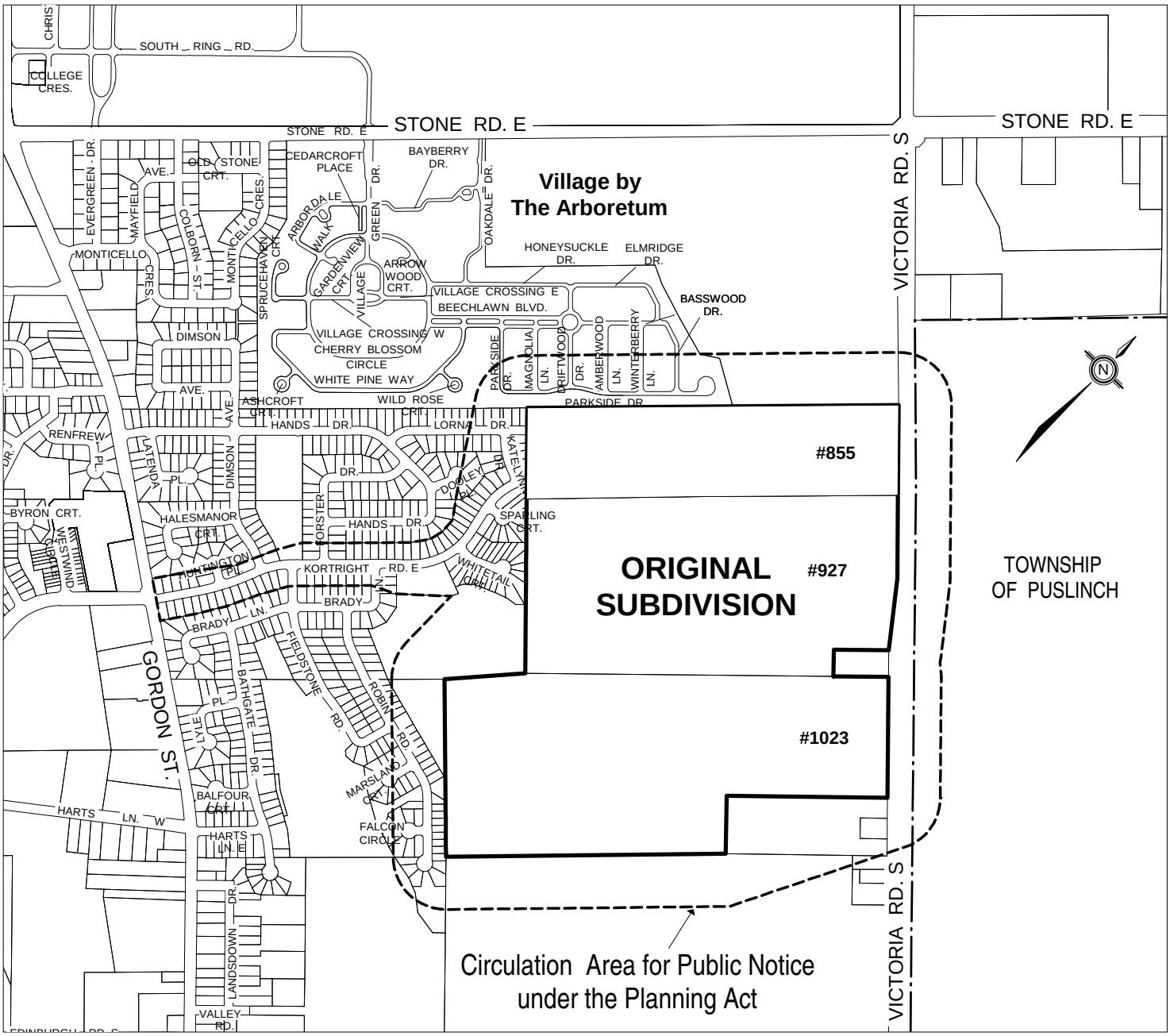
jim.riddell@guelph.ca

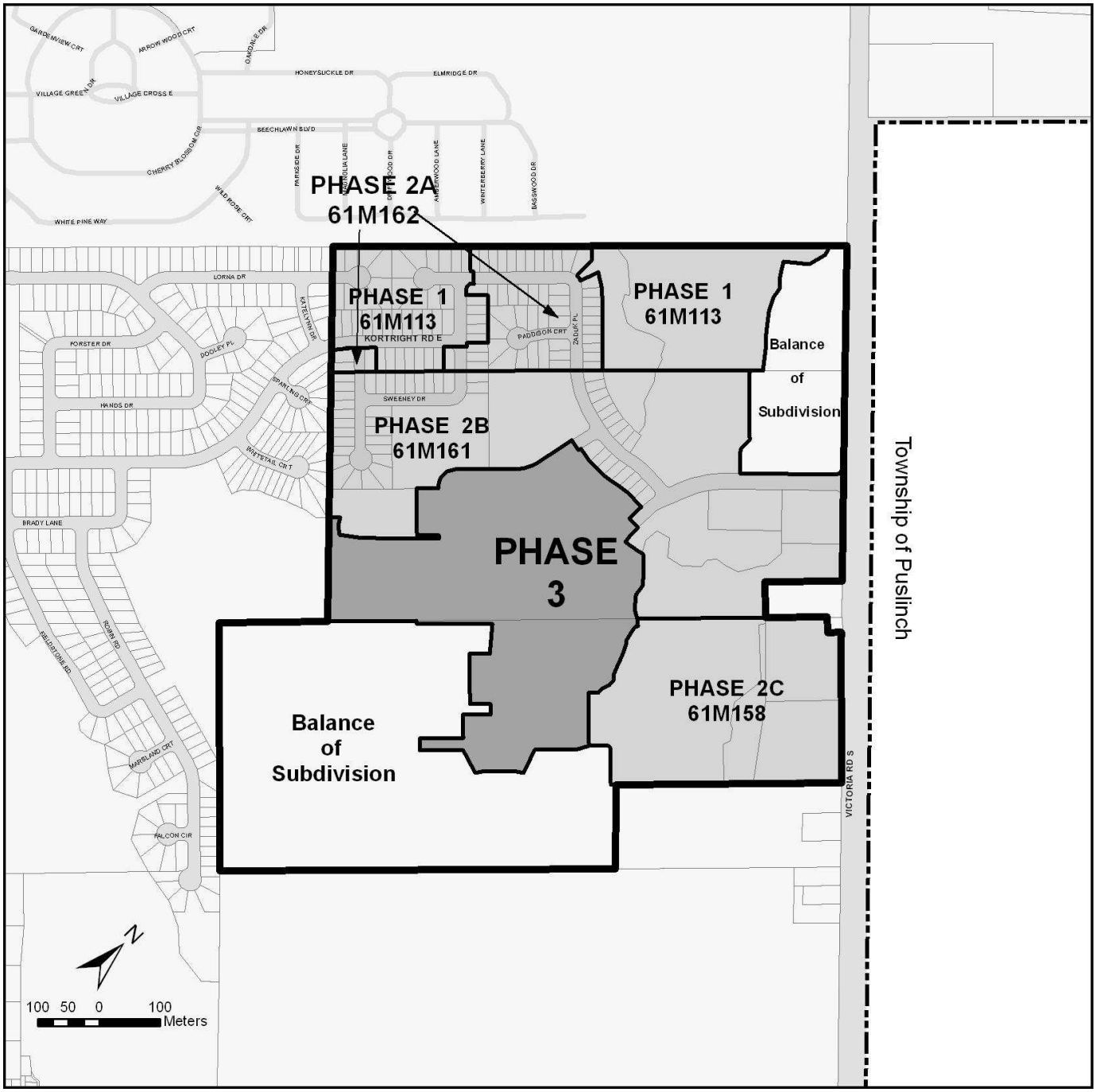
"original signed by Janet Laird"

Recommended By:
Janet L. Laird, Ph.D.
Executive Director
Planning, Engineering and Environmental Services
519-822-1260 ext. 2237
janet.laird@guelph.ca

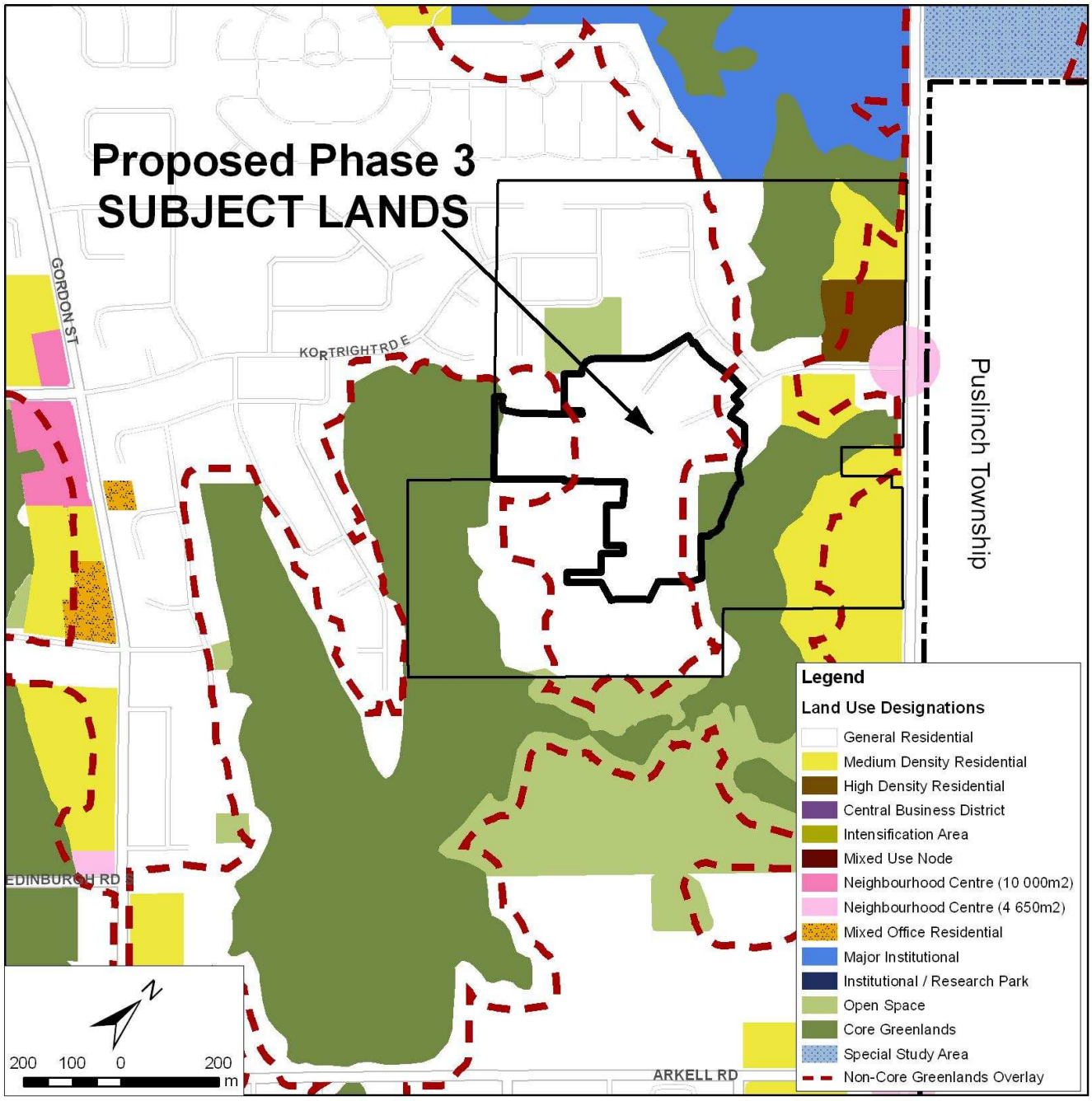
Schedule 1
Location Map



Schedule 1
Location Map



Schedule 2
Existing Official Plan Designations and Policies



Schedule 2
Existing Official Plan Landuse Designations and Policies

'General Residential' Land Use Designation

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

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

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

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

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

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

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

7.12 Open Space

Objectives

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

General Policies

7.12.1 The predominant use of land designated 'Open Space' on Schedule 1 shall be for public and private recreational uses and facilities, parks, golf courses, conservation lands, school sites, and cemetreies. The designation is also intended to support the protection of natural heritage features and cultural heritage resource conservation.

7.12.2 Complementary uses that are compatible to, and which do not detract from or restrict, the primary function of the area, may be permitted within the 'Open Space' designation. Such complementary uses may include, but are not necessarily restricted to: forestry resources, horticulture, and public utilities. Other complementary uses for private and public recreational uses and facilities may include restaurants, club houses, pro shops, public halls and other accessory buildings and uses that are normally associated with the main recreational use.

7.12.3 Where any land designated ‘Open Space’ is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the Municipality or any other public agency.

1. Where lands designated ‘Open Space’ are in private ownership and application is made requesting a change to a land use other than open space, due consideration shall be given by Council to the following:

    a) Council shall consider the acquisition of the subject lands, having regard for the following:
        i. The provision of adequate open space and recreational areas, particularly in the vicinity of the subject lands;

ii. The existence of cultural heritage resources or natural heritage features on the site;
iii. The recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
iv. The possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
v. The ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space acquisition plan.

b) If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an 'Open Space' designation by such means as management agreements or easements, where applicable.

2. Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to secure the lands in an 'Open Space' designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated 'Open Space'.

7.12.4 When developing major recreation facilities such as indoor swimming pools, arenas, or major open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.

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.

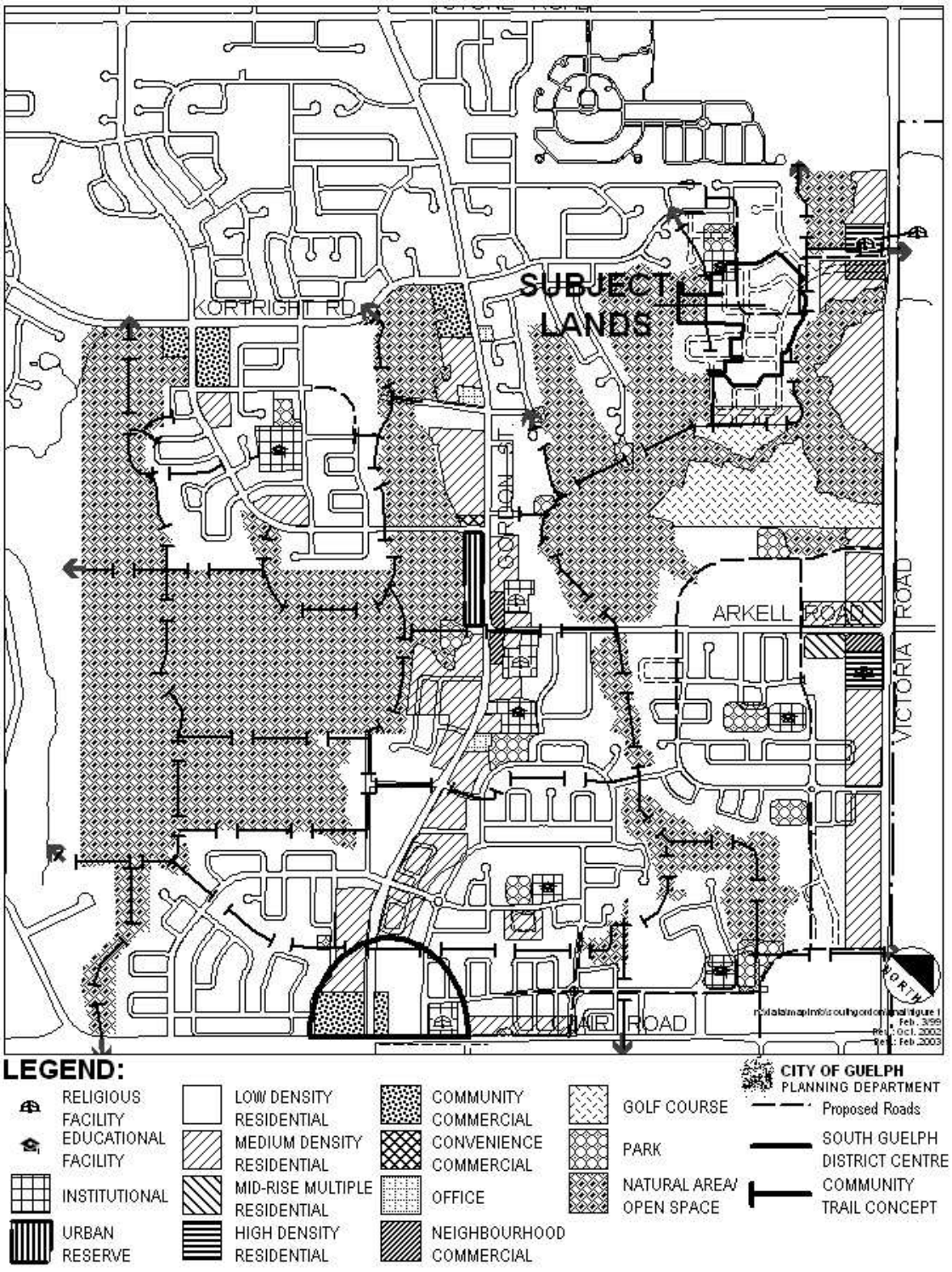
7.13.6 Development may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no negative impacts 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.

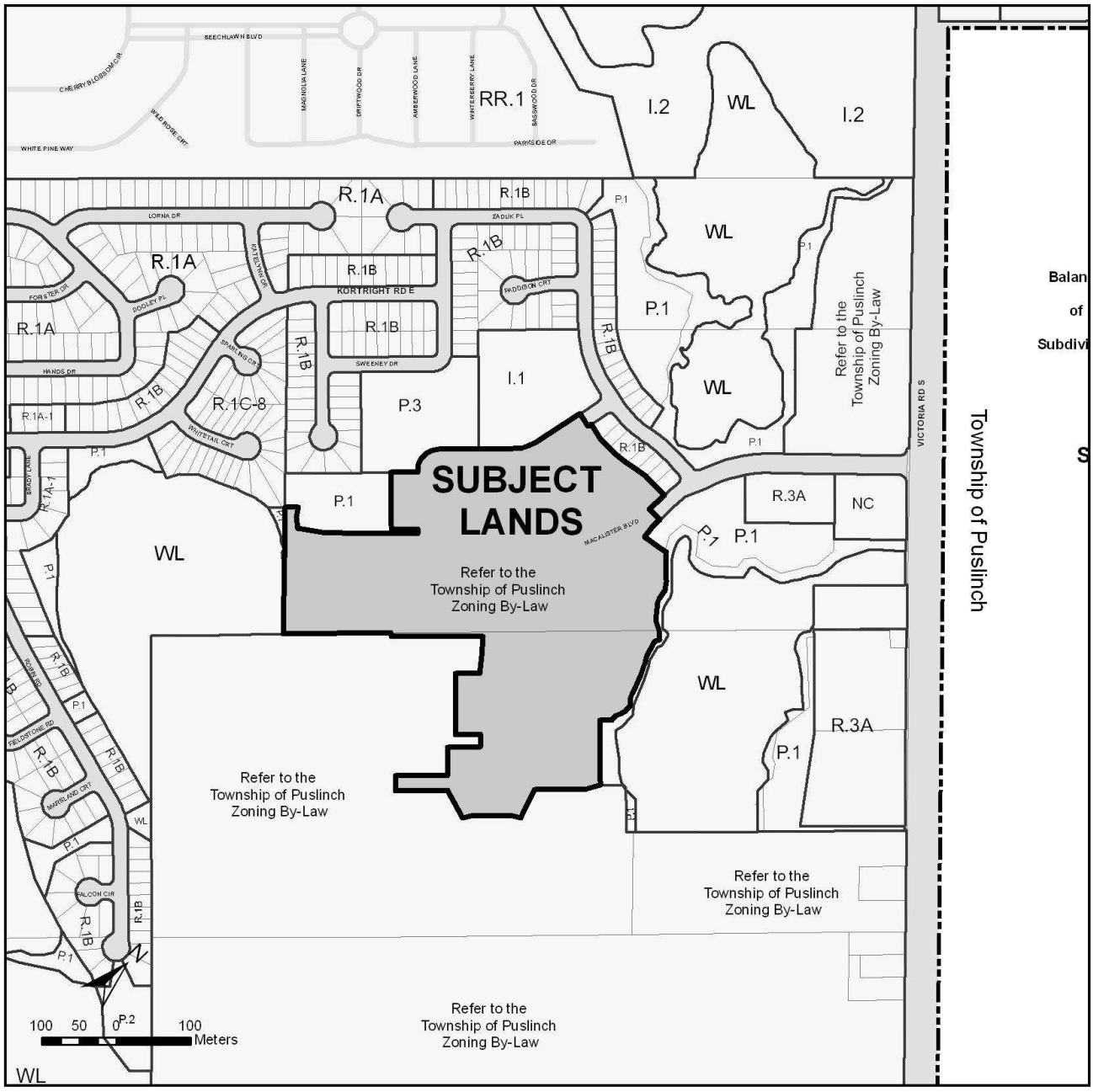
7.13.8 Development may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with hazard lands as noted in Section 5 can be safely addressed. In addition, development within the flood fringe areas of the Two Zone Flood Plain will be guided by the policies of subsection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

Schedule 2a
South Gordon Community Plan Land Use Guideline

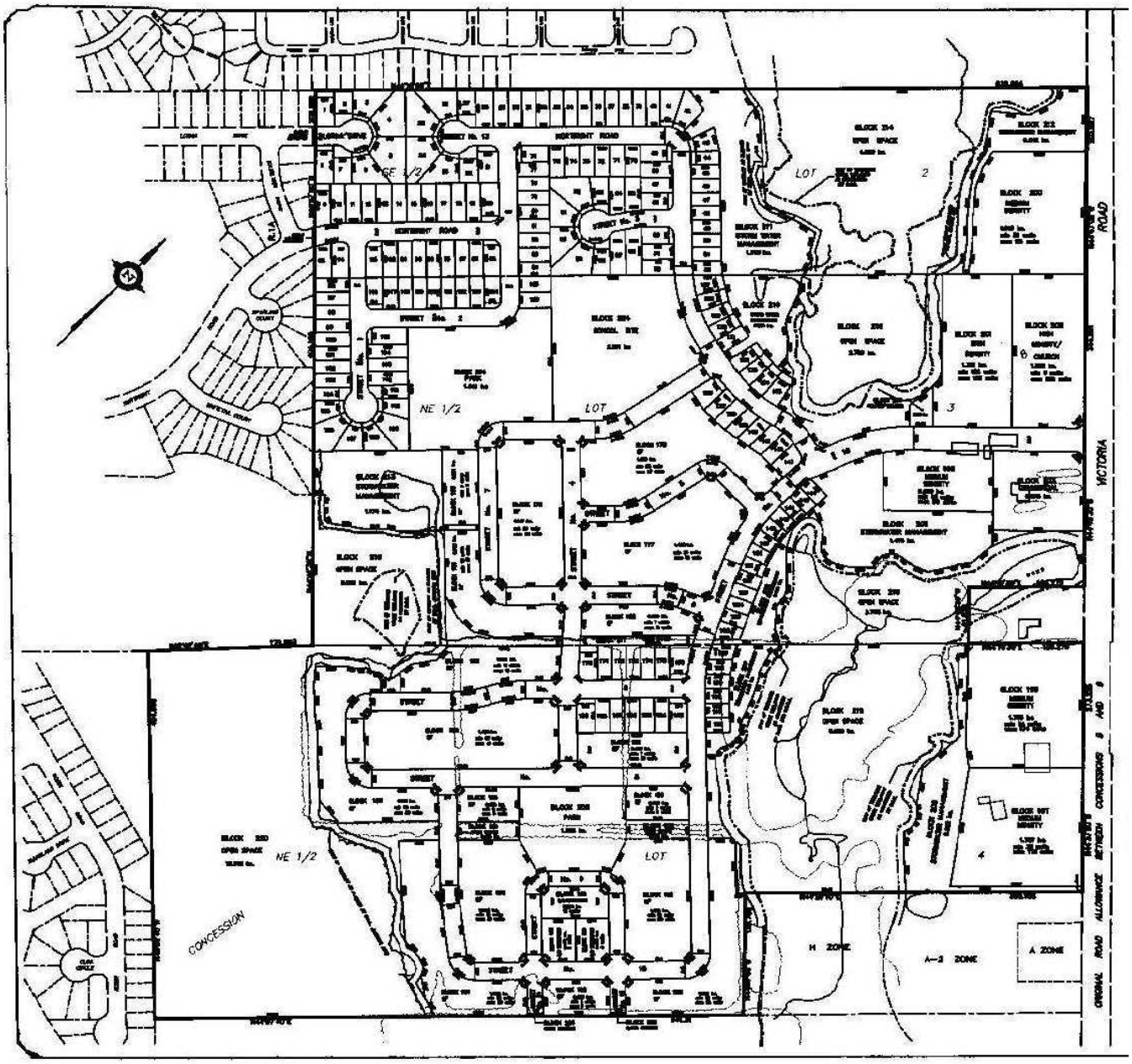
FIGURE 1
SOUTH GORDON COMMUNITY PLAN LAND USE CONCEPT



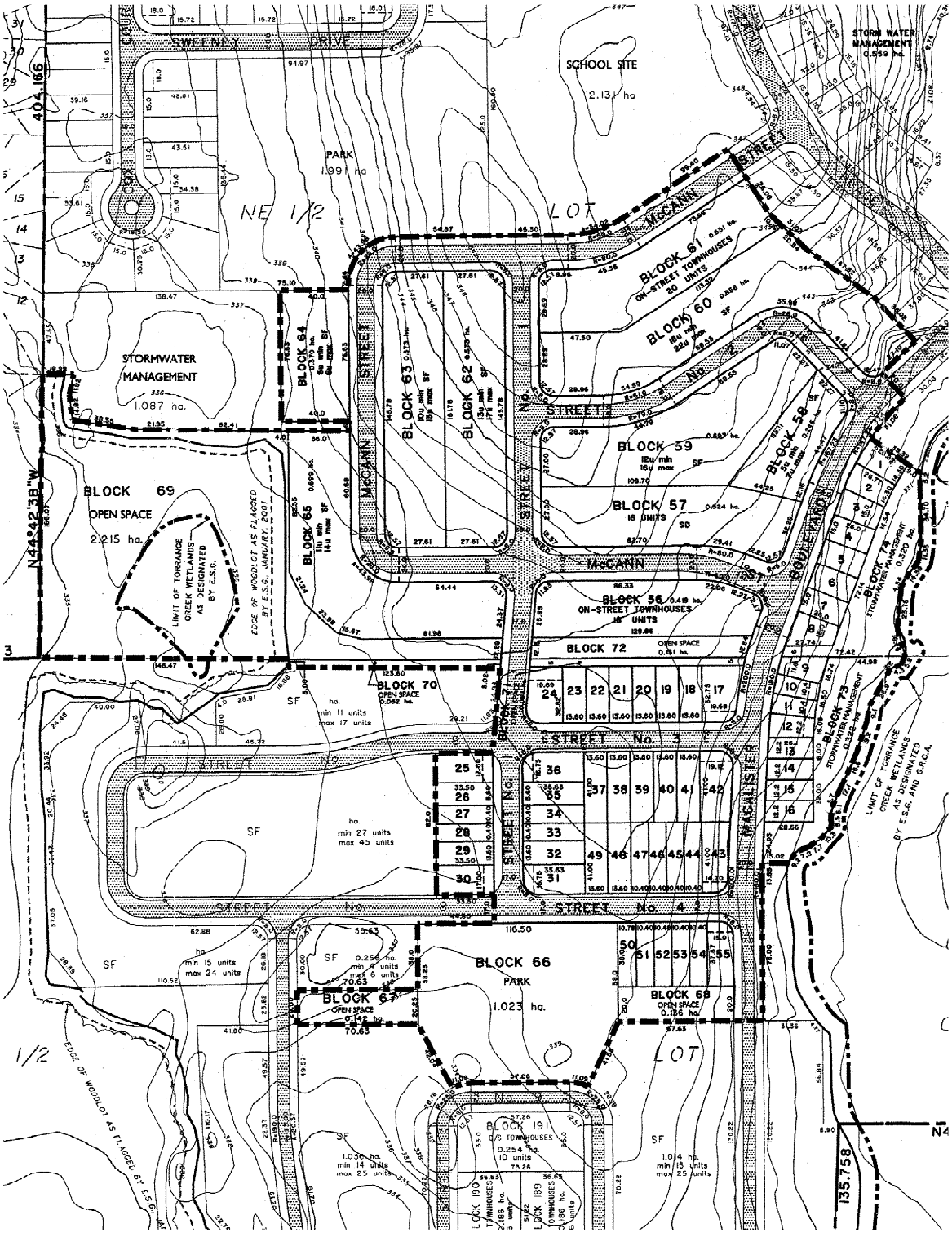
Schedule 3
Existing Zoning



Schedule 4
Original Large-scale Subdivision Plan



Schedule 5
Proposed Draft Plan of Subdivision Phase 3



Schedule 5
Proposed Draft Plan of Subdivision Breakdown Phase 3

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

June 28/10

A. B. DONALDSON
ONTARIO LAND SURVEYOR

RELEVANT INFORMATION – OVERALL CONCEPT

LOTS/BLOCKS	LAND USE	MIN UNITS	MAX UNITS	AREAS (ha)
LOTS 1 to 16,27,28,33,34,42 to 47, 50 to 55	SINGLE-DETACHED RESIDENTIAL	32	32	1.290
LOTS 17 to 26, 29 to 32, 35 to 41, 48,49,57	SEMI-DETACHED RESIDENTIAL	62	62	1.737
BLOCKS 58 to 60, 62 to 65	SINGLE FAMILY RESIDENTIAL	72	95	4.015
BLOCKS 56 and 61	ON-STREET TOWNHOUSES	38	38	0.950
BLOCK 66	PARK			1.023
BLOCKS 67 to 72	OPEN SPACE			2.767
BLOCKS 73 and 74	STORMWATER MANAGEMENT			0.642
STREETS	ROADS			3.473
TOTAL		204	227	15.897 ha.

AREA OF LANDS OF VON TEICHMAN = 10.878 HA.
AREA OF LANDS OF NORTHMANOR ESTATES INC. = 5.019 HA.

Schedule 5
Proposed Draft Plan of Subdivision Phase 3

BLACK, SHOEMAKER, ROBINSON & DONALDSON
LIMITED

BSR&D Ontario Land Surveyors
Urban and Rural Planners

351 Speedvale Avenue West
Guelph, Ontario N1H 1C6

TEL: 519-822-4031
FAX: 519-822-1220

June 29, 2010

Project: 07-7364

Mr. Scott Hannah
Manager, Development and Parks Planning
Community Design and Development Services
City of Guelph
1 Carden Street
GUELPH, Ontario
N1H 3A1

and Development Services

JUN 3 0 2010

Dear Mr. Hannah:

Re: Draft Plan of Subdivision
For a Mixed Density Residential Subdivision
Kortright East Subdivision – Phase 3
Owner: Wolf Von Teichman and Northmanor Estates Inc.

