

City Council - Planning Meeting Agenda

Consolidated as of February 8, 2019

Monday, February 11, 2019 – 5:30 p.m.
Council Chambers, Guelph City Hall, 1 Carden Street

Please turn off or place on non-audible all electronic devices during the meeting.

Please note that an electronic version of this agenda is available on
guelph.ca/agendas.

Guelph City Council and Committee of the Whole meetings are streamed live on
guelph.ca/live.

Changes to the original agenda have been highlighted.

Call to Order – Mayor

Disclosure of Pecuniary Interest and General Nature Thereof

Authority to move into closed meeting

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act, to consider:

Interim Chief Administrative Officer Appointment

Section 239 (2) (b) and (d) of the Municipal Act related to personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.

Open Meeting – 6:30 p.m.

O Canada
Silent Reflection
First Nations Acknowledgment

Closed Meeting Summary

**Public Meeting to Hear Applications
Under Sections 17, 34 and 51 of The Planning Act**
(delegations permitted a maximum of 10 minutes)

IDE-2019-09

Statutory Public Meeting Report 855 and 927 Victoria Road South Proposed Zoning By-law Amendment File: OZS18-007 Wards 5 and 6

Staff Presentation:

Lindsay Sulatycki, Senior Development Planner

Delegations:

Hugh Handy, GSP Group (presentation)

Carrie Nethery

Sarah Taylor

Cyndy Washington (presentation)

Neale Avery (presentation)

William (Bill) Farr (presentation)

Alan Kay (presentation)

Susan Watson (presentation)

Justin Linebaugh

Debbie Kay

Correspondence:

Michael Watson

Megan Renaud

Pam Hughes

Lauren Hanlon

Cyndy Washington

Drew Cherry

Recommendation:

That Report IDE 2019-09 regarding proposed Zoning By-law Amendment application submitted by GSP Group on behalf of the Owners, 2506780 Ontario Inc. and Gamma Developers Ltd. to permit the development of 367 to 400 residential dwelling units comprised of stacked townhouses and apartment units on lands municipally known as 855 and 927 Victoria Road South, and legally described as Part of Lot 2, Concession 8, Township of Puslinch, Part 7 of 61R-9761, City of Guelph (855 Victoria Road South) and Part of Lot 3, Concession 8, Rear, Township of Puslinch, Part 2 of 61R-10792, City of Guelph (927 Victoria Road South), from Infrastructure, Development and Enterprise dated February 11, 2019, be received

Items for Discussion:

The following items have been extracted from the Committee of the Whole Consent Report and the Council Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

CS-2019-03 2018 Development Charges Background Study and 2019 Development Charges By-law

(referred from the January 21, 2019 Special Council Meeting - 2018 Development Charges Background Study and 2019 Development Charges By-law)

(staff memo including additional staff recommendations)

Delegations:

Susan Watson (presentation)

Audrey Jacob, on behalf of the Guelph Wellington Development Association, Guelph and District Home Builders Association and Silvercreek Developments

Jane Londerville, on behalf of Wellington Guelph Housing Committee

Lin Grist

Correspondence:

Audrey Jacob, on behalf of the Guelph Wellington Development Association, Guelph and District Home Builders Association and Silvercreek Developments

Hugh Whiteley

Susan Watson

Recommendation:

1. That in accordance with the Development Charges Act, 1997, as amended, Council has decided that no further public meeting is required in respect of the proposed 2019 Development Charges By-law.
2. That the capital project listing set out in Chapter 5 of the 2018 Development Charges Background Study is approved subject to further review during the annual capital budget.
3. That all future capital grants, subsidies, donations and other contribution requests before Council be clearly designated by the donor as being to the benefit of existing development (or new development as applicable).
4. That the assumptions contained within the 2018 Development Charges Background Study are adopted as an 'anticipation' with respect to the capital grants, subsidies donations and other contributions.
5. That a new Development Charge Reserve Fund for Waste Diversion be created and that Appendix A of the General Reserve and Reserve Fund Policy be updated accordingly.
6. That the current historical University of Guelph Development Charge Exemption be maintained at 100% in the 2019 Development Charges By-law.

Special Resolutions

By-laws

Resolution to adopt the By-laws (Councillor Gibson).

"That By-law Numbers (2019)-20371 to (2019)-20374, inclusive, are hereby passed."

By-law Number (2019)-20371	A by-law to amend by-law number (2015)-19985, as amended, being a by-law respecting Building, Demolition, Conditional, Change of Use and Occupancy Permits, Payment of Fees, Inspections, Appointment of Chief Building Official and Inspectors and a Code of Conduct and to repeal by-law (2017)-20158
By-Law Number (2019)-20372	A by-law for the imposition of Development Charges and to repeal By-law Number (2014)-19692
By-Law Number (2019)-20373	A By-law to appoint a Chief Administrative Officer on an interim basis, to define the general duties, roles and responsibilities of the Chief Administrative Officer, and to repeal By-law Number (2016) - 20070.
By-law Number (2019)-20374	A by-law to confirm the proceedings of meetings of Guelph City Council held February 11, 2019.

Mayor's Announcements

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

Adjournment

855 & 927 Victoria Road South

Zoning By-law Amendment OZS18-007

**Fusion Homes &
Gamma Developers Limited**

**Public Meeting
February 11, 2019**



About the Developers

Fusion Homes

- A Guelph-based developer and builder
- A proven reputation as a community builder and leader
- A proven track record with over 25 communities built or under construction in Guelph and surrounding municipalities
- A dedication to exceptional customer service and a multi-year Tarion award winner
- A focus on housing variety and diversity to meet market needs
- A commitment to creativity and innovation in housing design

Gamma Developers Limited

- An experienced developer in Southwestern Ontario
- A key land development partner to Fusion Homes in the Kortright East subdivision
- A proven track record of successful infill developments
- A significant property owned in Guelph

About the Developers



Metalworks



About the Developers

Natura

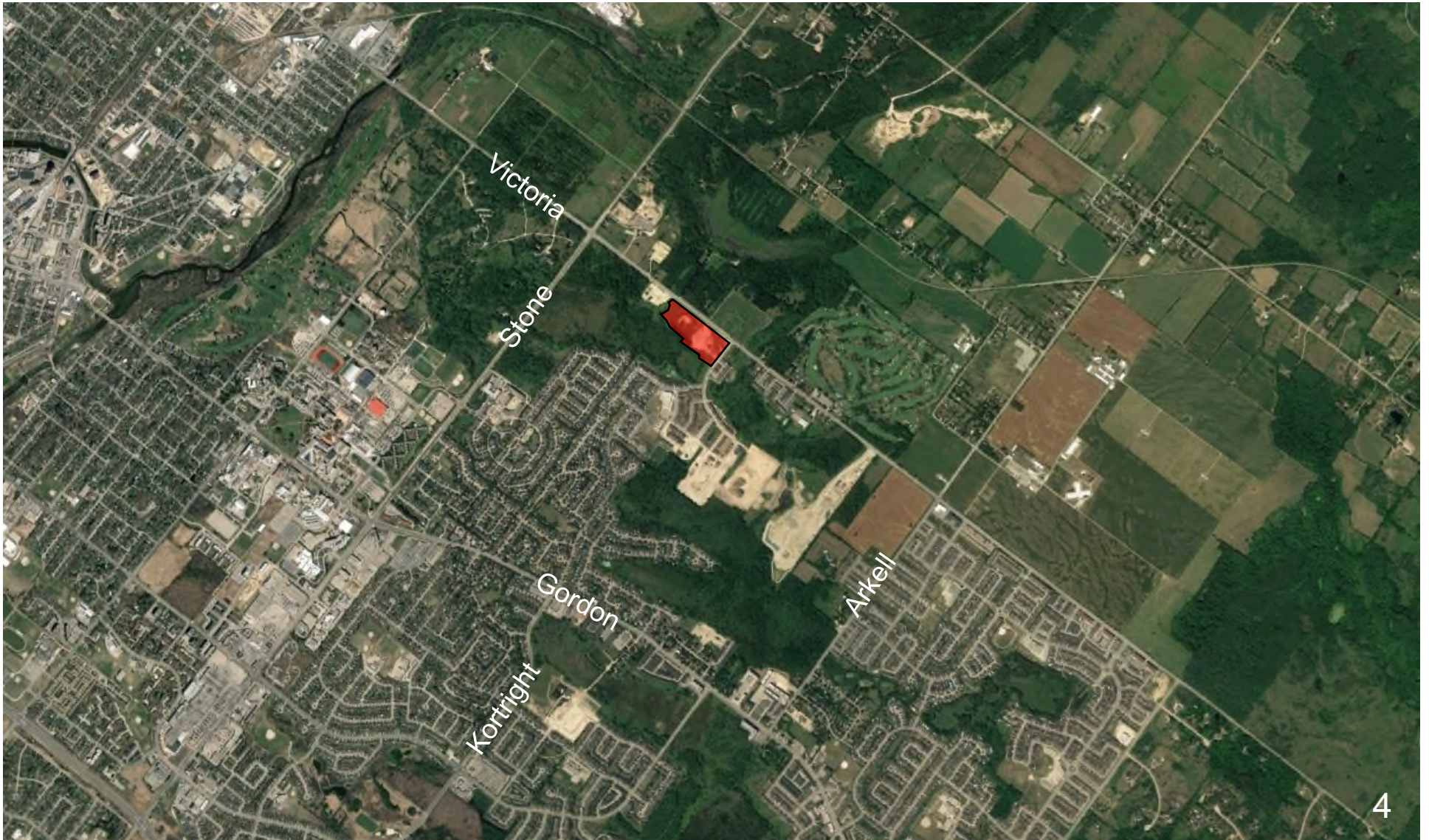


Explorers Walk

Solterra



The Site's Broader Context

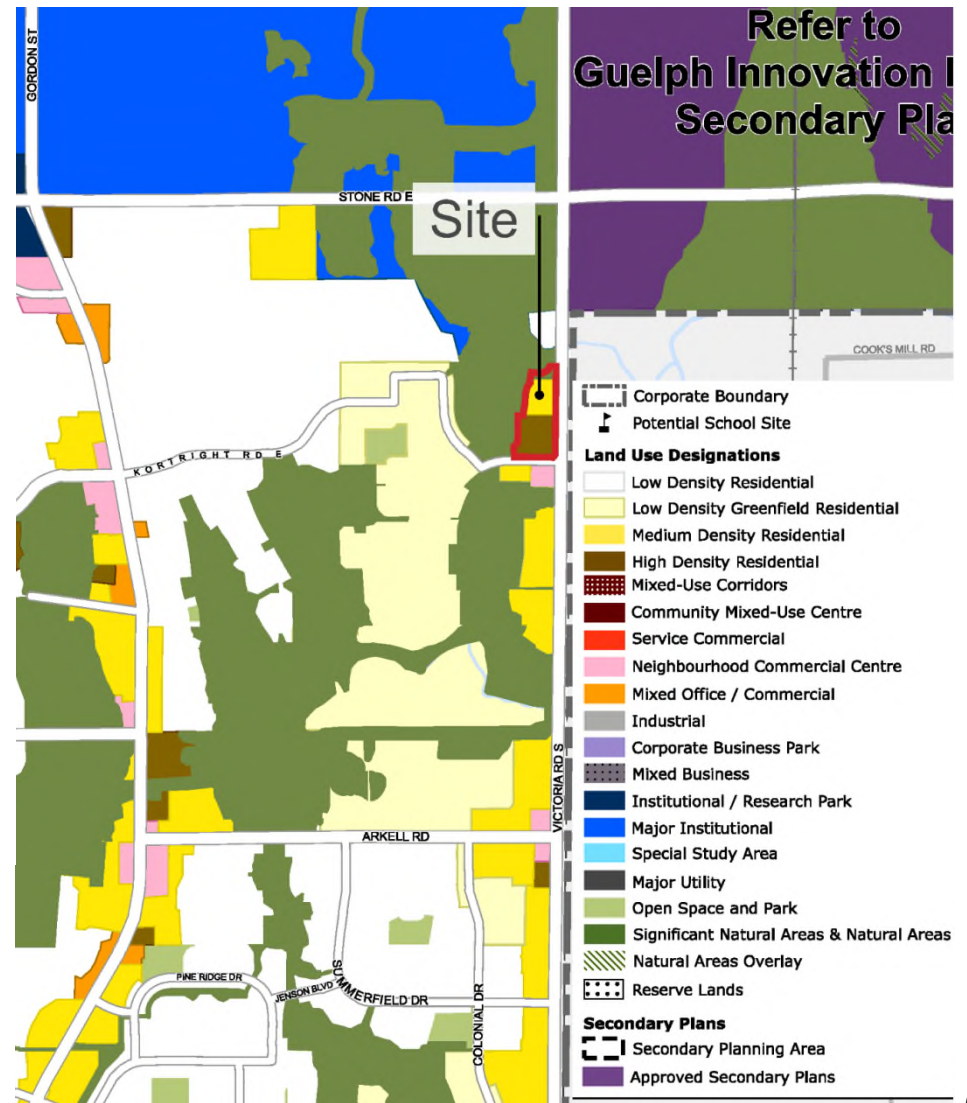


The Site's Immediate Context



Existing Official Plan Policy

- Site designated for higher intensity residential for about 20 years
- Higher intensity residential intent for Victoria Road corridor supports achieving City's growth target
- Proposed zoning works within existing policies of Official Plan



Existing Official Plan Policy

Significant Natural Areas & Natural Areas

- Development and site alteration generally not permitted
- Passive recreation, conservation, or education activities are allowed
- Buffers to be evaluated

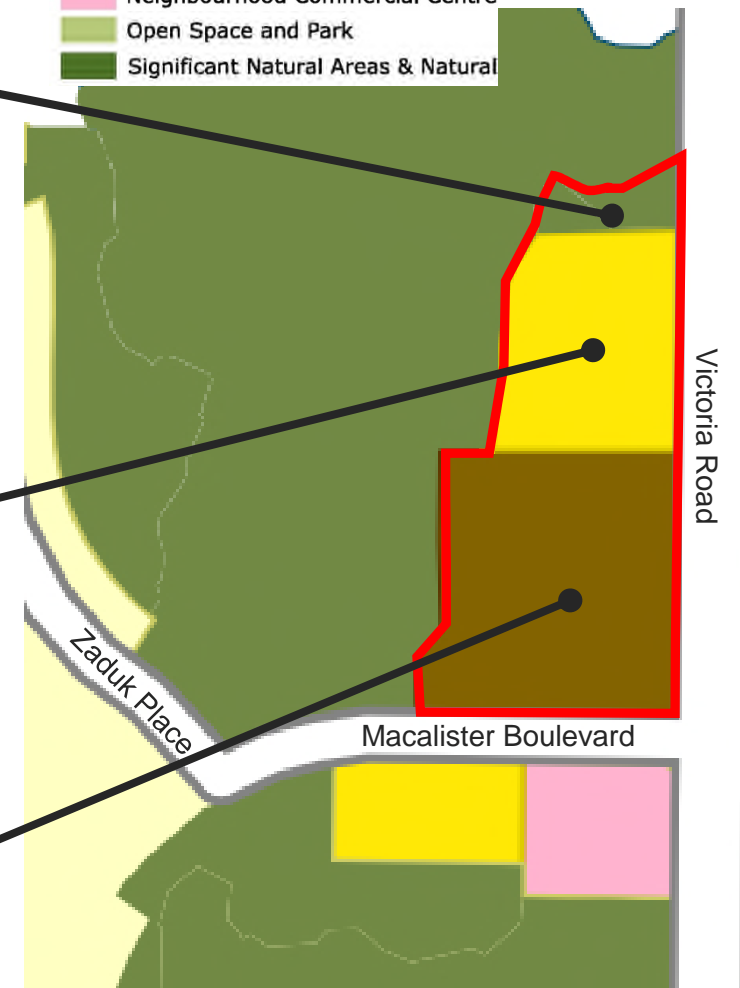
Medium Density Residential

- Townhouses and apartments
- Maximum height = 6 storeys
- Required density = 35 and 100 units / ha

High Density Residential

- Generally apartments
- Maximum height = 10 storeys
- Required density = 100 and 150 units / ha

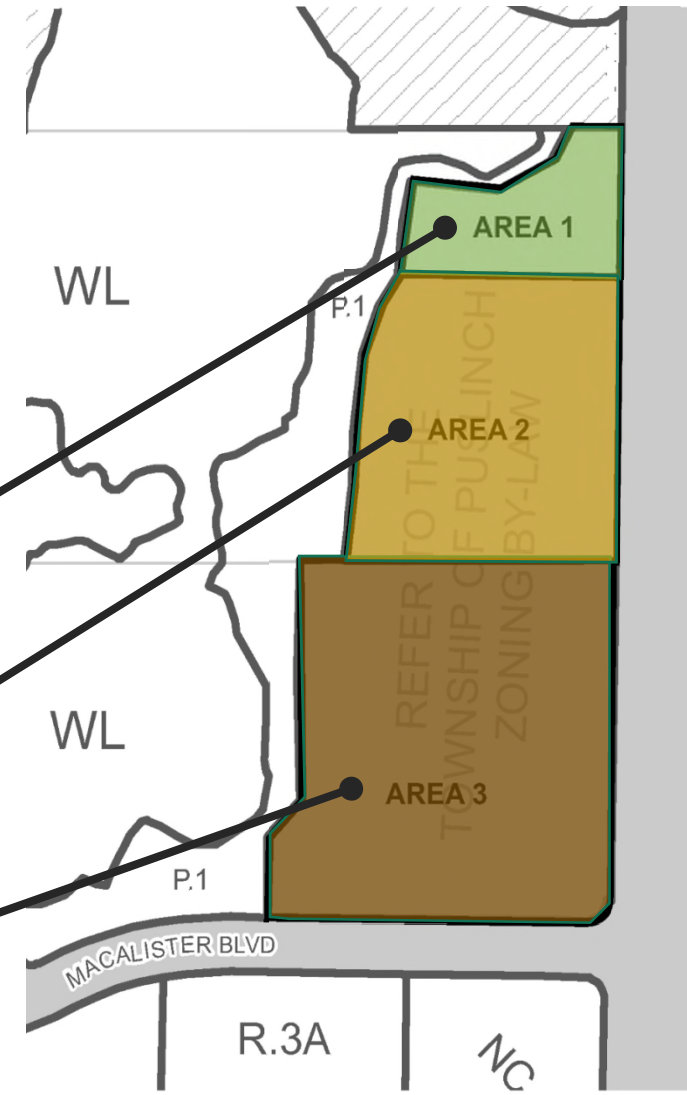
- Low Density Greenfield Residential
- Medium Density Residential
- High Density Residential
- Neighbourhood Commercial Centre
- Open Space and Park
- Significant Natural Areas & Natural