Please find enclosed 15 copies of the proposed draft plan of subdivision for Phase 3 of the Kortright East development and a reduction of same.

Phases 1 and 2 of the Kortright East subdivision have been serviced and registered. The owners would like to proceed with the draft plan approval for Phase 3 of the overall development so that the next phase can be ready for servicing and registration in an orderly manner.

As you are aware, a Stormwater Management and Servicing Report as well as an Environmental Impact Study and Traffic Impact Analysis were submitted in support of the entire Kortright East development. The Environmental Implementation report for this entire project was also approved in 2009. This Phase 3 draft plan is consistent with the overall plan that was included in these studies.

Phase 3 also meets the population targets established by the Growth Plan. The draft plan proposes to accommodate a maximum of 695 persons which translates to 56 persons per hectare. These figures are based on the City of Guelph population projections of 3.2 persons per unit for detached and semi-detached dwellings (3.2 x 189 = 604) and 2.4 persons per unit for townhouse dwellings (2.4 x 38 = 91).

The property includes 12.337 hectares of development land and based on 50 persons per hectare, this property should accommodate 617 persons. The area associated with the development lands in Phase 3 excludes the wetland/open space areas as well as a portion of the park land included in this phase. The rationale for excluding part of the parkland is set out below.

Northmanor is proposing to include all of the park area for the Northmanor lands in this phase. As such, we have only included that portion of the park that is attributable to the 5% parkland dedication for Phase 3 in the calculation of development land. Our analysis in this regard is set out below.

A. B. DONALDSON, O.L.S., O.L.I.P. I. D. ROBINSON, B.Sc., O.L.S., O.L.I.P. K. F. HILLIS, B.Sc., O.L.S., O.L.I.P. N. C. SHOEMAKER, B.A.A., M.C.I.P., R.P.P.
R. J. SIBTHORP, B.Sc., O.L.S., O.L.I.P. S. W. BLACK, O.L.S. (1917 - 2007) R. L. SHOEMAKER, O.L.S. (1923-2008) W. F. ROBINSON, O.L.S. (Retired)
BRIAN BEATTY, B.A.A., M.U.R.PL

Parkland in Phase 3:	1.023 hectares
Entire Northmanor property:	36.4580
Northmanor Wetland/Open Space Area:	16.63
Northmanor Total Development Land:	19.828
5% Parkland for all Northmanor Property:	1.0 ha
Total Northmanor area in Phase 3 draft plan:	5.027 ha
Total Northmanor Development Land in Phase 3:	4.626
Phase 3 is 23% of Northmanor development area	
Phase 3 Parkland requirement based on 23%:	0.23 ha
Over dedication of parkland In Phase 3:	0.793

Since the Phase 3 plan includes 1.023 hectares of parkland, 0.793 hectares has been eliminated from the calculations of the development area associated with the Phase 3 draft plan of subdivision.

I trust this package will provide the City with sufficient information to commence the processing of this application.

Should you have any questions, please call me.

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

Nancy Shoemaker

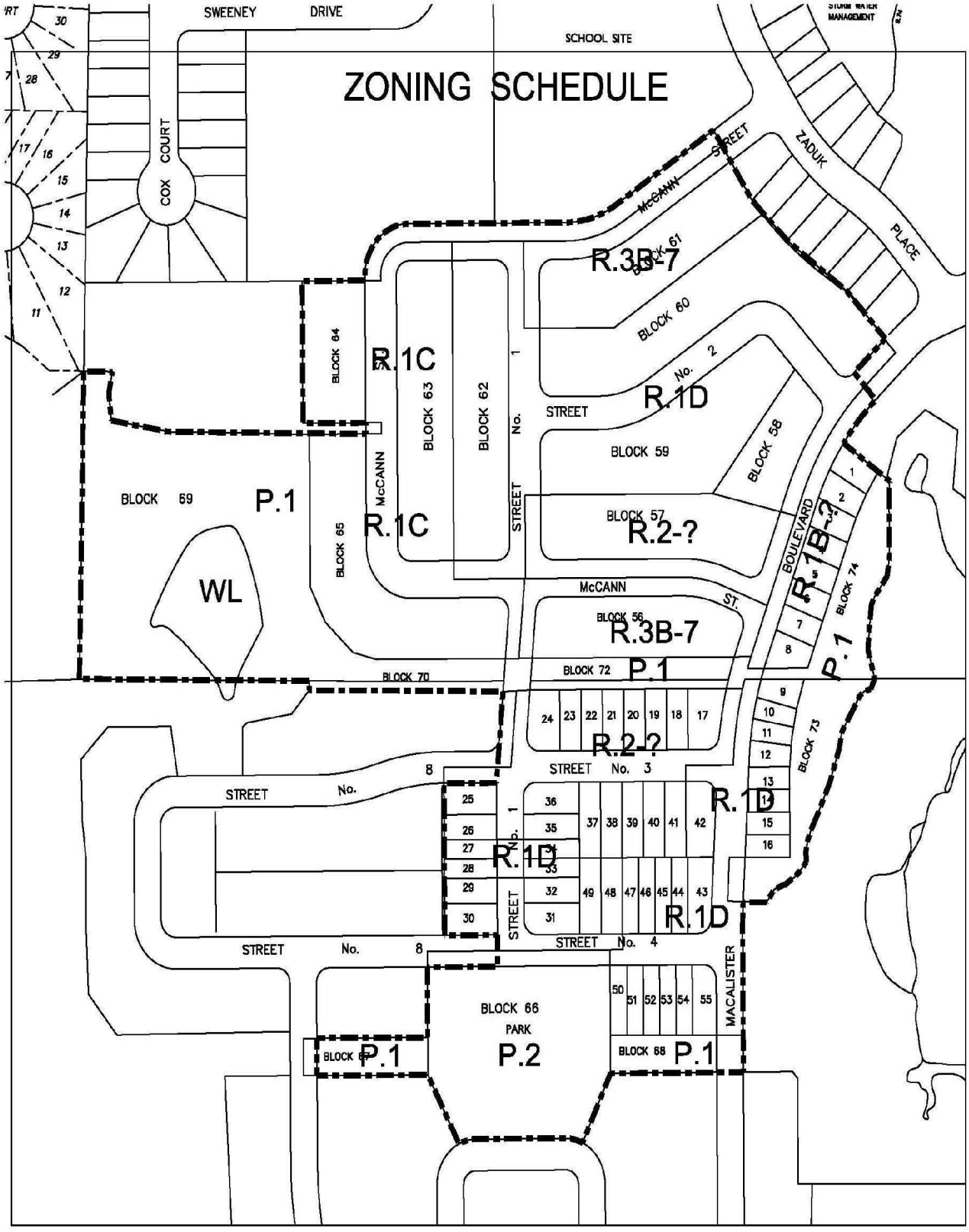
Nancy Shoemaker, B.A.A., M.C.I.P., R.P.P.

Attachments

Copy: Wolf von Teichman
Northmanor Estates Inc.
Braun Consulting Engineers

BSR&D

Schedule 6
Proposed Zoning



Schedule 6
Proposed Zoning

Proposed Zoning Schedule

Kortright East Phase 3 - Draft Plan of Subdivision

Zoning	Land Use	Lot/Block
R.1B-?	Detached Residential 15 m frontage Minimum Lot Area: 390 m Minimum Side Yard: 1.2 m	Lots 1-8
R.1C	Detached Residential 12 m lot frontage	Blocks 63, 64, 65
R.1D	Single Detached Residential 9 m frontage	Lots 9-16,27,28,33,34,42-47, 50-55, Blocks 58,59,60,62
R.2-?	Semi-Detached Residential Minimum Lot Area: 440 sq.m. Minimum Lot Area/unit: 220 sq.m. Minimum Lot Frontage: 13.6 m Minimum Lot Frontage/unit: 6.8 m	Lots 17-26, 29-32, 35-41,48,49 Block 57
R.3B-7	On-Street Townhouses Maximum Building Coverage: 50%	Blocks 56 & 61
P.1	Open Space and Stormwater Management	Blocks 67-74
P.2	Neighbourhood Park	Block 66
WL	Wetland	Part Block 69

CONSENT AGENDA

December 13, 2010

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
A-1) PROPOSED DEMOLITION OF 112 & 114 YORK ROAD – WARD 1	Approve
THAT Report 10-108 regarding the proposed demolition of detached dwellings at 112 and 114 York Road, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, be received; AND THAT the proposed demolition of the detached dwelling at 112 York Road be approved; AND THAT the proposed demolition of the detached dwelling at 114 York Road be approved.	
A-2) 150 EASTVIEW ROAD (GRANGEHILL 7) – PROPOSED DRAFT PLAN OF SUBDIVISION AND ASSOCIATED ZONING BY-LAW AMENDMENT (FILE 23T-07501/ZC0703) – WARD 2	Approve
THAT Report 10-86 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment applying to property municipally known as 150 Eastview Road, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, be received; AND THAT the application by J.L. Cox Planning Consultants Limited on behalf of Guelph Grangehill Developments Limited for approval of a Proposed Draft Plan of Residential Subdivision, as shown on Schedule 3, applying to property municipally known as 150 Eastview Road, and legally described as Part Lot 3, Concession 5, Div 'C', City of Guelph, BE	

APPROVED, subject to the conditions outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-86 dated December 13, 2010;

AND THAT the application by J.L. Cox Planning Consultants on behalf of Guelph Grangehill Developments Limited for a Zoning Bylaw Amendment from the UR (Urban Reserve) Zone to the R.1D (Single Detached Residential) Zone, the R.2 (Residential Duplex/Semi-Detached) Zone, the R.3B (On-street Townhouse) Zone, a Specialized R.3B-? (On-street Townhouse) Zone, a Specialized R.4A-? (Residential Apartment) Zone, the P.2 (Neighbourhood Park) Zone, the P.1 (Conservation Land) Zone and the WL (Wetland) Zone affecting the property municipally known as 150 Eastview Road, and legally described as Part Lot 3, Concession 5, Div 'C', City of Guelph, be approved in the form outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-86 dated December 13, 2010;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 150 Eastview Road (File ZC0703) as set out in Report 10-86 from Planning, Engineering and Environmental Services dated December 13, 2010.

A-3) VICTORIA PARK VILLAGE – PROPOSED OFFICIAL PLAN AMENDMENT, DRAFT PLAN OF SUBDIVISION AND ASSOCIATED ZONING BY-LAW AMENDMENT (FILE OP0502/23T-07506/ZC0505) – WARD 6

Approve

THAT Report 10-82 regarding the proposed Official Plan Amendment, Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File OP0502/23T-07506/ZC0505) applying to property municipally known as 1159 Victoria Road South, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, be received;

AND THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of an Official Plan Amendment to re-designate property legally described as Part of Northeast Half of Lot 5, Concession 8, formerly Township of Puslinch, municipally known as 1159 Victoria Road South, City of Guelph, from the existing 'Open Space' land use designation to the 'General Residential' designation to permit the development of a residential subdivision, BE APPROVED, subject to the recommended zoning and conditions outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-82 dated December 13, 2010;

AND THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of a Draft Plan of Residential Subdivision to permit the Victoria Park Village Subdivision comprising a total of 489 residential dwelling units on lands legally described as Part of Northeast Half of Lot 5, Concession 8, formerly Township of Puslinch, municipally known as 1159 Victoria Road South, City of Guelph, be approved, subject to the recommended zoning and conditions outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-82 dated December 13, 2010;

AND THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of an associated Zoning By-law Amendment to rezone the lands from the current H (Hazard) Zone and the C4-2 (Resort Commercial) Zone in the Puslinch Township Zoning By-law 19/85, to the R.1B, R.1C and R.1D (Single-Detached Residential) Zones, the R.2 (Semi-Detached/Duplex Residential) Zone, the R.3A (Cluster/Stacked Townhouse) Zone, the R.3B (On-Street Townhouse) Zone, the R.4A (Apartment) Zone, the P.2 (Neighbourhood Park) Zone, including the P.1 (Conservation Land) Zone and the WL (Wetland) Zone, to implement the Victoria Park Village Subdivision comprising a total of 489 residential dwelling units, be approved, subject to the recommended zoning and conditions outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-82 dated December 13, 2010;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning Bylaw Amendment application affecting property at 1159 Victoria Road South, as set out in Report 10-82 from Planning, Engineering and Environmental Services dated December 13, 2010.

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

attach.

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning, Engineering and Environmental Services
DATE	December 13, 2010
SUBJECT	**Proposed Demolition of 112 & 114 York Road, Ward 1, Guelph**
REPORT NUMBER	10-108

SUMMARY

Purpose of Report:

This report provides information and recommendations related to requests to demolish two detached dwellings that have been damaged by fire at 112 and 114 York Road.

Council Action:

Council is being asked to support staff's recommendation to approve the requests for demolition.

RECOMMENDATION

"THAT Report 10-108 regarding the proposed demolition of detached dwellings at 112 and 114 York Road, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, BE RECEIVED; and,

THAT the proposed demolition of the detached dwelling at 112 York Road, BE APPROVED; and,

THAT the proposed demolition of the detached dwelling at 114 York Road, BE APPROVED."

BACKGROUND

Applications to demolish the existing detached dwellings at 112 and 114 York Road have been received by Planning, Engineering and Environmental Services.

The subject properties are located on the northerly side of York Road, west of Neeve Street, across from York Road Park (see **Schedule 1** – Location Map). The properties are zoned R.1B-10 (Residential) which permits detached dwellings.

The existing dwellings were damaged by a fire in September 2010. 112 York Road is not on the City's Heritage Inventory. 114 York Road is on the Couling Inventory, however, is not identified on the Municipal Register of Cultural Heritage Properties.

REPORT

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

Following a fire affecting 112 and 114 York Road, Building Services staff conducted an inspection of the existing dwellings. Based on the inspection, it has been indicated that due to the extensive damage caused by the fire to both dwellings, the structures should be demolished because the structural integrity of the buildings has been compromised by the fire.

Typically Planning staff would not be supportive of the demolition of existing residential units until such time as the units are being replaced so that the City's stock of residential units is maintained. In this instance, the owners of the subject properties have both indicated that they do not intend to replace the existing dwellings at this time. The dwellings may be replaced in the future by the current owners or these properties will be sold as developable lots. The approval of these applications is recommended even though it will result in the loss of two dwelling units in the short term because the structural integrity of the existing dwellings has been compromised by fire damage.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

Non

COMMUNICATIONS

A sign was posted on each of the subject properties advising that a demolition permit is being reviewed and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Schedule 1 - Location Map
Schedule 2 - Site Photographs

Prepared By:
Stacey Laughlin
Development and Urban Design Planner
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stacey.laughlin@guelph.ca

Recommended By:
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Manager of Development and
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Recommended By:
James N. Riddell
General Manager
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Recommended By:
Janet Laird, Ph.D.
Executive Director
Planning, Engineering &
Environmental Services
519-822-1260 ext. 2237
janet.laird@guelph.ca

SCHEDULE 1 – Location Map

SCHEDULE 1 – Site Photographs (October 2010)

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning, Engineering and Environmental Services
DATE	December 13, 2010
SUBJECT	**150 Eastview Road (Grangehill 7) - Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File: 23T-07501/ZC0703) – Ward 2**
REPORT NUMBER	10-86

SUMMARY

Purpose of Report: This report provides the staff recommendation on an application for a residential draft plan of subdivision and associated zoning by-law amendment application (23T-07501/ZC0703) from J.L. Cox Planning Consultants Limited on behalf of Guelph Grangehill Developments Limited.

Council Action: Council is being asked to grant draft plan approval and approve the associated zoning by-law amendment for the proposed subdivision, as shown on **Schedule 3**, which includes a total of 340 residential units.

RECOMMENDATION

"THAT Report 10-86 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment applying to property municipally known as 150 Eastview Road, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, BE RECEIVED; and

THAT the application by J.L. Cox Planning Consultants Limited on behalf of Guelph Grangehill Developments Limited for approval of a Proposed Draft Plan of Residential Subdivision, as shown on Schedule 3, applying to property municipally known as 150 Eastview Road, and legally described as Part Lot 3, Concession 5, Div 'C', City of Guelph, BE APPROVED, subject to the conditions outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-86 dated December 13, 2010; and

THAT the application by J.L. Cox Planning Consultants on behalf of Guelph Grangehill Developments Limited for a Zoning Bylaw Amendment from the UR (Urban Reserve) Zone to the R.1D (Single Detached Residential) Zone, the R.2 (Residential Duplex/Semi-Detached) Zone, the R.3B (On-street Townhouse) Zone, a Specialized R.3B-? (On-street Townhouse) Zone, a Specialized R.4A-? (Residential Apartment) Zone, the P.2 (Neighbourhood Park) Zone, the P.1 (Conservation Land)

Zone and the WL (Wetland) Zone affecting the property municipally known as 150 Eastview Road, and legally described as Part Lot 3, Concession 5, Div 'C', City of Guelph, BE APPROVED in the form outlined in Schedule 2 of the Planning, Engineering and Environmental Services Report 10-86 dated December 13, 2010; and

THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 150 Eastview Road (File ZC0703) as set out in Report 10-86 from Planning, Engineering and Environmental Services dated December 13, 2010."

BACKGROUND

Application History

A summary of the application process to date is provided below:

- **January 11, 2007** - Original application was received
- **January 31, 2007** – Application deemed complete
- **February 14, 2007** - Environmental Advisory Committee (EAC) meeting held where Environmental Impact Study (EIS) submitted in conjunction with original application was supported
- **March 21, 2007** - Initial subdivision proposal (see **Schedule 4**) circulated to area residents and agencies on for review and comment
- **September, 2009** - Revised draft plan (see Schedule 5) received
- **December 7, 2009** - Statutory Public Meeting held by City Council (Council received staff information Report 09-91 that provided background information on this application)
- **August, 2010** - Current draft plan of subdivision proposal (see **Schedule 3**) was received following revisions to earlier plan that was presented at the Public Meeting.
- **November 22, 2010** - Notice of Decision Meeting to be held at Council on December 13, 2010 circulated
- **December 13, 2010** - Decision meeting at Council, where the staff recommendation on the draft plan of subdivision and associated zoning by-law amendment is considered by Council

Revisions to Draft Plan of Subdivision Proposal

The applicant's current overall draft plan of subdivision proposal, shown on **Schedule 3**, has incorporated minor revisions from the previous draft plan proposal

that was presented at the December 7, 2009 Public Meeting (see previous plan on **Schedule 5**). These revisions include:

- A shift of the park to the east to abut the proposed stormwater management facility, incorporating access to the stormwater block and the pedestrian trail system along the northern edge of the proposed development;
- Removal of the walkway block from Street A to serve as a potential future connection to the adjacent lands to the west;
- Removal of the cul-de-sac at the northeast portion of the plan;
- Removal of the two street stubs adjacent to Eastview Road through the revised road network that connects Street D to Street A; and
- Reconfiguration of the apartment block to provide frontage along Street D with adjacent on-street townhouses (Blocks 114 to 116) relocated to front onto Street C.

Location
The subject site is a 19.7 hectare parcel located north of the intersection of Eastview Road and Starwood Drive (see Location Map on **Schedule 1**). Adjacent land uses include the future Eastview Community Park to the east, a woodlot and wetland area to the north and open space and an existing single detached dwelling along Eastview Road to the west.

Official Plan Designation
The existing Official Plan land use designations that apply to the subject lands are "General Residential" and "Core Greenlands" with the "Non-Core Greenlands Overlay" also applying to a portion of the property. The "Core Greenlands" designation and Non-Core Greenlands Overlay" apply to portions of the Provincially significant Guelph Northeast Wetland Complex and other natural areas that are located on the northerly half of the subject property. The Official Plan designations and relevant policies are included in **Schedule 7**.

Existing Zoning
The subject lands are zoned Urban Reserve (UR) Zone and Wetland (WL) Zone in the City of Guelph Zoning By-law.

REPORT

Description of Draft Plan of Subdivision Proposal
The proposed draft plan of subdivision and associated details are included in **Schedule 3**. The draft plan includes a total of 340 residential units, consisting of 93 single detached dwellings, 38 semi-detached units, 110 townhouse units and 99 apartment units. An apartment block with a total of 99 units is proposed adjacent to Eastview Road at the southeast corner of the plan. The townhouses to the south of Street D will be designed to provide street facing units along the frontage of Eastview Road with detached rear garages and access provided from Street D. A conceptual design of these townhouse units along Eastview Road is illustrated on **Schedule 8**. A walkway block (Block 134) is also proposed directly west of the

apartment block to provide pedestrian access from Eastview Road to Street D within the subdivision.

The entrance to the apartment block is proposed from the adjacent future entrance to the Eastview Community Park that will be a properly designed public road and also serve as the eastern access to the subdivision. There will be no direct driveway access from Eastview Road to any proposed residential unit within the subdivision plan.

Residential development is proposed on 10.4 hectares of the entire property, representing approximately 54% of the southern portion of the subject site. The northerly 9.3 hectares of the site contains portions of the provincially significant wetland, as well as other natural features that are not proposed to be developed. A stormwater management facility is also included within this large open space block (Block 132) directly north of the proposed residential development. In addition, the draft plan includes a 0.25 hectare parkette (Block 131) at the northwest corner of the site.

Based on the "Places to Grow" density calculation, this overall subdivision represents approximately 81 persons per hectare.

The proposed public road network to the draft plan incorporates two accesses from Eastview Road. The western access to the site is provided through the northerly extension of Starwood Drive (Street A). The second access is proposed at the existing location of the access road to the former Eastview Landfill site. This access will be reconstructed as a public street and also serve as an entrance to the future Eastview Community Park. The location of this future public road abuts the eastern boundary of the subject lands outside the property boundary of the proposed plan and is aligned with the intersection of Eastview Road and Summit Ridge Drive to the south.

In support of this application, the developer has submitted the following reports and information:

1. Grangehill Estates Subdivision, Phase 7 Functional Servicing Report. Prepared by: Stantec Consulting Ltd.
   Dated: December, 2006

2. Grangehill Estates Subdivision, Phase 7 Preliminary Stormwater Management Report. Prepared by: Stantec Consulting Ltd.
   Dated: December, 2006

3. Environmental Impact Study (Guelph Grangehill Phase 7)
   Prepared by: Dougan & Associates
   Dated: December, 2006

4. Traffic Impact Study (Grangehill Estates Subdivision, Phase 7)
   Prepared by: Richardson Foster
   Dated: May, 2010

Description of Proposed Zoning Bylaw Amendment
To implement the proposed draft plan of subdivision, the owner wishes to rezone the subject property from the current Urban Reserve (UR) Zone to the R.1D (Single Detached Residential) Zone, the R.2 (Residential Duplex/Semi-Detached) Zone, the R.3B (On-street Townhouse Zone), a R.3B-? (Specialized On-Street Townhouse) Zone, a R.4A-? (Specialized General Apartment) Zone, the P.2 (Neighbourhood Park) Zone, the P.1 (Conservation Land) Zone and the WL (Wetland Zone).

The WL (Wetland) Zone would apply to the established provincially significant wetland area at the most northerly portion of the site and the P.1 (Conservation Land) Zone would apply to the open space and natural areas surrounding this wetland area. The proposed stormwater management facility would also be within this P.1 Zone.

The proposed Specialized R.3B-? (On-Street Townhouse) Zone will provide specialized regulations to address the development of the on-street townhouses along Eastview Road (Blocks 126 to 129). Specialized zoning regulations are proposed to accommodate the street fronting townhouse units along Eastview Road with a minimum front yard setback of 4.5 metres and a maximum front yard setback of 6 metres. No access to parking for the dwelling units would be allowed from Eastview Road. Access to parking would be provided to the rear from Street D, which could be incorporated within a detached garage. A conceptual design for these townhouse units is provided in **Schedule 8**. A specialized zoning regulation is also included to ensure that the private amenity area for each townhouse unit is sized appropriately (minimum of 20 square metres). A maximum building coverage of 50% is also proposed within the Specialized R.3B-? Zone, increased from the standard R.3B Zone regulation of 40% to implement added flexibility for the design of the townhouse units and garages.

The proposed Specialized R.4A-? (General Apartment) Zone is proposed to ensure that development within the apartment block occurs at a minimum residential density of 90 units per hectare and a maximum residential density of 100 units per hectare. This equates to a minimum of 89 residential units and a maximum of 99 residential units within the proposed apartment block. The applicant is currently proposing a 99 unit apartment building.

The proposed zoning concept and zoning details are provided in **Schedule 6**.

Planning Issues
There were no public concerns with the application expressed at the December 7, 2009 Public Meeting. A letter was received from the adjacent property owner to the west at 82 Eastview Road (see circulation comments in **Schedule 11**) who raised the following issues:

- The potential for trespassing due to the location of the proposed park and walkway block adjacent to their property (as shown in the previous plan on **Schedule 5**);
- The exclusion of a potential public road extension from the proposed plan to the westerly property line (as shown within the original proposal shown on **Schedule 4**);
- The impacts of the proposed lots backing onto their property and the need to ensure fencing is provided; and
- Ensuring stormwater runoff is properly addressed.

Park Location

Revisions incorporated into the current draft plan proposal on **Schedule 3** have addressed the issues related to the location of the park, as the park has been shifted to the east away from the property line and is now adjacent to the stormwater management block. This revised park location also provides much more street frontage and exposure for the park. The walkway block shown within the previous plan has also been removed from the current subdivision proposal.

Public Road Extension

The opportunity to provide a future public road extension to the west was another issue examined through the review of this subdivision application. The original subdivision proposal, shown on **Schedule 4**, included a street stub at the northwest corner of the plan as a potential public road connection to the abutting properties to the west. However, this street stub is no longer included within the current proposal on **Schedule 3**, based on the limited benefit a public street connection would provide in this location and the constraints identified with its potential implementation. The presence of the wetland features to the west and north of the subject lands would pose a significant constraint in accommodating an appropriate public street extension and may limit opportunities to design and implement an appropriate form of development for these abutting lands. **Schedule 7** includes an illustration of these adjacent natural features that are designated as "Core Greenlands" in the Official Plan in relation to the proposed plan.

Appropriate access for future development opportunities on these adjacent lands can be provided from Eastview Road, with a potential and logical access provided as a northerly extension aligned with Auden Road. This would be reviewed as part of any future planning application affecting these adjacent lands in association with the necessary environmental review to determine the extent of the developable area. The community trail system that will be implemented along the edge of the surrounding natural and open space features will provide excellent pedestrian connectivity for the entire area.

Fencing and Stormwater Runoff

The issues regarding fencing and stormwater runoff are addressed through the recommended conditions of draft plan approval. Condition 33 in **Schedule 2** will require the Developer to provide fencing along the property line with the adjacent property to the west at 82 Eastview Road. The details of this fencing, to be

provided in association with tree protection measures, will be thoroughly reviewed and implemented through the Developer's Environmental Implementation Report (EIR) requirement, as outlined in Condition 11 of **Schedule 2**. Condition 10 in **Schedule 2** will require the Developer to submit a detailed stormwater management report and plans to ensure that stormwater is controlled appropriately on-site without impact to neighbouring properties.

The Planning Analysis section of the report is included in **Schedule 12** and provides Planning staff's response to all issues identified through the development review process, which include additional issues raised by Council at the December 7, 2009 Public Meeting.

Staff Recommendation
Planning staff are satisfied that the issues have been resolved and support the proposed draft plan of subdivision application and associated zoning by-law amendment in accordance with the regulations and conditions in **Schedule 2** of this report. Staff are recommending draft plan approval, based on the subdivision proposal shown on **Schedule 3**.

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

FINANCIAL IMPLICATIONS
Based on a maximum of 340 residential units:

Population Projections

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

Projected Taxation

- $1,115,400 per year (estimated at $3,300 per unit)

Development Charges

- $6,142,795 (Residential)

DEPARTMENTAL CONSULTATION
A summary of the public and agency comments received during the review of the application are outlined on **Schedule 13**.

ATTACHMENTS
Schedule 1 – Location Map
Schedule 2 – Regulations and Conditions
Schedule 3 – Proposed Draft Plan of Subdivision
Schedule 4 – Original Draft Plan of Subdivision Proposal (January, 2007)
Schedule 5 – Draft Plan presented at December 7, 2009 Public Meeting
Schedule 6 – Proposed Zoning

Schedule 7 – Official Plan Designations and Relevant Policies
Schedule 8 – Conceptual Designs for Townhouse units along Eastview Road
Schedule 9 – Conceptual Design of Surrounding Trail System

Schedule 10 – Applicant's proposed Phasing Plan for Registration
Schedule 11 – Staff's Response to District Energy System Feasibility
Schedule 12 – Planning Analysis
Schedule 13 – Circulation Comments
Schedule 14 – Public Notification Summary

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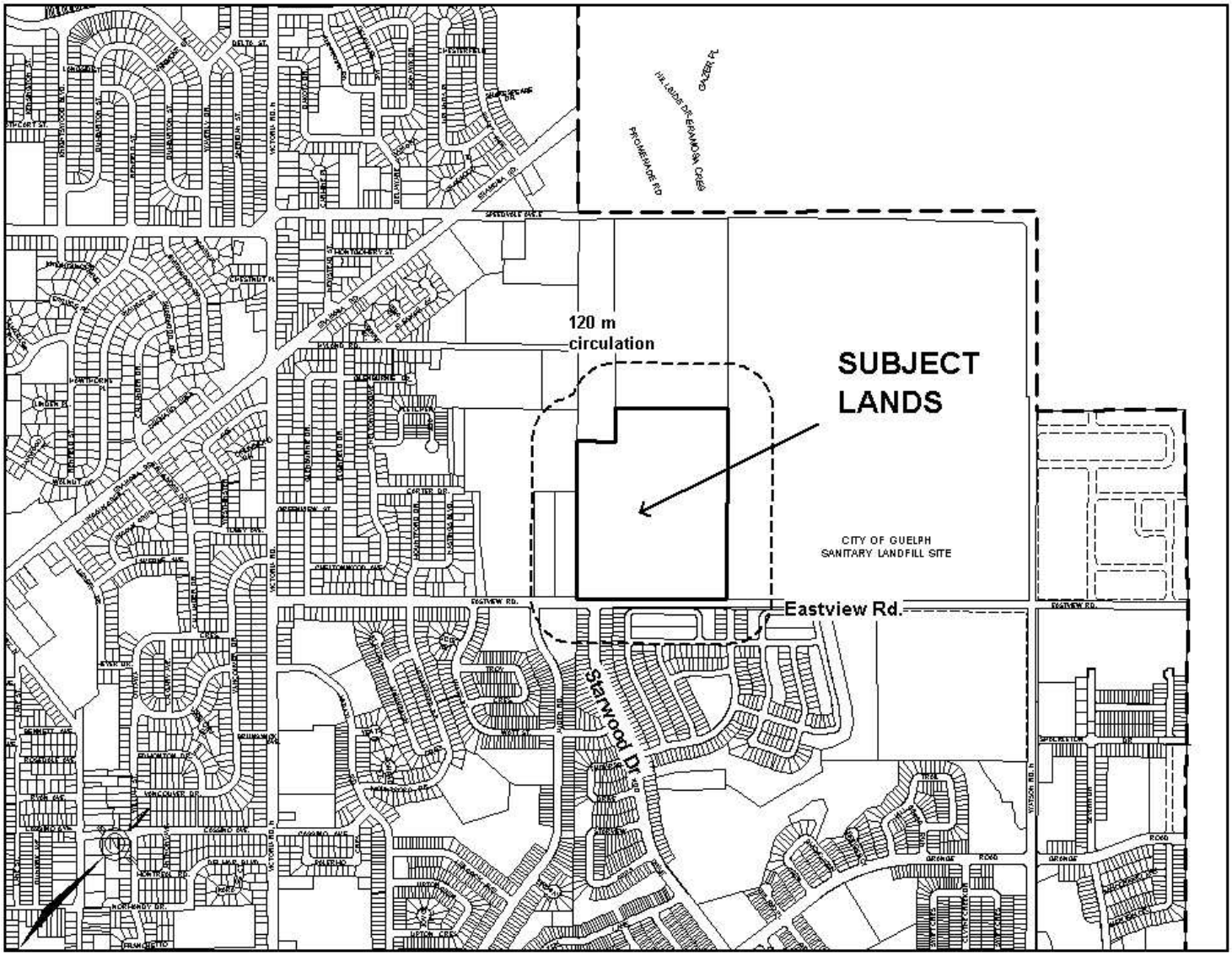
SCHEDULE 1

Location Map



SCHEDULE 2
Regulations and Conditions

PART A

"THAT the application by J.L. Cox Planning Consultants Inc. on behalf of Guelph Grangehill Developments Limited for a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment (23T07501/ZC0703) applying to property municipally known as 150 Eastview Road, and legally described as Part of Lot 3, Concession 5, Division C, City of Guelph, to permit 340 dwelling units, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by J.L. Cox Planning Consultants Inc., Project No. 0517, dated April 20, 2010, to include the development of 340 residential units, as shown on **Schedule 3**, 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 Inspector in accordance with City of Guelph Bylaw (2010) - 19058 prior to any grading, tree removal or construction on the site.

3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer.

4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.

5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.

6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.

7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.

8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.

9. The Developer shall provide a qualified **environmental inspector**, satisfactory to the General Manager of Planning and Building Services to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City.

10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.

11. The Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). Such a report will include a monitoring program to assess the performance of the storm water management facilities. Furthermore, the report shall address the information and implementation process to get details to the homeowners concerning the storm sewer and storm water management process. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.

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 acknowledges that the City does not allow **retaining walls higher than 1.0 metres** abutting existing residential properties without the permission of the City Engineer.

14. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.

15. The Developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

Conditions to be met prior to execution of subdivision agreement

16. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.

17. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.

18. With the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the municipal services and road for the external access road through the City former landfill lands. This also includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.

19. The Developer shall be responsible for:

    a. A share of the cost of the existing 300mm diameter Eastview Road watermain to the satisfaction of the City Engineer;
    b. A share of the actual cost of the future reconstruction of Eastview Road to the satisfaction of the City Engineer;
    c. All costs associated with the design and construction of traffic signals at the intersection of Street A/Eastview Road/Starwood Drive to the satisfaction of the City Engineer;

20. The Developer agrees that no development will be permitted on the lands unless the grading plan prepared for the subdivision and approved by the City Engineer indicates that the maximum proposed elevation on the lots and blocks to be developed is less than an elevation of 350 metres or until the City Engineer confirms that adequate water pressure is available to service the lands. All costs associated with location, design, construction, operation and maintenance of a water booster pump system will be the responsibility of the Developer.

21. The Developer shall be responsible for:

    a. All costs associated with the relocation of any groundwater monitoring wells to the satisfaction of the City Solid Waste Services;
    b. All costs associated with the mitigation of all noises that exceed residential standards (NPC-205 guidelines of 45dBA limit) from the operation of the flare and cogeneration plant to the satisfaction of Solid Waste Services;
    c. The annual costs of the noise assessment to the satisfaction of Solid Waste Services until 2 years after 75% build out of the development;
    d. All costs associated with the installation of a fence with an electronic gate to prevent unauthorized access to the closed landfill to the satisfaction of Solid Waste Services.
    e. all costs associated with the design and construction of the external road across the landfill lands including, but not limited to, hydro relocation and removal and disposal of any waste that is encountered;
    f. all costs associated with the removal and disposal of any waste that is encountered during site grading on the landfill lands.

22. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.

23. The Developer shall submit an updated **Traffic Impact Study** to the satisfaction of the City Engineer and 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.

24. 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.

25. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City.

26. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.

27. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.

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

29. 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.

30. The Developer shall **phase the subdivision** to the satisfaction of the City of Guelph. Such phasing shall conform to the current Development Priorities Plan.

31. The Developer shall submit a **Noise Impact Study** to the satisfaction of the General Manager of Planning and Building Services addressing the potential noise impacts from both Eastview Road and the closed landfill operations.

32. The Developer shall install, at no cost to the City, **chain link fencing,** adjacent to the rear of Lots 19-48. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the General Manager of Planning and Building Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.

33. The Developer shall install a fence along any lot or block abutting existing residential property to the satisfaction of the **General Manager of Planning and Building Services**.

34. The Developer shall dedicate **Block 131** as parkland in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007-18225) or any successor thereof. It is further understood that the shortfall in parkland dedication shall be subtracted from the park dedication credit which is held by the Developer from the prior approvals of Subdivision 23T-91007.

35. The Developer shall be responsible for the cost of design and development of the **"Basic Park Development"** according to the City of Guelph's current "Specifications for Basic Parkland Development", which includes clearing, grubbing, site grading and surface drainage, topsoil and sodding of the Park block dedicated to the City to the satisfaction of the Executive Director of Planning, Engineering and Environmental Services. The Developer

shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Basic Park Development to the satisfaction of the Executive Director of Planning, Engineering and Environmental Services.

36. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings for approval by the City and the administration of the construction contract up to the end of the warrantee period by a Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Planning, Engineering and Environmental 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 Executive Director of Planning, Engineering and Environmental Services.

37. 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 Executive Director of Planning, Engineering and Environmental Services. The Developer shall provide the City with **cash or letter of credit** to cover the City's estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Executive Director of Planning, Engineering and Environmental Services.

38. 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 Executive Director of Planning, Engineering and Environmental Services and the City Engineer. This shall include the submission of drawings for approval and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Planning, Engineering and Environmental Services.

39. The Developer shall be responsible for the design of the **Pedestrian/ Multi-use Trail System** for the Storm Water Management & Open Space Blocks. This shall include identifying the trail system, detailed design including interpretative signage and submitting drawings to be completed by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Planning, Engineering and Environmental Services.

40. The Developer agrees to provide **temporary signage** describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of Park Block 131 and Open Space Block 132, and entrance/exits of trails, to the satisfaction of the General Manager of Planning and Building Services. The signage shall:

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

The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City. The Developer further agrees that the proposed Park Block, Open Space Block, trails and fencing be identified on any marketing or promotional material.

41. The Developer shall provide Planning, Engineering and Environmental Services with a **digital file** in AutoCAD - DWG format containing the as built information: parcel fabric, street network, grades and contours and landscaping of the park, trails, open space and storm water management blocks.

Conditions to be met prior to registration of the plan

42. 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.

43. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to 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, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.

44. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
    a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the 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.

45. 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.

46. The Developer shall convey to the City all lands required for **Storm Water Management facilities** at the expense of the Developer, including Block 132.

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

48. That the **external road allowance**, shown as “Proposed Access to Eastview Road” on the draft plan, be designed and dedicated at the expense of the Developer as public highway to the satisfaction of the City.

49. 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.

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

51. The Developer shall pay **development charges** to the City in accordance with By-law Number (2009) - 18729, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.

52. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording “For the Zoning of all lands abutting the subdivision, inquiries should be directed to Planning, Engineering and Environmental Services, City Hall”. Further, the signs shall be resistant to weathering and vandalism.

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

    a. “Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard.”

    b. “Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling.”

    c. “Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Eastview Road at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages.”

    d. “Purchasers and/or tenants of all lots or units are advised that Eastview Road may be used as a truck route.”

    e. “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."

f. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the walkway block, park block and stormwater management block will be demarcated in accordance with the City of Guelph Property Demarcation Policy."

g. "Purchasers and/or tenants of advised that the Storm water Management Block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed for public walkways, bikeways and trails."

h. "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."

i. "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sports fields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."

j. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, storm water management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers in locations adjacent to Block 132."

k. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City."

l. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Block 132 and Lots 18-56 that abut these Blocks and Lots."

m. "Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Block 132 and Lots 18-56 and that public access to this trail will occur between Park Block 131 and Lot 20 and between Lot 44 and 45."

54. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:

a) A detailed storm water management report and plans in accordance with the 2003 Ministry of Environment and Energy Report entitled, "Stormwater Management Practices Planning and Design Manual".

b) An erosion and siltation control plan in accordance with the Grand River Conservation Authority's 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, including a monitoring and maintenance plan and provisions for timely revegetation of the site.

c) Detailed lot grading and drainage plans

55. That the subdivision agreement between the owners and the municipality contain provisions for:
    a) The completion and maintenance of the works in accordance with the approved plans and reports contained in condition 54.
    b) The maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction.

56. That the owners apply for and obtain any required permission for **works within the regulated area** of the provincially significant Guelph Northeast Wetland Complex from the Grand River Conservation Authority under Ontario Regulation 150/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

57. 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.

58. 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.

59. 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.

60. 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.**

61. 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 Executive Director of Planning, Engineering and Environmental Services that there are no restrictive covenants which restrict the use of clotheslines.

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

62. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.

63. 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.

64. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.

65. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane**) in the plan in accordance with applicable provisions contained in the Ontario Building Code.

66. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to the Energuide 80 standard that promotes **energy efficiency standards** in order to comply with the Community Energy Initiative, to the satisfaction of the City.

AGENCY CONDITIONS:

67. 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.

68. 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.

69. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export of DXF format containing the following information: parcel fabric and street network.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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 68 has been satisfied.

75. 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 69, 70 and 71 have been satisfied.

76. 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 49 and 58 have been satisfied.

77. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 72 has been satisfied.

78. That prior to the registration of all, or any portion of, the plan, the **Grand River Conservation Authority** shall advise the City in writing, how Conditions 54 and 56 have been satisfied."

AND

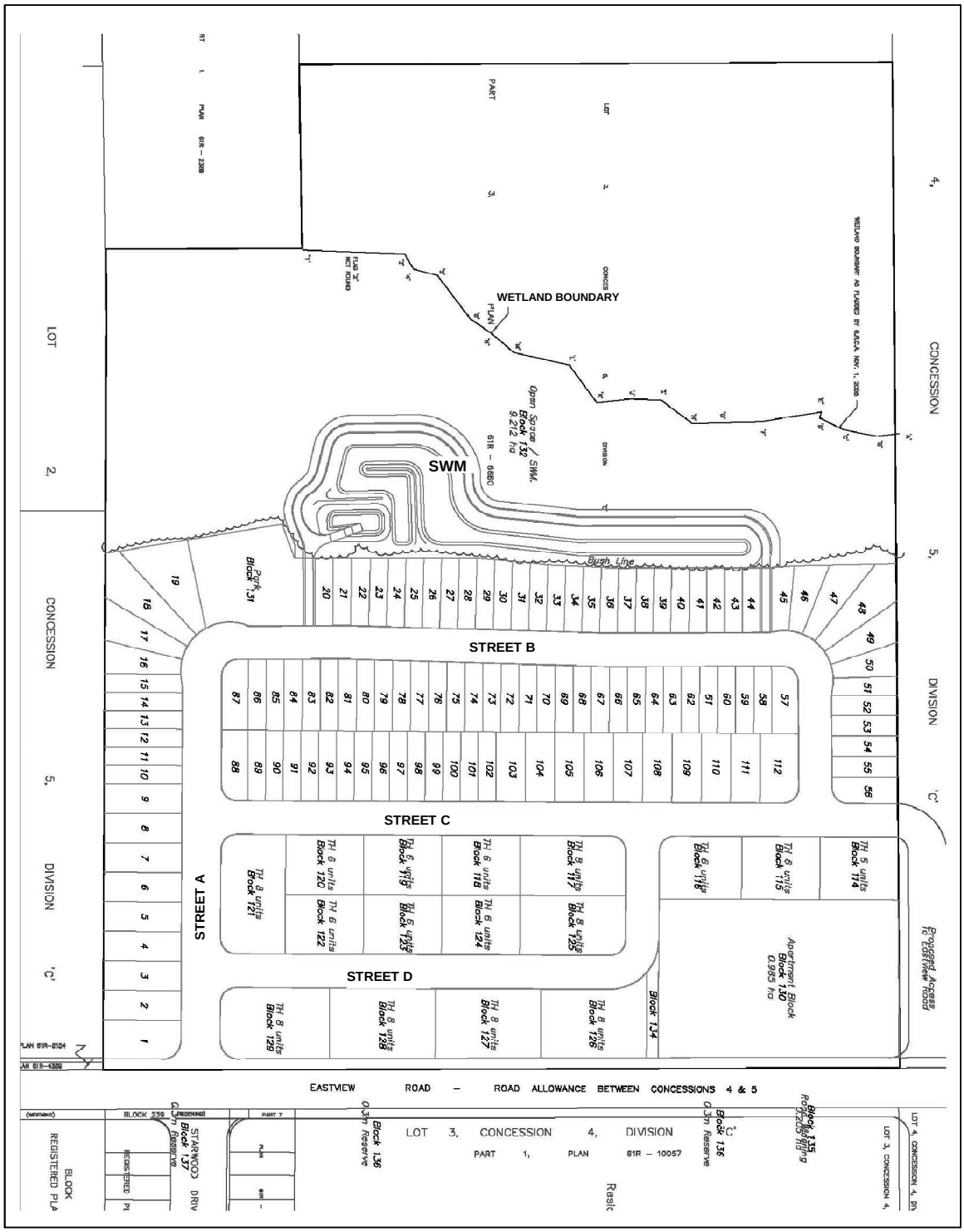
PART B

"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 change the subject lands from the current Urban Reserve UR Zone to the following zoning categories as follows:

LOTS/BLOCKS	LAND USE	ZONING
Lots 10-102	**Single Detached Residential** Min Lot Frontage – 9 m	R.1D
Lots 1-9, 103-112	**Semi-Detached Residential** Min Lot Frontage – 7.5 m	R.2
Blocks 114-125	On-Street Townhouse Min Lot Frontage – 6 m per unit	R.3B
126-129	**Specialized On-Street Townhouse** Min Front Yard Setback from Eastview Road	R.3B-?

	4.5 metres Maximum Front Yard Setback from Eastview Road 6 metres Access to Parking – prohibited from Eastview Road Maximum Building Coverage – 50% Minimum Private Amenity Area – 20 square metres per dwelling unit	
Block 130	**Apartment** Minimum Lot Frontage – 15m Minimum Density – 90 units/ha Maximum Density – 100 units/ha	R.4A-?
Block 131	**Neighbourhood Park**	P.2
Block 132, 134	**Open Space, Pedestrian Connection**	P.1
Block 132	**Wetland**	WL

SCHEDULE 3
Proposed Draft Plan of Subdivision



SCHEDULE 3 (continued)
Proposed Draft of Subdivision Details

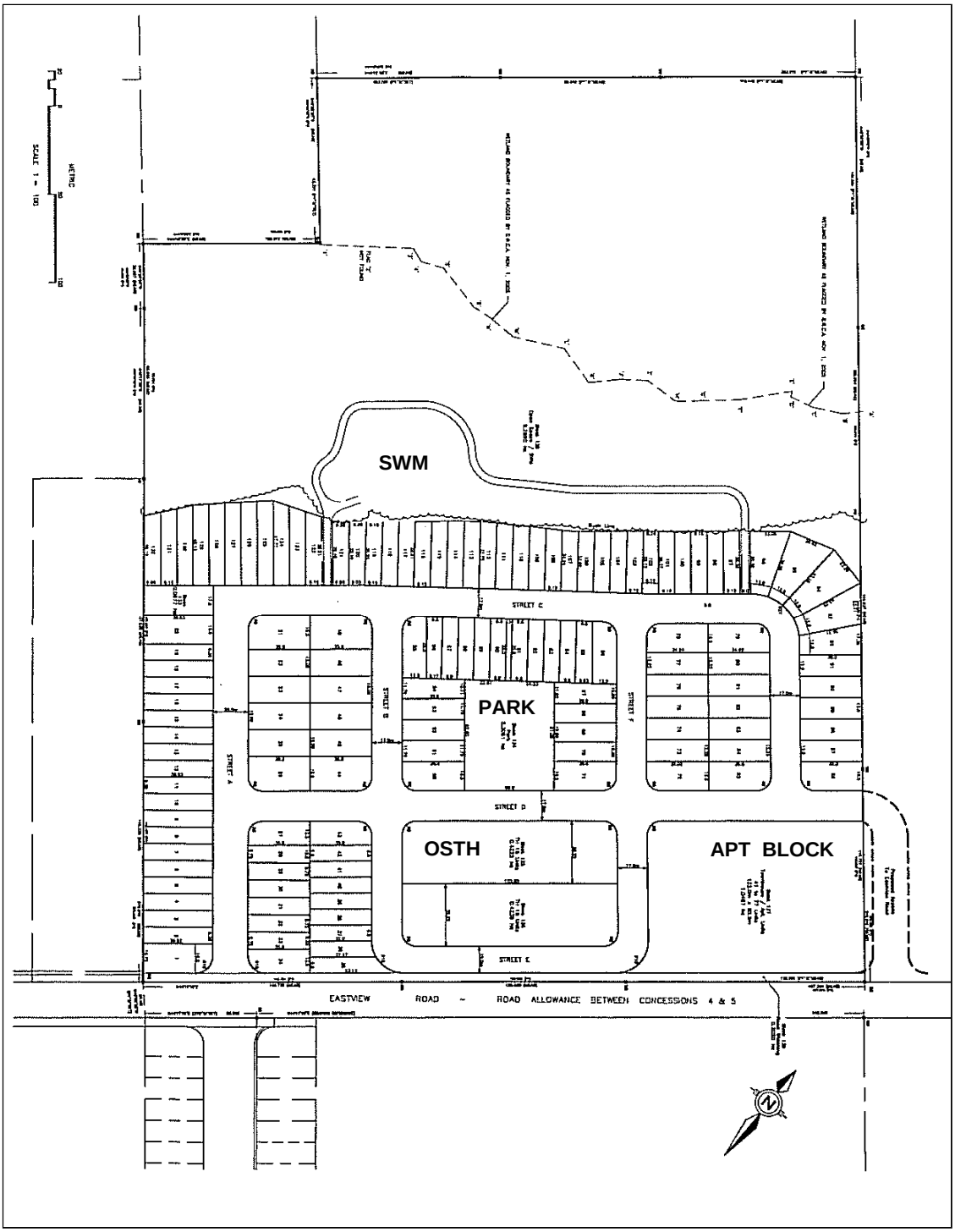
LAND USE SCHEDULE

LOTS/BLOCKS	LAND USE	AREA
Lots 10-102	Single-Detached Residential	3.340 hectares
Lots 1-9, 103-112	Semi-Detached Residential	1.098 hectares
Blocks 114-129	On-Street Townhouses	2.418 hectares
Block 130	Apartment	0.985 hectares
Block 131	Park	0.250 hectares
Block 132	Open Space/Stormwater Management	9.212 hectares
Block 134	Walkway	0.027 hectares
Blocks 136-137	Road Reserves	0.012 hectares
Streets A-D, Block 135	Roads and Widenings	2.364 hectares
TOTAL AREA		**19.706 hectares**

DWELLING UNIT BREAKDOWN

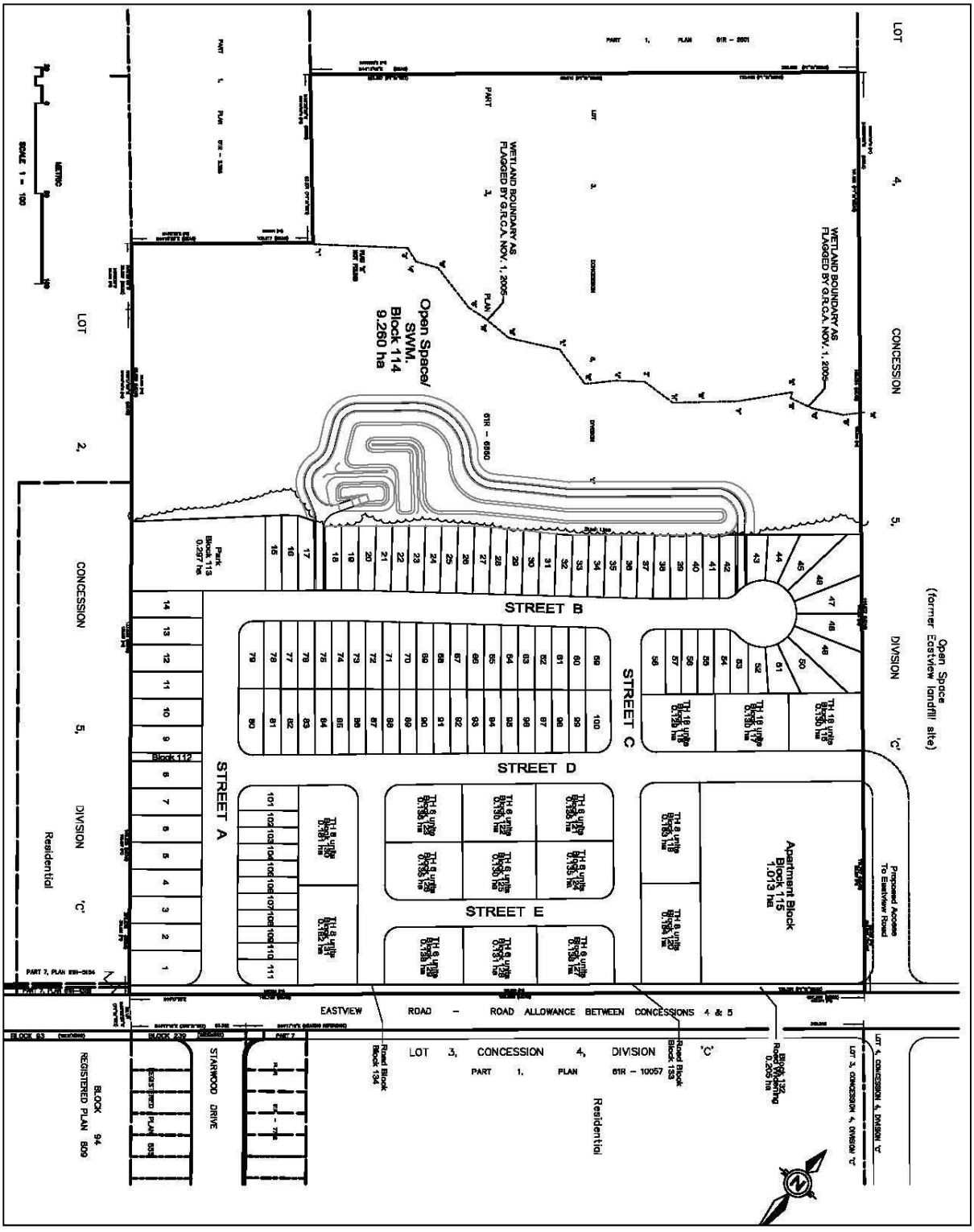
LOTS/ BLOCKS	UNIT TYPE	UNITS
Lots 10-102	Single-detached dwelling	93
Lots 1-9, 103-112	Semi-detached dwelling	38
Blocks 114-129	Townhouse	110
Block 130	Apartment units	99
TOTAL UNITS		**340**

SCHEDULE 4
Original Draft Plan of Subdivision Proposal submitted January 11, 2007



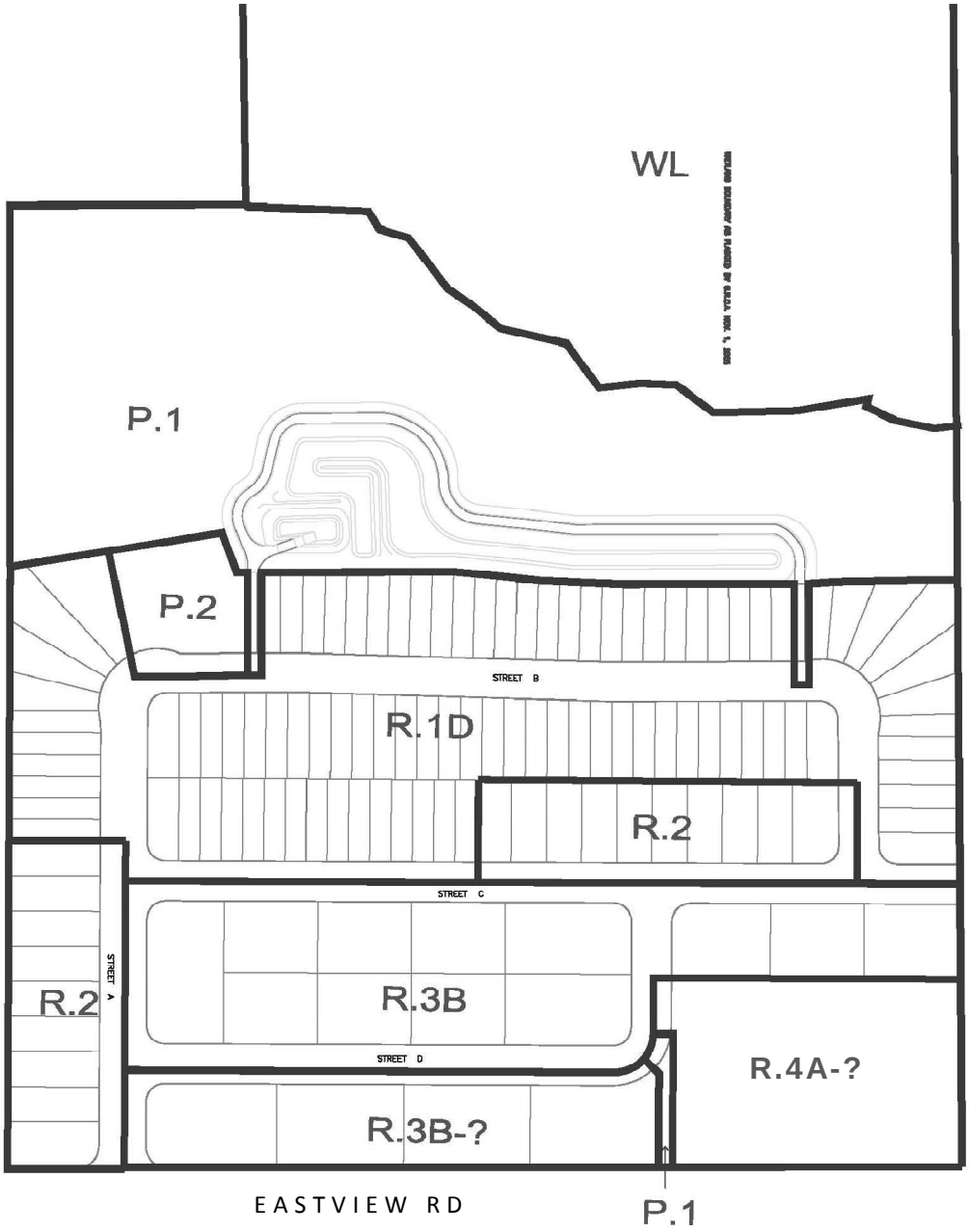
SCHEDULE 5

Proposed Draft Plan of Subdivision presented at Public Meeting held December 7, 2009



SCHEDULE 6

Proposed Zoning



SCHEDULE 6 (continued)

Proposed Zoning Details

LOTS/ BLOCKS	UNIT TYPE	ZONING
Lots 10-102	Single-detached dwelling Min. Lot Frontage – 9m	R.1D
Lots 1-9, 103-112	Semi-detached dwelling Min. Lot Frontage – 7.5m	R.2
Blocks 114-125	Townhouse Min. Lot Frontage – 6m	R.3B
Blocks 126-129	Townhouse Min. Lot Frontage – 6m	R.3B-?
Block 130	Apartment units Min. Frontage – 15m	R.4A-?
Block 131	Park	P.2 (Neighbourhood Park)
Block 132, 134	Open Space/Stormwater Management/ Wetland Area	P.1 (Conservation Land) and WL (Wetland)

SCHEDULE 6 (continued)

Proposed Zoning Details

PROPOSED SPECIALIZED R.3B-? ZONE FOR STREET FACING ON-STREET TOWNHOUSES ALONG EASTVIEW ROAD

The zone change will seek a Specialized R.3B-? Zone with the following exceptions or additions to accommodate the street facing townhouses along Eastview Road (Blocks 126-129):

Specialized On-Street Townhouse

Minimum Front Yard Setback from Eastview Road

4.5 metres

Maximum Front Yard Setback from Eastview Road

6 metres

Access to Parking – prohibited from Eastview Road

Maximum Building Coverage – 50%

Minimum Private Amenity Area per dwelling unit – 20 square metres

PROPOSED SPECIALIZED R.4A-? ZONE FOR APARTMENT BLOCK

The zone change will seek a Specialized R.4A-? Zone with the following additions to introduce a minimum and maximum density provision for the apartment block (Block 130):