Proposed Zoning

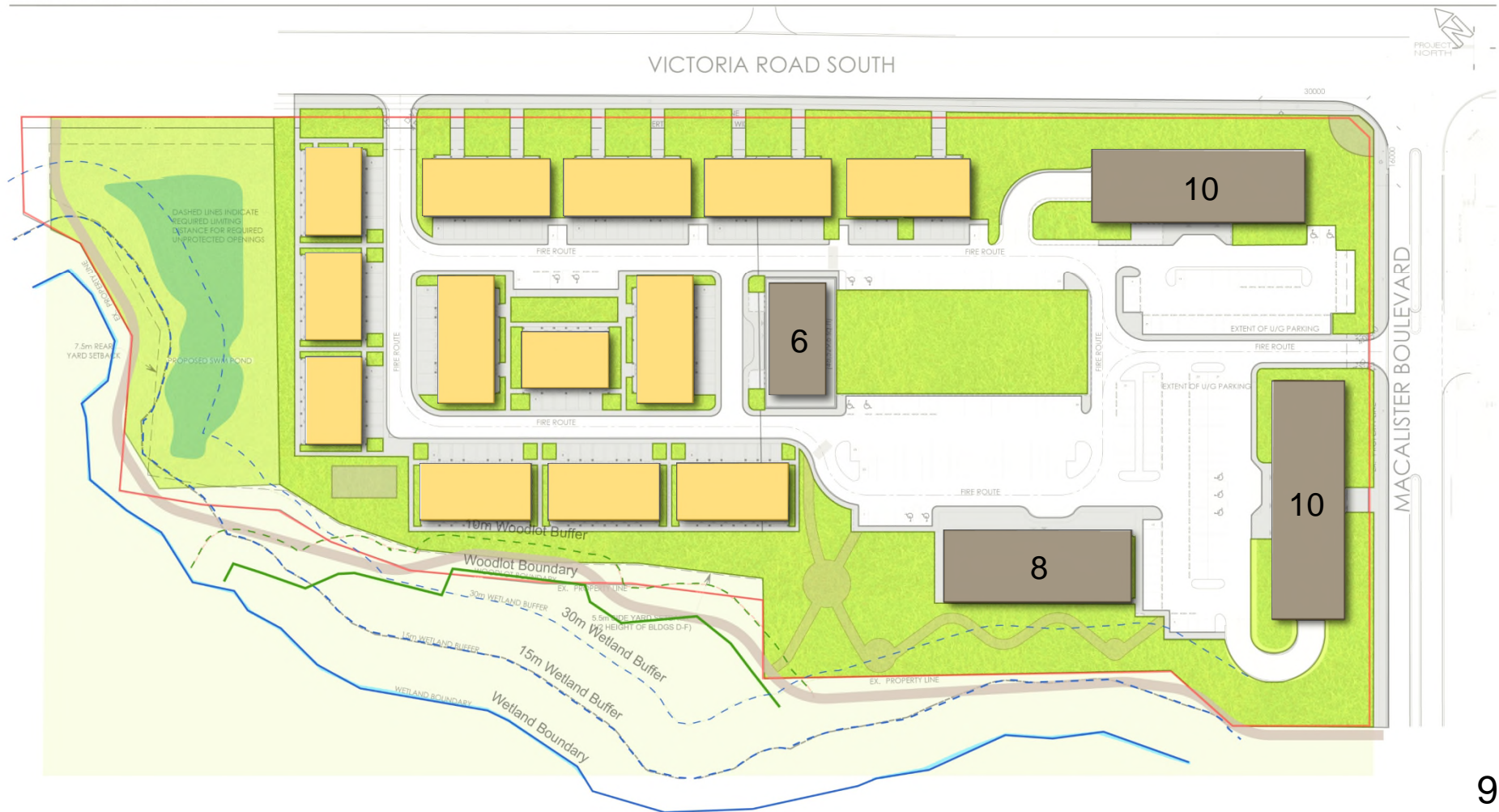
- Proposed zoning follows Official Plan concerning boundaries, uses, maximum height, and maximum density
- Certain special regulations to tailor the zoning to development concept

- Conservation Land Zone (P.1)
- Specialized Cluster Townhouse Zone (R.3A)
- Specialized High Density Apartment Zone (R.4B)



Preliminary Development Concept

-  Stacked Townhouses – up to 4 storeys
-  Apartments – up to 10 storeys



Submitted Reports & Studies

Submitted reports being reviewed by City staff:

- Transportation Impact Study
- Functional Servicing Report
- Environmental Impact Study
- Tree Preservation Plan
- Planning Justification Report
- Urban Design Brief
- Shadow Impact Analysis

Consultation to Date

- Fusion and Gamma organized two consultation sessions in the neighborhood in January 2019
 - 1. January 10, 2019**
 - Information session for adjacent townhouse condominium representatives (355 MacAlister Boulevard)
 - Held at Fusion office
 - 6 representatives in attendance
 - 2. January 24, 2019**
 - Neighbourhood Open House
 - Held at Victoria Park East Golf Club
 - 50 to 60 residents in attendance
- Several common issues raised by participants

To: clerks@guelph.ca
Re: File OZS18-007
855 and 927 Victoria Road South
From: Cyndy Washington

Presentation at Public Meeting, City Hall February 11, 2019

Your Worship and Members of Council

My name is Cyndy Washington and I live in a vibrant, lovely neighbourhood on MacAlister Blvd.

My intent today is to specifically address our community concerns about the **proposed high-density** development at 927 Victoria Road South as well as the **medium-density development** at 855 Victoria, and how they DO NOT fit with **The Guelph Official Plan Vision which states the following -**

The integration of energy, transportation and land use planning will make a difference in the environmental sustainability, cultural vibrancy, economic prosperity and social well-being of Guelph.

According to the public presentation Fusion held, these two agriculturally zoned properties were annexed from Puslinch in the mid 1990s. From this presentation we also understand the Province had a "vision" for Guelph which included high density and this tiny parcel of land at 927 & 855 was designated medium to high density some 25 years ago. Much has changed in Guelph in the last 25 years including the area which is most impacted by this proposal. Is it time to adjust the old Vision?

Exhibit A shows the Site just left of the Legend. Please note how tiny it is, especially the **brown section which indicates the high density**, in comparison to the surrounding **significant natural area**, and almost all **low-density residential homes**.

The application before you for 927 Victoria is high density 292 apartment units housed in two 10-storey, an 8-storey and a 6-storey buildings.

The 2.58 hectare parcel 927 abuts Victoria Road as well as MacAlister Blvd. MacAlister Blvd. is a residential road which serves a low-density Greenfields Residential area and goes further into a low-density Residential area on Kortright Rd East, often used as a main thoroughfare to the west end of Guelph. It is also a main corridor for wildlife traversing from the ponds on the south side of MacAlister to the ponds, open space and wetlands on the north side. It is also in a migratory bird flight path.

The property at 855 to the north of 927 is a 2.25-hectare lot and borders Victoria Road south of Stone Road. The proposed rezoning for this property is medium density with 108 stacked townhouses.

The density and scope of this proposal cannot be ignored.

As an example, Guelph currently has an average population density of 1,395.4/sq km. If you assume each townhouse has 2.7 residents and each apartment has 1.5, based on 400 units this is a total of 729 people (which we believe to be low) on that tiny plot of land. This equates to an **average density of 15,083/sq km** more than 10 times the current average density of Guelph.

This number also compares to average densities in large cities such as Toronto, Montreal and Vancouver of around 5,000 each.

We oppose the re-zoning of 927 to high density, and the proposed buildings for the site, as well as the stacked townhouses at 855. This application is completely inconsistent with the residential and natural heritage area that exists.

With reference to **The City of Guelph Official Plan**

9.3.1.1

The following criteria will be used to assess development proposals for multi-unit residential development within all residential designations and for intensification proposals within existing residential neighbourhoods. These criteria are to be applied in conjunction with the applicable Urban Design policies of this Plan.

Sub Section 1:

Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.

As mentioned, Fusion/Gamma are proposing 400 units with two ten-storey, one eight-storey and a six-storey apartments on the 2.58 hectare lot as well as 108 stacked townhouses on a 2.25 hectare lot.

1. Nowhere in the immediate vicinity of this property are there any buildings of this size. The bulk is low-density residential with a very small number of regular townhouses.
2. There are currently no ten-storey buildings in the south end of Guelph. There is one small parcel of land on Victoria just south of Arkell Rd designated high-density with a four-storey apartment building. All other properties are medium-density units south of Stone Road on Victoria and are four storeys.
3. The small block of residential townhouses directly across MacAlister would be dwarfed by the size and location of the apartment buildings and are in no way congruent with the scale proposed.
4. For residents of Zaduk whose backyards look out onto this property their view would be spoiled by these massive apartment buildings.

This proposal is completely incongruent and incompatible with the criteria noted above and with any zoning in the immediate vicinity Kortright East Community and along Victoria Rd South.

Greenfields Policies – a) achieve an overall minimum density target that is not less than 50 residents and jobs combined per hectare in accordance with the Growth Plan policies.

Based on 729 residents on 4.83 hectares this equates to density of 150 residents per hectare which is 3 times the required minimum number of residents and jobs under the Greenfields Policies.

This shows there is a lot of room in the Greenfields policies to reduce the density without being in violation.

Sub Section 3.

The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.

1. More importantly there is one school, Arbour Vista, currently over capacity, which cannot be deemed a “community” school as it is French Immersion and therefore caters to a small demographic with many students bussed from outside the neighbourhood.
2. There are no walkable services in this area. There are no stores, especially grocery stores, available schools, libraries or other commercial businesses. Realistically, nothing is in the vicinity of a quick bicycle ride either. References to the walking and riding nature of this property in the rezoning application are completely without foundation. Adding a potentially 800-1000 residents, will only increase the already troubling traffic issues as people will need to drive to almost all services.
3. Since there are no services in this area this also does not meet the Greenfields Policy of the promotion of “live/work” opportunities.

As a result, the proposed high-density community will NOT be adequately served, and densities must be reduced in order to account for the lack of services.

Sub Section 6.

That adequate municipal infrastructure, services and amenity areas for residents can be provided.

1. **Amenities** – There is only one small park (Jubilee Park) in the neighbourhood that already endures high volume usage and parking deficits. It’s relevant to also consider the number of dogs that may be part of the new community and the impact of waste and potential concern for wildlife in the area.
2. **Municipal Infrastructure** needs to consider specifically sewage, waste and drinking water, especially the Carter wells located directly across Victoria. Keep in mind there are also a further 200 homes still to be added to the end of MacAlister.
3. **Public Transportation** - This property is not on a well-serviced bus route and is not a major transportation hub. There is one bus route on Victoria operating throughout the day. That does not fit the city’s plan for an integrated transportation system and would not accommodate the increased needs of a further 800 to 1000 people. Even if buses were increased, without services, businesses or good connecting transportation nearby, where would these people be going?

We believe this development will overwhelm our infrastructure, services and amenity areas.

Sub Section 10.

The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.

1. **Safety** is always a concern in any community. The safety of our children is first and foremost in our minds. Public safety when adding the large number of people and cars is paramount. Currently there are no proper cross-walks, traffic calming or speed control signs in this neighbourhood. MacAlister and Zaduk are subject to speeding cars at all hours of the day already and there are still another 200 homes to be built up MacAlister.
2. **Impact to highly sensitive Natural Heritage System** – This will be discussed separately tonight.

At the end of the day Safety, Lifestyle and Environment should be at the heart of any community, and we believe this proposal will be a serious detriment to them all.

OTHER HIGH-DENSITY CONSIDERATIONS

1. **Condos vs. Rentals** - Gamma will not say if any or all of the high-density apartment buildings will be condos or rentals. Rentals would generally have higher turn-over and potentially higher people per unit.
2. **Property Values** – The increase in traffic congestion, the over-populated school and park, and incompatibility of structures to the community are all issues that devalue our neighbourhood.
3. **Privacy** – The privacy of the small townhouse community on the south side of MacAlister would be compromised. The higher number of storeys and resulting units would only add to the number of people who will be peering into front windows and backyards. It's just plain creepy.

I would like to direct you back to the Vision at this time –

The integration of energy, transportation and land use planning will make a difference in the environmental sustainability, cultural vibrancy, economic prosperity and social well-being of Guelph.

Based on our presentations tonight and this vision, we do not believe this development will contribute to the environmental sustainability of our extremely sensitive Natural Heritage System, nor do we believe it will “make a difference” in a positive way to the cultural vibrancy, economic prosperity or social well-being of our neighbourhood. In fact, we believe it will only damage our incredibly wonderful neighbourhood.

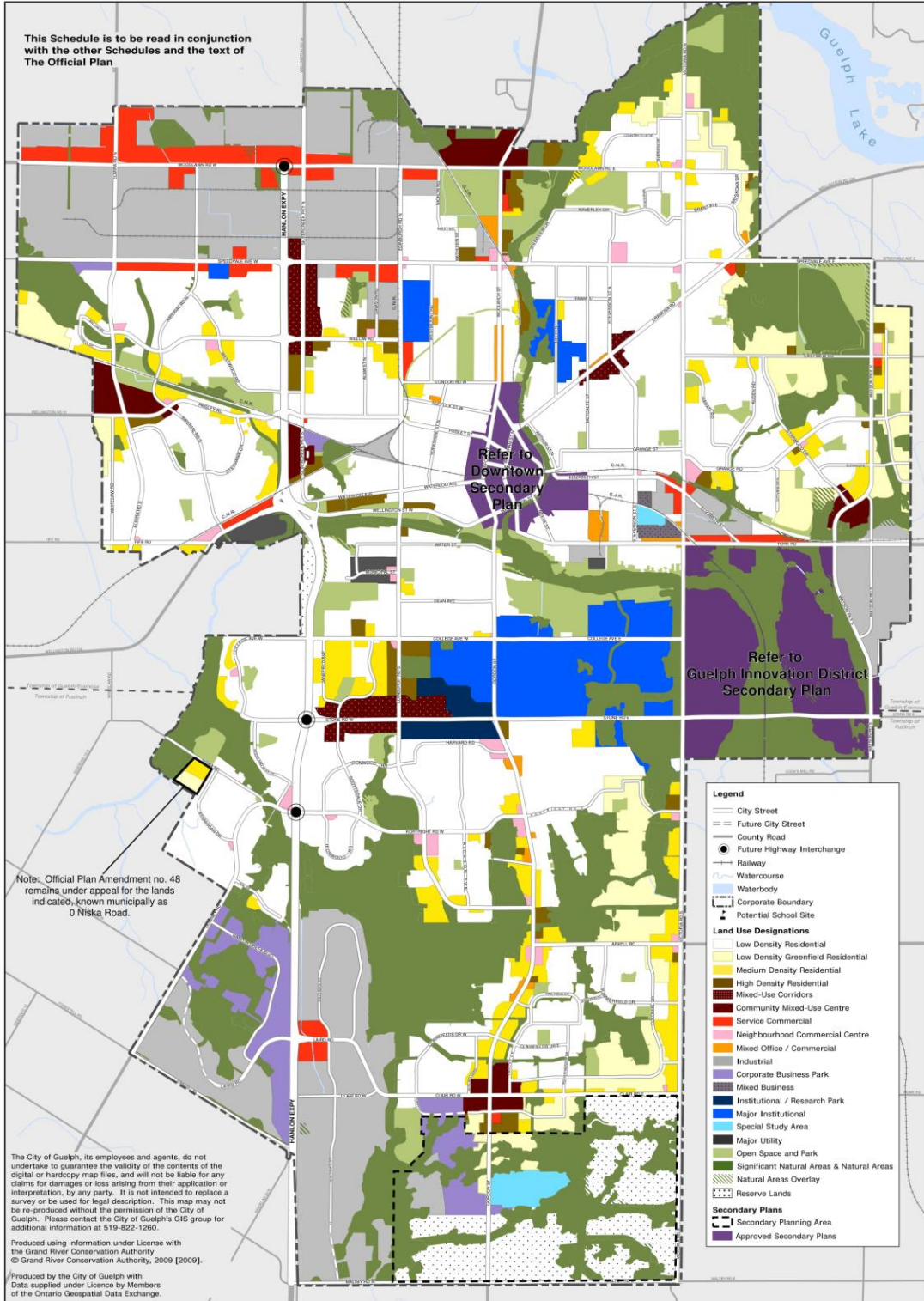
As many of you may be home owners too, you understand that when people buy a home, it's not just a house they are purchasing. They are choosing a community, one that will suit their

lifestyle and needs. We have chosen our neighbourhood as it was initially developed as low-density with a small parcel of medium-density homes. Although we understand the need for expansion and welcome new neighbours, we ask that you reconsider this application and not blight the beautiful, natural community with buildings that do not reflect the neighbourhood.

The City of Guelph is an amazing community. Our city planners are designing people's lifestyles, and determining the heart of our communities, while the developer is simply conducting business by constructing residential units.

As such we implore council to reconsider the high-density zoning application and proposed two ten storey, 8 storey and 6 storey buildings in a neighbourhood that has no infrastructure to support it and ask the city to keep the heart of this neighbourhood intact.

Thank you for your time and consideration.