Specialized General Apartment Zone

Minimum Density

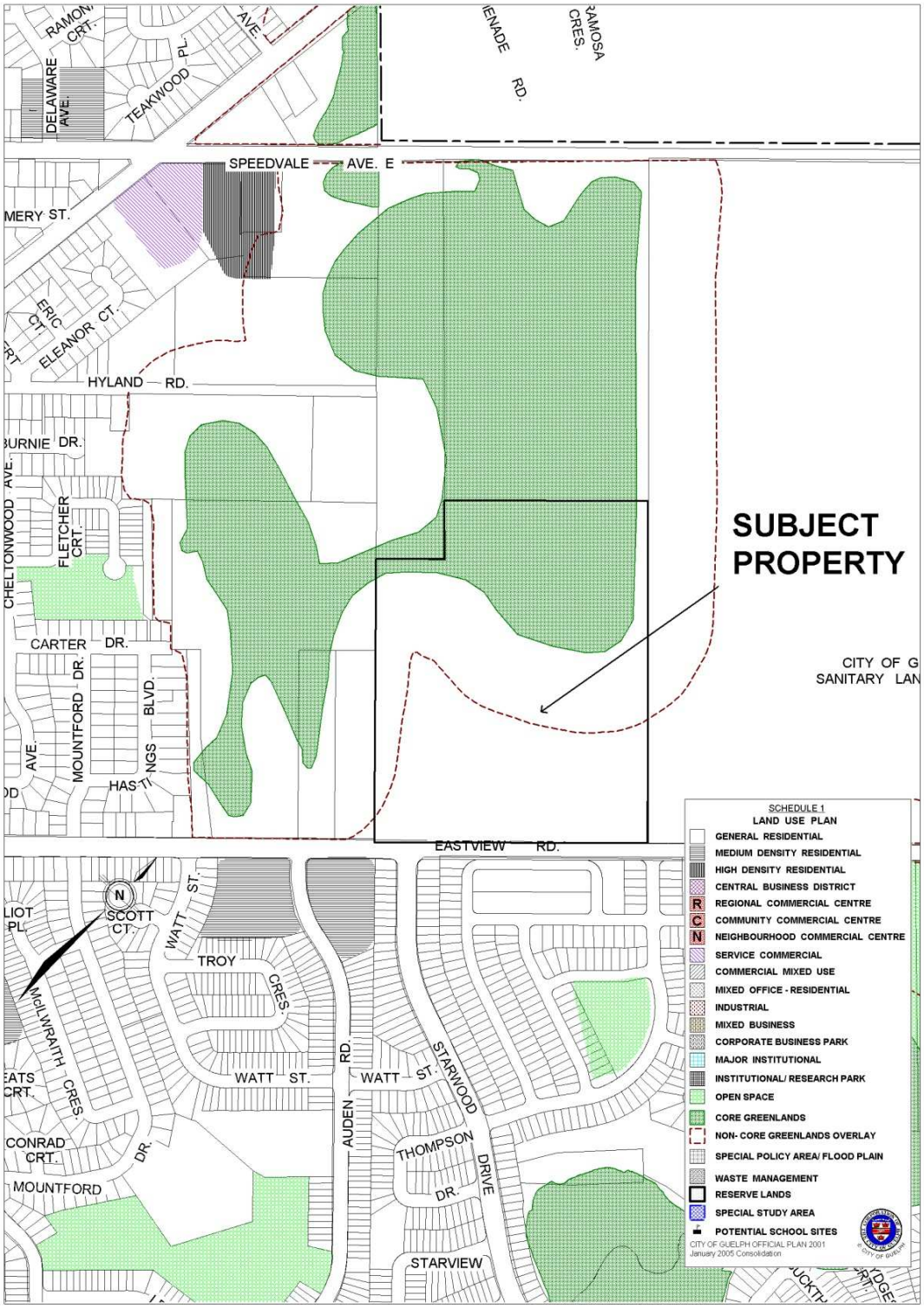
90 units per hectare

Maximum Density

100 units per hectare

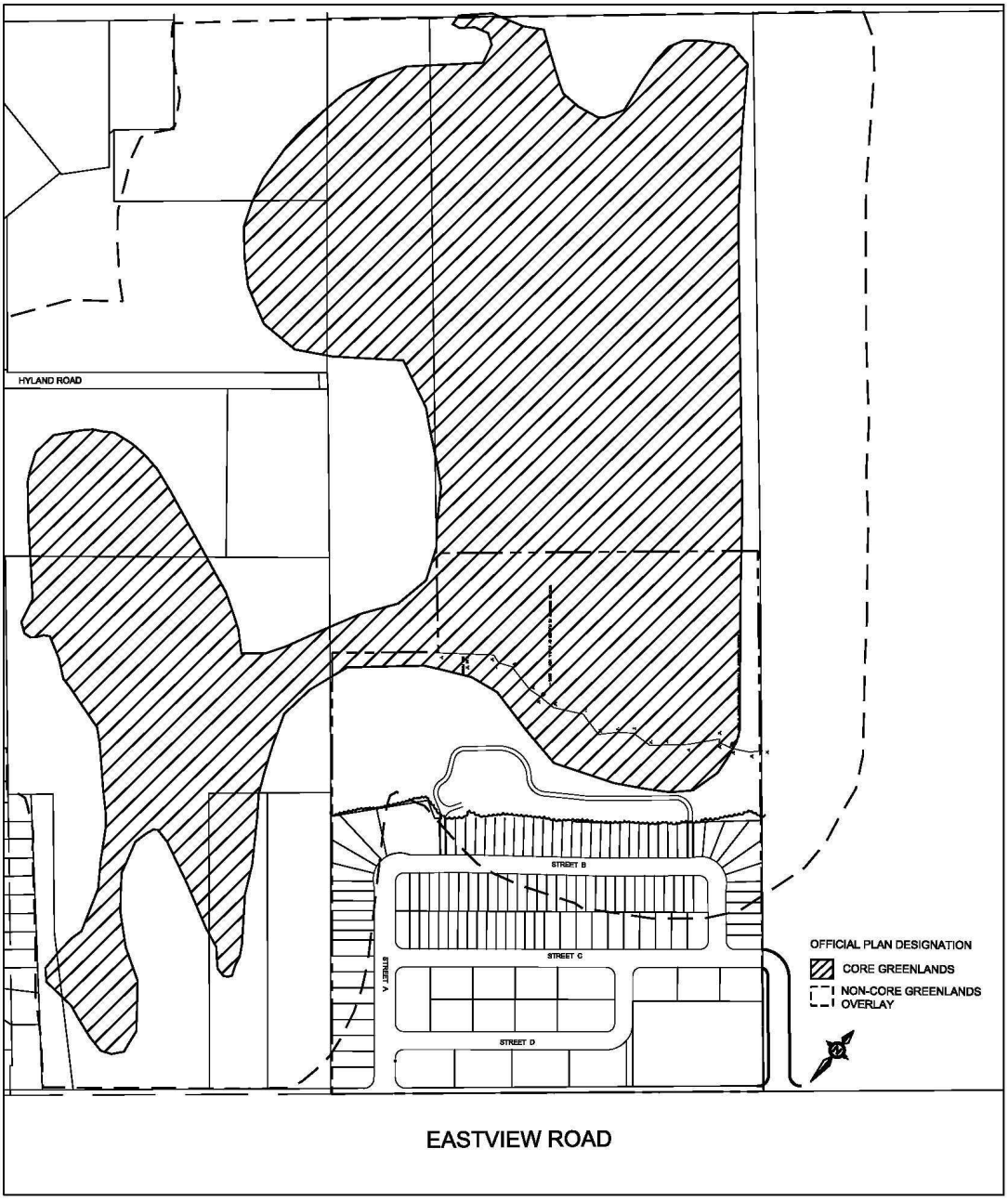
SCHEDULE 7

Existing Official Plan Designations



SCHEDULE 7 (continued)

Existing Official Plan Land Use Designations
(with Proposed Draft Plan shown)



SCHEDULE 7 (continued)

Relevant Official Plan Land Use Designation Policies

'General Residential' Land Use Designation

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

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

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

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

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

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

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

General Residential / Housing Policies

7.2.7 *Multiple unit residential buildings*, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit* housing:

a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;

b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;

c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and

d) That adequate municipal *infrastructure**,*** services and amenity areas for the residents can be provided.

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.

Interpretation Considerations

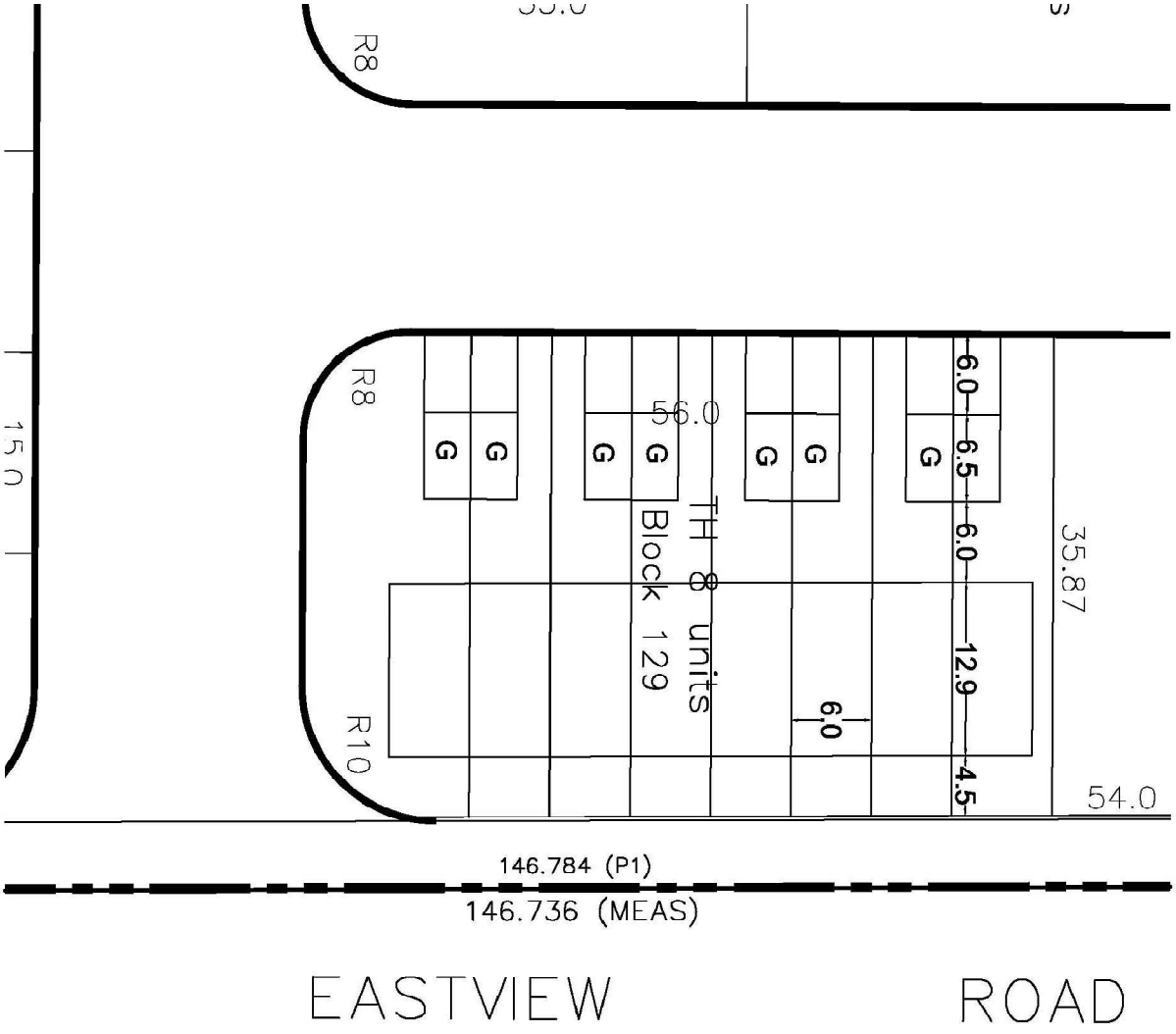
7.13.9 The physical limits of the 'Core Greenlands' designation and Non-Core Greenlands overlay on the various Schedules to this Plan may be subsequently refined by more detailed mapping on individual properties or through the completion of *scoped* and *comprehensive environmental impact studies*. It is intended that, in circumstances where more detailed mapping is available, this Plan will be interpreted as applying to the most recent information available.

7.13.10 The boundaries of the Greenlands System are approximate. The completion of environmental impact studies will be used to determine the exact limits of *development* and areas to be afforded protection. In instances where an approved environmental impact study adjusts the boundaries of the 'Core Greenlands' designation or the Non-Core Greenlands overlay, the land use policies of the adjacent or underlying designation will apply.

SCHEDULE 8

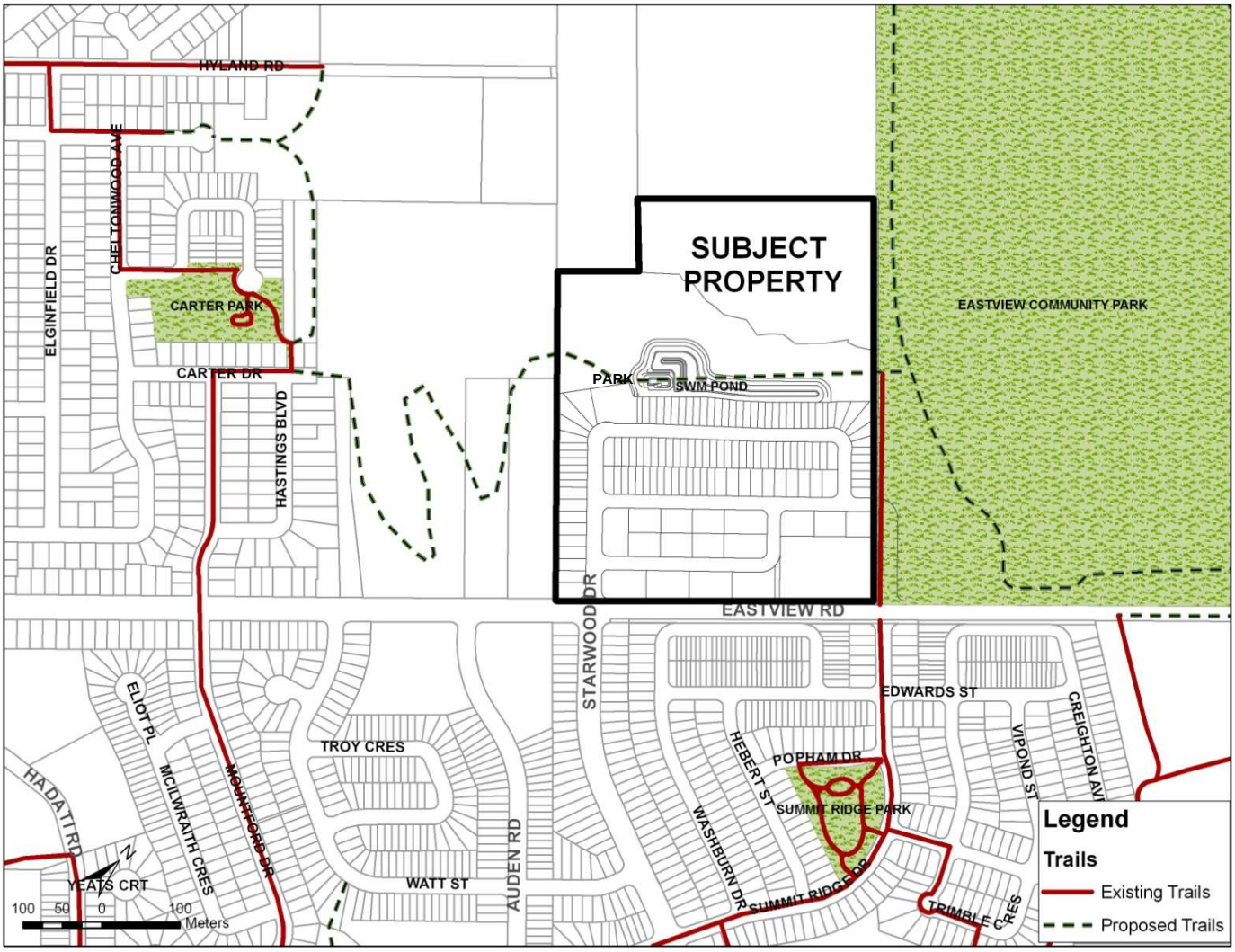
Conceptual Designs for Townhouse Units along Eastview Road

Concept 1



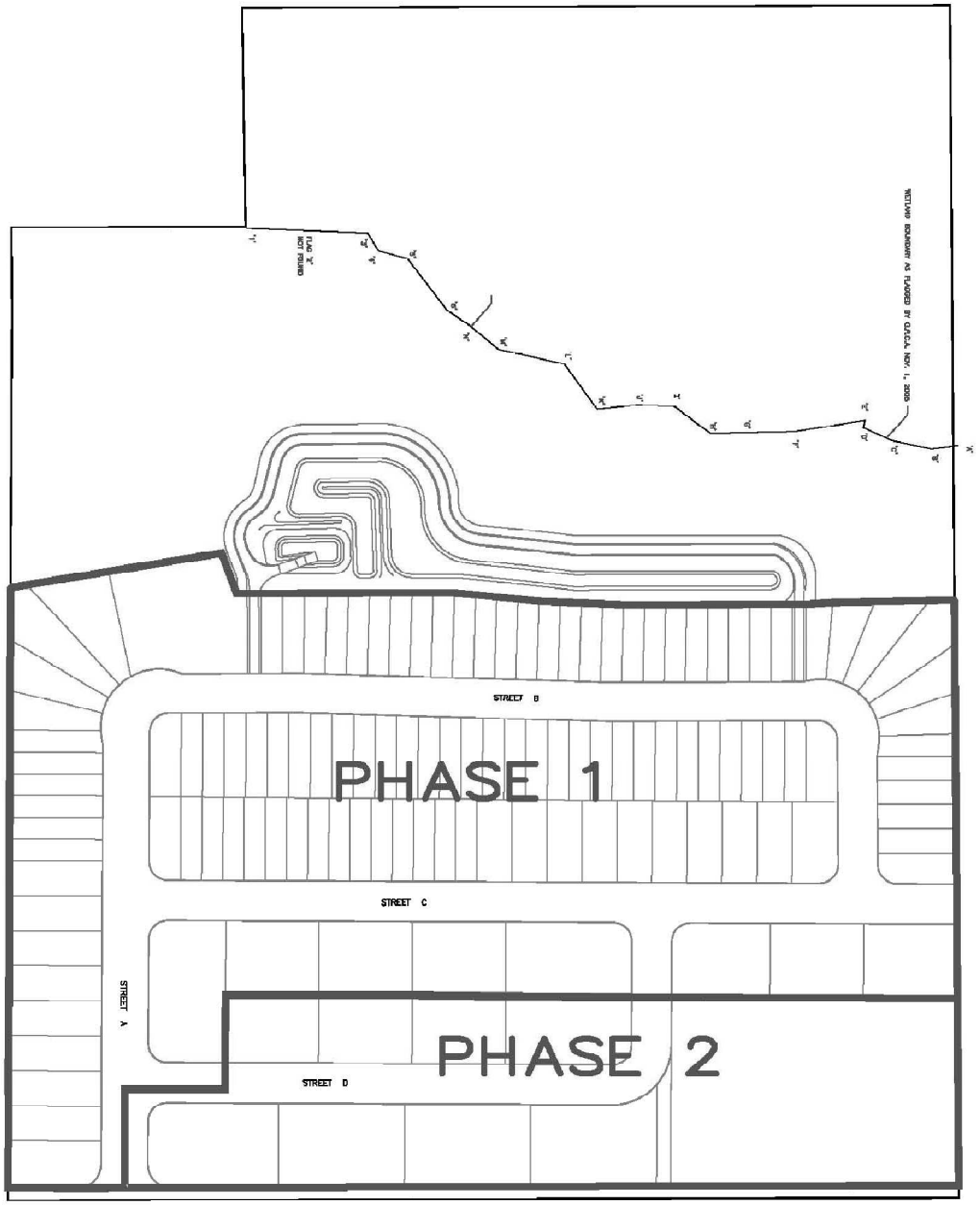
SCHEDULE 9

Conceptual Design of Surrounding Trail Network



SCHEDULE 10

Applicant's Proposed Phasing for Subdivision Registration



SCHEDULE 11

Staff Response to District Energy System Implementation

INTERNAL MEMO

DATE August 30, 2010

TO **Scott Hannah, Manager of Development Planning**

FROM **Rob Kerr, Corporate Manager, Community Energy**

SUBJECT **Grangehill VII and District Energy in the context of the Community Energy Initiative**

This memorandum is to provide clarity regarding the development application process and the applicant's requirement to consider the utilization of district energy, provided by a district energy system potentially linked to thermal energy generated by the nearby Ecotricity plant as a by-product of generating electricity from extracted methane gas at the former site of the Eastview landfill.

In my understanding, there are two main reasons why this issue is currently in discussion among all parties involved. In summary:

1. District energy is a cornerstone of the Community Energy Plan (now the Community Energy Initiative), adopted by Council in April 2007.

2. The Ecotricity plant adjacent to the proposed development does indeed produce thermal heat as a by-product of methane-driven electricity generation that could be used for residential heat in any nearby development.

However, I do not recommend that the City require the Grangehill VII applicant be required to consider district energy in their submissions at this time. This recommendation is strictly focused on district energy and no other energy or sustainability considerations as normally reviewed through the development application process.

The main reasons for my recommendation are as follows:

1. A study was carried out by a consultant for a different development in the area and it indicated development costs in the several millions of dollars for a district energy system. In addition, Council has recently approved a study to determine the reliability and the potential for increasing of the current methane output from the landfill, which has not been as high

as predicted. This has a direct impact on the reliability of the thermal output of the current generation plant.

2. Recently Guelph Hydro completed a comprehensive study of district energy in the City. The study areas were the University, Downtown and the General Hospital District. These areas were chosen for the fact that all have an apparent concentration of demand for thermal energy and some degree of distribution infrastructure. The initial phase of any long term district energy vision is critical in establishing a strong foundation from which to incrementally build an increasingly broadened district energy system. The Eastview area was not considered in the study's scope of work.

3. Ownership: The question of district energy ownership is a complex one and is under investigation as a result of the Guelph Hydro Inc. study. There are several models that have been utilized in the existing district energy systems found in other municipalities and could include various combination of tax-based, utility-based or private sector ownership. Regardless of ownership model, attractive costs and revenue are the biggest risk-assessment concerns of any investor.

4. Regulation: The Ontario Power Authority and related Provincial regulatory bodies are currently assessing district energy as part of the long term strategy to manage the Province's energy infrastructure. However, it will take some time for the Province to provide full clarity on the rules and regulations of developing district energy systems.

5. Timing: The Eastview area does have the general conditions for feasible district energy. There is ongoing development expected in the area and the Eastview site may prove to have potential for a well established source of thermal heat. However, like ownership and regulatory issues, it is extremely difficult to know the timing of all these factors to come together to make district energy available for the applicant or any applicant in the area. A timeline of 15 years is not unlikely.

6. The incremental costs for having a residential development "district-energy ready" are relatively minor. This will remain true far into the future. Given the conservative life expectancy of traditional heating equipment is in the 15 to 20 year range, it may well be that long before district energy is available and the minor investment can be made at that time.

In summary, I do not recommend district energy be contemplated for this specific applicant given my reasons cited above.

Rob Kerr
Corporate Manager, Community Energy

File #23T-07501/ZC0703

SCHEDULE 12

Planning Analysis

Official Plan, Provincial Policy Statement and Places to Grow Conformity
The proposed draft plan conforms to the policies and land use schedules of the Official Plan. The subdivision provides for a range of housing types to meet a variety of housing needs, including opportunities for affordable housing. The draft plan includes the development of single detached, semi-detached, townhouse and apartment residential dwellings in conformity with the corresponding "General Residential" Official Plan designation. Approximately 38 per cent of the total units consist of single detached and semi-detached dwellings and the remaining 62 per cent are multiple dwellings in the form of townhouse and apartment units.

The application is in conformity with the Official Plan that outlines specific criteria for permitting multiple unit residential buildings in the General Residential designation, including building form compatibility, traffic accommodation and local amenity and municipal service availability (see General Residential / Housing Policies in **Schedule 7**). The apartment block and townhouse units are proposed within the southerly portion of the plan to provide increased residential density along Eastview Road with excellent accessibility to transit and surrounding amenities, including the future Eastview Community Park that is located directly east of the site.

The application also supports the Provincial Policy Statement that encourages the development of strong communities through the promotion of efficient, cost-effective development and land use patterns. The proposed subdivision will accommodate an appropriate range and mix of housing to serve future growth at densities which will use land and infrastructure efficiently and are supportive of public transit. Commercial land uses, which include the commercial plaza at Starwood Drive and Grange Road and the zoned commercial site at Eastview Road and Watson Parkway North, are also located in proximity to the proposed development.

The subject site is located within the "Designated Greenfield Areas" under the "Places to Grow" legislation and proposes development at a density of approximately 81 persons and jobs per hectare, which will contribute towards meeting the Growth Plan's Greenfield density requirement of 50 persons and jobs per hectare.

Proposed Road Network and Subdivision Design
The proposed subdivision incorporates an integrated public road network, with access to the site provided through the logical northerly street extensions from the existing road network south of Eastview Road. The westerly access is aligned with Starwood Drive and the easterly access is aligned with Summit Ridge Drive. This easterly access to the subdivision is located outside of the proposed draft plan and will also serve as the entrance to the future Eastview Community Park. Condition

48 in **Schedule 2** outlines the requirement that this road allowance shown external to the plan be designed and dedicated as a public road.

The issue regarding the street stubs adjacent to Eastview Road that were originally included within the design of the previous draft plan proposal presented at the December 9, 2009 Public Meeting (see **Schedule 5**) has been addressed through the applicant's revised proposal shown on **Schedule 3**. The street stubs have been eliminated by shifting the apartment block to the west to provide frontage along Street D and by connecting Street D with the westerly entrance road to the subdivision (Street A). This revised street layout resolves issues identified with the previous street stubs shown adjacent to Eastview Road, both from a functional perspective (ie. traffic circulation, garbage pick-up, snow removal) and a streetscape design perspective. The revised proposal contributes further to meeting urban design objectives by replacing these street stubs with additional street oriented townhouse units along Eastview Road. A pedestrian connection (Block 134) from Eastview Road to Street D is also incorporated effectively into this revised design.

Traffic
The applicant has submitted a traffic impact study in support of this subdivision application, which recommends a traffic signal control at the intersection of Street A/Eastview Road/Starwood Drive. The review of the signal justification indicates that the traffic signal will be warranted upon full build-out of the subdivision. Condition 19(c) in **Schedule 2** outlines the Developer's responsibility to pay the full cost to design and construct these traffic signals.

The traffic impact study also included an evaluation of current and future traffic operations at the intersections along Eastview Road. Engineering staff supported the recommendations within the report that an exclusive left turn lane should be installed at the intersection of Victoria Road and Eastview and that an exclusive right turn lane should be installed at Street A/Eastview Road/Starwood Drive. Condition 19(d) in **Schedule 2** outlines the requirement that the full cost of design and construction of the right turn lane at the intersection of Street A/Eastview Road/Starwood Drive will be the responsibility of the Developer.

Neighbourhood Park
In response to staff comments, the applicant has revised the location of the small neighbourhood park (Block 131) within the current plan through a minor shift of the park to the east to abut the stormwater management facility. This revised location will allow the park to become visually part of the naturalized stormwater management area and open space system and provide an improved vista from the main entrance of the subdivision (Street A) to the open space and wetland area to the north. In addition, the location of the park will provide a connection to the surrounding community trail system. This includes a connection with the planned pedestrian trail loop around the proposed stormwater management block and with the proposed trail system along the edge of wetland/ open space to Carter Park to the west and to the Eastview Community Park to the east. The conceptual design of these trail connections is illustrated on **Schedule 9**.

It has been recognized that the proposed 0.25 hectare park block is under the 5% parkland dedication amount that would be required under the Planning Act. However, the owner currently holds a parkland dedication credit resulting from the development of previous phases of the "Eastview Community" subdivision (23T-91007) and Park Planning staff acknowledge that the size of the park and the layout are acceptable for its function as a neighbourhood parkette. Condition 34 in **Schedule 2** addresses this parkland dedication credit and outlines the agreement that the shortfall in the required dedication will be applied against the balance of the parkland dedication credit. Although the proposed subdivision would be adjacent to a community-scale sized park to the east, the parkland dedication provided through this application is important to provide residents within this development with direct access to a small neighbourhood parkette with creative playground equipment for smaller children.

Environmental Review
The Environmental Impact Study (EIS) that was submitted with the original application was supported by the Grand River Conservation Authority (GRCA), the City's Environmental Advisory Committee (EAC) and the City's Environmental Planner. The proposed development (including the stormwater management facility) will have a minimum distance separation of 50 metres from the provincially significant wetland on the northern portion of the subject property.

It is important to note that the revisions that were made to the initial draft plan did not extend any development beyond the northerly limit shown within the approved EIS, and therefore the buffer from the wetland originally proposed will be maintained. Condition 11 in **Schedule 2** outline the owner's requirement to prepare an Environmental Implementation Report at the detailed design stage to ensure that the recommended mitigation and monitoring measures identified are implemented appropriately.

Phasing Policy for Large-Scaled Subdivisions
The Phasing Policy for Large-scaled Subdivisions requires that draft plan approval of new large scale residential subdivisions containing more than 200 potential dwelling units or 10 hectares (25 acres) be brought forward for consideration in a logical phase or phases. The proposed subdivision is currently identified in the 2010 Development Priorities Plan for draft plan approval of the first phase in 2010, consisting of a total of 171 units. Planning staff have considered this phasing policy in relation to this current application and consider it appropriate to bring forward this 340 unit subdivision for draft plan approval in its entirety. It is noted that the requirement to bring forward a subsequent phase for Council's consideration of draft plan approval would potentially only involve a small area of the entire plan, noting that the 99 unit apartment block constitutes a significant portion of the total number of residential units within the plan. Therefore, it is considered appropriate in this instance to consider draft plan approval for the entire plan as an overall comprehensive development that includes the apartment block. This is based on the fact that there have been no draft plan approvals in 2010 and that the other two subdivisions identified in the 2010 Development Priorities Plan (DPP) for draft plan approval in 2010 are not anticipated to proceed in the 2010 DPP calendar year.

A total of 604 potential units were identified in the DPP for consideration of draft plan approval in 2010, which is consistent with the City's Growth Management Strategy. The City's Growth Management Strategy indicates that the City is expected to grow by approximately 1,000 dwelling units per year to the year 2011 and then 1,100 dwelling units per year thereafter. Since up to 60 percent of this new growth is expected to come from Greenfields areas, approximately 600 dwelling units are needed per year to maintain a 60 percent supply of units in the Greenfield areas of the City. The recent history of draft plan approval activity further supports the rationale for considering draft plan approval for the entire subdivision. Over the past four years, on average, there was only 280 units draft approved each year, compared to the 600 units identified in the DPP for draft plan approval each year. Therefore, to date, this results in a deficit of approximately 1300 units.

It is important to note that the Development Priorities Plan (DPP) will still control the timing of registration for this development if draft plan approval is granted for the entire subdivision. Condition 30 in **Schedule 2** will require registration of the plan in accordance with the approved DPP. The applicant has submitted a phasing plan, shown in **Schedule 10**, which indicates their two proposed phases of development. Currently, the 2010 DPP identifies that one phase of 183 units would be registered in 2011 and the second and final phase, containing 157 units would be registered post 2011.

Minor Application Revisions
The applicant has had several discussions with City Staff during the review of this application which has resulted in revisions to the plan since the December 7, 2009 Public Meeting. These revisions have resulted in minor changes to the zoning bylaw amendment application to ensure the proposed zoning corresponds with the housing mix and subdivision design that is currently proposed on **Schedule 3**. Specialized zoning regulations have also been added to address the design of the on-street townhouses adjacent to Eastview Road (see **Schedule 6**) and to include a minimum residential density (90 units per hectare) and a maximum residential density (100 units per hectare) for the proposed apartment block. Section 34(17) of the Planning Act allows Council to determine the need for further Notice where a change is made in a proposed bylaw after the public meeting. As these changes are considered minor, staff is also recommending to Council that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Community Energy initiative (District Energy)
The staff review of this application has included a thorough examination of the opportunity to connect residential units within this draft plan of subdivision to a district energy system provided from a potential heat source from the nearby Ecotricity plant at the former Eastview landfill site. A memorandum from the City's Corporate Manager, Community Energy is included in **Schedule 11**, which provides the recommendation that the City not require the applicant to consider district energy in their subdivision proposal at this time. This recommendation is based on several reasons detailed within the memo, which include issues regarding the cost, risks and reliability of implementing the district energy system, uncertainties regarding ownership and regulation, and issues with respect to the general

feasibility of implementing a district energy system in this location at this time.

The owner has made the commitment, as outlined in Condition 66 of **Schedule 2**, to construct the dwelling units to the Energuide 80 standard. 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.

SCHEDULE 13

Circulation Comments

RESPONDENT	NO OBJECTION OR COMMENT	CONDITIONAL SUPPORT	ISSUES/CONCERNS
Planning		✓	Support subject to Schedule 2
Engineering		✓	Support subject to Schedule 2
G.R.C.A.		✓	Support subject to Schedule 2
Parks		✓	Support subject to Schedule 2
Corporation of the Township of Guelph/Eramosa	✓		
Wellington County	✓		
Heritage Guelph	✓		
Guelph Development Association	✓		Support proposal
Finance		✓	Development Charges
Guelph Hydro		✓	
Guelph Police Service	✓		
Guelph Chamber of Commerce	✓		
Emergency Services / Fire Department	✓		
Canada Post	✓		
Wellington Catholic District School Board		✓	Education Development Charges
Upper Grand District School Board		✓	Education Development Charges
Mr. Silvano Zilio (82 Eastview Rd)			Concerns expressed regarding potential trespassing on adjacent lands to the west, fencing, and stormwater runoff

RECEIVED
NOV 27 2009
CITY CLERK'S OFFICE

City of Guelph Public Meeting Notice

File # 23T07501/ZC0703

We are submitting this letter in response to the Public Meeting Notice dated November 13, 2009

We are concerned that the housing structures which would be built on the West side bordering our property would promote trespassing, dumping of unwanted debris and doesn't take into consideration the future development of the adjacent property. We would therefore like to bring the items below forward as our concerns and request further investigation as well as a mutual agreement before moving forward with these changes.

The changes that we see as issues are as follows:

- The addition of a pedestrian walkthrough on the Western boundary. Seen as potential promotion of trespassing.
- The relocation of the park from the Center of the proposed development to the far North West corner. Seen as a potential promotion of trespassing with the increased activity in this uncontrolled area.
- The removal of the originally proposed street access at the North West corner with buildings. This issue appears to not consider possible future development of the adjacent lands by not allowing for a secondary access route for future development.
- The building structures that would be backing onto the West border. This is seen as a potential trespassing and dumping of debris issue.
- Storm water runoff from the structures that would be backing onto the West border. The runoff water would cause water logging of the neighboring property and is not acceptable if allowed to occur.

Proposed resolutions:

- To reduce the possibility of trespassing and dumping from occurring a fence structure to be installed prior to occupation of the buildings.
- Keep the originally planned street on the North West corner.
- Relocate the planned park back to the Center of the subdivision or possibly mid way on Street B thereby maintaining a frontage on the wetland.
- The properties on the Western border should have a drainage allowance to ensure runoff water is not diverted to the neighboring property.

In closing we are not opposed to the subdivision but wish to have our concerns addressed.

Regards

Mr. Silvano Zilio Silvano Zilio

Mrs. Massimina Zilio Massimina Zilio

Community Design
and Development Services

NOV 27 2009

SCHEDULE 14

Public Notification Summary

January 11, 2007	Application received by City of Guelph
February 1, 2007	Public Notification sign erected
December 7, 2009	Public Meeting of City Council
April 28, 2010	Notice of Revised Application (minor revisions) mailed to prescribed agencies
November 22, 2010	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 13, 2010	City Council Meeting to consider staff recommendation

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning, Engineering and Environmental Services
DATE	December 13, 2010
SUBJECT	**VICTORIA PARK VILLAGE – Proposed Official Plan Amendment, Draft Plan of Residential Subdivision and Associated Zoning Bylaw Amendment (File OP0502 / 23T-07506 / ZC0505) Ward 6.**
REPORT NUMBER	10-82

SUMMARY

Purpose of Report: This report recommends approval (**Schedule 2**) of a proposed Official Plan Amendment, a Draft Plan of Residential Subdivision and Zoning Bylaw Amendment application for property at 1159 Victoria Road South (See **Schedule 1**).

Council Action: Council is asked to hear any scheduled delegations and decide whether to approve the amendment to the Official Plan, the draft plan of subdivision and the zoning by-law amendment to implement the proposed subdivision that includes a total of 489 residential dwelling units.

RECOMMENDATION

"THAT Report 10-82 regarding the proposed Official Plan Amendment, Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File OP0502/23T-07506/ZC0505) applying to property municipally known as 1159 Victoria Road South, City of Guelph, from Planning, Engineering and Environmental Services dated December 13, 2010, BE RECEIVED; AND

THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of an Official Plan Amendment to re-designate property legally described as Part of Northeast Half of Lot 5, Concession 8, formerly Township of Puslinch, municipally known as 1159 Victoria Road South, City of Guelph, from the existing 'Open Space' land use designation to the 'General Residential' designation to permit the development of a residential subdivision, BE APPROVED, subject to the recommended zoning and conditions outlined in **Schedule 2** of the Planning, Engineering and Environmental Services Report 10-82 dated December 13, 2010; AND

THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of a Draft Plan

of Residential Subdivision to permit the Victoria Park Village Subdivision comprising a total of 489 residential dwelling units on lands legally described as Part of Northeast Half of Lot 5, Concession 8, formerly Township of Puslinch, municipally known as 1159 Victoria Road South, City of Guelph, BE APPROVED, subject to the recommended zoning and conditions outlined in **Schedule 2** of the Planning, Engineering and Environmental Services Report 10-82 dated December 13, 2010; AND

THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of an associated Zoning By-law Amendment to rezone the lands from the current H (Hazard) Zone and the C4-2 (Resort Commercial) Zone in the Puslinch Township Zoning By-law 19/85, to the R.1B, R.1C and R.1D (Single-Detached Residential) Zones, the R.2 (Semi-Detached/Duplex Residential) Zone, the R.3A (Cluster/Stacked Townhouse) Zone, the R.3B (On-Street Townhouse) Zone, the R.4A (Apartment) Zone, the P.2 (Neighbourhood Park) Zone, including the P.1 (Conservation Land) Zone and the WL (Wetland) Zone, to implement the Victoria Park Village Subdivision comprising a total of 489 residential dwelling units, BE APPROVED, subject to the recommended zoning and conditions outlined in **Schedule 2** of the Planning, Engineering and Environmental Services Report 10-82 dated December 13, 2010; AND

THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning Bylaw Amendment application affecting property at 1159 Victoria Road South, as set out in Report 10-82 from Planning, Engineering and Environmental Services dated December 13, 2010."

BACKGROUND

A summary of the application process to date is provided below:

- The original planning application was received by the City on February 25, 2005. The intent of the application was to seek approval to re-designate, subdivide and rezone the lands to permit the development of a 224 unit residential development that included the retention of a 9-hole golf course. The application proposed a mix of 210 condominium dwellings (detached dwellings, on-street townhouses and apartments) on a private road system with access from Victoria Road and a 14 lot single-detached residential subdivision that would rely on future roads and servicing brought from the north through a future phase of the Kortright Road East Subdivision (File 23T-01508/ZC0123) (See **Schedule 5**).

- The statutory Public Meeting of Guelph City Council for the original application (**Schedule 5**) was held on December 3, 2007.

- Since the December 2007 Public Meeting, the owner continued to work with Staff to address the agency responses and issues. Many changes were made to the plan the most notable being the replacement of the private roads with public roads including the addition of a proposed road connection crossing the Torrance Creek to connect to the future development lands to the north of the subject site. The revised proposal was received May 27, 2009.

- Based on the substantial changes made to the application, a second statutory Public Meeting of City Council was held on July 6, 2009. The revised application at that time is attached in **Schedule 6**.

- Following the July 6, 2009 Public Meeting, the application was subsequently revised on December 1, 2009. After careful consideration, Staff decided that the natural east-west corridor linkage associated with Torrance Creek located at the north end of the site was more desireable and appropriate than a connecting road from the proposed subdivision to future subdivisions to the north. As a result, the December 2009 plan removed the proposed northerly road and placed more emphasis on the pedestrian trail system and connectivity both in and around the proposed subdivision.

- The December 2009 plan also incorporated other minor revisions including:
    a) Minor lot, block and road adjustments and refinements to provide the 30 metre buffer separation from the wetlands.
    b) 14 single-detached lots were removed from the plan.
    c) The main entrance road was shifted to the south.
    d) The multiple residential blocks and the storm water management facilities have been re-configured.

- A minor revision to the plan was received by the City on April 19, 2010. This plan adjusted the property lines at Lots 38 and 39 based on additional wetland boundary information.

- A further minor revision to the plan was received by the City on November 3, 2010. This plan added Street 8 for emergency access purposes and included minor lot adjustments. The last minor revision to the plan was received on November 10, 2010. The plan reduced the total unit count by 3 units as a result of road and lot changes. The current proposal is attached as **Schedule 3**.

Location

The subject property has a total site area of 39.3 hectares (97.1 acres) and is known as the Victoria Park West Golf Course lands, located on the west side of Victoria Road between Stone Road and Arkell Road (See **Schedule 1**).

The property is bounded to the north by vacant development lands known as the proposed Kortright Road East Residential Subdivision (File 23T-01508 / ZC0123). Located to the east of the site are three abutting single-detached residential properties municipally known as 1095, 1103 and 1115 Victoria Road, a small additional parcel of land owned by the applicant and the Victoria Road East public golf course facility. The site is bounded to the south by agricultural and future development lands having frontage along Arkell Road and to the west by existing wetlands. The Torrance Creek flows generally from a southwest to northeasterly direction through the subject site to connect to the Eramosa River located further east (See **Schedule 1**).

Official Plan Land Use Designations

The existing land use designations on Schedule 1 of the Official Plan applying to the subject property include "Core Greenlands", "Open Space" and "General Residential" including a "Non-Core Greenlands Overlay". Schedule 2 of the Official Plan identifies "Provincially Significant Wetlands", "Other Natural Heritage Features" and "Regulatory Floodline". The lands are also included in the Arkell Springs Water Resource Protection Area identified on Schedule 2 of the Plan (See **Schedule 4**).

The South Gordon Community Plan, approved by City Council on March 15, 1999, identifies the subject lands as "Natural Area / Open Space" and "Golf Course" land uses. Section 16.5 of the Community Plan recognizes the existing Victoria West Golf Course operation (**Schedule 4a**).

Existing Zoning

The subject lands were annexed into the City in 1993 and are currently zoned H (Hazard) and C4-2 (Resort Commercial) in the Puslinch Township Zoning By-law 19/85. The C4-2 Zone permits a golf course, restaurant, clubhouse and a dwelling unit.

REPORT

The Current December 13, 2010 Proposal

The latest revised application for Official Plan Amendment, Subdivision and Rezoning approval is described as follows and illustrated in **Schedule 3**.

Description of Proposed Official Plan Amendment

The application involves primarily the same Official Plan Amendment as was submitted originally in 2005. The developable portion of the lands in the 'Open Space' designation is proposed to be changed to the 'General Residential' designation to permit residential development (See **Schedule 3**). The Torrance Creek and associated wetlands and woodlands on the site will remain in the 'Core Greenlands' designation including the 'Non-Core Greenlands overlay' to ensure their protection from development. The amendment to the Official Plan will consist of a map change as shown in **Schedule 3**.

Description of Proposed Draft Plan of Subdivision

The owners are asking to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 3.** The plan proposes the creation of lots and blocks that will yield 72 single-detached lots, 18 semi-detached lots (36 units), 23 on-street townhouse lots, 1 cluster townhouse block (28 units) and 2 townhouse/stacked townhouse/apartment blocks (330 units) for a total of 489 dwelling units. The plan also proposes 1 park block, 4 storm water management blocks, 1 wetland/undeveloped woodland block, 1 road widening and public streets. The plan proposes one main vehicular entrance at Victoria Road with two stub roads proposed to the south to allow future road connections to the adjacent lands. Trail connections are emphasized throughout the plan. The subdivision plan including unit, lot and area information breakdowns is attached in **Schedule 3**.

The total site area of 39.3 hectares (97.1 acres) is comprised of approximately 21.37 hectares (52.8 acres) of wetland and woodland and 17.93 hectares (44.3 acres) of development land. The owner has agreed to dedicate all undevelopable land in the plan to the City for protection of the resources.

The expected population of the subdivision is estimated at 1036 persons. The density of the proposed 489 unit residential development, as calculated under Places to Grow legislation is 57.8 persons per hectare. This equates to 27.4 units per developable hectare. Of the minimum potential total 489 unit yield for the proposal, 22% is comprised of single-detached and semi-detached dwelling units and 78% is comprised of townhouse and apartment dwellings.

Description of Proposed Zoning Bylaw Amendment
To implement the proposed draft plan of subdivision, the owner is asking to rezone 72 lots to the R.1B, R.1C and R.1D (Single-Detached Residential) Zones, 23 lots to the R.3B (On-Street Townhouse) Zone, 18 lots to the R.2 (Semi-detached) Zone, 1 Block to the R.3A (Cluster Townhouse) Zone and 2 Blocks to a Specialized R.4A (townhouse/stacked townhouse/apartment) Zone (See **Schedule 3**).

The balance of the lands will be rezoned to the WL (Wetland) Zone to recognize the Torrance Creek water channel and wetlands and the P.1 (Conservation Land Park) Zone to recognize open space corridor, woodlands and storm water management facilities. The details of the proposed zoning are attached in **Schedule 3.**

In support of the proposal, the owner submitted the following reports and information which have since been accepted by the review agencies:

2005
- Environmental Impact Assessment prepared by Stantec Consulting Ltd. dated February 24, 2005.
- Preliminary Servicing and Stormwater Management Report prepared by Braun Consulting Engineers Ltd. Issued February 2005.

Spring 2009
- Preliminary Servicing and Stormwater Management Report by Braun Consulting Engineers revised April 2009.
- Victoria Park Village Updated Impact Assessment prepared by Stantec Consulting Ltd. dated May 2009.
- Victoria Park West Subdivision Traffic Impact Study by Paradigm Transportation Solutions Ltd. dated April 2009.

December 2009
- Preliminary Servicing and Stormwater Management Report by Braun Consulting Engineers revised November 2009.
- Victoria Park Village Updated Impact Assessment prepared by Stantec Consulting Ltd. dated November 2009.

2010
- Document titled 'Attachments to Braun Consulting Engineers Letter dated April 16, 2010 to GRCA'.
- Document titled 'Preliminary Servicing and Stormwater Management Report' by Braun Consulting Engineers dated July 9, 2010.
- Document titled Addendum to the EIS dated September 14, 2010.

Staff Review/Planning Analysis
The Staff review and planning analysis of this application is summarized in **Schedule 8.** The analysis includes the issues and questions that were raised during the review of the application. The issues generally relate to:

- policy compliance
- land use compatibility
- neighbourhood connectivity and
- environmental protection.

Staff Recommendation
The proposed Official Plan Amendment, Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment applications described in **Schedule 3**, are recommended for approval subject to the conditions and zoning regulations outlined in **Schedule 2**.

Technical agencies commenting on the proposal are supportive of the development (See **Schedule 9)**. The EIS and associated servicing documents have been accepted by City Staff, the Grand River Conservation Authority (GRCA) and the Environmental Advisory Committee (EAC) (See **Schedule 9**).

The recommended proposal satisfies the goals and objectives of the City's Official Plan policies for the General Residential designation, the Core Greenlands and Non-core Greenlands overlay (See **Schedule 8**).

The application also supports the Provincial Policy Statement and the Places to Grow Plan that support the utilization of existing infrastructure and providing a mix of land uses to service complete communities. The subject site is located within the "Designated Greenfield Areas" under "Places to Grow" and proposes development at a density of approximately 57.8 persons per hectare, which will contribute towards meeting both the Growth Plan's density targets and the City's Growth Management Strategy (See **Schedule 8**).

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

Minor Application Revisions
Section 34(17) of the Planning Act allows Council to determine the need for further notice where a change is made in a proposed bylaw after the public meeting. While changes to the application have evolved throughout the review process, the revisions to the proposal represent a minor change to the application. As the July 6, 2009 proposal (**Schedule 6**) and the current 2010 proposal (**Schedule 3**) have very much the same subdivision designs and because this application has been under review since 2005 and there has been very limited public comment received on the proposal, Staff recommends that no further notice is required (See fifth resolution on Page 2 of this report).

COMMUNITY ENERGY INITIATIVE

Also forming part of the application, the owner has submitted a letter explaining how the proposal will support the objectives of the Guelph Community Energy Initiative (**Schedule 7**). This commitment letter confirms conformity with Section 3.8 of the Official Plan titled Energy Conservation and Climate Change Protection. The owner has committed to developing the proposal to meet the ENERGY STAR rating or an equivalent at minimum (See **Condition 61**). As the development of the adjacent lands to the north and south of the site may not take place in the next 5 years minimum, the opportunity to include district energy as part of the subdivision approval is not practical.

CORPORATE STRATEGIC PLAN

-Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.
-Natural Environment Goal #6: A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

Based on 489 residential dwelling units:

Population Projection - 1036persons

Projected Taxation - $1,623,600 (estimated at $3,300 per unit)

Development Charges - $8,565,510

Note: The owner will also be responsible for the cost of a share of existing improvements made to Victoria Road and also the construction of the Torrance Creek stream bypass that will take Pond 'A' offline to benefit water temperature in the creek.

DEPARTMENTAL CONSULTATION

The departmental and agency comments received during the review of the application are summarized in **Schedule 9**.

COMMUNICATIONS

The proposal chronology and key dates for public notification are included in **Schedule 10**.

ATTACHMENTS

Schedule 1 – Site Location
Schedule 2 – Staff Recommendation – Official Plan Amendment, Subdivision Conditions and Zoning
Schedule 3 – The Current Proposal (December 13, 2010)
Schedule 4 – Existing Official Plan Land Use Designations and Relevant Policies
Schedule 4a – South Gordon Community Plan Land Use Guideline
Schedule 5 – The December 3, 2007 Public Meeting Proposal
Schedule 6 – The July 6, 2009 Public Meeting Proposal
Schedule 7 – Commitment to the Community Energy Initiative
Schedule 8 – Staff Review/Planning Analysis
Schedule 9 – Agency and Public Comments
Schedule 10 – Proposal Chronology and Public Notification Summary

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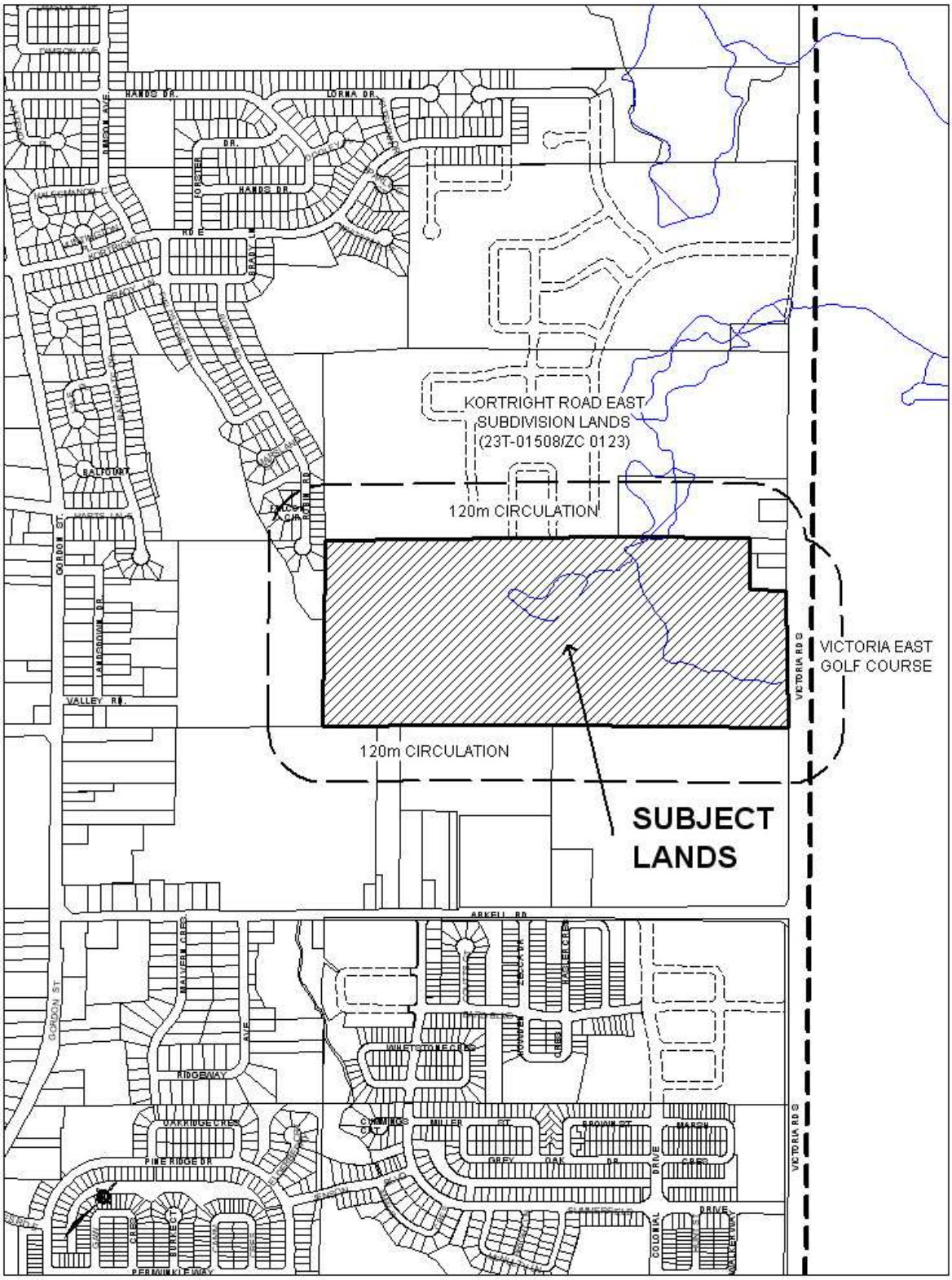
Schedule 1
Site Location



Schedule 2
Staff Recommendation – Official Plan Amendment, Subdivision Conditions & Phasing and Zoning

OFFICIAL PLAN AMENDMENT

THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of an Official Plan Amendment to re-designate property legally described as Part of Northeast Half of Lot 5, Concession 8, formerly Township of Puslinch, municipally known as 1159 Victoria Road South, City of Guelph, from the existing 'Open Space' land use designation to the 'General Residential' designation to permit the development of a residential subdivision, BE APPROVED.

SUBDIVISION CONDITIONS

THAT the application by Black Shoemaker Robinson and Donaldson Limited on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) for approval of a Draft Plan of Residential Subdivision to permit the Victoria Park Village Subdivision comprising a total of 489 residential dwelling units on lands legally described as Part of Northeast Half of Lot 5, Concession 8, formerly Township of Puslinch, municipally known as 1159 Victoria Road South, City of Guelph, BE APPROVED, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies to the draft plan of subdivision prepared by Black Shoemaker Robinson and Donaldson Limited (project #01-3367-36) on behalf of Victoria Park West Golf Course (Diordoro Investments Ltd.) dated November 10, 2010, identifying a minimum of 489 dwelling units.

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 (2010)-19058 prior to any grading, tree removal or construction on the site.

3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer and the GRCA.

4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.

5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.

6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.

7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.

8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer and the GRCA.

9. The Developer shall provide a qualified **environmental inspector**, satisfactory to the General Manager, Planning and Building Services, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study**.** The environmental inspector shall report on their findings to the City as recommended by the Environmental Impact Study. (Planning)

10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described. Prior to any grading, site alteration or execution of the subdivision agreement, the Developer shall satisfy the City with respect to managing the expected high groundwater conditions. This will include analysis of any proposal to permanently lower the groundwater table and the effects this will have on the surrounding wells, Torrance Creek, servicing and basements. The Developer is advised that basements and underground parking may not be permitted in this development.

11. The Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). Such a report will include a monitoring program to assess the performance of the storm water management facilities. Furthermore, the report shall address the information and implementation process to get details to the homeowners concerning the storm sewer and storm water management process. The EIR shall also address the comments outlined in the EAC resolution dated August 22, 2005, the GRCA letter dated February 9, 2010 and the Environmental Planner's memo dated September 13, 2010, to the satisfaction of the City. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.

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 acknowledges that the City does not allow **retaining walls** higher than 1.0 metres abutting existing residential properties without the permission of the City Engineer.

14. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.

Conditions to be met prior to execution of subdivision agreement

15. The developer shall make arrangements, satisfactory to the City Engineer, concerning the **scheduling of the development** and the developers payment of costs for services for the subdivision.

16. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.

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 such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs with the distance, size and alignment of such services to be determined by the City. This will also include a share of the costs of the future reconstruction of Victoria Road South as well as any traffic lanes, signals or signage on Victoria Road South required to accommodate this development, as determined by the City Engineer. In addition, the Developer will be required to pay the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.

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**, including the existing municipal services on Victoria Road South, as determined by the City Engineer.

20. The Developer shall submit an updated **Traffic Impact Study** to the satisfaction of the City Engineer and 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.

21. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.

22. The Developer 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

23. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.

24. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.

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

26. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.

27. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.

28. 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 General Manager, Planning and Building Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the Basic Park Development for the Park Block to the satisfaction of the General Manager, Planning and Building Services.

29. 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 General Manager, Planning and Building 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 General Manager, Planning and Building Services.

    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 General Manager, Planning and Building Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the General Manager, Planning and Building 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 General Manager, Planning and Building Services.

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 General Manager, Planning and Building 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 General Manager, Planning and Building Services.

31. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include obtaining a GRCA permit, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the General Manager, Planning and Building Services and the City Engineer. This shall include the submission of drawings completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the General Manager, Planning and Building Services.

32. The Developer agrees to provide **temporary signage** describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of Park Block 119 and Open Space Block 124, and entrance/exits of trails, to the satisfaction of the General Manager of Planning and Building Services. The signage shall:

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

    The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City. The Developer further agrees that the proposed Park Block, Open Space Block, trails and fencing be identified on any marketing or promotional material.

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

Conditions to be met prior to registration of the plan

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.

35. 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.

36. 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.

37. That the developer **deeds** to the City any lands required by the City for Storm Water Management Facilities and Open Space including Blocks 120 to 124 inclusive. Furthermore, the developer shall demarcate the boundaries of any lands conveyed to the City in accordance with the policies of the City.

38. The Developer shall dedicate Block 119 for **park** purposes in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof.

39. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to 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, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.

40. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:

    a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the 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.

41. 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.

42. 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.

43. 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):

    a) "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."

    b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."

    c) "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".

    d) "Purchasers and/or tenants of advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."

    e) "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."

    f) "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sports fields,

    playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."

g) "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 certain lot numbers and black vinyl chain link fence adjacent to other lot numbers."

h) "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Streets 1 and 2 at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."

i) "Purchasers and/or tenants of all lots or units adjacent to Victoria Road are advised that Victoria Road may be used as a permitted truck route."

j) "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".

k) "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Block 124".

l) "Purchasers and/or tenants of all lots or units are advised that public trails will be installed throughout and around the plan of subdivision and that public access to this trail will occur on a year around basis."

m) "Purchasers and/or tenants of all lots or units are advised that the lands adjacent to this subdivision is being actively farmed which includes activities such as herbicide application, planting and harvesting of various crops which may affect the living environment of residents living in close proximity to the farming operations."

44. That the **road allowances** included in the draft plan and the Victoria Road widening identified in the City's Official 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 exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.

That all **easements, blocks** and **rights-of-way** required within or adjacent to the proposed subdivision are 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.

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

46. The Developer shall pay **development charges** to the City in accordance with By-law Number (2004) - 17361, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.

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

48. 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.

49. 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.

50. 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.

51. 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.

52. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager, Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

53. The Developer shall include a restrictive covenant to be registered on title to lots yet to be identified, whereby the owner agrees and acknowledges that the **stormwater infiltration galleries** shall not be damaged, removed, blocked, diverted or interfered with in any manner. Furthermore, the Developer shall place a notice in all offers of purchase and sale for those lots advising the purchasers that there is a stormwater infiltration gallery across the rear of the lot and furthermore, that the stormwater infiltration gallery shall not be damaged, removed, blocked, diverted or interfered with in any manner.

54. The owner shall pay the cost of erecting a 1.5 metre high **chain link fence** along the south property line between Victoria Road and the west corner of Lot 39. The owner shall also erect **'No Trespassing – Private Property' signage** along the new fence to the satisfaction of the City.

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

55. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official **certifying that all fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.

56. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane**) in the plan in accordance with applicable provisions contained in the Ontario Building Code.

57. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.

58. 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.

Conditions to be met prior to site plan approval

59. The owner shall, to support the **Community Energy Initiative** to the satisfaction of the General Manager, Planning and Building Services, prior to the issuance of site plan approval, provide the City with evidence that the dwelling units in the subdivision will be constructed to the ENERGY STAR standard that promotes energy efficiency to comply with the Community Energy Initiative, to the satisfaction of the City.

60. The Developer shall submit a final **Noise Impact Report,** if necessary, to the satisfaction of the General Manager, Planning and Building Services. The report shall describe adjacent land uses, which are potential generators of excessive noise and the means whereby their impacts will be reduced to acceptable levels. Emphasis shall be placed on Victoria Road traffic noise levels. The Developer shall implement the recommendations of the approved report to the satisfaction of the City.

AGENCY CONDITIONS:

61. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority:**

a) A final storm water management report in accordance with the Preliminary Site Servicing and Stormwater Management Design Report.

b) An erosion and siltation control plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.

c) Detailed lot grading and drainage plans

d) The approval and issuance of a Permit from the GRCA for any development within the regulated areas on the subject lands pursuant to Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

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

a) The completion and maintenance of the works in accordance with the approved plans and reports contained in condition 63.

b) The maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction.

63. The Owner shall make satisfactory arrangements for the electrical servicing of the subject lands to the satisfaction of the Technical Services Department of **Guelph Hydro Electric Systems Inc.**, prior to the registration of the plan.

64. The developer shall pay the costs associated with the design of the **pedestrian trail system** on the subject property and shall place emphasis on the primary trail to ensure it is established to provide safe, year around convenient pedestrian access between the subject site and the lands to the north and south of the subject property, to the satisfaction of the City and the **Upper Grand District School Board.**

65. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export of DXF format containing the following information: parcel fabric and street network.

66. 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.

67. 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.

68. 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.

69. 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.