1 0.5 0 1 KM

Projection: UTM 17N NAD83
Produced by the City of Guelph
Planning Services
March 2018 Consolidation

**CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 2:
LAND USE PLAN**



TRAFFIC PRESENTATION FILE # OZS18-007

855 & 927 VICTORIA RD. SOUTH



TRAFFIC PROBLEMS AND IRREGULARITIES

1. *Issues with Paradigm Transportation Solutions Study*

1. *Issues with Elementary Schools*

1. *Contradiction to City of Guelph Official Plan*

1. *Contradiction to Provincial Legislation*



Issues with Paradigm Transportation Solutions Study

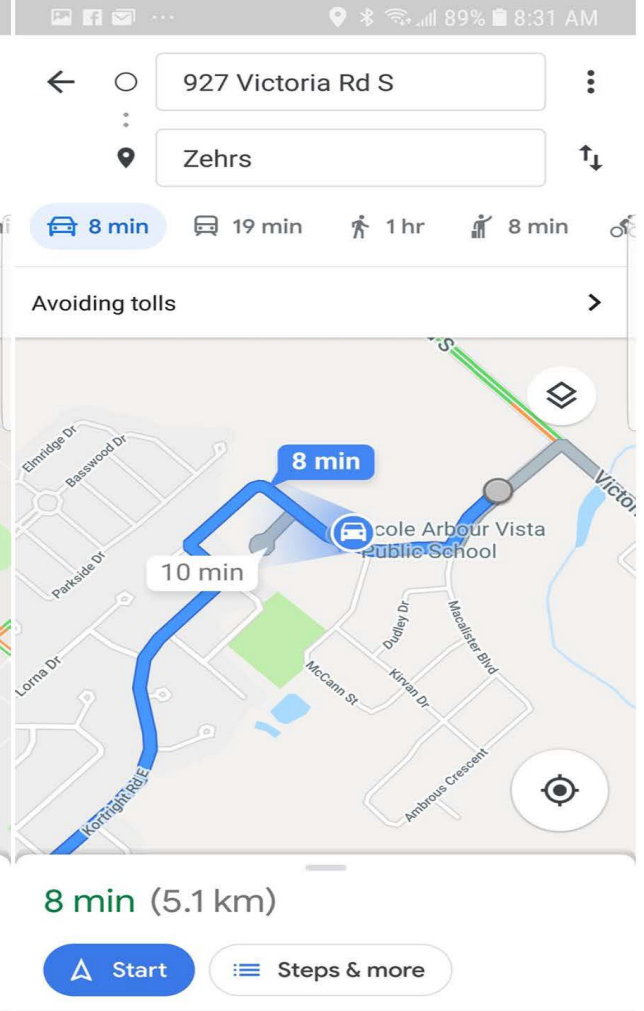
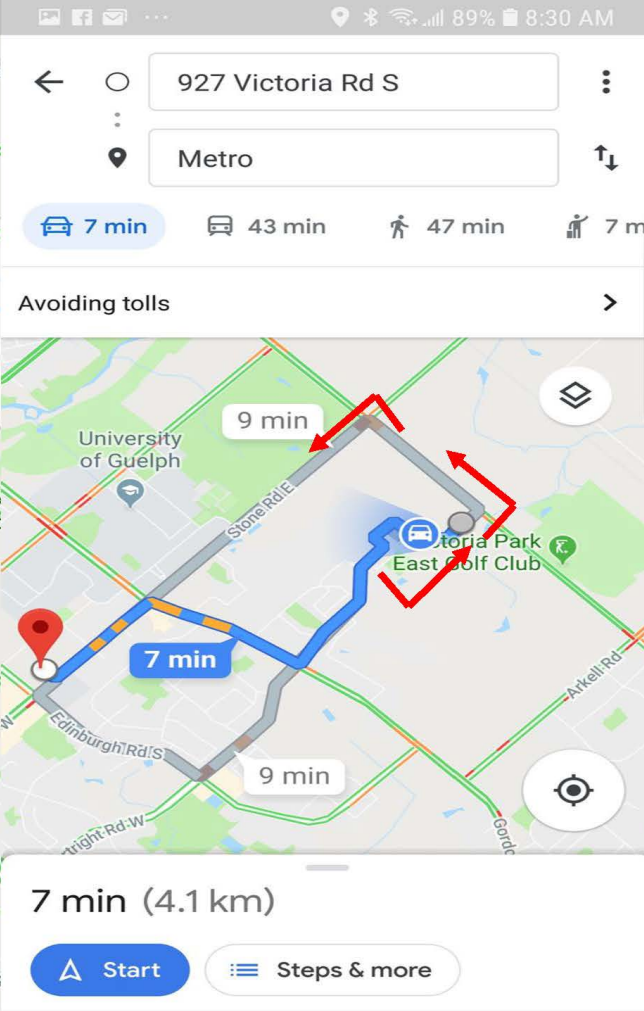
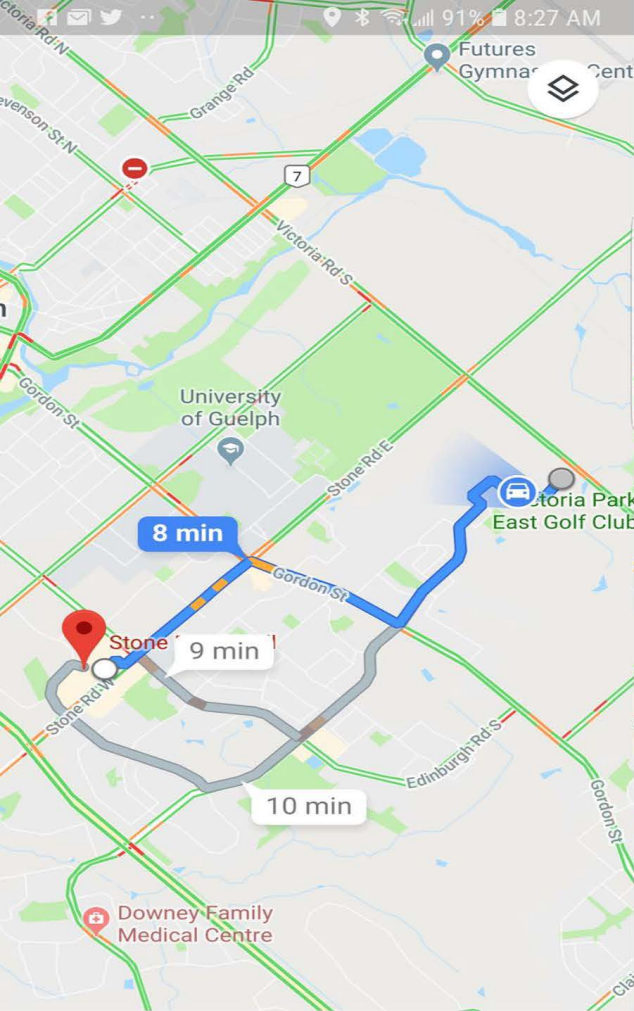
- 1) The Study is inaccurate due to the timing.
 - University classes concluded April 6, 2018.
 - Final examinations commenced on April 9, 2018.
 - **THE TRANSPORTATION STUDY WAS CONDUCTED ON APRIL 12, 2018 when where 13,000 students who living off campus were taking final exams.**
 - The study does not reflect the normal traffic patterns in this neighbourhood
 - The traffic study was conducted for **ONE DAY ONLY!**



Issues with Paradigm Transportation Solutions Study

2.) The study is inaccurate due to Scope of the Study being too Narrow

- No impact study was conducted on Zaduk Place - **school zone 170m from the proposed site**, and Sweeney Dr or Kortright E
- Google maps shows **Zaduk/Sweeney/Kortright** as not only the **shortest route** to access Stone rd. Mall, grocery stores, Cambridge, Kitchener & even Mississauga, but also to **avoid at least 3 left turns on busy main roads**.
- During peak periods, most vehicles will turn right and take Zaduk, Sweeney and Kortright East route.



927 Victoria Rd S
Kitchener

38 min 2 hr 18 6 hr 38 mi

927 Victoria Rd S
Kitchener

38 min 2 hr 18 6 hr 38 mi

927 Victoria Rd S
Cambridge

33 min 1 hr 29 6 hr 33 mi

927 Victoria Rd S
Cambridge

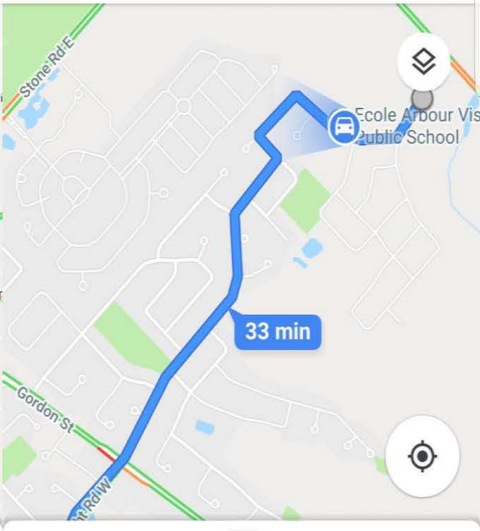
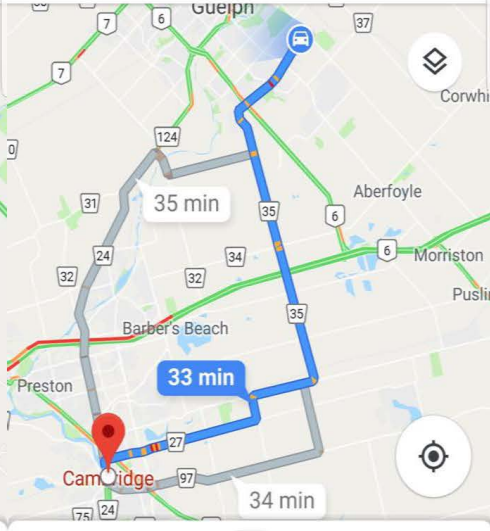
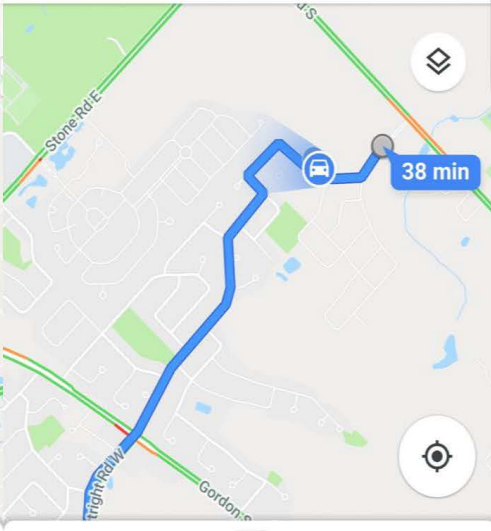
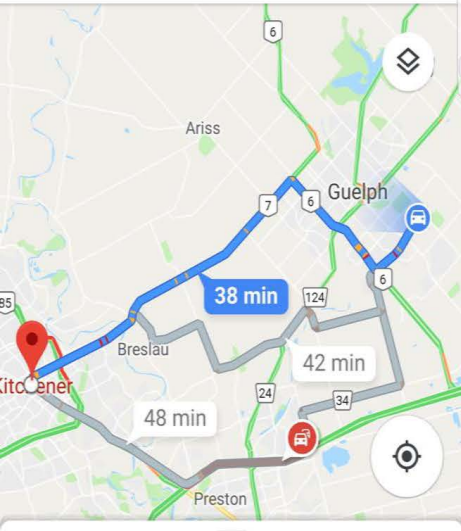
33 min 1 hr 29 6 hr 33 mi

Avoiding tolls

Avoiding tolls

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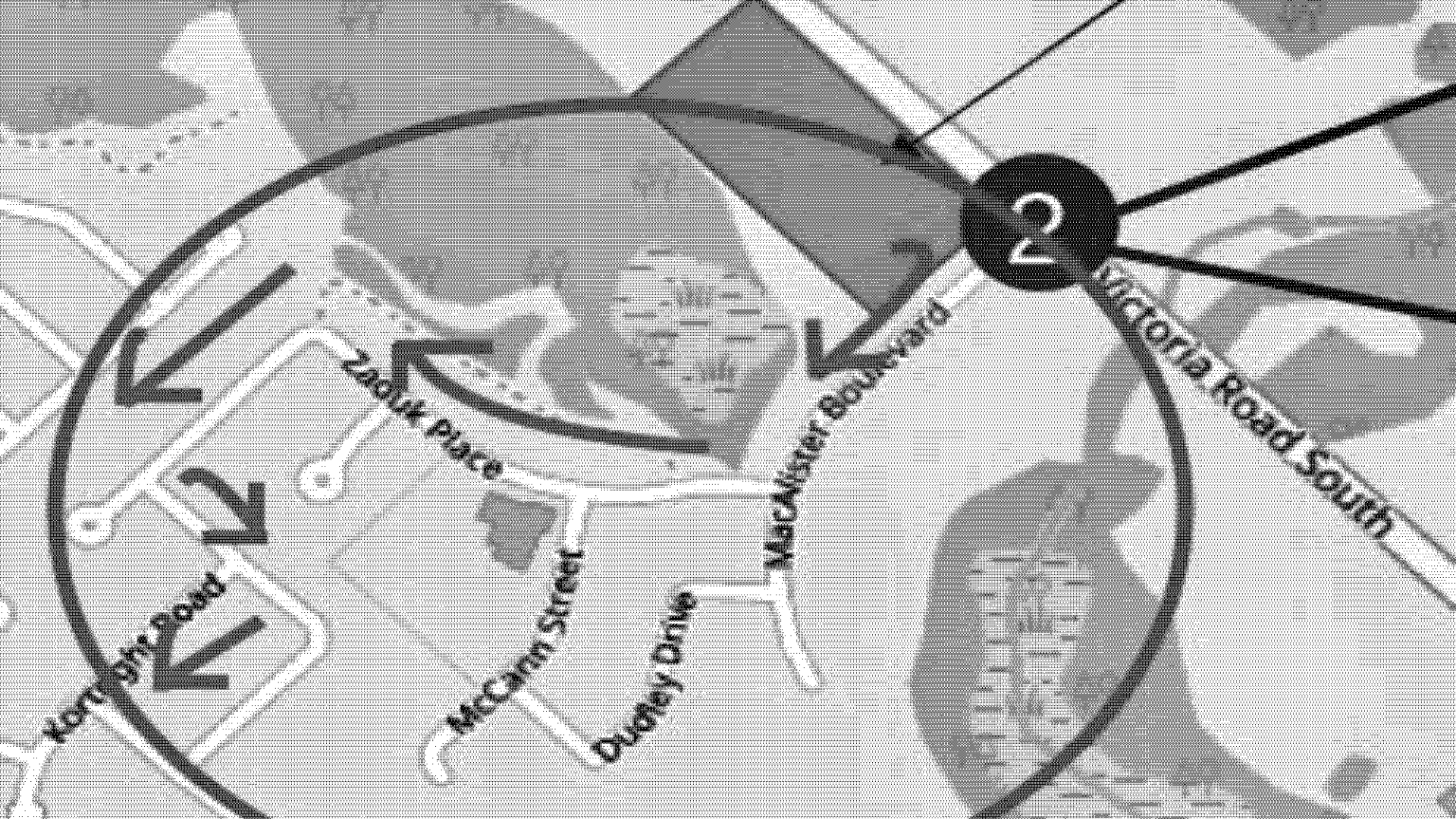


38 min (32 km)
Start Steps & more

38 min (32 km)
Start Steps & more

33 min (30 km)
Start Steps & more

33 min (30 km)
Start Steps & more



2

Northgate Road

Zabolik Place

McCann Street

Ducey Drive

MacAlister Boulevard

Victoria Road South





Issues with Paradigm Transportation Solutions Study

In conducting their study, Paradigm neglected 2 important sections of the City of Guelph Traffic Impact Study Guidelines:

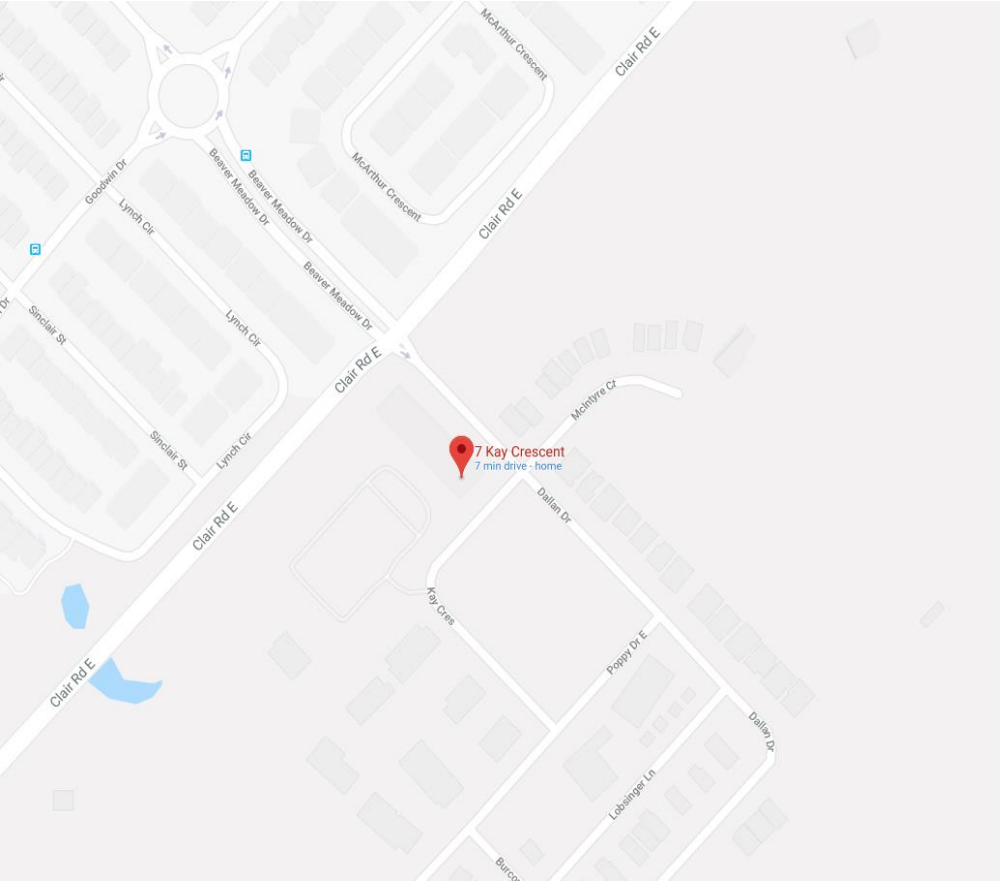
- i. Section 2.2 Need for a Traffic Impact Study
- ii. Section 3.2 of the Traffic Impact Study -Guidelines: 3.2 Study Area

**TRAFFIC INCREASE ALLOTMENT
FOR YEAR 2020 IS TOO SMALL**



ISSUES WITH ELEMENTARY SCHOOLS

- The proposed 400+ units will attract 400+ families
- Distribution of population of age 0-14 years is 17.2% (Statistics Canada 2016)
- Of the 1160 new residents, approximately 200 will be aged 0-14 years (Statistics Canada 2016)
- Unknown number of adolescents aging from 15-18 who will need to go to secondary schools



7 KAY CRES, GUELPH





ECOLE ANTOINE
PARRAIN

2020-2021

Rush Hour Saturated Already Neighbourhoods

Photos taken on Feb 7 - **School Bus Cancelled**



Traffic Madness - Kids Safety Concerns



Our Kids Walking to School



**Driver
Knock Off
Fire
Hydrant**

**WHAT
NEXT?**



CONTRADICTION TO THE CITY OF GUELPH OFFICIAL PLAN



- This development is Contrary to Section 5.1 of the OPA

5.1 note 4 states:

4.) It is the policy of the City to limit new development to areas where **adequate transportation facilities** can be provided **without undue financial burden to the Municipality**

There is **only southbound City Bus Route 5 on Victoria Road South** which boundary of City of Guelph and Puslinch.