70. The developer agrees that Lots 100 to 115, both inclusive, are not to be registered until servicing is available and Street 6 and 7 can be connected to streets in the adjacent subdivision to the north to the satisfaction of the City Engineer. The developer further agrees that the City may need to temporarily hold lots 43, 44 and 64 until Street 2 is extended to the south unless Street 2 can be completed to the satisfaction of the City Engineer.

71. 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.

72. 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 46 and 65 have been satisfied.

73. That prior to the registration of all, or any portion of, the plan, the **Grand River Conservation Authority** shall advise the City in writing, how Conditions 11, 42, 63 and 64 have been satisfied."

74. 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 66-68 have been satisfied.

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

76. That prior to the registration of all or any portion of the plan, the **telephone service and cable TV service** shall advise the City in writing how conditions 50 and 70 have been satisfied.

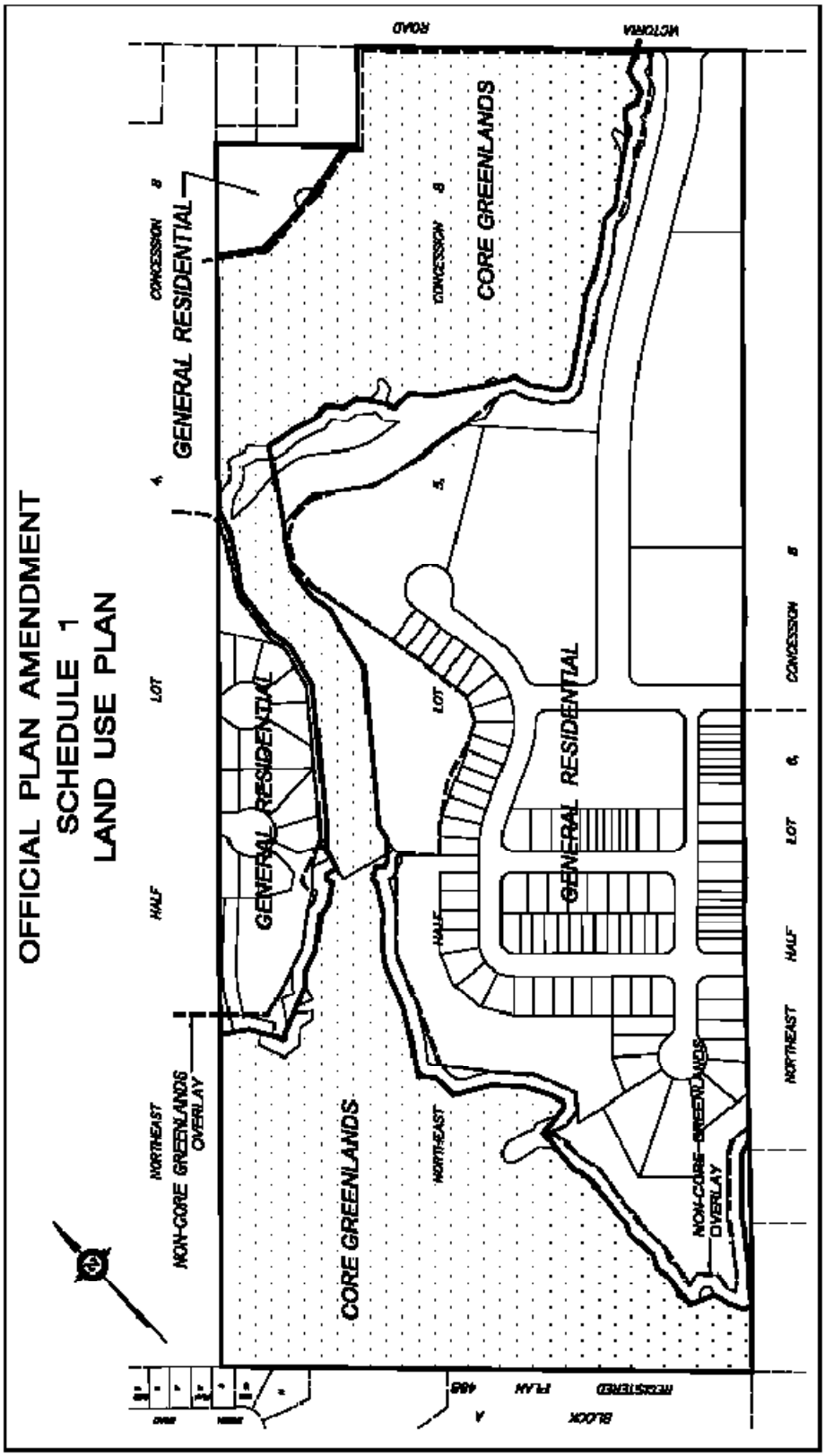
77. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 71 has been satisfied.

ZONING

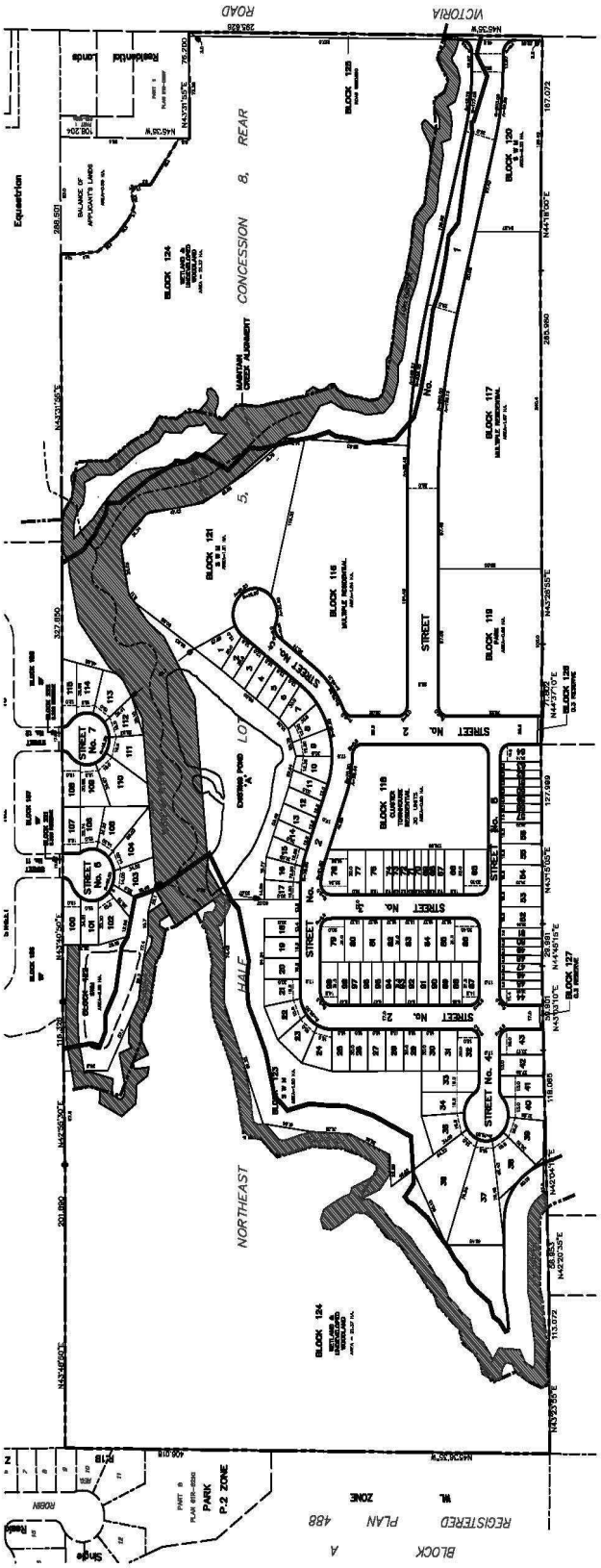
"That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current H (Hazard) Zone and the C4-2 (Resort Commercial) Zone in the Puslinch Township Zoning By-law to the following City of Guelph zoning as follows:

LOTS/BLOCKS	LAND USE	ZONING
Lots 1-43, 87-115 72 units	Single Detached Residential Dwellings Min Lot Frontage – 15, 12 & 9 m	R.1B, R.1C and R.1D
Lots 52-56, 65, 66, 76-86 36 units	Semi-Detached Residential Dwellings Min Lot Frontage – 7.5 m per unit	R.2
Lots 44-51, 57-64, 67-74 23 units	On-Street Townhouse Dwellings Min Lot Frontage – 6 m per unit	R.3B
Block 118 28 units	Cluster/StackedTownhouse Dwellings *28 units minimum	Specialized R.3A-*
Blocks 116&117 330 units	(townhouse/stacked townhouse/apartment) Zone Minimum Number of Dwellings: *Block 116 – 168 units minimum *Block 117 – 158 units minimum	Specialized R.4A-*
Block 119	Neighbourhood Park	P.2
Blocks 120-123	Stormwater Management Facilities	P.1
Block 124	Wetlands, Open Space, Undeveloped Woodlands, Buffers, Pedestrian Trails	WL & P.1
Block 125	3m road widening on Victoria Road	

Schedule 3
The Current Proposal (December 13, 2010)
Proposed Official Plan Amendment



Schedule 3
The Current Proposal (December 13, 2010)
Proposed Draft Plan of Subdivision



Schedule 3
The Current Proposal (December 13, 2010)
Proposed Draft Plan of Subdivision Breakdown

ONTARIO LAND SURVEYOR

RELEVANT INFORMATION

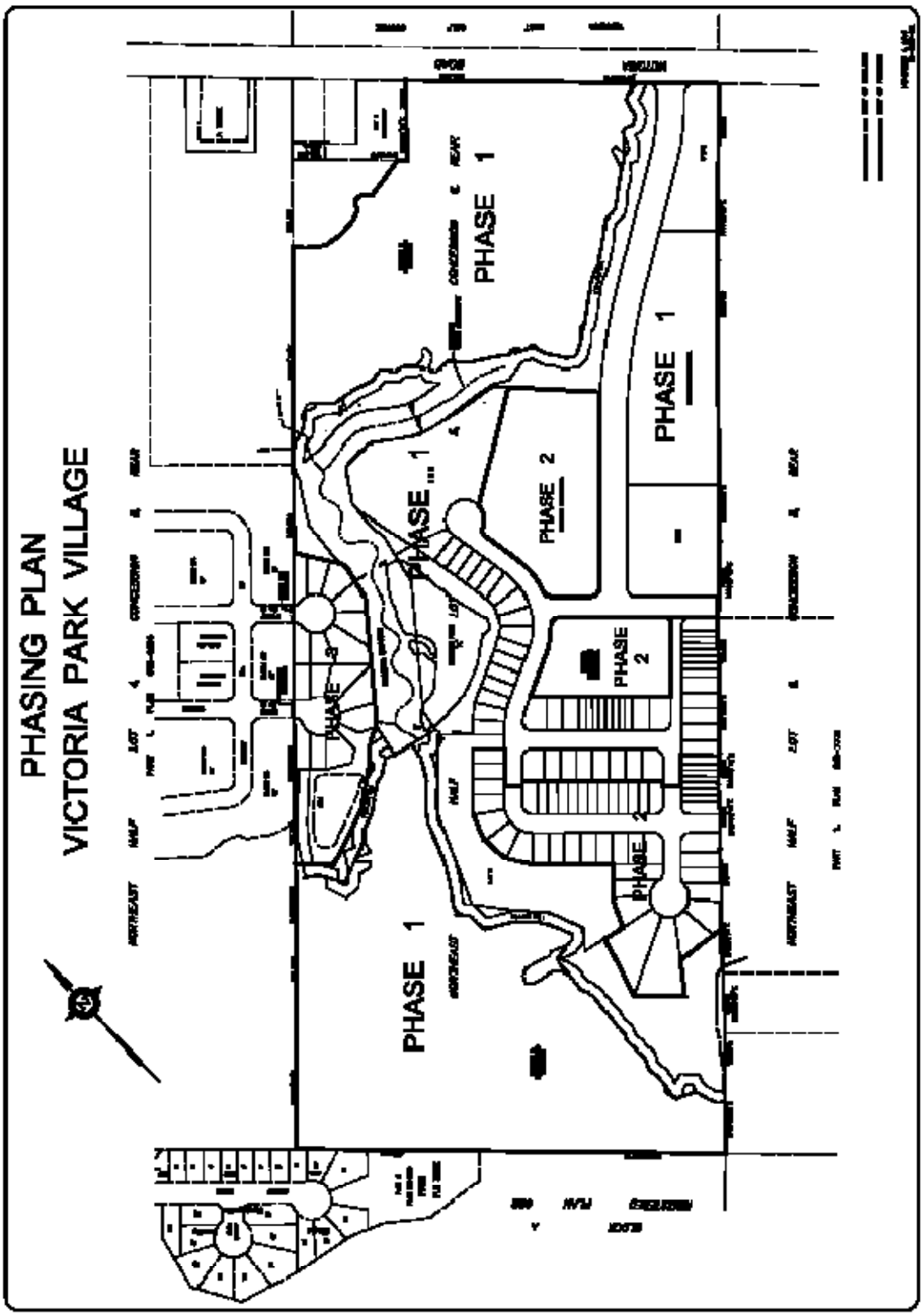
LOT/BLOCK	LAND USE	AREA	UNITS
LOTS 1-43, 87-115	SINGLE DETACHED RESIDENTIAL	3.99 ha.	72
LOTS 44-51,57-64, 67-70,72-74	ON-STREET TOWNHOUSES	0.55 ha.	24 23
LOTS 52-56,65,66,76-86	SEMI-DETACHED RESIDENTIAL	0.68 ha.	36
BLOCKS 116 & 117	MULTI-FAMILY RESIDENTIAL	3.71 ha.	330
BLOCK 118	CLUSTER TOWNHOUSES	0.86 ha.	~~30~~ 28
BLOCK 119	PARK	0.90 ha.	
BLOCKS 120 TO 123	STORM WATER MANAGEMENT	3.56 ha.	
BLOCK 124	WETLAND & UNDEVELOPED WOODLAND	21.37 ha.	
BLOCK 125	ROAD WIDENING	0.09 ha.	
BLOCKS 126 & 71	0.30 RESERVES	0.001 ha.	
STREETS	PUBLIC STREETS	3.59 ha.	
TOTAL		39.30 ha.	489

VICTORIA PARK VILLAGE

DRAFT PLAN OF SUBDIVISION

OF PART OF

Schedule 3
Draft Plan of Subdivision Illustrating Proposed Phasing

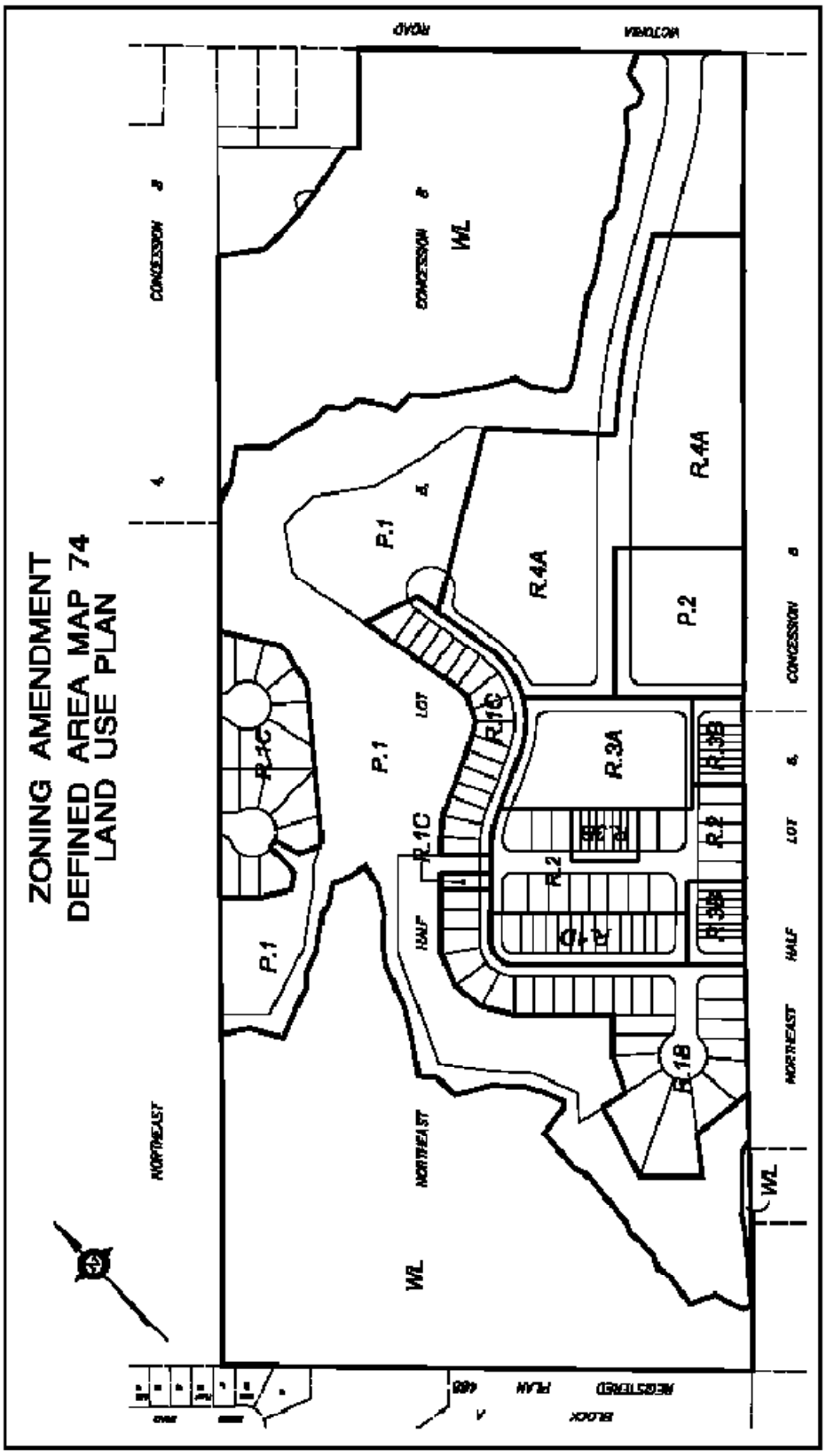


‘Phase 1: 231 Units
17 singles
36 semis
16 on-street townhouses
162 apartment units

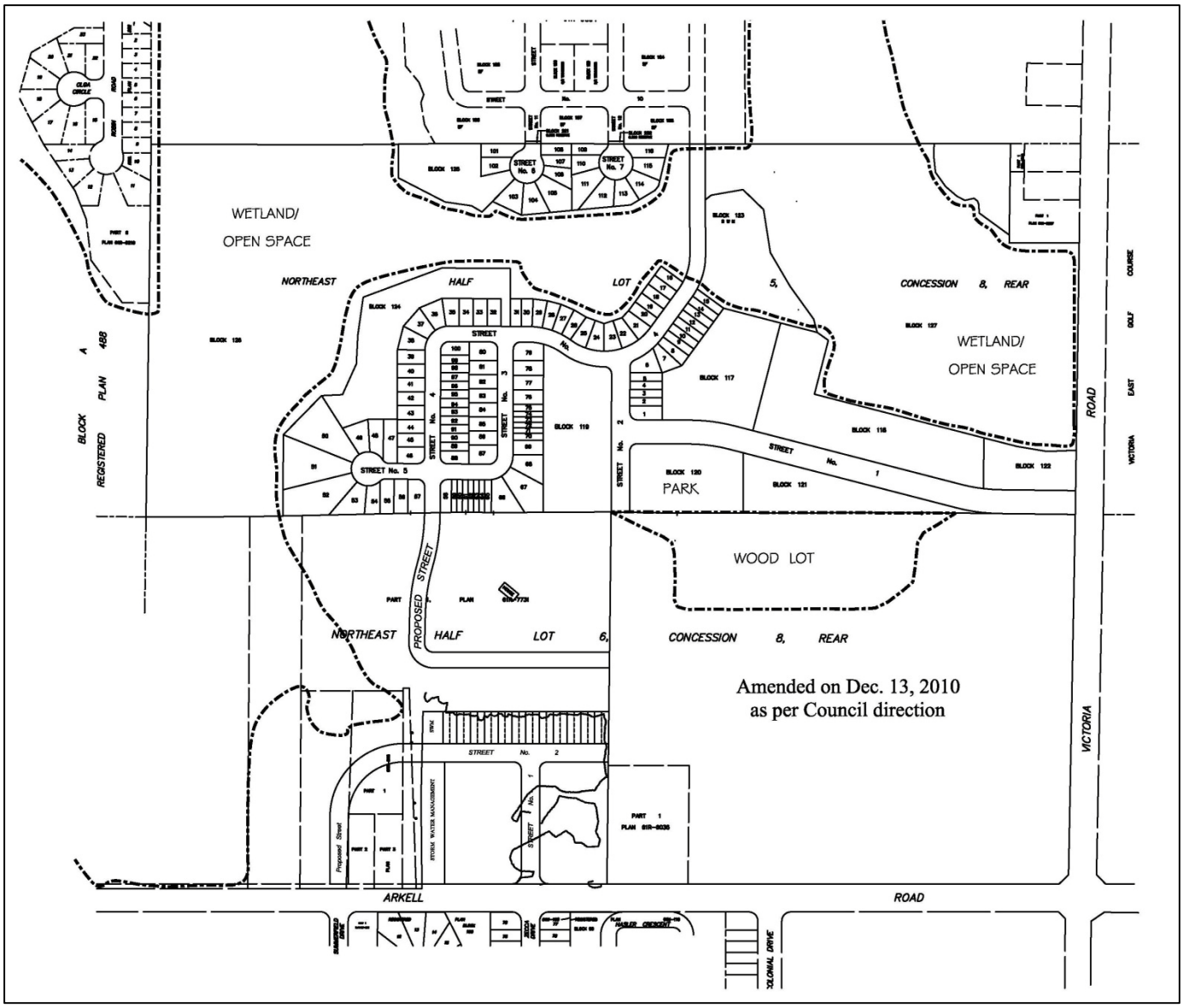
Phase 2: 245 Units
39 singles
7 on-street townhouses
28 cluster townhouse units
168 apartment units

Phase 3: 16 Units
16 singles

Schedule 3
The Current Proposal (December 13, 2010)
Proposed Zoning Bylaw Amendment



Schedule 3
The Current Proposal (December 13, 2010)
Conceptual Road Connections to the South

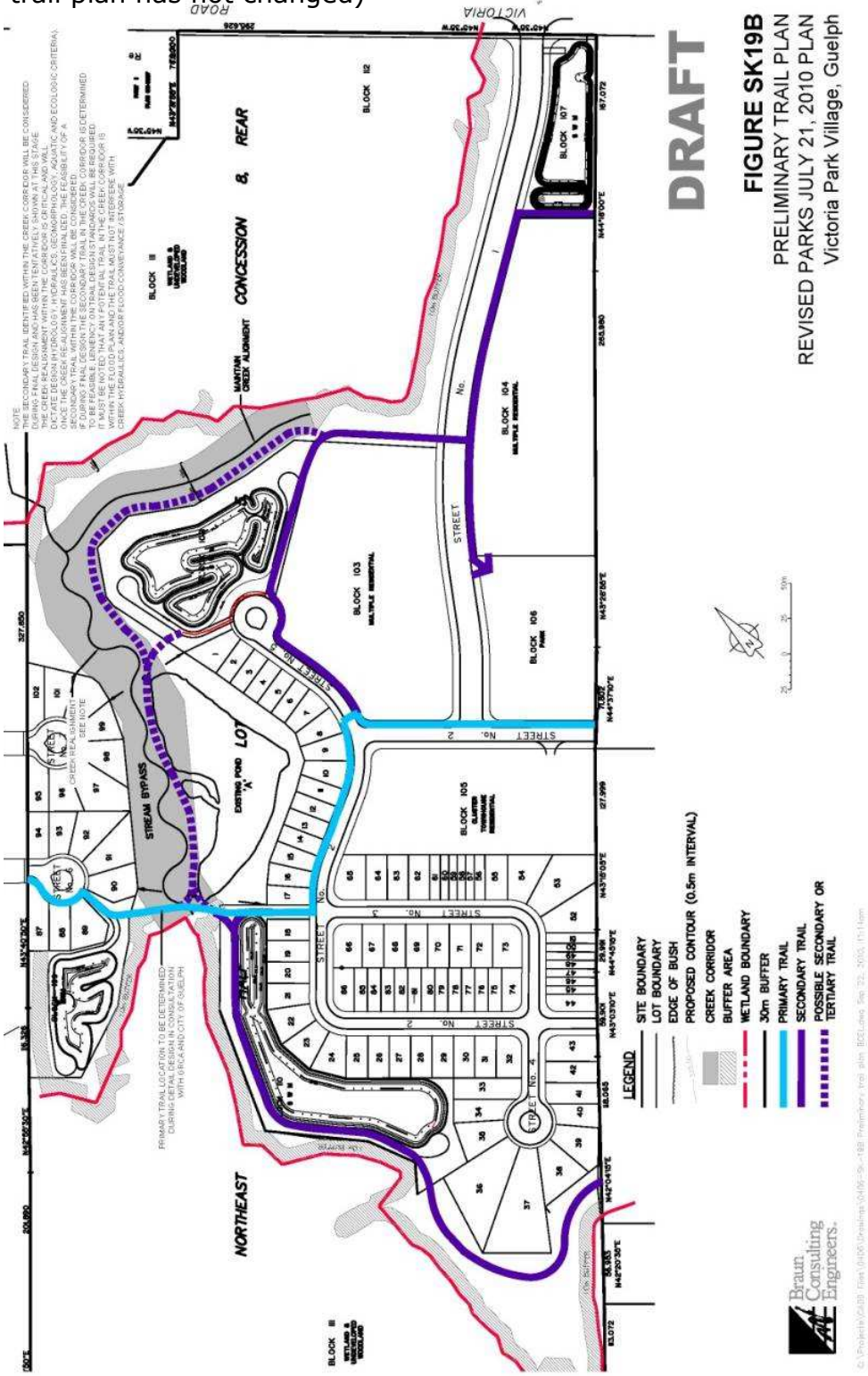


Notes: All roads shown south of the subject site are conceptual only and are intended to illustrate potential future neighbourhood integration and connectivity with the development lands to the south.

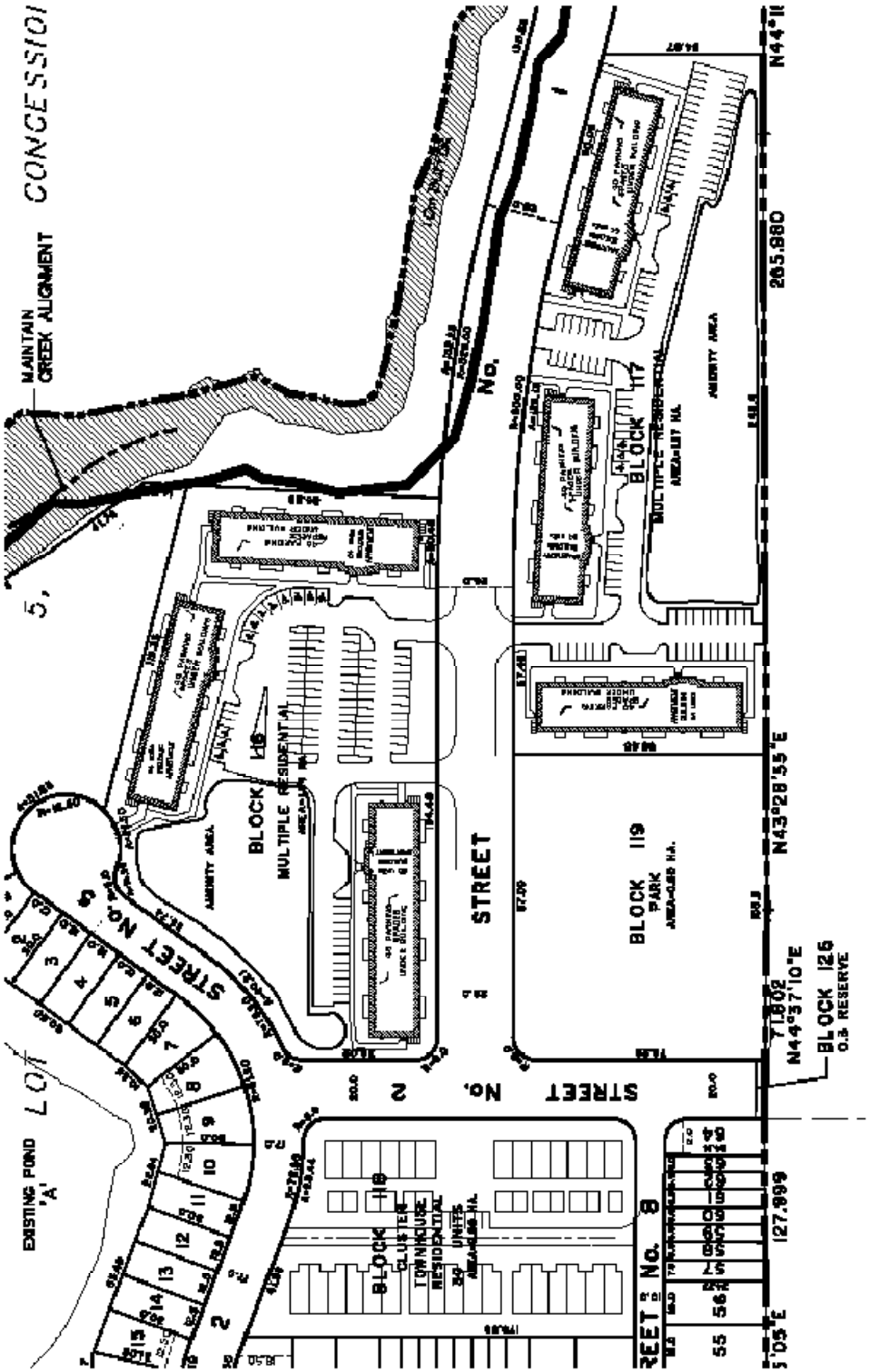
This conceptual plan is shown using an old version of the subdivision plan but the concept illustrates the same connectivity potential.

Schedule 3
The Current Proposal (December 13, 2010)
Preliminary Trails Plan

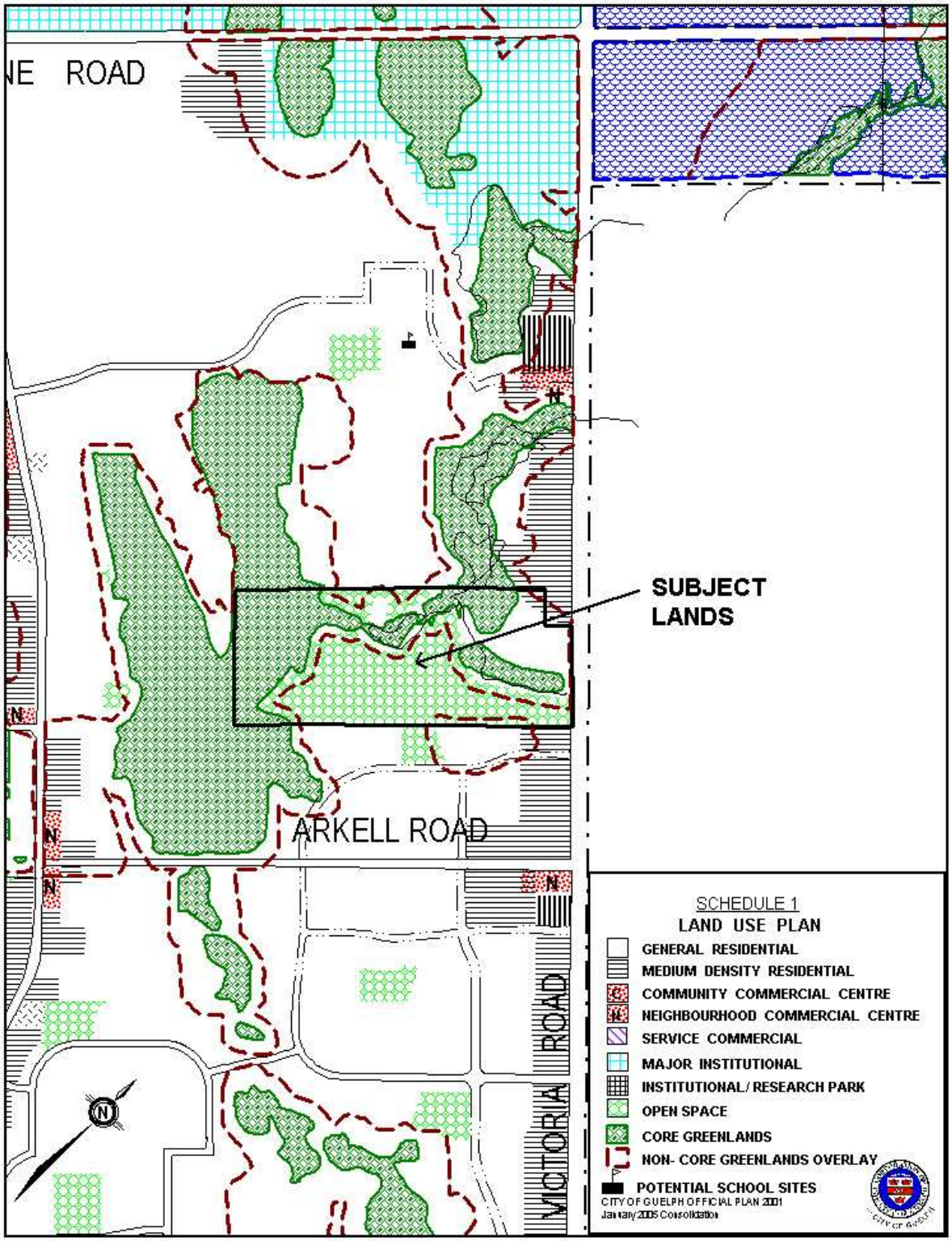
(Note: This trail plan is shown on an old version of the subdivision plan but the preferred trail plan has not changed)



Schedule 3
The Current Proposal (December 13, 2010)
Conceptual Multiple Residential Block Layouts



Schedule 4
Existing Official Plan Designations and Relevant Policies



General Residential' Land Use Designation

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

7.2.7. Residential care facilities, lodging houses, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

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

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

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

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

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

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

7.12 Open Space Objectives

a) To develop a balanced distribution of open space and recreation facilities that are conveniently accessible and safe to meet the needs of all residents.
b) To recognize a hierarchy of open space areas based on size, function and the population to be served.
c) To develop a continuous linear open space system connecting diverse natural**,** cultural and recreational land uses within the City and with links to surrounding municipalities.

d) To assist in protecting areas comprising *natural heritage features* and *cultural heritage resources*.
e) To encourage indigenous biological diversity in appropriate open space areas.
f) To co-operate with other public, quasi-public and private organizations in the provision of open space, recreation and cultural facilities.
g) To develop a walking and cycling trail system within the open space system that is accessible to the public utilizing paths, trails, streets and other public open spaces.
h) To provide for a wide range of cultural and fine arts facilities.
i) To promote tourism potentials and attractions in the City.

General Policies

7.12.1 The predominant use of land designated 'Open Space' on Schedule 1 shall be for public and private recreational uses and facilities, parks, golf courses, conservation lands, school sites, and cemetreies. The designation is also intended to support the protection of natural heritage features and cultural heritage resource conservation.

7.12.2 Complementary uses that are compatible to, and which do not detract from or restrict, the primary function of the area, may be permitted within the 'Open Space' designation. Such complementary uses may include, but are not necessarily restricted to: forestry resources, horticulture, and public utilities. Other complementary uses for private and public recreational uses and facilities may include restaurants, club houses, pro shops, public halls and other accessory buildings and uses that are normally associated with the main recreational use.

7.12.3 Where any land designated 'Open Space' is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the Municipality or any other public agency.

1. Where lands designated 'Open Space' are in private ownership and application is made requesting a change to a land use other than open space, due consideration shall be given by Council to the following:

    a) Council shall consider the acquisition of the subject lands, having regard for the following:
        i. The provision of adequate open space and recreational areas, particularly in the vicinity of the subject lands;
        ii. The existence of cultural heritage resources or natural heritage features on the site;
        iii. The recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
        iv. The possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and

v. The ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space acquisition plan.

b) If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an 'Open Space' designation by such means as management agreements or easements, where applicable.

2. Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to secure the lands in an 'Open Space' designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated 'Open Space'.

7.12.4 When developing major recreation facilities such as indoor swimming pools, arenas, or major open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.

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.

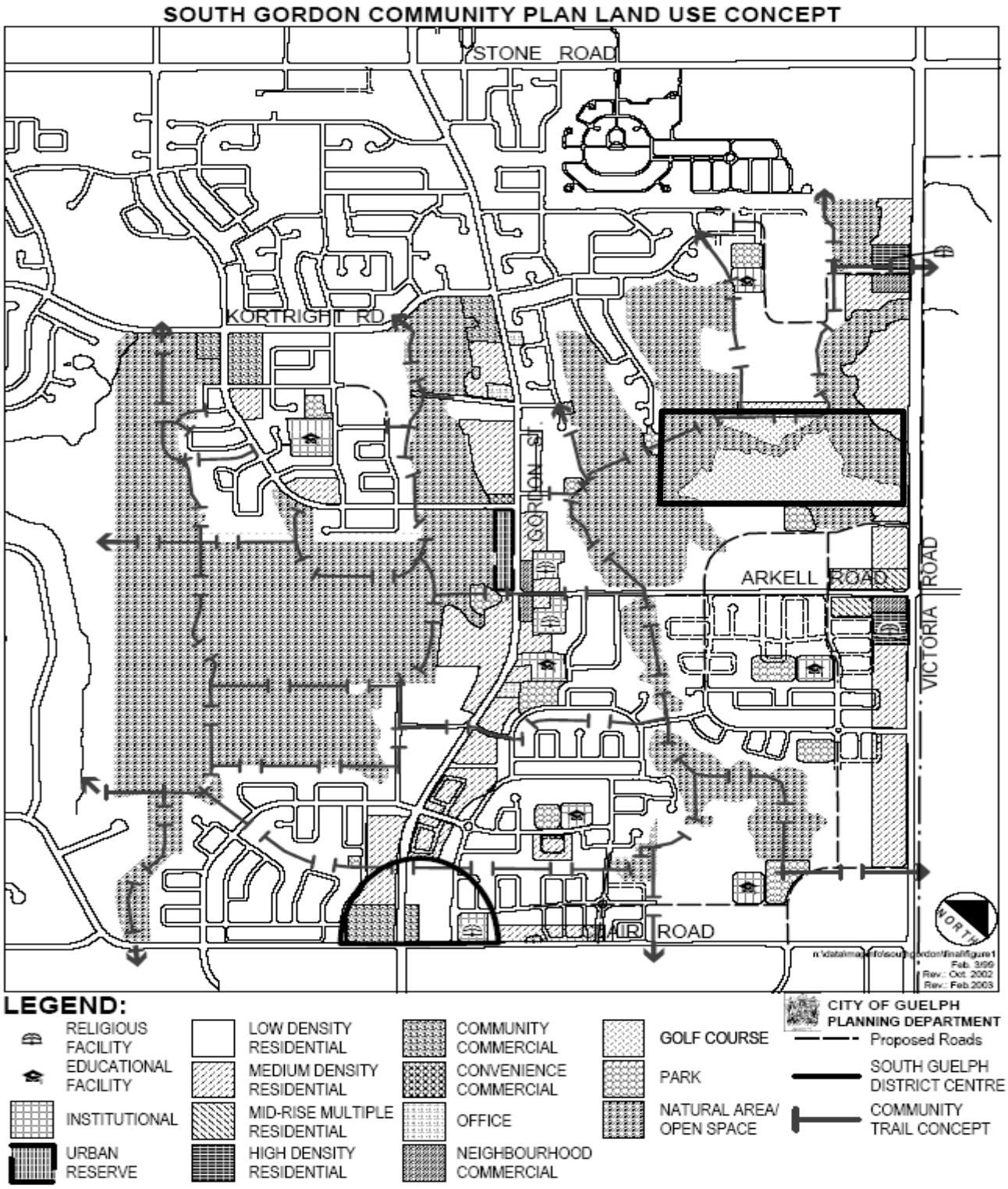
1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.
2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.

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.

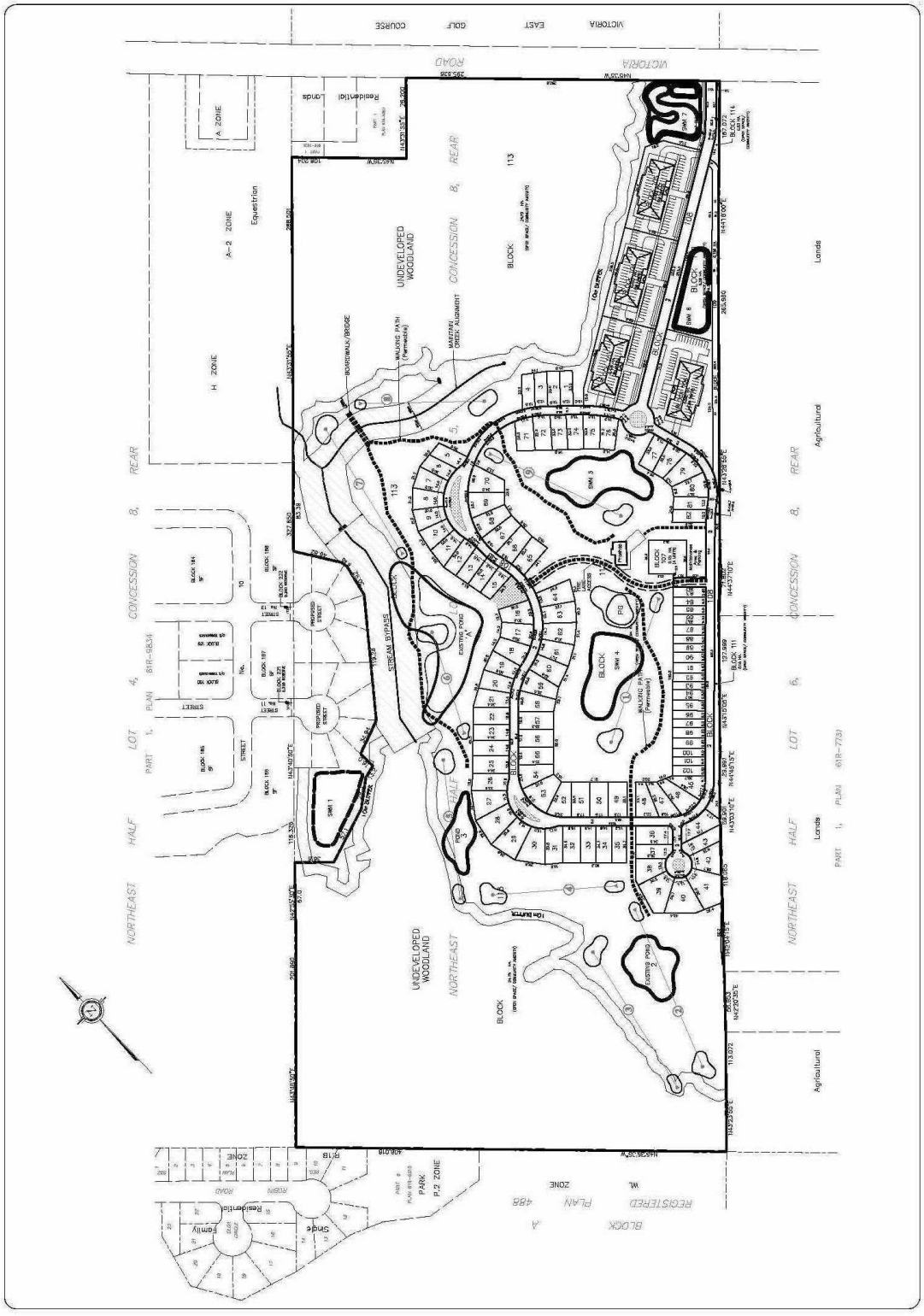
7.13.7 It is intended that the natural heritage features associated with the Non-Core Greenlands overlay are to be protected for their ecological value and function. The implementing Zoning By-law will be used to achieve this objective by placing such delineated features from an approved environmental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

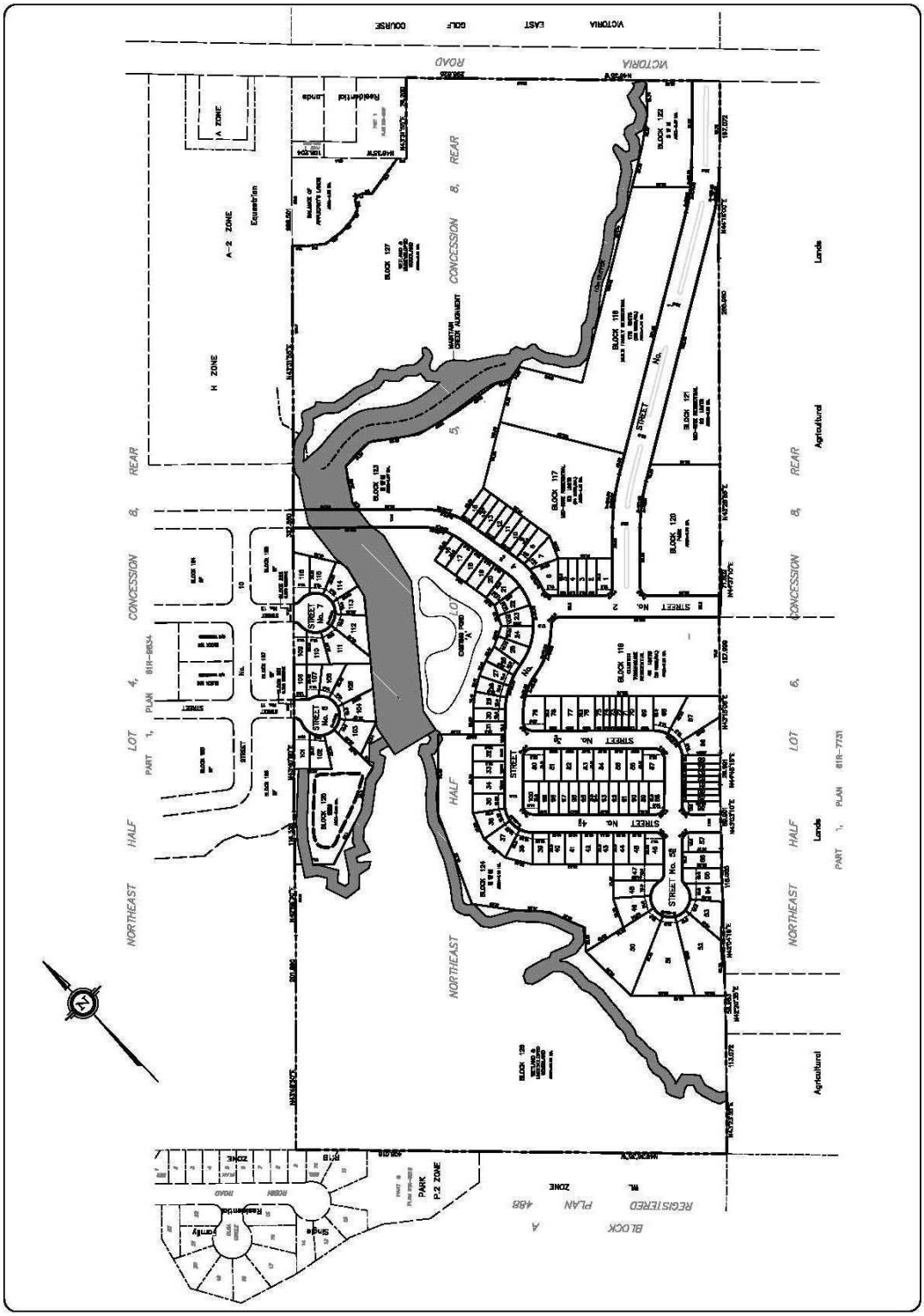
Schedule 4a
South Gordon Community Plan Land Use Guideline



Schedule 5
The December 3, 2007 Public Meeting Proposal
(Now Superseded)
Proposed 210 condominium units and 14 Lot Subdivision=224 units



Schedule 6
The July 6, 2009 Public Meeting Proposal
(Now Superseded)
Proposed Draft Plan of Subdivision



Schedule 7
Commitment to the Community Energy Initiative

August 12, 2010

Community Design and Development Services

AUG 13 2010

Mr. Al Hearne,
Senior Development Planner
Community Design and Development Services
City of Guelph
City Hall
1 Carden Street
GUELPH, Ontario
N1H 3A1

Dear Mr. Hearne:

Re: Official Plan Amendment, Draft Plan of Subdivision and Zone Change
Victoria Park Village
1159 Victoria Road South
Community Energy Plan Compliance

As owner of the above-noted property, I agree to the inclusion of the following condition as part of the draft plan approval of this project.

"The Owner/developer acknowledges and agrees that the residential units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the Director of Community Design and Development Services."

Should you require any further clarification in this regard, please contact me.

Yours truly

Diodoro Investments Ltd.
Mr. Ted DeCorso

Schedule 8
Staff Review/Planning Analysis

During the two public meetings several issues and questions were raised and are addressed as follows:

-Review criteria outlined in Section 51(24) of The Planning Act (subdivision control).
This section of The Planning Act lists criteria that must be regarded while considering a draft plan of subdivision. The list ensures that the proposed subdivision addresses the health, safety, convenience, accessibility and welfare of the present and future inhabitants of the municipality and that provincial interests are addressed.

Staff has considered the planning criteria during the review of the proposal and has attached conditions in the **Schedule 2** recommendation to ensure various matters are addressed, in particular servicing, environmental protection, energy efficient construction, zoning and land use compatibility.

-Evaluation of the proposal against the General Residential, Greenlands and Open Space policies of the Official Plan and the South Gordon Community Plan.
The recommended proposal requires approval of an Official Plan Amendment that will re-designate the developable area of the 'Open Space' designation to the 'General Residential' designation. The 'General Residential' land use designation in the Official Plan promotes a range of housing types with the general character being 'low rise housing forms'. The maximum density allowed in this designation is 100 units per hectare (40 units per acre). No minimum density is prescribed.

Both the range of housing forms and density conform to the policies of the Official Plan. The plan will provide a range of lot sizes for single-detached dwellings, in addition to semi-detached dwellings, on-street townhouses, cluster or stacked townhouses and apartments. The density of the recommended plan is 27.4 units per developable hectare.

Torrance Creek and associated wetlands and woodlands on the site (See Block 124 in **Schedule 3**) will remain in the 'Core Greenlands' designation including the 'Non-Core Greenlands overlay' to ensure their protection from development. The owner has agreed to dedicate these lands to the City (See **Schedule 2 - Condition 38**).

The South Gordon Community Plan land use guideline identifies the developable area of the subject site as 'golf course'. In 1999, the subject application for residential development was not anticipated. The Community Plan is a Council-adopted long range policy document that is intended to provide additional and complementary guidance for future development within the Community Plan boundaries. The Community Plan still recognizes the Official Plan as the comprehensive land use plan for the City. The subject application is appropriate as it has included a request to amend the Official Plan to allow development of the golf course lands.

From a planning perspective, the redevelopment of the site from a private golf course use to a more intensive residential subdivision yielding 489 dwellings is supportive of both the provincial and City policies that require the efficient use of land and increased densities within the City's corporate boundary. The amendment to the Official Plan if

approved and resulting potential residential unit yield on this site will help the City achieve the density targets in the greenfields areas of the City. In the absence of any application to intensify the use of this property, it would continue to provide the existing accommodation of only 3 dwelling units which represents an underutilization of the lands.

-Consideration of a 'Medium Density' land use re-designation rather than the 'General Residential' designation.
The Medium Density land use designation promotes 'multiple unit residential buildings' in the form of townhouses and walk-up apartments. This designation does not permit detached or semi-detached dwellings. The net density of development allowed in this designation is between a minimum of 20 units per hectare to a maximum of 100 units per hectare. One of the main reasons for the lengthy review of this proposal has been the balancing of both the need to achieve Places to Grow density and the need to address impact on the development lands and their environmentally sensitive surroundings. The developable lands are somewhat isolated by the Torrance Creek along the north part of the site with only a small amount of usable frontage on Victoria Road and the large wetlands to the west and east of the developable area. From an urban design perspective, parts of the development lands are irregular in shape and can accommodate low density development (detached and semi-detached dwellings) more readily.

The GRCA supported the original proposal with 224 units however with the proposed density increase the GRCA became more concerned about ground water infiltration and the impact that higher density would have on the lands. In Staff's opinion, the General Residential designation is the preferred designation for the Official Plan Amendment for this site. This General Residential designation allows a full range and mix of residential accommodation including single-detached dwellings, semi-detached dwellings, both on-street and cluster or stacked townhouse dwellings and apartment dwellings. This range of dwelling units provided by the proposed development is appropriate and is consistent with the General Residential designation. It is important to note that in the Envision Guelph Update, in order to support the Places to Grow densities, a minimum density of 20 units per hectare is proposed to be added as the current Official Plan does not have a minimum General Residential density. Given that the maximum density allowed in the General Residential designation in both the existing Official Plan and the Official Plan Update (Envision Guelph) is 100 units per hectare, and for the reasons stated above, the General Residential designation is appropriate for the subject lands.

-Guelph Local Growth Management Strategy and Official Plan Amendment 39
The proposal supports the goals and objectives of the City's Local Growth Management Strategy as implemented by Official Plan Amendment 39.

The Local Growth Management Strategy included the completion of a residential intensification analysis which identified areas of the City that were best suited to accommodate additional population growth at increased densities. With the recommended approval of the proposed Official Plan Amendment, the site has the potential to accommodate 489 households. The recommended re-designation, rezoning and intensification of the subject site supports the Local Growth Management Strategy goals of residential intensification within the corporate boundary and to plan for a steady 1.5% average annual population increase and a 175,000 population target by 2031. The

Local Growth Management Strategy has also identified the site to be developed by 2031.

-Evaluation of the proposal against the Provincial Policy Statement
The proposal must be consistent with The Provincial Policy Statement 2005 and Places to Grow provincial planning legislation. In particular, Section 1.1.3 (Settlement Areas/efficient land use patterns /intensification/compact form), Section 1.4 (Housing/appropriate range of housing types and densities), Section 2.1 (Natural Heritage protection), Section 2.2 (Water quality and quantity) and Section 2.6 (Archeological Resources) of the Provincial Policy Statement have been considered.

The lands can be serviced in a logical manner with full municipal services. Section 1.4 'Housing' has been addressed through the proposed range of housing types and densities. Section 1.5 'Public Spaces, Parks and Open Space' will be addressed through the dedication of parkland and open space areas including woodlots. An extensive pedestrian trail system has been studied and will be implemented throughout the plan to connect to the surrounding residential community. Section 2.1 'Natural Heritage' will be addressed through the dedication of Block 124 to the City and the acceptance of the environmental and servicing reports. Section 2.6 'Archaeological' will be addressed by the requirement for an archeological assessment prior to development (**Condition 37**). This proposal, as recommended by Staff in **Schedule 2**, is consistent with the Provincial Policy Statement 2005 policy.

-Evaluation of the proposal against the Places to Grow legislation.
The proposal must support the principles of the Provincial Places to Grow Growth Plan. The Growth Plan is a framework for implementing the province's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe. The legislation requires development to be compact and to provide minimum densities so that the neighbourhoods and City ultimately strive to become a complete community. The subject site is considered a designated 'greenfield' site according to Places to Grow. The legislation requires that the proposed development achieve a minimum density target of 50 persons and jobs combined per hectare. The calculated density of the 17.93 hectare development area of the plan is 57.8 persons per hectare. The proposal meets the principles and density requirements of the Places to Grow Growth Plan.

-Review of the proposed phasing and timing in compliance with the Development Priorities Plan (DPP) and the City's large-scale subdivision phasing policy.
The City's Phasing Policy for Large-scaled Subdivisions requires that draft plan approval of new large-scale residential subdivisions containing more than 200 potential dwelling units or 10 hectares (25 acres) be brought forward for consideration in a logical phase or phases. The proposed subdivision is currently identified in the 2010 Development Priorities Plan for draft plan approval of the first phase in 2010, consisting of a total of 209 units. Planning staff have considered this phasing policy in relation to this current application and consider it appropriate to bring forward this 489 unit subdivision for draft plan approval in its entirety because no draft plan approvals occurred in 2010. Further, the other two subdivisions identified in the 2010 Development Priorities Plan (DPP) for draft plan approval in 2010 are not anticipated to proceed in the 2010 DPP calendar year.

A total of 604 potential units were identified in the DPP for consideration of draft plan approval in 2010, which is consistent with the City's Growth Management Strategy. The City's Growth Management Strategy indicates that the City is expected to grow by approximately 1,000 dwelling units per year to the year 2011 and then 1,100 dwelling units per year thereafter. Since up to 60 percent of this new growth is expected to come from Greenfields areas, 600 dwelling units are needed per year to maintain a 60 percent supply of units in the Greenfield areas of the City. The recent history of draft plan approval activity further supports the rationale for considering draft plan approval for the entire subdivision. Over the past four years, on average, there was only 280 units draft approved each year, compared to the 600 units identified in the DPP for draft plan approval each year. This results in a deficit of approximately 1300 units.

It is important to note that the Development Priorities Plan (DPP) will still control the timing of registration for this development if draft plan approval is granted for the entire subdivision. **Condition 27 in Schedule 2** requires registration of the plan in accordance with the approved DPP. The applicant has submitted a phasing plan, shown in **Schedule 3**, which indicates three proposed phases of development. Currently, the 2010 DPP identifies that one phase of 209 units would be registered in 2011 and the second phase, containing 280 units would be registered post 2011. It is also recognized that the 16 proposed single-detached lots on the north side of the creek will have to wait for future servicing to be provided through the Kortright East Plan of Subdivision.

-Review and assess the Environmental Impact Study including the treatment of wetlands, buffers, corridors and linkages.
The environmental policies of the Official Plan have been addressed during the review of the subdivision through the approval of an Environmental Impact Report and a Servicing and Stormwater Management Report. These technical reports were accepted by the City Staff, EAC and the GRCA. All wetlands including the Torrance Creek and undevelopable lands on the site identified as Natural Heritage feature will be dedicated to the City (**Condition 38**).

The construction of a stream bypass and planned removal of Pond A at the north/central part of the site is consistent with the Torrance Creek Subwatershed Study. The Subwatershed Study recommends that cooler water temperatures will be supported in the Torrance Creek by taking the pond offline through the construction of a stream bypass.

-Should the Torrance Creek wetlands, buffers and associated open space lands be dedicated to the City for conservation and protection with respect to the Torrance Creek Sub-Watershed Plan?
Yes, they should be dedicated to the City for public ownership. Past development approvals have incorporated the dedication of small and large wetland blocks to the municipality. The intention is to accumulate the blocks to result in the public ownership and protection of the wetlands and their recharge function. In the City's south end, dedications of wetland blocks for the Hanlon Creek and the Torrance Creek have happened regularly for the past 30 years.

-Review of the Stormwater Management Strategy and Servicing Report considering water quality and quantity, infiltration and recharge, groundwater and effects on the Torrance Creek.

(See City Engineering comments on each of these engineering aspects of the site and proposal in **Schedule 9**).

-Review of the proposed Zoning.
The proposed zoning makes use of the standard residential zones outlined in the Zoning Bylaw and avoids the creation of specialized zoning. Staff supports the use of the standard zones as there is no need to create special uses or regulations if they are not necessary.
For this proposal, with respect to the multiple blocks including the Townhouse Block 118 and the two Apartment Blocks 116 and 117, Staff recommend the addition of a minimum density or unit count for each block (**Schedule 2**). This additional regulation will result in the creation of specialized R.3A and R.4A zoning on these three multiple blocks, but will ensure that the Places to Grow density requirements are met during the site plan approval process. This means that the recommended zoning for the multiple blocks will ensure that a minimum unit count is provided during the site plan approval process, but if it is possible, the minimum unit count can be exceeded. From an urban design perspective, Staff requested and received from the owner preliminary design concepts that demonstrate how the three multiple blocks could potentially be developed. The preliminary concepts are attached in **Schedule 3** and Staff is satisfied with the general layouts from an urban design perspective.

-284 and 348 Arkell Road Property Owner Concerns
A letter opposing the proposal was received from the property owner of the adjacent lands to the south, municipally known as 284 and 348 Arkell Road. This letter is attached in **Schedule 9.** Staff has met with the resident and have included conditions in **Schedule 2** to address the four concerns, which are listed as follows:

a) Construction noise pollution

There is a stated concern about the negative impacts associated with construction noise especially in a large-scale subdivision that takes years to build-out. The property owner believes that area construction in the past has not adhered to the City's Noise Bylaw and the nature and intensity of the construction noise can affect a person's health and enjoyment of adjoining property.

Staff Comment: This is a common complaint in developing areas of the City. The noise associated with construction activity occurs throughout the City and is regulated by the City's Noise Bylaw. The bylaw prohibits the operation of construction equipment from 7 p.m. to 7 a.m. (to 9 a.m. on Saturdays) and at all times on Sundays and holidays. The bylaw is enforced based on individual complaints and Staff is committed to the enforcement of the Noise Bylaw with respect to the construction activity in the proposed subdivision.

Condition 4 which requires the submission of a construction access and control plan will indicate that the sole access to the site is at the main entrance driveway at Victoria Road. Staff presently includes a notification in all subdivision approvals to warn residents buying homes in a new subdivision of the inconvenience of construction activity.

b) Construction air and garbage pollution

The property owner is concerned about air pollution from the construction

equipment and garbage litter associated with a construction site. The resident asks that construction equipment meets vehicle emission standards and that litter be prevented from entering adjoining property to the south.