CONTRADICTION TO THE CITY OF GUELPH OFFICIAL PLAN



- This development is Contrary to Section 5.3 of the OPA

5.3 note 3 & 4 states:

- 3.) The city will encourage shorter trip distances primarily through the development of more compact urban form with additional opportunities for mixed-use development and live/work opportunities
- 4.) The city will promote TDM (traffic demand management) measures that promote active transportation, public transit and increased vehicle occupancy where appropriate.

CONTRADICTION TO THE CITY OF GUELPH OFFICIAL PLAN



- This development is Contrary to Section 5.7.4 of the OPA

5.7.4 defines “Local Roads” as:

1. Public roads not otherwise identified in the functional hierarchy shall be considered local roads
2. Local roads will provide for LOW VOLUMES OF TRAFFIC and access to abutting private property
3. Local roads are designed for low speed, having capacity for two lanes of undivided traffic, with THROUGH TRAFFIC DISCOURAGED
4. Parking may be permitted where appropriate

CONTRADICTION TO PROVINCIAL LEGISLATION



- This development is Contrary to provincial legislation outlined in the Growth Plan for the Greater Golden Horseshoe, 2017 under the Places to Grow Act. Section 2.1.

”This plan is about accommodating forecasted growth in complete communities...”

The definition of “Complete Community” is:

“Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.”



RECOMMENDATIONS

- An independent 3rd party company **without ties to the developer or builder** must be hired to conduct the traffic survey with due consideration to the Traffic Impact Study Guidelines and the cut-through at Zaduk/Sweeney/Kortright. To adequately assess the level of traffic, the survey should be conducted 24 hours a day, over a multi-day period on weekdays during the University school year.
- The only traffic calming measures that will work is the introduction of low density housing on the subject lands. Based on the data we have presented, **we are requesting that the high density zoning application be denied and that 855 & 927 Victoria Road South be designated as low density only.**

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Traffic Presentation for February 11, 2019

Your worship and members of council. My name is Neale Avery and I reside on Zaduk Place. I am here this evening regarding file # OZS18-007, the rezoning request that pertains to 855 and 927 Victoria Road South. As a representative of the concerned taxpayers in the area, I am here to outline the serious issues around traffic and public transit.

It is our position that the proposed development at 855 and 927 Victoria Road South, in addition to the additional 200 homes yet to be built at the end of MacAlister Blvd., Royal Valley, and the planned neighbourhood commercial centre on the south-west corner of Victoria and MacAlister will put too great a strain on the local roads and will endanger pedestrians, children in the school zone, and the wildlife in the area.

We have identified four particular issues that we respectfully request you to take note of. These issues are:

1. Issues with Paradigm Transportation Solutions Study
2. Issues with Elementary Schools
3. Contradiction to City of Guelph Official Plan
4. Contradiction to Provincial Legislation

1 Issues with Paradigm Transportation Solutions Study

1.1 Study Inaccurate Due to Timing of Study

City of Guelph is an elegant college town with a population of 131,794 (Canada 2016 Census). University of Guelph has 1,590 academic staff and 3,870 administrative staff who are serving 27,890 students. 13,000 students are living off campus, and majority of them are renting in south end of Guelph.

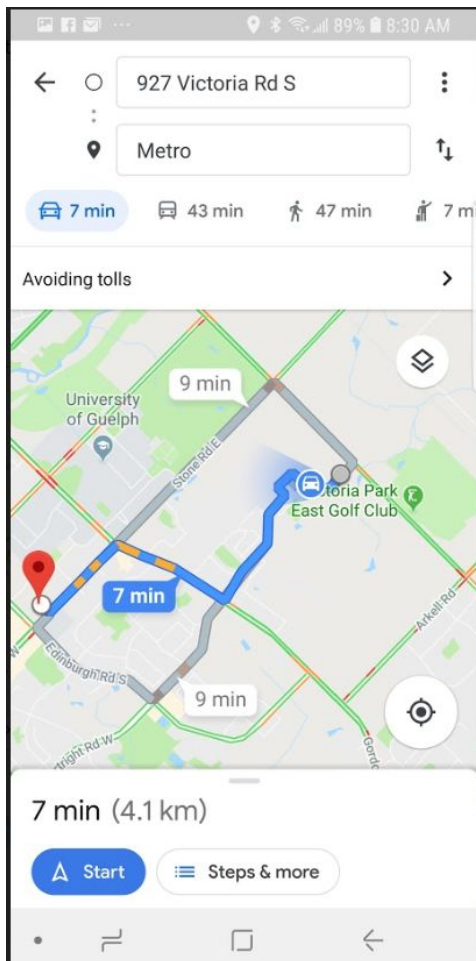
According to University's [2018 Winter Semester academic calendar](#), the classes concluded on 2018 April 6, Friday and final examinations commenced from the following Monday, April 9, 2018 and concluded on Friday, April 20th, 2018.

The transportation impact study was conducted on Thursday, April 12, 2018 which is in middle of the final exam period. The study does not reflect the typical or normal traffic pattern in this neighbourhood as University students often choose staying home to study and coming to the University only when writing exams. Furthermore, students usually leave right after they finish their exams.

1.2 Study Inaccurate Due to Scope of the Study being too Narrow

Study was made only of Victoria Rd S, Arkell Rd., Stone Rd & Macalister Blvd

- i. No impact study was conducted on, Zaduk Place, Sweeney Road, Kortright Road East. A study needs to be done of the impact to these roads because:
 - Google Maps shows Zaduk/Sweeney/Kortright as the best route to access Stone Road Mall, Cambridge, Kitchener, etc.



- Access to 855 and 927 Victoria Road South from Victoria will be right turn in and right turn out. All traffic requiring left turns, will have to leave the development via MacAlister Blvd. There will be 2 exit lanes from the development onto MacAlister – 1 for right turns and 1 for left turns. During peak traffic periods, rather than wait to make a left turn, most cars will go right and take the Zaduk Road, Sweeney Road, Kortright Road East route.
- Zaduk Road is not an average residential road as it has many challenges for the children that live on and take this road. – It is a Dangerous, short,

rather narrow road, which takes a sudden 90-degree curve and is home to a French immersion elementary school (**with busing**) and a park. With the addition of 200+ school children in an area where the schools are already filled to capacity (see topic 2 below “Issues with Elementary Schools”), the number of school buses taking this route would greatly increase.

- No traffic study was not conducted of Zaduk Place. Zaduk Place is an adjacent street, which is a school zone located just 170m from the proposed site. It is also a shared roadway and bicycle route with marked “Sharrows”
- There are another 200 homes that are to be built further up MacAlister and the impact on traffic from these additional homes has not been included in any study in this neighbourhood.

In conducting their study, Paradigm neglected 2 important sections of the City of Guelph Traffic Impact Study Guidelines:

i. Section 2.2 Need for a Traffic Impact Study

In general, a Traffic Impact Study is submitted in support of any proposed development which is expected to generate a total of at least additional (new) 100 vehicle trips (inbound and outbound) during the adjacent roadways’ peak hour or the development’s peak hour.

A traffic impact study may also be required even if there are less than 100 additional vehicles during peak hours when one or more of the following conditions are anticipated or present:

- The development is located in an area of high roadway congestion and/or a high expected rate of population or employment growth;
- The access or type of operation of the development is not envisaged by local land use or transportation plans;
- As part of the proposed development, a new traffic signal or a roundabout is proposed;
- Existing transportation problems in the local area, such as a high crash location, complex intersection geometrics, heavy traffic corridors;
- The development has the potential to create unacceptable adverse operational and safety impacts on the local road network.

ii. Section 3.2 of the Traffic Impact Study -Guidelines: 3.2 Study Area

The study area should extend far enough from the development to contain all city roadways that will be noticeably affected by the site traffic. Typically, this will include the area that may be impacted as follows: An increase of 5% or more traffic volumes on adjacent facilities Volume/capacity (v/c) ratios for overall intersection operations, through movements or shared through/turning movements increased to 0.85 or greater; or v/c ratios for exclusive turning movements increase to 0.90 or greater.

1.3 Traffic Increase Allotment for 2020 is too Small

Regarding the study of Victoria Road, the 2% per annum increase in traffic that was allotted for 2020 did not include the Royal Valley development that is currently in progress or the proposed high school at the corner of Victoria Rd. & Arkell Rd.

2 Issues with Elementary Schools

Guelph has been blessed to enjoy a lower unemployment rate, Statistics Canada reports Guelph CMA had the **lowest unemployment rate** in the country in 2018 December at 2.3 per cent.

The proposed 400+ units will attract 400+ families into this neighbourhood. According to Statistics Canada 2016's [data](#), the average household size of City of Guelph is 2.9, and the distribution of population of age 0 - 14 years is 17.2%, therefore, the Statistics Canada census data suggests that there will be around 1,160 new residents, 200 of them aging from 0 to 14 will need to daycare, kindergarten, elementary school plus unknown number of adolescents aging from 15 - 18 who need to go to secondary schools.

Furthermore, south end of City of Guelph is much more dynamic and vibrant and attracts more young families, who quite often are double income with more vehicle and tender to have younger school aged children, take the 7 Key Cres 6 storey condo in south end Guelph as an example, the data from Royal LePage suggests the life stage of this area is Young Families with average household income is over \$224,000.00 and average number of children is 0.9 which is higher than the city average, therefore, we can conclude **there will more than 200 school age children and adolescents coming into this neighbourhood.**

The closest elementary school is Ecole Arbour Vista French Immersion School, which is operating over capacity and running 2 portable classrooms. As the result of enrolment capping for JK FI, there is now managed growth in our FI schools. Students moving into this new development would have to be coming from another FI program in the district in order to attend Arbor Vista PS or apply and to be successful in a random (lottery) selection process in order to attend. Therefore, most of elementary school aged children won't be able to attend Arbour Vista PS and will have to choose farther school which busing is unavoidable.

The other elementary schools close by are Ricksonrige PS, Jean Little PS, Priory Park PS, which all require school buses transportation and bus routes will be highly likely take Zaduk, otherwise, the school bus will have to detour far north via Stone Rd or far south via Clair which will be very inefficient and very time consuming.

Picture of traffic on Zaduk Place in front of Arbor Vista Elementary School



3 Contradiction to City of Guelph Official Plan

3.1 Contrary to Section 5.1 of the OPA

The area around 855 and 927 Victoria Road South is not conducive to high density development. The proposal for High Density housing in this location is in contradiction of section 5.1 Note 4 of the City of Guelph Official Plan. This section states:

- 4.) "It is the policy of the City to limit new *development* to areas where adequate transportation facilities can be provided without undue financial burden to the Municipality."

The Victoria Road and MacAlister Blvd are not Intensification Corridors nor is anywhere on Victoria Road defined as a Community Mixed Use Node. There is one bus that stops at Macalister Blvd and it only travels in a southbound direction. It would take area residents a significant amount of time to travel anywhere in the city using this bus.

Additionally, there are no significant amenities within walking or cycling distance of 855 and 927 Victoria Road South (especially when it is -20 outside in the winter). These transportation and amenity conditions will encourage most, if not all, residents to use personal vehicles to move about the city, further compounding already significant traffic problems in the neighbourhood.

3.2 Contrary to Section 5.3 of the OPA

The proposal for high density housing for 855 and 927 Victoria Road South is in contradiction of section 5.3 Notes 3 & 4 of the City of Guelph Official Plan that states:

3.) "The City will encourage shorter trip distances primarily through the development of a more *compact urban form* with additional opportunities for mixed-use development and *live/work* opportunities."

4.) "The City will promote *TDM (traffic demand management)* measures that promote *active transportation*, public transit and increased vehicle occupancy where appropriate."

Victoria road has no significant amenities in close proximity (i.e. Grocery store, restaurants, shopping, services) and extremely limited methods of traveling to these amenities unless using personal vehicles that will add to the traffic problems in our neighbourhood and that is contradictory to existing City and provincial legislated plans.

3.3 Contrary to Section 5.7.4 of the OPA

The increased traffic that will flow through Macalister Blvd, Zaduk Road, Zaduk Place, Sweeney Dr. and Kortright Road East which are defined as "Local Roads" as per the City official Plan is contrary to Section 5.7.4 of the plan that states:

5.7.4 Local Roads

1. Public roads not otherwise identified in the functional hierarchy shall be considered local roads.
2. Local roads will provide for low volumes of traffic and access to abutting private property.
3. Local roads are designed for low speed, having capacity for two lanes of undivided traffic, with through traffic discouraged.
4. Parking may be permitted, where appropriate.

Using google as a navigation tool it is apparent that these local roads will be used during the busiest time of the morning on most days for residents to commute to various

locations within and outside our city. Had a traffic study been done that included all available and relevant information, this would have been identified.

4 Contradiction to Provincial Legislation

The current development plan for 855 and 927 Victoria Road South is contrary to the intent of the provincial legislation outlined in **Growth Plan for the Greater Golden Horseshoe, 2017** under the 'Places to Grow' program. Section 2.1 clearly states

"This Plan is about accommodating forecasted growth in **complete communities*. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, *public service facilities*, and a full range of housing to accommodate a range of incomes and household sizes. *Complete communities* support quality of life and human health by encouraging the use of *active transportation* and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. They provide for a balance of jobs and housing in communities across the *GGH* to reduce the need for long distance commuting. They also support climate change mitigation by increasing the *modal share* for transit and *active transportation* and by minimizing land consumption through *compact built form*."

*The definition of "Complete Community" is: "Places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts."

To introduce high density in our neighbourhood is inconsistent with the interpretation of the legislation. Our neighbourhood has very few of the requirements listed above. The intent of this legislation is to create "urban villages" within the community not promote sporadic high density. Because none of the necessities discussed in the legislation exist in our area, every resident will be forced to drive elsewhere to fulfill their necessities of daily life, which as a result, will create tremendous demand on our local roads.

5 Recommendations

An independent 3rd party company **without ties to the developer or builder** must be hired to conduct the traffic survey with due consideration to the Traffic Impact Study Guidelines and the cut-through at Zaduk/Sweeney/Kortright. To adequately assess the level of traffic, the survey should be conducted 24 hours a day, over a multi-day period on weekdays during the University school year.