Staff Comment: Staff suggest that the issue of garbage and construction debris is addressed below under 'c) Property trespass', with the commitment by the owner to construct a fence (**See Condition 56**). With respect to the property owner's concern regarding the operational efficiency of construction equipment and the associated vehicle emission standards, the City does not currently regulate these items.

c) Property trespass

The property owner is requesting that a fence be installed along the full length of the site to avoid accidental or intentional trespassing on adjoining property.

Staff Comment: The owner is willing to erect a chain link fence along the south property line at its expense to address the neighbour's concerns regarding litter and possible trespassing. It is proposed however that the fencing not be required to the west of Lot 39 as the owner does not want to be entering the wetland with equipment to establish the posts and fencing. It is also expected that snow fencing or construction zone fencing will assist in containing the windblown debris on site during construction.

Also, the owner is willing to erect 'No Trespass – Private Property' signage along the new fence, to deter intrusions onto private property to the south. Staff suggests that the proposed fence will also contain construction debris and will help to avoid property line encroachments. Staff has included **Condition 56** in the recommendation in Schedule 2 to require the requested fence and signage.

d) Post-construction noise abatement

The owner is concerned about the level and frequency of noise coming from the new residential subdivision and asks that noise abatement measures like a berm or landscaping be installed along the full length of the property as a noise abatement measure. The owner also suggests the noise abatement will protect new residents from the noise associated with farming operations.

Staff Comment: Based on the design of the subdivision and the need to provide an acceptable Places to Grow density, it is not practical to construct a berm along the south side of the property. It is recognized however that with the required property line fencing by the owner, the future retention of the Natural Heritage features directly abutting the site to the south in addition to new landscaping on the proposed residential lots and blocks, daily noise from the proposed subdivision will be minimal.

Staff has included in **Condition 44**, the 'standard farming operation notification clause' which is intended to make prospective homebuyers aware that there are farming activities occurring adjacent to their new homes and properties. This notification clause has been used as a condition in other subdivision approvals by the City to ensure that residents are aware of the nearby farming operations.

-Connectivity to adjacent neighbourhoods – road and pedestrian trail connections
Council was concerned about the original condominium proposal using private roads (Schedule 6) as it appeared to be isolated from the adjacent residential neighbourhoods both with regard to road connections and pedestrian trails.

Staff Comment: Traffic and pedestrian connectivity has been a key area of review during the series of plan revisions. While Torrance Creek and the associated greenway corridor is considered more important than a road connection to the north, the owner has placed more emphasis on future road connections to the south and enhanced the trail system. The current plan proposes two stub-roads (Street #2) at the south boundary of the site. These stub-roads will be included in the plan so they can be extended to the south and connect into the road pattern of a future subdivision. See **Schedule 3** for an area plan that illustrates the potential for possible road connections between the subject site and the development lands to the south along Arkell Road.

The recommended trail system is attached in **Schedule 3**. This trail plan will be refined during the Environmental Implementation Report process and contains a central primary trail, two secondary trails along the east and west sides of the site and possible secondary trails to supplement the primary and secondary trails. The trail system was enhanced to address the concern of the Upper Grand School Board that if the road connection to the north is removed from the plan, the trails must be enhanced to provide safe and direct pedestrian access to the north, especially for children walking to and from school.

City Staff have met with Upper Grand School Board Staff and committed to winter maintenance of the primary trail to facilitate a safe, year around pedestrian linkage between developments to enable children to walk to school. At present, a school site is proposed to the north in the Kortright East Subdivision, at the northwest corner of Zaduk Place and McCann Street. In addition, a municipal sidewalk is planned along the west side of Victoria Road.

-Housing mix and density of the project
Staff was asked to consider a range of housing types in the plan and to encourage an increase in density from the original 224 unit (condominium) proposal.

Staff Comment: These goals have been accomplished with the current development that is composed of varying housing forms with increased density. The plan proposes 9, 12 and 15 metre wide single-detached lots, semi-detached lots, on-street townhouse blocks, a cluster or stacked townhouse block and two large townhouse/ stacked-townhouse/ apartment blocks which provides an appropriate range of housing types. The total site is comprised of approximately 21.37 hectares (52.8 acres) of wetland and woodland (Block 124) and 17.93 hectares (44.3 acres) of development land. The original condominium proposal at a density of 12 units per developable hectare has been replaced with the current proposal at a density of 27 units per developable hectare. Staff is satisfied with the proposed unit mix in both range and density of the proposal.

-Future public transit service
The question was asked by Council if there would be future transit service provided to the subdivision.

Staff Comment: The closest existing transit routes to the site are Route 54 at the corner of Arkell Road and Summerfield Drive to the south and Route 70B located along Stone Road East to the north. It is likely that as more subdivisions are developed in this area of the City including the Kortright East Subdivision, more subdivisions along Arkell Road and the subject proposal, there will be a need to service the Victoria Road and Arkell Road area. Transit Services has confirmed that:

> *"Although Guelph Transit does not currently serve this area, and routes have not been planned in the Transit Growth strategy, we are certainly cognizant of the growth potential in that specific area of the City. We constantly monitor our route structure and make adjustments/add new routes based on growth and demand. We will continue to monitor growth in proposed development and surrounding areas and would expand service at the appropriate time - probably within the next 5 years. A potential routing could be University > Stone Road > Victoria > Proposed roadways > Connect to Kortright East."*

This approach is consistent with the Places to Grow legislation that stresses the importance of transit availability, connectivity and walkable communities.

-Parkland dedication versus cash-in-lieu
Council was interested in whether the City will be asking for parkland dedication or cash-in-lieu of parkland dedication for this subdivision.

Staff Comment: The original condominium subdivision was proposed as a private road development and did not include a parkland dedication. Since the subdivision proposal has been revised to include public roads, Block 119 is now proposed for a parkland dedication. The 0.90 hectare (2.2 acre) block of land represents the 5% dedication of land for the subdivision and the location of the park is appropriate based on the ability to expand this park block to the south in the future by incorporating parts of the adjacent woodlot. The proposed park dedication will serve future residents of the proposed subdivision and residents living in future residential areas to the south. **Condition 39** requires the dedication of this block to the City.

-Play areas and recreation opportunity for children
Council asked if there were any children play areas with play equipment planned for the proposed condominium development.

Staff Comment: Now that the proposal has been revised, children play areas will be accommodated in private rear yards, in common amenity areas within the multiple blocks and in the dedicated parkland.

-Naturalization of buffers and taking existing Pond A off-line
This site was included in the study area for the Torrance Creek Subwatershed Study 1998 undertaken by the GRCA and several other government agencies. The main branch of the Torrance Creek flows through the site and the consultant proposes to realign the channel to remove the existing pond, identified as Pond "A", as recommended in the Subwatershed Study. The removal of the pond will support the goal of reducing the warming effect on the Torrance Creek.

The naturalization of the buffers was considered when the development was originally

proposed as a residential condominium development with a nine-hole golf course. Since that time, the plan has been revised to create the 30 metre buffer, most of which will be dedicated to the City. **Condition 44** contains a notification for prospective home owners that the open space areas will be maintained as natural areas.

-Shopping services available in area

Council asked for information about available shopping and services in the area that would serve the residents in the subdivision.

Staff Comment: Zoning for Neighbourhood Centres is located both at the intersection of MacAlister Boulevard and Victoria Road at the main entrance to the Kortright East Subdivision and at the intersection of Arkell Road and Victoria Road. The Arkell/Victoria centre development is currently under construction. These commercial centres are intended to 'primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts' as stated in Section 7.4.22 of the Official Plan. From the subject property, both of these neighbourhood centre sites can be reached by a 5 to 10 minute walk along the proposed Victoria Road municipal sidewalk.

Schedule 9
Agency and Public Comments

RESPONDENT	NO OBJECTION OR COMMENT	CONDITIONAL SUPPORT	ISSUES/CONCERNS/ COMMENTS
Planning, Engineering and Environmental Services		✓	Subject to recommended zoning, conditions & phasing in Schedule 2
Guelph Wellington Development Association	✓		Support for the proposal
Guelph Police Services	✓		
Wellington Dufferin Guelph Public Health	✓		
Guelph Field Naturalists		✓	Support for the proposal
Upper Grand District School Board*		✓	Support provided standard conditions apply including strong trail connections
Wellington Catholic District School Board		✓	Support provided standard conditions apply
Emergency Services/Fire Department	✓		
Guelph Hydro Electric Systems Inc.		✓	Standard Hydro servicing conditions
Canada Post		✓	No objection provided owner meets standard conditions
City Engineering Services*		✓	Subject to recommended zoning and conditions in Schedule 2
Parks Planner		✓	Support provided standard conditions apply
Environmental Planner		✓	Support subject to standard EIR detail prior to registration. Request addendum to the EIS.
Environmental Advisory		✓	Support the EIS subject to standard EIR detail

RESPONDENT	NO OBJECTION OR COMMENT	CONDITIONAL SUPPORT	ISSUES/CONCERNS/ COMMENTS
Committee*			prior to registration.
Grand River Conservation Authority*		✓	Support provided standard conditions apply
Wellington County	✓		
Heritage Guelph	✓		
Guelph Chamber of Commerce	✓		
M.B. Staples (Adjacent Property Owner)*			Opposed to development with concerns regarding construction noise, air and garbage pollution, property trespass and post-construction noise abatement.

This summary chart generally includes multiple comments received from agencies from 2007 to 2010.

Note: '*' - letter or email attached in this Schedule.

THE CITY OF
Guelph

PLANNING & BUILDING SERVICES
PLANNING DIVISION
City Hall, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1
Telephone: (519) 837-5616 Fax: (519) 837-5640
www.city.guelph.on.ca

August 22, 2005

Mr. Al Hearne
Senior Development Planner
City of Guelph
Planning and Building Services
Planning Department

Dear Mr. Hearne:

At a meeting of the Environmental Advisory Committee, held on Wednesday, July 13th, 2005, the following resolution was passed regarding the Victoria Park Village Condominium and Associated Draft Plan of Subdivision - 1159 Victoria Road South

- Victoria Park Village Condominium - (OP0502/23CDM-05506/ ZC0505)
- Associated Draft Plan of Subdivision – (OP0503/23T-05501/ZC0506)

"THAT the Environmental Advisory Committee support the Environmental Impact Study with the following conditions:

- enhance the buffer area where possible by naturalizing common areas adjacent to natural areas and buffers
- erect a chain link fence between the north development and creek area to protect natural area from rear yard encroachment
- include educational signage including strict regulations for golf out of bounds areas
- the Environmental Advisory Committee support the private ownership and stewardship of lands as long as there are legally enforceable conservation restrictions
- the Environmental Advisory Committee supports the creek bypass of pond "A".

Yours truly,

Vaille Laur,
Environmental Advisory Committee
Secretary

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

JUL 2 6 2010

July 21, 2010

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

Dear Mr. Hearne:

Re: Victoria Park Village, 1159 Victoria Road South,
City of Guelph, File 23CD-05506 / 23T-05501

We have received and reviewed additional information dated July 9th, 2010 from Braun Consulting Engineers that provides information in support of the proposed storm water management plan. Based on the information submitted we have no objection to the plan receiving draft approval subject to the following conditions.

1. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:

a) A final stormwater management report in accordance with the Preliminary Site Servicing and Stormwater Management Design report;

b) An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.

c) Detailed lot grading and drainage plans.

d) The approval and issuance of a Permit from the GRCA for any development within the regulated areas on the subject lands pursuant to Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

Member of Conservation ONTARIO

ISO 14001 Registered

Canadian Heritage Rivers System

The GRCA trusts that the City of Guelph will ensure that the Subdivision Agreement between the owners and the municipality will contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted in the above conditions. We trust that the comments contained within our February 9, 2010 letter relating to implementation of the impact assessment, to be considered as part of the Environmental Implementation Report, will be considered and can be accommodated through final design.

Yours truly

Fred Natolochny
Supervisor of Resources Planning
Resources Planning

cc: Black, Shoemaker, Robinson and Donaldson Att. Nancy Shoemaker,
Braun Consulting Att. Tanya Lonsdale

UPPER GRAND DISTRICT SCHOOL BOARD

Dennis Cuomo, MCIP, RPP
Manager of Planning
Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2
Email: dennis.cuomo@ugdsb.on.ca
Tel: 519-822-4420 ext. 820 or **Toll Free:** 1-800-321-4025

February 5, 2010

PLN: 10-08
File Code: R14
Sent by: mail & email

Al Hearne
Community Design and Development Services
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Community Design
and Development Services

FEB 0 8 2010

Dear Mr. Hearne;

Re: File # OP0502/23T-07506/ZC0505
1159 Victoria Road South
City of Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the revised application for the proposed plans outlined above, dated January 12, 2010. In 2007, the plan as originally circulated, raised concerns for the Board with respect to the lack of connectivity with surrounding areas. The revision circulated in June 2009 addressed this issue with a proposed connection of the subject subdivision with development to the north and lands to the south. Specifically, the 2009 version proposed a road connection which would provide a safe pedestrian access for students to the proposed new school site reserved by the Board in plan 23T-01508.

The last revision, circulated on January 12, 2010, has eliminated the road connection to plan 23T-01508. The removal of the connection will eliminate the opportunity for students living in this development and those proposed further south, to walk or bike safely to their planned neighbourhood school. This does not appear to advance the City's goal of improving community workability and will impact efforts on the part of the Board and City to encourage school children to walk or bike to school - Active and Safe Routes to School initiative.

While we understand the need to protect the wetland corridor which would have to be crossed, the plan creates another isolated island of development in south Guelph with no adequate connection to an important community facility, the local school. We fear that this will only encourage the recent trend, and its associated problems, of parents unnecessarily driving their children to school.

Upper Grand District School Board

• R.J. (Bob) Borden; Chair	• Mark Bailey	• Dan Best	• Susan Moziar	• Lynn Topping
• Ralph Edwards; Vice-Chair	• Linda Busuttil	• David Gohn	• Bruce Schieck	• Jennifer Waterston

It is understood that pedestrian walkway connections are planned between developments; however there are no plans for lighting or snow clearing. Experience has shown that parents are resistant to accepting natural trails as "safe routes to school". We encourage the City to enhance the proposed pedestrian connections in a way that will provide a safe walking route for school children. We would be happy to collaborate with the City on the design of such features.

Sincerely,

Dennis Cuomo MCIP, RPP
Manager of Planning

Cc: T. Donegani, City of Guelph

DATE November 10, 2010

TO **Al Hearne**

FROM Mary Angelo

DIVISION Planning, Engineering and Environmental Services

We are in receipt of the following reports and correspondence related to the Victoria Park Village Draft Plan of Subdivision:

- Letter to the Grand River Conservation Authority (GRCA) from Braun Consulting Engineers Ltd (BCEL) regarding "Preliminary Servicing and Stormwater Management Report – Victoria Park Village Subdivision, City of Guelph, OP0502/23T-07506 & 23T-05501" dated July 9, 2010.
- Letter to the GRCA from BCEL regarding "Preliminary Servicing and Stormwater Management Report – Victoria Park Village Subdivision, City of Guelph, OP0502/23T-07506 & 23T-05501" dated July 9, 2010.
- Report entitled "Victoria Park Village Residential Subdivision – City of Guelph – Preliminary Servicing and Stormwater Management Report" prepared by BCEL dated Revised November 2009.
- Report entitled "Victoria Park Village Residential Subdivision – City of Guelph – Preliminary Servicing and Stormwater Management Report" prepared by BCEL dated Revised April 2009.
- Draft Plan of Subdivision dated March 31, 2010 and revised November 9, 2010.

We met with the applicant's consulting team on November 2nd to review some of the comments below and they have since revised the plan (see November 9th version) or otherwise worked out a solution in order to move forward with Draft Plan approval. The other comments will be addressed by the consultants during detailed design review of the subdivision.

Stormwater Management

1. An overall grading plan for the subdivision should accompany the stormwater management report. The grading plan should indicate existing ground elevations and contours, proposed elevations, lot grading, slopes that are 3:1 or greater, and overland flow routes.

2. While it is acknowledged that the location of the future SWM pond outlet facilities will be located in consultation with the GRCA, conceptual outlet alignments and discharge points should be shown for each pond on drawings SK-09, SK-10, SK-11 and SK-12.

3. The emergency overflow weir and elevation should be shown on the pond sections. The overland flow route for the Regional Storm spill-over from the SWM pond closest to Victoria Road needs to be identified.

4. It is not clear whether thermal mitigation measures will be incorporated in to the stormwater management pond design. Bottom draw outlet pipes are currently proposed presumably to address a thermal pollution issue. If this is the case, it is suspected that the benefit of a bottom draw outlet in terms of discharge temperature reduction would be minimal as the pond depths are quite shallow and would limit any thermal stratification in the pond. If thermal mitigation measures are required, cooling trenches and riparian plantings to encourage shading should be included in the pond design.

5. City standards for SWM pond design require pond side slopes not to exceed a maximum slope of 5:1.

6. The City standards for SWM pond design require a minimum 3.0metre wide trail with a 3.0metre wide zone on each side of the trail.

7. City standards for SWM pond design require maintenance access slopes not to exceed a slope of 10:1.

8. Turning circles need to be added to the ends of the maintenance access roads at the SWM pond closest to Victoria Road.

9. The permanent pool elevation shown in plan on drawing no. SK-12 is incorrect.

10. The infiltration trench section and detail on drawing SK-17 show in-situ native soils surrounding the geotextile-wrapped clear stone trench; however, Section E shows an infiltration trench located roughly 1 m above the native soils in a fill area.

11. The infiltration targets for North of Torrance and South of Torrance in Table 1-E appear to be incorrectly stated. In the "Torrance Creek Subwatershed Study Management Strategy - Technical Appendix – Hydrology/Hydraulics" (TSH, September 1998), the site is contained within three separate subcatchments within Zone 2, namely 106, 110 and 115. According to the Torrance Creek Subwatershed Study report, the infiltration target range for these subcatchments is 150 to 200 mm/yr.

12. There should be a more detailed discussion related to the external stormwater drainage areas to the south that currently drain through the subject site.

13. In-situ infiltration tests need to be completed in the areas where permeable pavers are proposed in order to demonstrate that this SWM measure is feasible for this development site. Additionally, the SWM report should establish a soil gradation target range and a monitoring protocol to ensure that imported fill material is free draining.

14. The assumption all storm events 25 mm and less are infiltrated assumes that there has been sufficient time between events to infiltrate the stored runoff. It is recommended that overflow relief systems be included in the design of infiltration measures where the calculated drawdown is greater than 48 hours.

Water and Sanitary Servicing

15. The extension of the existing sanitary sewer stub west into the development through the bank of SWM pond 107 is not acceptable. A new connection to the trunk sewer on Victoria Road appears to be required so it is located at the new entrance to the development site.

16. Any external sanitary sewer drainage areas to the south that will need to outlet through the development should be identified on a sanitary sewer drainage area drawing.

17. The existing sanitary sewer on Victoria Road is 375 mm in diameter, not 400 mm as indicated on drawing SK-14.

18. At our November 2nd meeting, BCEL indicated that they propose to run two watermains on Street 1 to provide a looped system.

Weeping Tile Collection System

19. We note that to-date there has been no Engineering staff review of the proposed use of a weeping tile collection system within the future road allowance and discharging directly to Torrance Creek. We will need to review the design criteria for this system.

Emergency Access and Roads

20. An emergency access route needs to be identified on the plan as per the City's geometric design criteria in order to permit Street 1 to be constructed beyond 150metres in length. After our November 2nd meeting, BCEL provided a typical cross section for Street 1 that shows an overall right of way width of 26 metres with 15.7metres of asphalt and no centre island. The proposal would be to utilize a section of this 15.7metres for emergency access purposes. While we think that the pavement may not need to be that wide, the details regarding the configuration of this cross section can be worked out during detailed design of the subdivision.

    As per City Standards, for Street 1 to be extended beyond 300metres in length, a secondary access will be required. After our November 2nd meeting, Black Shoemaker provided the revised November 9th Draft Plan of Subdivision that shows an additional Street 8 that is 15metres wide.

21. The City will not share in the cost to construct the 26metre wide Street 1.

Primary Pedestrian trail

22. A pedestrian trail crossing over the Torrance Creek is proposed as outlined in a "Preliminary Trail Plan" prepared by BCEL dated July 21, 2010. We understand that this trail is to serve as a year-round pedestrian connection to the subdivision to the north and is to be designed to meet the Guelph Trail Master Plan and the Facility Accessibility Design Standards. This trail is to align at 90 degrees to the opposite Street 3 sidewalk. Furthermore, we understand that there is to be lighting along its entire length. While we have not yet seen an overall grading plan for the subdivision, BCEL has assured us that all of this criteria is achievable with the current Draft Plan.

Groundwater

23. High groundwater conditions are expected. The Geotechnical Investigation (Chung & Vander Doelen Engineering Ltd, June 8, 2006) indicates that the developer will need to permanently lower the groundwater table by at least 1-2metres or raise the site grades in order to facilitate the installation of underground services. At our November 2nd meeting we questioned how this will affect the Creek, basements and surrounding wells. We were referred to a Chung & Vander Doelen Engineering Ltd. letter to the owner dated April 12, 2010 for further information and we have reviewed that letter but still have concerns. We provide the following Draft Plan Condition:

    Prior to any grading, site alteration or execution of the subdivision agreement, the Developer shall satisfy the City with respect to managing the expected high groundwater conditions. This will include analysis of any proposal to permanently lower the groundwater table and the effects this will have on the surrounding wells, Torrance Creek, servicing and basements. The Developer is advised that basements and underground parking may not be permitted in this development.

Other

24. Lots 100 to 115, both inclusive, are not to be registered until servicing is available and Street 6 and 7 can be connected to streets in the adjacent subdivision to the north to the satisfaction of the City Engineer.

25. We may need to temporarily hold lots 43, 44 and 64 until Street 2 is extended to the south unless Street 2 can be completed to the satisfaction of the City Engineer.

Please do not hesitate to contact me if you have any questions.

Mary Angelo, P. Eng.
Supervisor, Development Engineering

FILE: 16.131.001

TO:	Al Hearne
FROM:	Michelle Thalen / Rajan Philips
DEPARTMENT:	Engineering Services
DATE:	March 29, 2010
SUBJECT:	1159 Victoria Road South Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment – OP0502/ZC0505

The application is for a draft plan of subdivision/official plan amendment/zoning by-law amendment that would redesignate the property from a resort commercial zone (Puslinch Township zoning) to a residential subdivision with mixed zoning proposed for individual blocks and lots of single-detached, on-street towns, semi-detached, mid-rise residential, cluster/stacked towns as well as apartment zoning. Engineering Services provides the following comments:

1. Road Infrastructure

The proposed residential subdivision building will be served by Victoria Road South, and the subdivision plan provides for a future collector road connection through lands south of the subject development, to Arkell Road. There will be no roadway connection to the Kortright East subdivision to the north, only a trail connection with provision for winter maintenance to facilitate year round pedestrian linkage between the two developments.

The improvements to Victoria Road South have identified in the Victoria Road EA recommendations, comprised of a 2-lane roadway, with centre-turning lane, bike lanes and sidewalk on the west side. Road widening and payment of frontage charges for the road upgrades including signals will be required and are included in the conditions of approval.

2. Municipal Services

On Victoria Road South fronting the subject lands is an existing 400mm diameter watermain. Recently the City constructed a **force-main** sanitary sewer on Victoria Road and provided the developer with a 200mm diameter sanitary service connection.

The developer has paid the City for the costs associated with the sanitary service connection but will be responsible for the costs associated with the future watermain connection. The developer will also be required to pay a share of the cost of both of the existing watermain and sanitary sewer.

3. Storm Water Management

This site was included in the study area for the Torrance Creek Subwatershed Study undertaken by the GRCA and several other government agencies back in September 1998. The main branch of the Torrance Creek flows through the site and the consultant proposes to realign the channel to remove an existing pond, identified as Pond "A", as recommended in the Subwatershed Study.

The proposed development will have 4 new storm water management facilities to service the subject lands. Two of the facilities will be wet ponds and the other two will be constructed

wetlands – all of which will have a varying permanent pool depth. In order to maintain water balance for the site, both ponds will incorporate an infiltration basin into the SWM facility's design as well the addition of rear lot infiltration galleries in some areas. The ponds will be sized to accommodate the pre-development flows from the subject lands and the Preliminary Servicing and Stormwater Management Report prepared by Braun Engineering, demonstrates that the post development flows will be controlled as determined in the Torrance Creek Subwatershed Study.

We recommend the following conditions for approval of this proposed Draft Plan of Subdivision:

Note: All conditions have been removed and incorporated into the Staff recommendation in Schedule 2.

To: L. Giles
City Clerk

From: M. Staples

RECEIVED
NOV 2 6 2007
CITY CLERK'S OFFICE

Re: File OP0502 / 23T-07506 / 23CDM-05506 / zc0505
Victoria Park Village Subdivision – Official Plan Amendment and Draft Plan of Subdivision and Draft Plan of Common Elements Condominium and Associated Zoning Bylaw Amendment

This document comprises 3 pages.

I reside at and am the owner of the properties at Arkell Road. There is a single family residence at Arkell Road; the remainder of the property is farmland. These combined properties are located on the northwest corner of the intersection of Arkell Road and Victoria Road South and share a property line with Victoria West Golf Course.

I oppose the proposed development at Victoria West Golf Course for the following reasons which I ask Council to consider. I require a formal written response from the City of Guelph that addresses each of these concerns in detail, with a copy to Council.

1. Construction Noise Pollution
   The City of Guelph has an obligation to minimize the negative impact of large scale development, such as that proposed for Victoria West Golf Course, on surrounding property owners but does not discharge that responsibility.

   When the City of Guelph approves large scale development, the developer is not required to complete the development to any City-imposed time deadline or to construct noise buffers prior to development. The City's noise bylaw allows construction from 7 a.m. to 7 p.m. Monday to Friday and from 9 a.m. to 7 p.m. on Saturday with no limits to the nature or intensity of the noise. My experience with noise complaints is that they are given a low priority by City of Guelph Police with the result that the noise bylaw, as well as affording limited protection, is rarely enforced. On the rare occasion where an officer has responded to a noise complaint, only a warning has been given but no $ fine.

   I reside directly across from the Victoria Woods development (southwest corner of Arkell Road and Victoria Road South) and have first hand knowledge of the negative impacts of noise pollution from large scale development. Construction of Victoria Woods started in the spring of 2002 and is now in its sixth year. During that time construction noise pollution has been continuous and at unacceptable levels. Noise pollution results from heavy machinery noise including but not limited to the incessant beep of reversing vehicles, the noise from acceleration, operation and use of engine brakes by dump trucks and other construction vehicles, the loud slam of dump truck panels as they unload, construction outside of hours permitted by the existing noise bylaw, the servicing of vehicles outside of permitted hours (loading and unloading of equipment, delivery of fuel and other construction materials) and from shouting and use of loud music by construction employees.

Noise pollution can impair hearing and cardiovascular health and result in high blood pressure. Of no less importance, noise pollution results in high levels of stress and in significant loss of property enjoyment that continues after the construction noise pollution has stopped.

Noise pollution, especially loud noise, travels. Before any future development, including the Victoria Park Subdivision, is considered for approval the City needs to ensure that affected property owners are protected from construction noise pollution through:

- Mandatory noise pollution barriers such as berms or concrete noise barriers that are put in place before any development starts and remain in place until the the development is 100% complete
- Limits to construction noise decibel levels
- Amendment of the noise bylaw to restrict construction before 8 a.m. and after 6 p.m. Monday to Friday and to prohibit weekend construction. This provides 50 full hours per week for construction activity and provides improved quality of life for existing property owners
- Large $ fines or enforced work shutdown for construction noise outside of permitted hours and/or in excess of the allowed decibel limits
- Active enforcement of the amended noise bylaw, funded if necessary by development fees.

2. Other Construction Pollution: Air and Garbage

Before any future development, including the Victoria Park Subdivision, is considered for approval the City needs to require that all construction equipment involved meet vehicle emission standards. My experience with the Victoria Woods development is that much of the construction equipment including dump trucks belch black smoke and thus do not meet vehicle emission standards. This results in impaired air quality on surrounding properties.

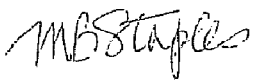
Before any future development, including Victoria Park Subdivision, is considered for approval the City needs to ensure that large scale developments do not create garbage litter issues for surrounding property owners. My experience with the Victoria Woods development has been that large amounts of construction garbage (materials, wrappings) blow across the road and create litter. No efforts to contain or retrieve the litter were made by Victoria Woods and it was necessary to call the police on several occasions. In the case of the proposed Victoria Park Subdivision, the developers would need to prevent any construction litter from entering my property to avoid being charged with dumping or with trespass if they entered my property to retrieve litter.

3. Property Trespass

The Victoria Park Subdivision proposal does not appear to include any fencing to separate the new self-contained development from surrounding property owners. Before the development is considered for approval, a fence along the full length of the property line should be required to avoid accidental or intentional trespass against surrounding property owners.

4. Post-Construction Noise Abatement

The Victoria Park Subdivision proposes adding 209 residences to the existing single family residence. This will result in a significant increase to the level and frequency of noise from that property. The development proposal does not appear to include any noise abatement measures such as berm landscaping. Before the development is considered for approval, noise abatement landscaping along the full length of the property line should be required. In addition to protecting surrounding property owners, this will also protect any future Victoria Park Subdivision residents from the legal noise resulting from farming operations.



Schedule10
Proposal Chronology and Public Notification Summary

May 31, 2005 - The original Notice of Application was mailed.
July 26, 2007 - The City receives a revised plan with apartments added along the main road entrance (182 units total).

October 16, 2007 – The City receives a revised plan clarifying 26 units per apartment building (210 units total).

November 9, 2007 - The Notice of Application and Public Meeting was mailed to property owners within 120 metres of the site and advertised in the local newspaper encouraging public participation and comments.

*December 3, 2007 - The first statutory Public Meeting of City Council was held.

February 26, 2008 – The City receives a revised plan with two public roads added including apartment and townhouse blocks (352 units total).

July 24, 2008 – The City receives a revised plan which eliminates the condominium/9-hole golf course proposal and replaces it with a conventional subdivision plan. No road connection is proposed to the north.

September 17, 2008 - The City receives a revised plan with a road connection to the north.

May 27, 2009 – Plan revised to add north road connection (497 units total).

June 12, 2009 - The Notice of Application and Public Meeting was circulated and advertised in the local newspaper encouraging public participation and comments.

*July 6, 2009 - The second statutory Public Meeting of City Council was held.

September 17, 2009 - Plan revised to remove north road connection (489 units total). Owner submits updated support documents including EIS, SWM & Traffic.

December 1, 2009 - Plan revised to 487units total.

January 12, 2010 – Notice of Revised Application circulated.

April 19, 2010 – City receives revised plan and updated EIS, SWM to address GRCA comments (487units total).

July 13, 2010 - City receives additional SWM information to address GRCA comments (487units total).

Notice of the Council Decision Meeting scheduled for December 13, 2010 was mailed on _____2010.
December 13, 2010 – anticipated Guelph City Council Decision Meeting.