The only traffic calming measures that will work is the introduction of low density housing on the subject lands. Based on the data we have presented, **we are requesting that the high density Zoning application be denied and that 855 and 927 Victoria Road South be designated as low density only.**

OZS18-007

855 and 927 Victoria Road
South

Parking Issues

William (Bill) Farr

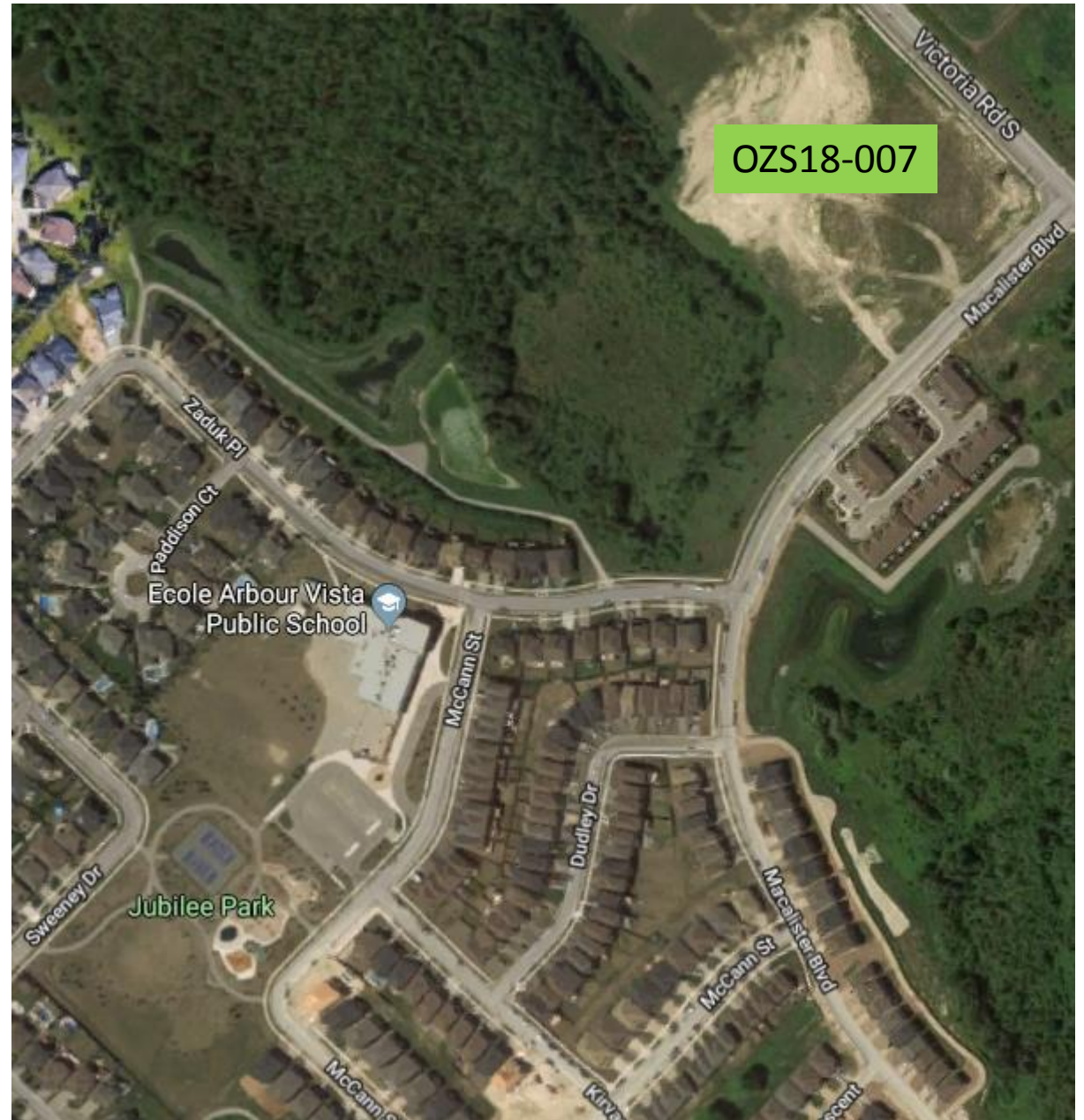
56 Zaduk Place, Guelph N1N 0C4

City Ward #5

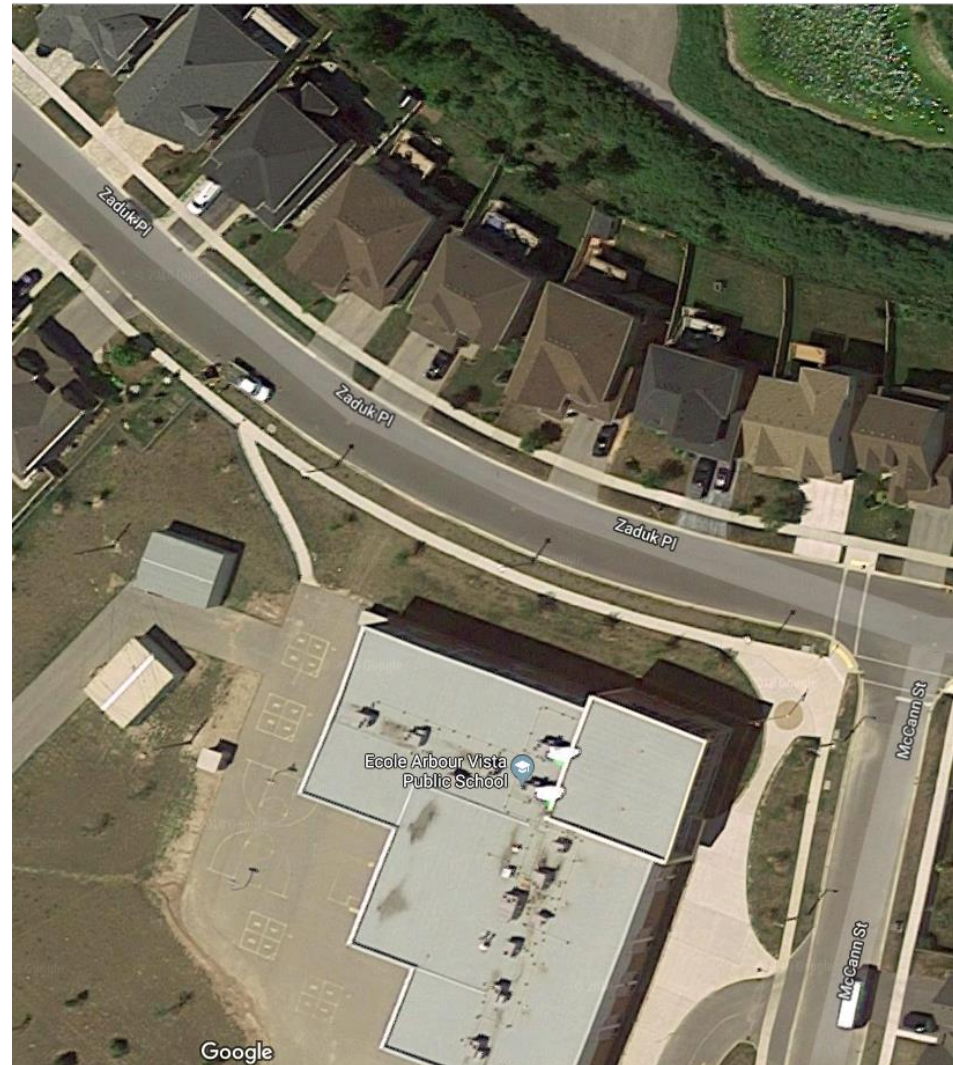
Neighbourhood

I will be talking about the neighbourhood Parking because OZS18-007 has spill over effects which needs to be discussed.

Even before OZS18-007 starts, there are unresolved Parking problems in the Neighbourhood.

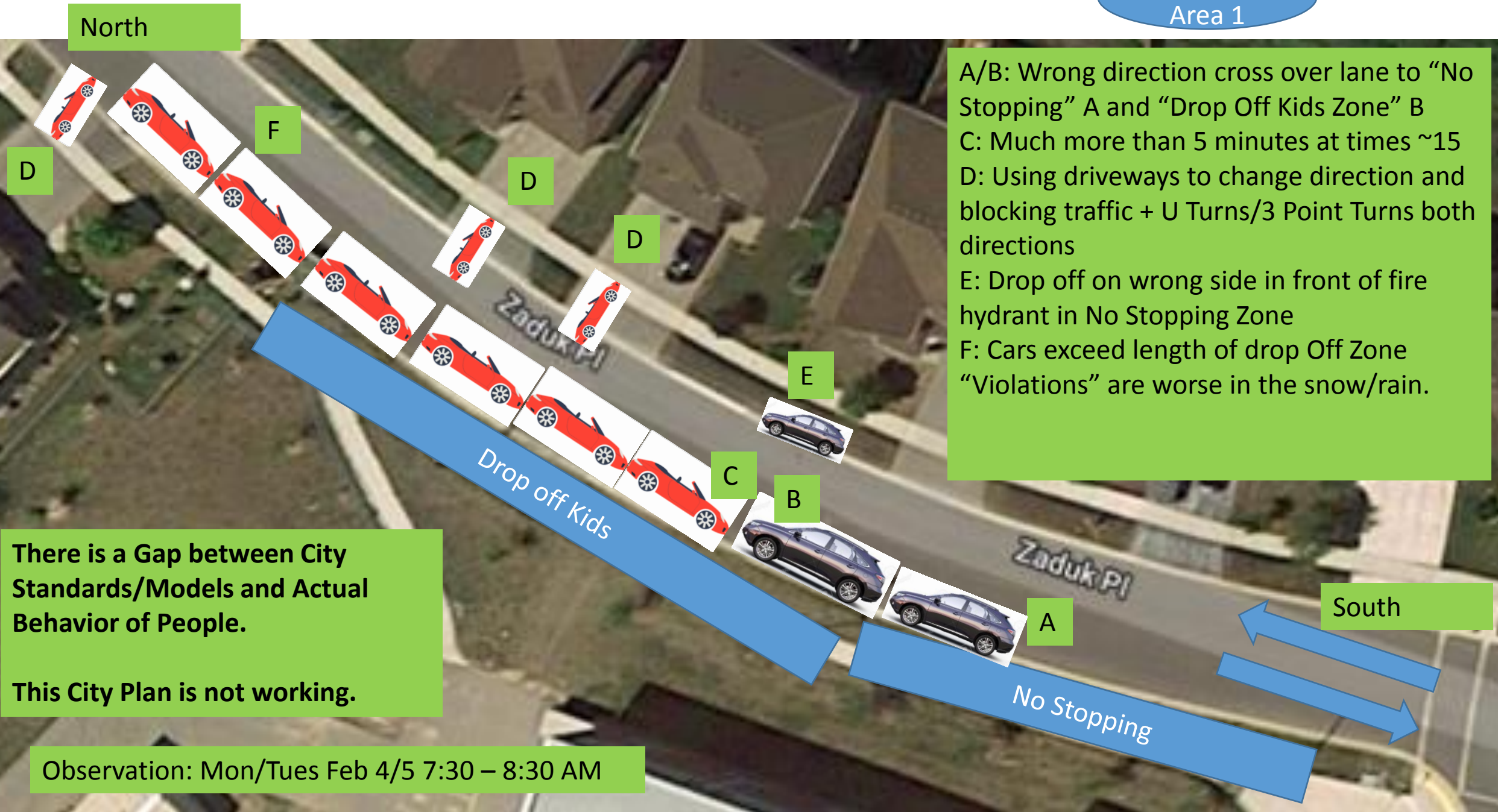


Let's Look at the Public School Parking/Drop Off



Problem Area 1

North



A/B: Wrong direction cross over lane to “No Stopping” A and “Drop Off Kids Zone” B
C: Much more than 5 minutes at times ~15
D: Using driveways to change direction and blocking traffic + U Turns/3 Point Turns both directions
E: Drop off on wrong side in front of fire hydrant in No Stopping Zone
F: Cars exceed length of drop Off Zone
“Violations” are worse in the snow/rain.

There is a Gap between City Standards/Models and Actual Behavior of People.
This City Plan is not working.

Observation: Mon/Tues Feb 4/5 7:30 – 8:30 AM

South

No Stopping

Drop off Kids

Zaduk Pl

Zaduk Pl

Public School Drop Off

Cars enter a “Do Not Enter” area for Busses

Kids get dropped off on opposite side of road

McCann Street: 4 cars were lined up to drop off kids in the area where busses are to drop off kids. Bus drivers honking at cars to move. Adults being dropped off also. “Violations” are worse in the snow/rain.

There is a Gap between City Standards/Models and Actual Behavior of People.

This City Plan is not working.

Planned Drop Off Area: Used but not by everybody



School Parking Lot:

Feb 5, 2019: 4:00 AM – 2 Vehicles

Feb 7, 2019: 4:00 AM – 2 Vehicles

Overflow from OZS18-007 may do the same (people will park their cars somewhere!)

School Parking Lot is not designed for residents at night.

There is a Gap between City Standards/Models and Actual Behavior of People.

This City Plan is not working.



Jubilee Park:

Sweeney Drive Curve: **No Parking Zone**

- 1) Already parking heavily utilized especially at the curve
- 2) People don't walk to park, they drive and wait in air-conditioned car for their tennis slot to open up

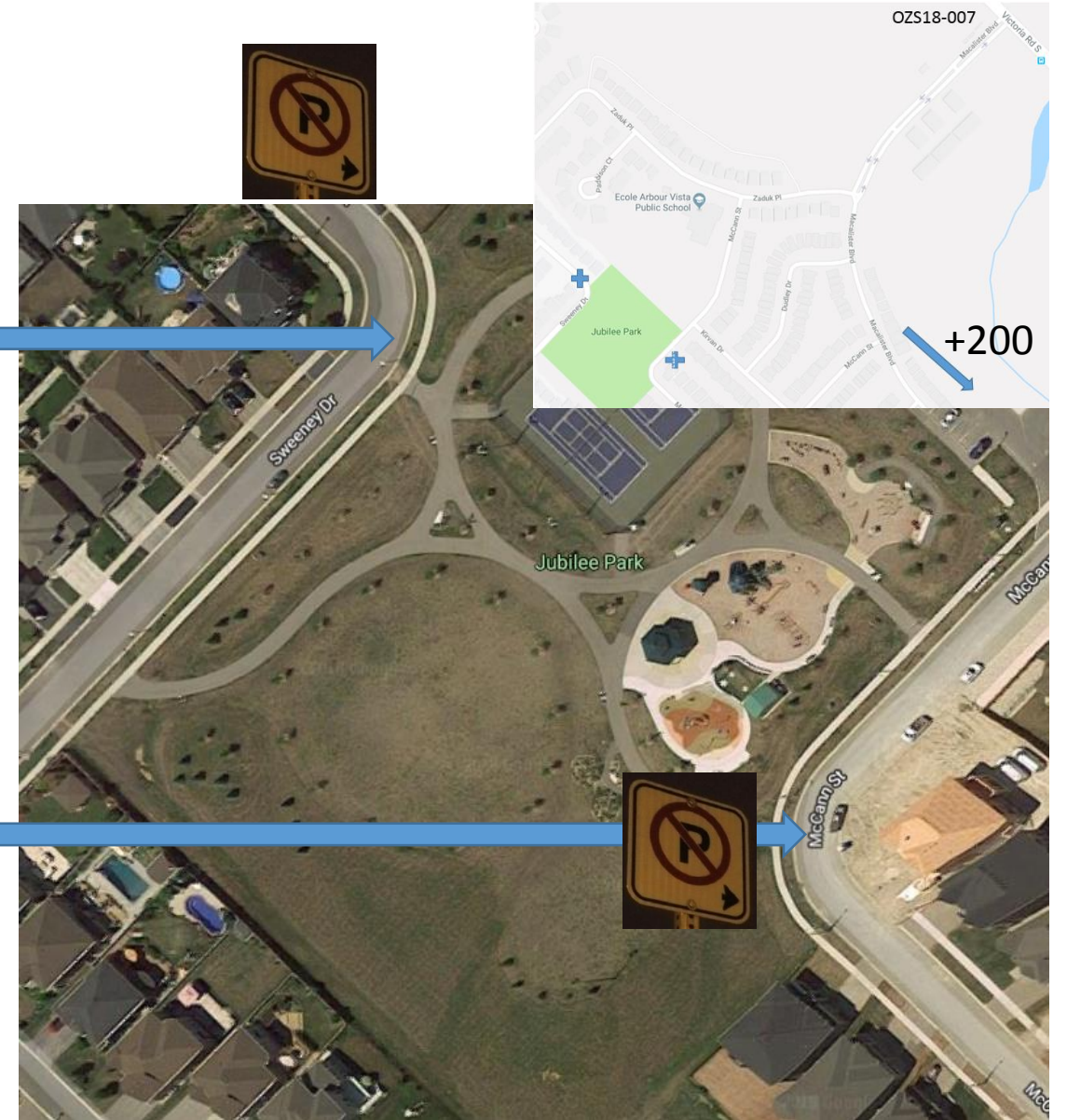
McCann Corner: **No Parking Zone**

- 1) Signs do not stop people from parking there!
- 2) Tobogganing in the winter also

Additional Parking Issues.

- 1) 200 additional homes still being built further up MacAlister Boulevard to drive to Park
- 2) Used to be a Neighbourhood Park!; is it now a Ward Park?
- 3) There will be more use with OZS18-007

Park has: Tennis Courts x 2, Splash Pad, Large Playground, Hockey Rink, Tobogganing

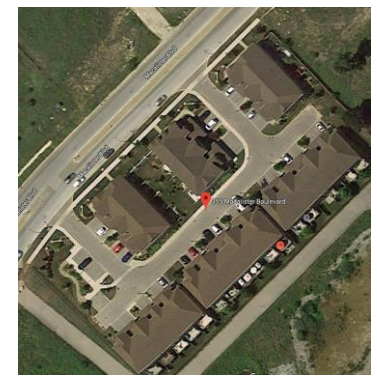


Mid- Summary

- We have just reviewed 5 Problem Areas
 - Not to mention Garbage Pickup Drivers have to call Police to get cars removed
- There is a Gap between City Standards/Models and Actual Behavior of People
- Now lets look at Standards

4 = 355 MacAlister across from OZS18-008

Cars per Address Study:



Metric	McCann 1	Dudley 2	McCann 3	355 Mac 4	Grand Total
Garages = Addresses = A	19	40	34	29	122
Cars counted Outside = B	20	49	40	21	130
Cars in Garage= C = A*75% Estimate	14.25	30	25.5	21.75	91.5
Total Cars= D=B + C	34.25	79	65.5	42.75	221.5
Cars per Address E = D/A	1.80	1.98	1.93	1.47	1.82
City Plan: Townhouse = 1, Apt = 1.25 – 1.5 Parking Spaces	Resident study numbers are higher than City Plan and we all know there are many 3-4 car households				



Observation Times:

1 & 4: Feb 5, 2019 at 4:00 AM

2 & 3: Feb 7, 2019 at 4:00 AM

Winter Conditions: Garages will have cars in them!

Zoning Regulation R4.B Zone

Parking Data

Off-Street Parking - Residential
 Townhouse Residential Parking Required (1 space / unit)
 Apartment Residential Parking Required (1.5 space / 20 units)+(1.25 spaces / excess units)

355 MacAlistar Boulevard: Across from OZS18-007

Feb 5, 2019 at 4:00 AM:

Visitor Parking = 5, for 3 seasons

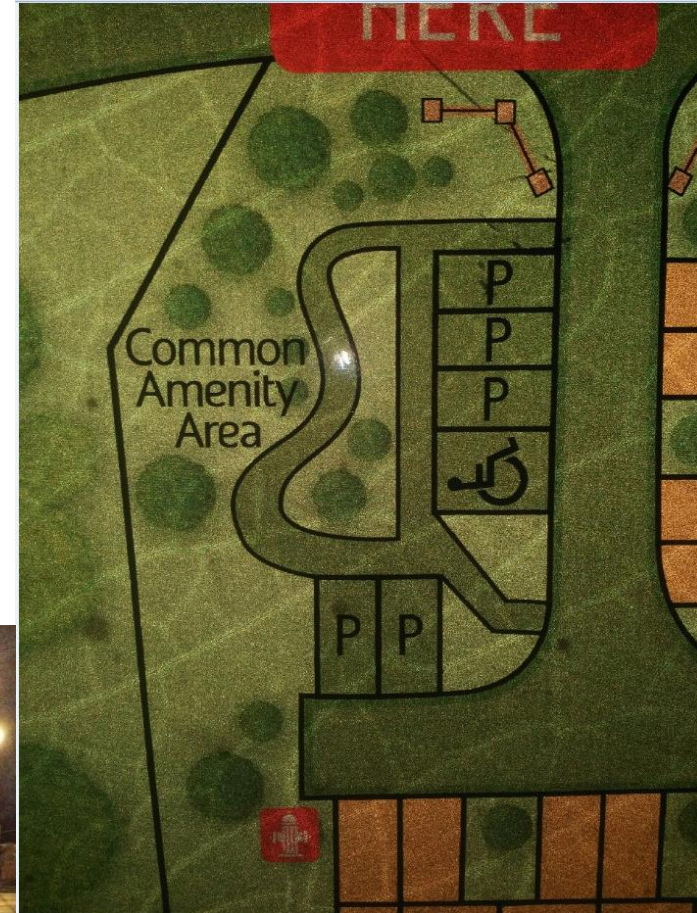
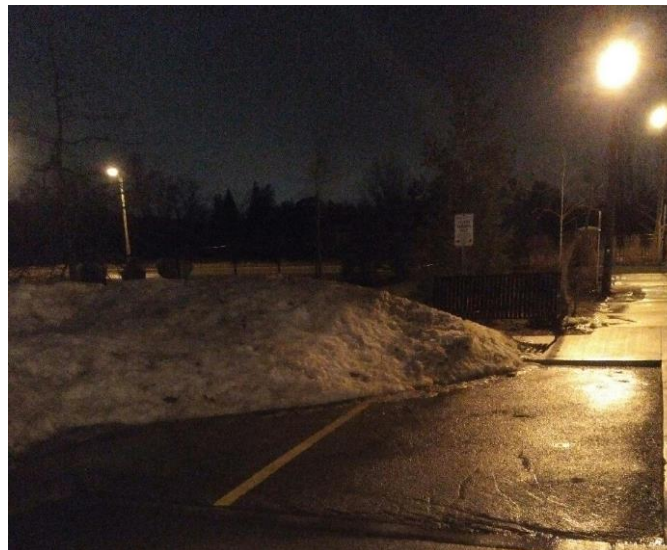
The other 2 spaces are used for Snow Storage

I was at this facility for a meeting Feb 3, 2019 and the 2 spaces were completely full of snow.

$\sim 2 / (29 \text{ Residents} + 5 \text{ Visitors}) = 6\% \text{ Lost Parking Space}$

Snow will stay because cost to remove $\sim \$200/\text{load}$

Point: So how many of the OZS18-007 Parking Spots will be in accessible in the winter.



OZS18-007 Off-Street Parking Residential

City/Developer		Residents Input			
Plan	Parking Required	Parking Plan	Parking Excess over Requirement	Addresses	Cars
A*	430	502	17% More	=156 TH + (40 + 171) 211 APTS = 367	=367 x 2 = 734
B*	493	544	10% More	=108 TH + (80 + 212) 292 APTS = 400	=400 x 2 = 800
"C"**	545	567	4% More	=108 TH + (80 + 253) 333 APTS = 441	= 441 x 2 = 882

- *Source: Drawings on City Website
- ** Source: Transportation Impact Study June 2018 see below

3 Development Concept

The subject site is in the north-west quadrant of the intersection of Victoria Road South and MacAlister Boulevard. Two different plans of the developed have been prepared with the higher density version being presented in this report as the "worst case" scenario. The proposed higher density development consists of four (4) apartment buildings with 333 residential units and 108 townhomes units. For reference, the lower density version has two apartment building with 211 residential units and 156 townhome units.

A total of 545 parking spaces are to be provided on-site in accordance to City bylaws. A total of 567 parking spaces is being proposed with 273 surface parking spaces (of which 110 are designated for visitor parking spaces), 198 underground parking spaces, and 96 driveways.

1. Why is there not a Drawing on website for Option C. This process needs full disclosure.
2. Why could Gamma not tell the BOD the # of 1,2,3 BR units Jan 3, 2019.....how can you plan?
3. As # Addresses increases (and Profits?) the Parking Margin decreases
4. Did Traffic Study calculate extra cars = parking spots.....if so, that will underestimate the actual cars.
5. 2 Cars per Address minimum is closer to reality...we all know that...many families have more.

OZS18-007 Off-Street Parking Residential

- OZS18-007 Residents will Park their car but where:
 - 1) They will use the visitor spots at 355 MacAlister across the road to the anger of the folks living there
 - 2) MacAlister to Zaduk will be a no parking zone in front of OZS18-007 so....
 - 3) They will start to park deeper into the Neighbourhood.
 - 4) Good planning will help this, not street signs!
 - 5) Parking calculations do not take into account Winter snow storage and lost spaces of ~6%?.
 - 6) OZS18-007 Residents will be required to pay for a 2nd parking spot
 - a. If they buy, will there be enough for visitors (otherwise visitors go on the street)
 - b. If they don't buy, they themselves will be on the street.
 - c. Nobody wins

Other City Parking Studies

- Parking Standard Background Study Newmarket Section 3.4.5
 - Parking spaces moving towards bedroom based calculation
- The Burlington City-wide Parking Standards Review 2.11.1
 - Parking at condos, townhouses, and medical offices is generally in short supply
 - New residential units with garage + 1 driveway space is not enough, as garage is being used for storage, then the 1 space on the driveway is not enough and people park illegally.
 - Orchard residential area have allowed street parking without penalties due to the high demand and limited supply of parking in these areas.
 - Surely Guelph wants to get out in front of this with realistic planning and not have the Orchard problem/solution

Other City Parking Studies

- Ontario Home Builders Association – “How to Build more homes in walkable, transit connected neighbourhoods”
 - Require retail planning before mid-rise and greater is built.
 - Less parking spaces only possible with excellent transit
 - proportional to density: bus, LRT, GO Transit, Subway depending on the density)
 - This area has none of that.

Resident Recommendation re Parking

- **Current Parking problems in the Neighbourhood**
 - Will be made worse by Medium or High Density plan of OZS18-007
 - Solve the current issues
 - 36 Zaduk has sent many letters...please work with Mary and Jane and community
- **There is a significant Gap between Current City models/assumptions and Resident Actual Behavior re:**
 - Cars required per address; can you look at bedroom based calculation like Newmarket study
 - People will park their car somewhere no matter what the sign says!
- **Keep the Zoning as Low Density**
- PS: I do not have time for this, but I guess I must. I delayed a trip to China to stand before you. As a Professional Engineer in Manufacturing for 34 years;**I have learned to go to the shop floor to see what is actually happening. I encourage you to go to the Street and watch.**

Responsible Government

- It soon became clear that the ship was doomed, as she could not survive more than four compartments being flooded. *Titanic* began sinking bow-first, with water spilling from compartment to compartment as her angle in the water became steeper.
- Bad Design!
- City Council: Please do not put our neighbourhood over the tipping point with Med/High Density Housing



=end=

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Presentation: Guelph City Hall, February 11, 2019- Alan Kay

Your Worship and Members of Council

We respectfully request that City Hall does not approve the development known as file #OZS18-007, at 855 and 927 Victoria Rd South as proposed, and furthermore, that the city re-examines and reclassifies the zoning of this parcel of land with a mandate to reduce the density from high to low density on the grounds that this plan contravenes the city's own official plan with respect to the provisions and mandates of the Natural Heritage action plan.

The city's official plan states;

4.1 Natural Heritage System

'The City's Natural Heritage System (NHS) is comprised of a combination of natural heritage features and areas, including Significant Natural Areas and minimum buffers, Natural Areas, Ecological Linkages, Restoration Areas and Wildlife Crossings'...it continues to say;

This is accomplished by: protecting natural heritage features and areas for the long term, and maintaining, restoring, and where possible, improving the biodiversity and connectivity of natural heritage features and areas, and ecological functions of the Natural Heritage System, while recognizing and maintaining linkages between and among natural heritage, surface water features and groundwater features.

In order to achieve this purpose, the Natural Heritage System:

- i. provides permanent protection to the Significant Natural Areas (including Ecological Linkages) and established buffers;
- ii. identifies Natural Areas for further study to determine the features and functions that should be incorporated into the Natural Heritage System for permanent protection or, alternatively, identify the areas that may be developed; and
- iii. identifies wildlife crossings to ensure that mitigative measures are undertaken to minimize any harm to wildlife, the public and/or property.

The policies in Section 4.1 aim to strike a balance between protection of the Natural Heritage System and limited compatible development...

Continuing to the stated Objectives of the document, we find some of the following;

- a) To implement a systems approach that ensures that the diversity and connectivity of natural features in the city, and the long-term ecological function and biodiversity of the Natural Heritage System is maintained,
- d) To protect endangered and threatened species and their significant habitats.
- f) To protect, maintain, enhance and restore the Natural Heritage System to the greatest extent possible, while providing for compatible development and activities as identified that do not negatively impact the natural heritage features and areas, and their ecological or hydrologic functions now and in the long term.
- k) To provide clear mechanisms for assessing the potential immediate and long-term impacts of development, site alteration and other activities on the Natural Heritage System.

This plan, as you are aware, was developed over several years. During its development the citizens of Guelph were surveyed and unanimously agreed, by a margin of 91%, to support the following strategy proposed by the City of Guelph; 'To provide permanent protection to wetlands, woodlands and wildlife habitat by restricting new development, **within and adjacent** to significant natural areas.'

The city's official statement is that the Natural Heritage System is one of the city's most valuable assets.

I live directly across the street from this proposed development and have resided there for almost five years. During that period my wife and I have taken great delight in enjoying the multitudes of wildlife that frequent the area on an almost daily basis. Regularly we are treated to the sight of deer, coyote, beaver, muskrat, weasel, rabbit and skunks, to name a few. We also see turtles, snakes and hundreds of species of birds, especially during migration periods when hundreds of geese and ducks frequent the ponds in the area. (please see attached list and photos of wildlife we have observed)

As shown in the city's official plan (schedules) and classified by the city, (although in some cases falling under a federal, provincial or global classification), the property in question borders land or is completely within an area designated as;

The Natural Heritage System, including ALL the following categories;

- 1) Significant Woodlands (Natural Area)
- 2) Significant Warm Fish Habitat
- 3) Significant Valley lands (Undeveloped Portions of the Regulatory Floodplain)
- 4) Significant Wetlands, Provincial and local
- 5) Significant Natural Area (Ecological Linkages)
- 6) GRCA riverway
- 7) Natural Wildlife crossing

This property also lies within a designated Well Protection Zone including the Carter wells which provide almost 7% of Guelph's water and additionally, borders a Regulatory Flood line (One zone floodway) and completely falls within the Torrance Creek watershed, a watershed area vital to the water table that supplies our city's water.

To be included in any one of the previous categories the land in question must be significant ecologically, environmentally or is perhaps critical habitat for wildlife or fauna. Each area has been assessed and evaluated and deemed to be an important link in the biodiversity of our city or contributes to preserving our water table. The city's own Natural Heritage Action Plan outlines the justifications for the designation of these land and the fragility of the continuity of the entire biosphere. Each piece is a critical component of the whole and worthy of protection. If this protection is from development then logically, the greater the density of the development then the greater the negative impact will be; if a man leaves a footprint then a high-density concentration of people will leave a scar destroying the uniqueness and beauty forever. I know from living there that the deer will run at the sound of a closing door or that the rabbits flee the sound of a barking dog. The muskrats will cease feeding and disappear, and the geese will startle and fly if anyone gets close. Add another 400 units to the immediate area and there will be no wildlife at all. The noise, the garbage and the pollution of another 600 vehicles will drive them from the area or slaughter them on the roads and according to the directives of the Natural Heritage Plan these areas are to be protected from that. If the city itself has designated these areas to be protected, then logic dictates that if any development is warranted or justified in an adjoining area that its impact should be as minimal as possible. High density housing is a complete oxymoron to the spirit of the Natural Heritage designation and should be completely abhorrent to everyone. In particular I would like to question how this development has morphed from the original two 6 story apartment buildings and stacked townhomes to its current plan of 4 apartments, two of which are 10 stories, plus stacked townhomes. Is the EIS generic or specific to the size of the development, neither of which are compatible with the surrounding natural environment or the neighbourhood.

In order to bring this objection to the city we have examined an inordinate amount of paperwork, I would at this time, like to register my protest to the limitations of the public notification system whereby the development of this land was only brought to our attention approximately 60 days ago by a posted sign. While the developers may have taken years to complete the application process and revise as dictated by the city, we are left with a daunting amount of information to digest within a very short period in order to be able to stand before you tonight and present an important, informative and valuable argument against this development as it stands. The material in question includes the Natural Heritage Action Plan, Environmental Impact Studies, Envision Guelph, the City's Official Plan for development and requires a basic understanding of wetlands, drainage, wildlife and woodland protection, species at risk or of special concern status, hydrology reports and shadow studies to name a few. Admittedly we do not have specific expertise on all these fields of study, but we do have an invaluable contribution to make in the area of firsthand, local knowledge and the experience of living across the street from the area in question. We know for example that the traffic study undertaken completely neglected studying the area to the south, erroneously assuming that the additional cars, more than 600 or 700 hundred in number will turn left instead of right. We know that despite animal crossing studies having been undertaken that we have a huge mortality rate for turtles on MacAlister and those additional vehicles will not improve that situation, that mortality includes Snapping Turtles, a species of 'Special Concern' in Ontario. Our personal observation is that Snapping Turtles regularly cross

MacAlister and I have seen the remains of two destroyed Snapping turtle nests, proving they are nesting in the area and crossing between the two wetlands on both sides of MacAlister. We witness the migration of hundreds of geese and ducks as well as other birds daily during migration periods and can only imagine the results of having four high-rise apartment buildings in the immediate vicinity.

The EIS does acknowledge the Natural Heritage features as I have previously described above, how this can then be compatible with the city's apparently, arbitrary and dated designation as "high-density" completely astounds me. I believe the city's land use plan predates the Natural Heritage plan and as such must be modified and adapted to these more recent and applicable assessments. Development, particularly high density is ill suited and completely immoral when you consider the impact it is certain to have on our natural environment. Despite acknowledgment contained in the EIS with respect to species at risk or of a conservation concern, including two butterfly or dragonfly species, eight bird species and one reptile, it alarms me that the presence of each one of these are somehow negated to the point that construction and development is permitted to go ahead. An aerial photograph of the property alone (see attached) should be cause enough to question the high-density designation as it is surrounded by a greenspace of significant proportion. We understand that the 'required buffers' to these areas of significant concern are incorporated into the plan but the entire project appears to be "shoe horned" into fitting rather than an appropriate natural assimilation with the land.

Parts of the EIS include mitigations for the potential impacts they will have on the area but if this is an area so critical and important to require mitigations, would it not make more sense to prevent their requirement. Low density housing has the potential to have a reduced impact on surrounding wildlife and their habitats, to lessen the footprint of construction and to minimize the resultant impact of the population. A clean and uninterrupted water supply is critical to the needs of our city and while development may be equally important, irrational development is not. High density housing has the potential to severely impact the environment, the wildlife and our water. There are many areas within Guelph suitable for high-rise development without such a negative impact on lands that have been deemed to be significant and important to preserve to the best of our ability.

We implore you to reject this proposal and to re-evaluate the land use designation of this property, it is completely unsuitable for high-rise development with respect to the preservation and conservation of the land and the wildlife it supports, thank you.

Neighbourhood Wildlife

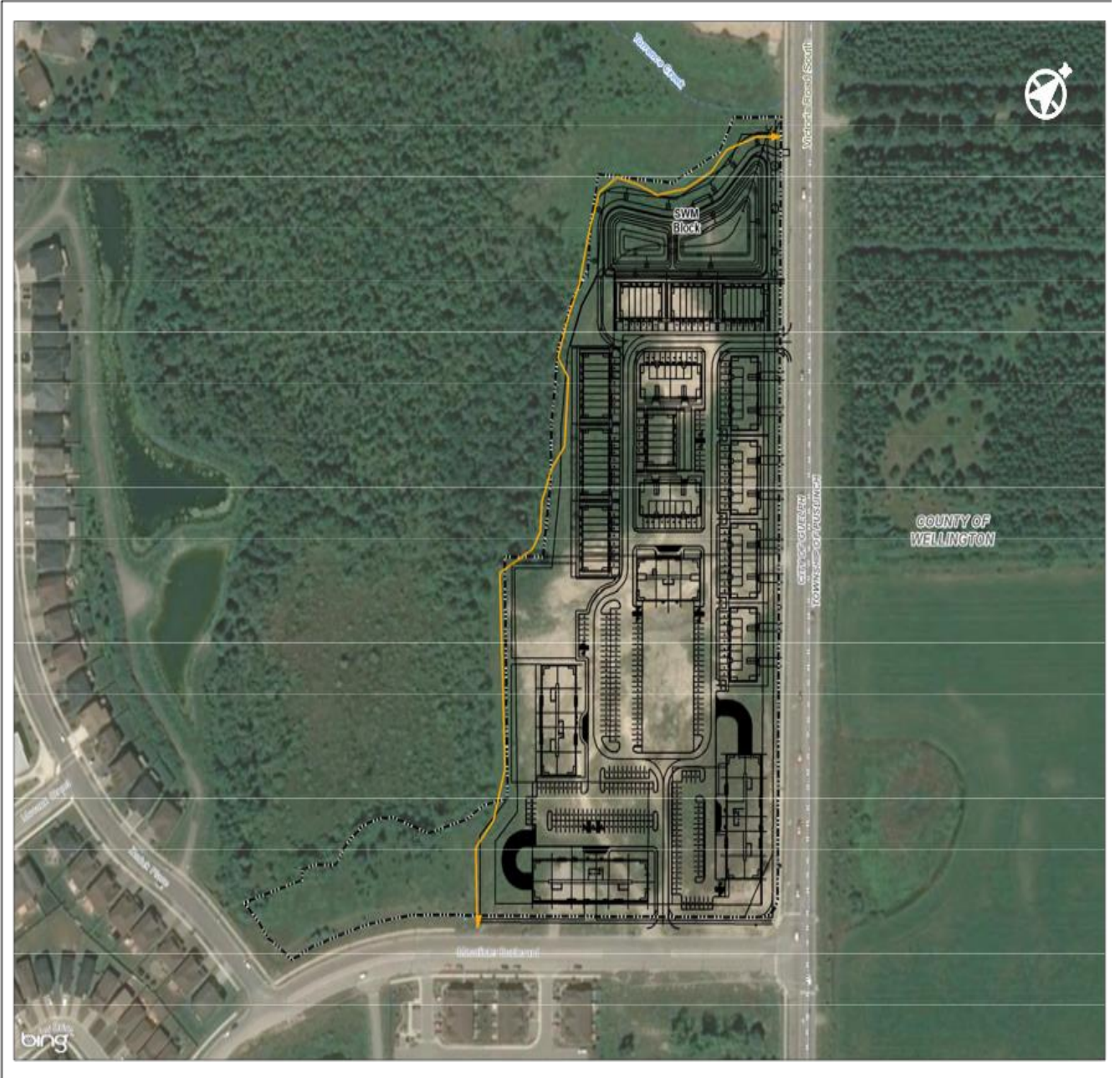
- Snapping Turtles – Species of special concern in Ontario
- Painted Turtles
- Other Turtles
- Frogs
- Beavers
- Deer
- Coyotes
- Fox
- Mink
- Muskrats
- Long-tailed Weasel – Species of conservation concern
- Rabbits
- Skunks
- Bats – Species at risk (Nesting will be affected according to Environmental Study)
- Snakes
- Nesting Birds including:
 - Raptors including Hawks and Owls -
 - Great Blue Heron
 - Geese
 - Ducks
 - Hawks
 - Turkey Vultures
 - Wild Turkeys
 - Red-Wing Blackbird
 - And many other local species
- Other
 - Monarch Butterflies
 - Dragonflies
 - Bumblebees













855 & 927 Victoria Road South

Presentation: Susan Watson

855 & 927 Victoria Road South Development Application

Received: October 23, 2018

Deemed complete: November 15, 2018

Does this application fall under the old
Parkland Dedication By-law or the new
Parkland Dedication By-law?

What determines which By-law applies?

- ▶ Date of receipt of application?
- ▶ Date of calculation of parkland dedication/cash-in-lieu?
(day before the building permit is issued)

This is a

\$1.4 million

question

Additional population for this development:

- ▶ 400 units
- ▶ Average Guelph household size (Statistics Canada): 2.5 residents
- ▶ Anticipated population:
1,000 people.
- ▶ Official Plan requirements for parkland: 3.3 ha/1,000 people.
- ▶ 3.3 ha of parkland are required to accommodate the recreational needs of the people who will be living in this development.

The Planning Partnership Recommendation #9 preamble

Creating a diverse Urban Parkland System

*The concept here is to require that all significant developments within the Urban Growth Centre, Intensification Corridors and Community Mixed Use Nodes designations of the Official Plan **make a recognizable contribution to the public realm by requiring a land dedication.***

Innovation and diversity of urban park spaces is to be encouraged.....

Comparative values for parkland dedication: 855 & 927 Victoria Rd. S.

Dedication regime	Formula	Land calculation	% of 3.3 ha Official Plan requirement	\$ Value (\$4,446,000/ hectare)	Shortfall from Official Plan Requirement
Official Plan	3.3 ha/ 1000 people	3.3 ha	100%	\$14,671,800	
Planning Act - Land	1 ha/ 300 units	1.33 ha	40%	\$5,913,180	\$8,758,620
New By-law	1 ha/ 500 units	0.8 ha	24%	\$3,556,800	\$11,115,000
New By-law 30% Cap	Cap 30% of 4.83 ha	1.45 ha	43% (40%)	\$5,913,180	\$8,758,620
Old By-law 10% Cap	10% of site area	0.483 ha	15%	\$2,147,418	\$12,524,382

Recreation, Parks and Culture Strategic Master Plan

<https://guelph.ca/plans-and-strategies/recreation-parks-and-culture-strategic-master-plan/>

*City Staff are reviewing
the 130 recommendations.*

Have recommendations 6-16 and 6 -17 ever been implemented?

- ▶ *6-16 Develop a Parkland Acquisition Strategy as a framework to achieve the provision targets established in this Plan.*
- ▶ *6-17 Where shortfalls may occur in parkland acquisition through the development process, employ a range of alternative parkland acquisition mechanisms to obtain the necessary amount of acreage.*

Projected growth over the next 10 years (Development Charge By-law update)

- ▶ An additional 22,565 residents
- ▶ Official Plan ratios for parkland: 3.3 ha/1000 residents.
- ▶ Parkland required for 22,565 people?

74.5 hectares

Projected parkland in the 10-year capital forecast?

- ▶ Cityview Drive Park
 - ▶ Dallan Park
 - ▶ Guelph Innovation District Neighbourhood Park
 - ▶ Hart's Farm Park
 - ▶ Kortright East Park
 - ▶ Paisley-Whitelaw Park
 - ▶ Silvercreek Park
 - ▶ Starwood/Watson Road Park
 - ▶ Wellington Park
-
- ▶ **ESTIMATED TOTAL PARKLAND? 9 hectares?**

City of Guelph Park Inventory:

Future parks

▶ Kortright East Subdivision Park	1.02 ha
▶ 300 Grange Subdivision Park	0.10 ha
▶ Woods Development Park	0.33 ha
▶ Grangehill Subdivision Park	0.25 ha
▶ Metrus East Node Subdivision Park	0.22 ha
▶ Dallan Subdivision Park	0.76 ha

TOTAL 2.68 hectares

Total Parkland needed to serve projected growth in the next 10 years:

74.5 hectares

Projected parkland:

(Capital budget and City inventory)

2.68 ha - 9 ha

The kicker?

We are about to lose 3.9 ha of *leased* park and sports fields to development on the site of the *Guelph Curling Club*.

The Planning Partnership

Preamble to recommendation #13

*.....the City should consider implementing the alternative residential parkland dedication requirements as a way to **mitigate the impacts of intensification** in areas where it is not anticipated, and **to ensure that adequate parkland is available within the surrounding lower intensity community.***

Conclusion

- ▶ Send these plans back to the drawing board.
- ▶ Demand that conveyance of on-site parkland be part of the development.

From: CHERRY
Sent: February-02-19 2:38 PM

Subject: Proposed High Density Development at 855 & 927 Victoria Road South

Good Afternoon,

My name is Drew Cherry and I live at, the corner of Kortright and Sweeney. My wife and I built this house 8 years ago as our retirement residence.

We understand a developer is now proposing a new high density development of 360 - 400 residential dwelling units in several multi storey apartment buildings as well as stacked town houses. At the moment the existing subdivision consists of detached, semi-detached and two storey, freehold townhouses. If my situation is any example, many of the current residents have invested a significant portion of their income to live in this essentially single family residential development. A small but well equipped residential park, Jubilee Park, has been developed over the last 3 years to serve the local residents and a French Immersion school, Ecole Arbour Vista, has been built at the corner of Zaduk and McCann St.

By permitting a high density development to take place at Victoria and Macallister Blvd. the nature and cohesiveness of this residential subdivision will be severely affected. I anticipate property values will be negatively impacted, higher traffic volumes will be experienced along Macallister, Zaduk and Kortright Rd. to access Gordon St. We are seeing evidence of this now especially during the daily commute times of 7:00 - 9:00 a.m and 3:30 - 5:00 p.m. I understand that Ecole Arbour Vista is operating at capacity and Jubilee Park is well attended especially during the summer months.

High density development will also place increased pressure on public utilities, sewer and water; public transportation and services as well as potential impacts on the Provincially Significant Torrence Creek Wetland complex.

I understand that this may sound like NIMBY syndrome, but I would urge the Guelph City Council to redirect this high density development to a more suitable location along Gordon St. where adequate public transportation, direct access to the University of Guelph and the downtown area is already available. I trust the developer can be encouraged to bring forth a development strategy more in keeping with the residential development that presently exists in this area.

Sincerely,
Drew Cherry

MEMO

DATE February 11, 2019

TO **City Council**

FROM Tara Baker, GM Finance/City Treasurer

DEPARTMENT Finance

SUBJECT 2018 Development Charges Background Study and 2019
Development Charges By-law

Executive Summary

The purpose of this memo is to provide Council with responses to the additional information requested at the January 21, 2019 Council meeting in order to enable Council to approve the proposed 2018 Development Charges Background Study (DC Study) and 2019 Development Charges By-law (DC By-law). Further, staff has amended the proposed DC By-law to include the changes to the University of Guelph exemption given Council's direction on January 21, 2019. The following recommendations should be considered by Council as a result of this memo in addition to those referred on January 21, 2019:

"That the 2018 Development Charges Background Study dated December 12, 2018 be amended with a revised Schedule H as included in ATT-1 and a revised Schedule E as included in ATT-2 to the staff memo to CS-2019-03."

"That the 2018 Development Charges Background Study dated December 12, 2018, be approved as amended, enacted through By-law and come into force on March 2, 2019."

Additional information

On January 21, 2019, Council referred report CS-2019-03 2018 Development Charges Background Study and 2019 Development Charges By-law to the February 11, 2019 Council meeting for approval.

At this meeting, Council amended the proposed DC By-law to provide the University of Guelph a full (100 per cent) DC exemption, and requested staff follow up on the following items:

- Social Housing
- Affordable Housing

The 2019 DC By-law has been updated to reflect Council's direction to fully exempt the University of Guelph and can be found in ATT-1. Additionally, staff has prepared detailed responses to the social and affordable housing questions as they relate to the DC Study.

Finally, through staff review of the delegation correspondence received on January

21, 2019, a minor edit was made to a summary table on page E-8 of the Local Service Policy (LSP) to provide consistency with the corresponding text on page E-7. The amended LSP is attached in ATT-2 to this memo. There are no financial implications from this change and it will not impact the original intent of the policy.

Development Charge Act (DCA) Considerations

At the January 21, 2019 Public Meeting, Council requested staff look into the feasibility of adding Social Housing and Affordable Housing services to the DC rate. As Mr. Gary Scandlan from Watson explained at the meeting, in order for a new service to be added to the DC rate, two criteria must be met:

1. Council must demonstrate a commitment to provide that service through a project in the capital budget or approved action plan; and
2. The capital project must provide a benefit to new residents.

However, there are additional considerations as legislated in the DCA that also are required in order to determine the eligibility of including the capital costs within the DC rate. These include:

- DCA section 5(1) outlines the methodology that MUST be used to determine the development charges that may be imposed. Two of those restrictions specifically are relevant to Social Housing and Affordable Housing:
 - 5(1)(4) The eligible expenditures cannot increase the level of service beyond the average level of service that has been provided by the municipality over the ten-year period immediately preceding the preparation of the background study.
 - 5(1)(6) The increase in the need for service must be reduced by the extent to which an increase in service to meet the increased need would benefit existing development.
- The expenditure type meets DCA section 5(3) which sets out the eligibility of costs:
 - Costs to acquire land or an interest in land, including a leasehold interest.
 - Costs to improve land.
 - Cost to acquire, lease, construct, or improve facilities including,
 - Rolling stock with an estimated life of seven years or more,
 - Furniture and equipment, other than computer equipment, and
 - Materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act.
 - Costs to undertake studies in connection with any of the matters referred to above.
 - Costs of the development charge background study required under section 10 of the DC Act.
 - Interest on money borrowed to pay for costs described above.

Social Housing

Social Housing within the City of Guelph is delivered and managed by the County of Wellington (County), who is the designated Consolidated Municipal Service Manager (CMSM) by the province. The City and County work collaboratively on the distribution of funding through City staff participation on both the Social Services Committee and the Community Advisory Board, as well as provide inputs into the County's development of their Housing and Homelessness Plan.

The City contributes approximately \$15.9 million annually to the County for Social Housing, and of this, approximately \$2.3 million is for capital project expenditures to County-owned housing units. The ten-year capital plan shows this capital investment starts at \$2.3 million in 2018, escalating to \$2.9 million in 2028. Per discussions with the County, 100 per cent of this capital plan is budgeted for life cycle renewal and replacement of current owned-units over the next ten years. In other words, there are no capital projects for the creation of new Social Housing units in the next ten years. This means that per DCA section 5(1)(3), there are no eligible capital expenditures that can be incorporated into the DC rate at this time because Council has not "demonstrated that it intends to ensure that an increase in need will be met".

Further, the County provided the annual waiting list figures for Guelph Wellington Social Housing units totalling 1,982 applicants in 2018 up from 1,242 in 2014. This backlog will need to be reduced before a Social Housing capital project is eligible to be included in the DC rate. In reference to DCA 5(1)(6), Mr. Scandlan advised Council that until this waitlist was reduced and Council approved policies that guided service level goals, every new unit built for Social Housing will be considered to be fully "benefit to existing" development.

It is worth noting that the Federal government has announced municipal funding for Social Housing through the National Housing Strategy. The County/City allocation will be determined in the spring of 2019 and it may help with the provision of new Social Housing units to address the backlog. Also in accordance with DCA 5(2), capital costs must be reduced to adjust for capital grants, subsidies and other contributions made to a municipality with respect to the capital costs.

Staff recognize that while there is no opportunity to include Social Housing in the DC Study in 2019, it is important to begin to build this service into the DC framework. DCs would be a new revenue source for a service in our community that has demonstrated need through the current waitlist and that will inevitably grow with an increasing population.

Council could consider the following motion on February 11, 2019:

"That staff work collaboratively with the County of Wellington to create a ten-year historical service standard for Social Housing and report back to Council with the governing policies that would be required to address the

apportionment of capital costs to “Benefit to Existing Development” with the intent of adding Social Housing to the Development Charges By-law either through an amendment or through the next available Development Charges Background Study.”

Staff believe this would provide Council with the confidence that staff are making progress towards including Social Housing as an eligible service but with the understanding that there are a number of considerations which need to be addressed before this will be allowable under the DCA.

Affordable Housing

Council requested staff evaluate the feasibility of adding affordable housing to the DC rate. Staff referenced back to the [Affordable Housing Strategy \(AFS\)](#) and [Affordable Housing Financial Incentives Program \(AHFIP\)](#) that was approved by Council on July 4, 2017 and determined that Council’s approved approach for incentivizing market housing is through an annual grant program. These types of costs are not eligible capital costs as provided in DCA 5(3) and therefore are not eligible to be added to the DC Study.

At a Special meeting of Council on January 30, 2019, Council questioned whether capital project PN0020 Beverley Street Monitoring and Remediation would be an eligible expenditure given the partnership arrangement in place and the development plan for affordable housing to be built on this site. Staff have considered these costs and would concur that they meet the definition of DCA section 5(3) however section 5(1)(4) would preclude these costs from being imposed through a DC rate because there is no defined ten-year historical service level standard. The City does not have an existing inventory of affordable housing units owned by the City or any other agency on the City’s behalf. Any capital investment in affordable housing would be considered an enhancement to services provided by the City and therefore would not be eligible to impose on new development through DCs.

Administrative Change

Staff reviewed the correspondence received from the IBI Group, for the public meeting held January 21, 2019, and found that an error was identified in Appendix E: Local Service Policy that needed to be corrected. The table on page E-8 of the LSP has since been updated to match the corresponding text on page E-7. There are no financial implications from this change and it will not impact the original intent of the policy.

Attachments

ATT 1: Revised Development Charges By-law

ATT 2: Revised Local Service Policy

City Council
February 11, 2019

RE: 2018 DC Study and 2019 DC By-law

Page 5 of 5



Tara Baker
GM Finance/City Treasurer
Corporate Services
(519) 822-1260 ext. 2084
tara.baker@guelph.ca

File #CS-2019-03 2018 Development Charges Background Study and 2019 Development Charges By-law

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2019)-20372

A by-law for the imposition of Development Charges and to repeal By-law Number (2014) – 19692

WHEREAS the City of Guelph will experience growth through development and re-development;

AND WHEREAS development and redevelopment require the provision of physical and other services by the City of Guelph;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an undue financial burden on the City of Guelph or its taxpayers;

AND WHEREAS subsection 2(1) of the *Development Charges Act, 1997* (the “Act”) provides that the council of a municipality may by by-law impose development charges against land to pay for increased Capital Costs required because of increased needs for services arising from development of the area to which the by-law applies;

AND WHEREAS a development charges background study has been completed in accordance with the Act;

AND WHEREAS Council has given notice of and held public meetings on the 21st day of January, 2019 in accordance with the Act and the regulations made under it;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. INTERPRETATION

In this By-law, the following items shall have the corresponding meanings:

“Act” means the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended, or any successor thereto;

“Accessory Apartment” see the definition of “Dwelling Unit”;

“Accessory Use” means a use that is subordinate, incidental and exclusively devoted to another use located on the same lot;

“Apartment” see the definition of “Dwelling Unit”;

“Back-to-Back Townhouse Dwelling” see the definition of “Dwelling Unit”;

“Board of Education” has the same meaning as “board” as set out in the *Education Act*, RSO 1990, c E.2, as amended, or any successor thereof;

“Building” means any structure or building as defined in the *Building Code* (O. Reg. 332/12 made under the Building Code Act, as amended, or any successor thereto) but does not include a vehicle;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, or any successor thereto;

“Capital Costs” means costs incurred or proposed to be incurred by the City or a Local Board thereof directly or by others on behalf of, and as authorized by, the City or Local Board,

- (a) to acquire land or an interest in land, including a leasehold interest,
- (b) to improve land,
- (c) to acquire, lease, construct or improve buildings and structures,
- (d) to acquire, construct or improve facilities including,
 - (i) furniture and equipment other than computer equipment,
 - (ii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*, R.S.O. 1990, c. P.44, as amended, or any successor thereto, and
 - (iii) rolling stock with an estimated useful life of seven years or more, and
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d) above, including the development charge background study,

required for the provision of Services designated in this By-law within or outside the City, including interest on borrowing for those expenditures under clauses (a) to (e) above that are growth-related;

“City” means The Corporation of the City of Guelph or the geographic area of the municipality, as the context requires;

“Computer Establishment” means a building or structure used or designed or intended for use as a computer establishment as this term is defined in the Zoning By-Law and located in the B.1 (Industrial) Zone, B.2 (Industrial) Zone, or B.5 (Corporate Business Park) Zone or in any specialized B.1, B.2 or B.5 Zone under the Zoning By-Law;

“Council” means the Council of The Corporation of the City of Guelph;

“Development” means the construction, erection, or placing of one (1) or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof or any development requiring any of the actions described in section 3.4(a), and includes Redevelopment;

“Development Charge” means a charge imposed with respect to this By-law;

“Discounted Services” means those Services described in section 2.1(b);

“Dwelling Unit” means a room or group of rooms occupied or designed to be occupied exclusively as an independent and separate self-contained housekeeping unit including a house;

- (a) “Accessory Apartment” means a Dwelling Unit located within and subordinate to an existing Single Detached Dwelling, Semi-Detached Dwelling, Townhouse and a Multiple Attached Dwelling;
- (b) “Apartment Building” means a Building consisting of three (3) or more Dwelling Units, where access to each unit is obtained through a common entrance or entrances from the street level and subsequently through a common hall or halls, and “Apartment” means a Dwelling Unit in an Apartment Building;
- (c) “Garden Suite” means a Dwelling Unit which may be designed to be portable, and which is located on the same lot of, and fully detached from, an existing Dwelling Unit, such Garden Suite is clearly ancillary to the existing dwelling and shall be independently serviced with municipal water and sanitary services;
- (d) “Link Dwelling” means two (2) Single Detached Dwellings sharing a common foundation wall below ground level, but does not include a Semi-Detached Dwelling;
- (e) “Semi-Detached Dwelling” means a Building that is divided vertically into two (2) separate Dwelling Units;
- (f) “Single Detached Dwelling” means a free-standing, separate, detached Building consisting of one (1) Dwelling Unit;
- (g) “Townhouse” means a Building that is divided vertically into three (3) or more separate Dwelling Units and includes a row house;
 - a. “Back-to-Back Townhouse Dwelling” means a Building where each Dwelling Unit is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the Dwelling Unit from the outside accessed through the front yard, side yard or exterior side yard and does not have a rear yard;
 - b. “Cluster Townhouse” means a Townhouse situated on a Lot in such a way that at least one (1) Dwelling Unit does not have legal frontage on a public street;
 - c. “On-Street Townhouse” means a Townhouse where each Dwelling Unit is located on a separate lot and has legal frontage on a public street;

“Existing Industrial Building” means a Building used for or in connection with,

- (a) manufacturing, producing, processing, storing or distributing something;
- (b) research or development in connection with manufacturing, producing or processing something if the research or development is at the site where the manufacturing, production or processing takes place;
- (c) retail sales by a manufacturer, producer or processor of something they manufactured, if the retail sales are at the site where the manufacturing, production or processing takes place;

- (d) storage by a manufacturer, producer or processor of something they manufactured, , if the storage is at the site where the manufacturing, production, or processing takes place;
- (e) office or administrative purposes, if they are,
 - (i) carried out with respect to manufacturing, producing, processing, storage or the distributing of something; and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, or processing, storage or distribution;

provided that: (A) such industrial Building or Buildings existed on a lot in the City of Guelph on March 1, 1998, or are industrial Building or Buildings constructed and occupied pursuant to site plan approval under section 41 of the Planning Act subsequent to March 1, 1998, for which full Development Charges were paid; and (B) an Existing Industrial Building shall not include a Retail Warehouse;

“Garden Suite” see the definition of “Dwelling Unit”;

“Grade” means the average level of finished ground adjoining a Building or structure at all exterior walls;

“Gross Floor Area” means:

- (a) in the case of a Non-Residential Use Building, the total area of all Building floors above or below Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls, and includes the floor area of a Mezzanine; or
- (b) in the case of a mixed-use Building including both Residential Uses and Non-Residential Uses, the total area of the non-residential portion thereof including all building floors above or below Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing a Non-Residential Use and a Residential Use, and includes the floor area of a Mezzanine;

“Live/Work Unit” means a Building or part of a Building which contains both a Dwelling Unit and a Non-Residential Use which share a common wall or floor, and allows for direct access between the Dwelling Unit and Non-Residential Use;

“Lodging House” means a Residential Use Building that is used or designed to provide five (5) or more Lodging Units, which may share common areas of the Building but do not appear to function as a single housekeeping unit, for hire or gain directly or indirectly to persons.

“Lodging Unit” means a room or suite of rooms in a Building designed or intended to be used for sleeping and living accommodation which is not normally accessible to all residents of the Building, and which does not have the exclusive use of both a kitchen and a bathroom, and does not include an Apartment, Accessory Apartment, or a room or suite of rooms within a Special Care/Special Dwelling;

“Local Board” has the same definition as “local board” as defined in the Act;

“Mezzanine” means a storey that forms a partial level of a building, such as a balcony

“Multiple Attached Dwelling” shall mean a Building other than a Single Detached Unit, Semi-Detached Unit, Apartment Building, Stacked Townhouse and Special Care/Special Dwelling/Lodging Unit

“Non-Discounted Services” means those Services described in section 2.1(a);

“Non-Residential Use” means land, Buildings or structures of any kind whatsoever used or designed or intended for a use other than a Residential Use;

“Owner” means the owner of land or a person who has made application for an approval for the Development of land for which a Development Charge may be imposed;

“Parking Structure” means a Building intended primarily for the temporary parking of vehicles as an Accessory Use to a Non-Residential Use or a Building intended to provide parking as a commercial enterprise.

“Place of Worship” means that part of a Building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, c. A.31, as amended, or any successor thereto;

“Planning Act” means the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or any successor thereto;

“Prescribed” means prescribed pursuant to the regulations made under the Act;

“Redevelopment” means the construction, erection or placing of one or more Buildings on land where all or part of a Building has previously been demolished on such land, or changing the use of a Building from a Residential Use to a Non-Residential Use or from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use or from one form of Non-Residential Use to another form of Non-Residential Use and including any development or redevelopment requiring any of the actions described in section 3.4(a);

“Research Establishment means land, Building or Buildings which is/are used for scientific research, tests or investigations, data collection and manipulation or technical development of information, products or devices for scientific application;

“Residential Use” means land, Buildings or structures of any kind whatsoever used or designed or intended for use as living accommodations for one or more individuals, but does not include land, Buildings, or structures used or designed or intended for use as Short Term Accommodation;

“Retail Warehouse” means a Building used exclusively for the storage and/or distribution of goods destined for a retail or commercial market, and also includes self-storage facilities.

“Semi Detached Unit” see the definition of “Dwelling Unit”

“Service” means a service designated in section 2.1, and “Services” shall have a corresponding meaning;

“Short Term Accommodation” means a Building used or designed or intended for use as a hotel or bed and breakfast as these terms are defined in the Zoning By-Law;

“Single Detached Unit” see the definition of Dwelling Unit

“Special Care/Special Dwelling” means a Residential Use Building containing two (2) or more rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:

- a. Where the occupants have the right to use, in common, halls, stairs, yards, common rooms and accessory buildings;
- b. Which may or may not have exclusive sanitary and/or culinary facilities;
- c. That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and
- d. Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels,

and includes, but is not limited to, retirement houses, nursing homes, group homes (including correctional group homes) and hospices;

“Stacked Townhouse” means one (1) Building or Structure containing two (2) Townhouses divided horizontally; one atop the other; in a building that is divided vertically into three (3) or more separate Dwelling Units.

“Townhouse” see the definition of “Dwelling Unit”;

“University” means the University of Guelph established by *An Act to incorporate the University of Guelph*, S.O., 1964, c. 120, as amended, or any successor thereto;

“University Related Purposes” means those objects and purposes set out in section 3 of *An Act to incorporate the University of Guelph*, S.O. 1964, c. 120, as amended, or any successor thereto;

“Zoning By-Law” means City of Guelph By-law Number (1995)-14864, as amended, or any successor thereof.

2. DESIGNATION OF SERVICES

2.1 The two (2) categories of Services for which Development Charges are imposed under this By-law are as follows:

(a) Non-Discounted Services:

- i. Water Services;
- ii. Wastewater Services;
- iii. Stormwater Services;
- iv. Services related to a Highway and related (Facility and Vehicle/Equipment) Services;
- v. Fire Protection Services;
- vi. Police Services; and

vii. Transit Services

- (b) Discounted Services:
- i. Library Services;
 - ii. Indoor Recreation Services;
 - iii. Outdoor Recreation Services;
 - iv. Administration;
 - v. Ambulance Services;
 - vi. Provincial Offences Act Services;
 - vii. Health Services;
 - viii. Municipal Parking; and
 - ix. Waste Diversion Services

2.2 The components of the Services designated in section 2.1 are described in Schedule A.

3. APPLICATION OF BY-LAW RULES

3.1 Development Charges shall be payable in the amounts set out in this By-law where:

- (a) the lands are located in the area described in section 3.2; and
- (b) the Development requires any of the approvals set out in section 3.4(a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the City.

3.3. This By-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the City or a Local Board thereof;
- (b) a Board of Education; or
- (c) a municipality, or a Local Board of the County of Wellington.

Approvals for Development

- 3.4 (a) Development Charges shall be imposed in accordance with this By-law on all Development which requires:
- (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
 - (ii) the approval of a minor variance under section 45 of the *Planning Act*;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (v) a consent under section 53 of the *Planning Act*;
 - (vi) the approval of a description under section 9 of the *Condominium Act, 1998*, SO 1998, c 19, as amended, or any successor thereto; or
 - (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.

- (b) Despite section 3.4(a) of this By-law, Development Charges shall not be imposed on Development that requires one of the actions described in section 3.4(a) if the only effect of the action is to:
 - (i) permit the enlargement of an existing Dwelling Unit;
 - (ii) permit the creation of up to two (2) additional Dwelling Units as Prescribed under section 2(3) of the Act, subject to the Prescribed restrictions, in Prescribed classes of existing residential buildings; or
 - (iii) permit the creation of a second dwelling, subject to the Prescribed restrictions, in Prescribed classes of new residential buildings.
- (c) No more than one (1) Development Charge for each Service shall be imposed upon any Development to which this By-law applies even though two (2) or more of the actions described in section 3.4(a) are required for the Development.
- (c) Despite section 3.4(c), if two (2) or more of the actions described in section 3.4(a) occur at different times, additional Development Charges shall be imposed if the subsequent action has the effect of increasing the need for Services.

Exemptions

- 3.5.1 Notwithstanding the provisions of this By-law, Development Charges shall not be imposed with respect to:
- (a) Development of land, buildings or structures for University Related Purposes within the University defined area as set out in Schedule C;
 - (b) land, buildings or structures outside the defined area as set out in Schedule C, which are now owned directly or indirectly by the University or on behalf of the University or which may be acquired by the University and which are developed or occupied for University Related Purposes, provided that, where only a part of such land, buildings or structures are so developed, then only that part shall be exempt from the Development Charges specified under this By-law;
 - (c) Development for a Place of Worship or for the purposes of a cemetery or burial site exempt from taxation under the Assessment Act;
 - (d) Development by a college established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, S.O. 2002, c.8, Sched. F, as amended, or any successor thereto;
 - (e) Development for temporary Non-Residential Uses permitted pursuant to section 39 of the Planning Act;
 - (f) Development, solely for the purposes of creating or adding an Accessory Use or accessory structure not exceeding 10 square metres of Gross Floor Area;
 - (g) Development of or by a hospital receiving aid under the *Public Hospitals Act*, R.S.O. 1990, c. P.40, as amended, or any successor thereto;

- (h) The exempt portion of an enlargement of the Gross Floor Area of an Existing Industrial Building in accordance with section 4 of the Act, subject to section 3.5.2 of this By-law;
- (i) Development of a Parking Structure.

3.5.2 For the purposes of the exemption for the enlargement of Existing Industrial Buildings set out in section 3.5.1(h) of this By-law, the following provisions shall apply:

- (a) there shall be an exemption from the payment of Development Charges for one or more enlargements of an Existing Industrial Building, up to a maximum of fifty per cent (50%) of the Gross Floor Area before the first enlargement for which an exemption from the payment of Development Charges was granted pursuant to the Act or under this section of the By-law or any predecessor hereto;
- (b) Development Charges shall be imposed in the amounts set out in this By-law with respect to the amount of floor area of an enlargement that results in the Gross Floor Area of the industrial building being increased by greater than fifty per cent (50%) of the Gross Floor Area of the Existing Industrial Building; and,
- (d) for greater clarity, Research Establishments and Computer Establishments are not industrial uses of land, buildings or structures under this By-law and do not qualify for the exemption under section 3.5.1(h).

Amount of Charges

Residential

3.6 Where a Development Charge is imposed for Development of a Residential Use, the amount of the Development Charges shall be as set out in the appropriate "Residential" column of Schedule B, for the Residential Uses, including any Dwelling Unit(s) accessory to a Non-Residential Use and, in the case of a mixed use building or structure, on the Residential Uses in the mixed use building or structure, including the residential component of a Live/Work Unit, according to the type of residential unit and calculated with respect to each of the Services according to the type of Residential Use.

Non-Residential

3.7 Where a Development Charge is imposed for Development of a Non-Residential Use, the amount of the Development Charge shall be as set out in the "Non-Residential" column of Schedule B for the Non-Residential Uses, and in the case of a mixed-use building, on the non-residential component of the mixed-use building, including the non-residential component of a Live/Work unit, according to the type and gross floor area of the non-residential component.

Reduction of Development Charges for Redevelopment

3.8 Despite any other provisions of this By-law, where a Building or structure existing on land within 48 months prior to the date that a Development Charge becomes payable for a Redevelopment on the same land was, or is to be, demolished, in whole or in part, or converted from one principal use to another principal use on the same land, the

Development Charge otherwise payable with respect to such Redevelopment shall be reduced by the following amounts:

- (a) in the case of a Residential Use Building or in the case of Residential Uses in a mixed-use Building, an amount calculated by multiplying the applicable Development Charge under section 3.6 by the number, according to type, of Dwelling Units that have been or will be destroyed, demolished or converted to another principal use; and
- (b) in the case of a Non-Residential Use Building or in the case of the Non-Residential Uses in a mixed-use Building, an amount calculated by multiplying the applicable Development Charge under sections 3.7 by the Gross Floor Area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the Development Charge otherwise payable with respect to the Redevelopment. For greater certainty, any amount of the reductions set out above that exceed the amount of the Development Charge otherwise payable with respect to the Redevelopment shall be reduced to zero and shall not be transferred to any other Development or Redevelopment.

3.9 For the purposes of determining the 48-month period referred to in section 3.8, the date that a Building is deemed to be demolished shall be the earlier of:

- (a) the date such building or structure was demolished, destroyed or rendered uninhabitable; or
- (b) if the former building or structure was demolished pursuant to a demolition permit issued before it was destroyed or became uninhabitable, the date the demolition permit was issued.

3.10 The reduction of Development Charges referred to in section 3.8 does not apply where the demolished Building, or any part thereof, when originally constructed was exempt from the payment of Development Charges pursuant to this By-law, or any predecessor thereto.

Time of Payment of Development Charges

3.11 Development Charges imposed under this By-law are calculated, payable, and collected upon issuance of a building permit for the Development.

3.12 Despite section 3.11, Council, from time to time and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

Transition, Time of Payment:

- 3.13 (a) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made to the City pursuant to a previous By-law, and:
 - (i) the type of Dwelling Unit for which the building permit or permits are being issued is different from that used for the calculation and payment under that By-law; and

- (ii) there has been no change in the zoning affecting such lot or block; and
- (iii) the Development Charges for the type of Dwelling Unit for which the building permit or permits are being issued were lesser at the time that payments were made pursuant to the previous By-law than for the type of Dwelling Unit used to calculate the payment,

an additional payment to the City is required for the Services paid for pursuant to the previous By-law, which additional payment, in regard to such different unit types, shall be the difference between the Development Charges for those Services in respect to the type of Dwelling Unit for which the building permit or permits are being issued, calculated as at the date of issuance of the building permit or permits, and the payment for those Services previously collected in regard thereto, adjusted in accordance with section 5 of this By-law.

(b) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to a previous By-law, and:

- (i) the total number of Dwelling Units of a particular type for which the building permit or permits have been or are being issued is greater, on a cumulative basis, than that used for the calculation and payment under the previous By-law; and
- (ii) there has been no change in the zoning affecting such lot or block,

an additional payment to the City is required for the Services paid for pursuant to the previous By-law, which additional payment shall be calculated on the basis of the number of additional Dwelling Units at the rate for those Services prevailing at the date of issuance of the building permit or permits for such Dwelling Units.

(c) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to a previous By-law, and:

- (i) the type of Dwelling Unit for which the building permit or permits are being issued is different than that used for the calculation and payment under the previous By-law; and
- (ii) there has been no change in the zoning affecting such lot or block; and
- (iii) the payment made for the type of Dwelling Unit for which building permits or permits are being issued were greater at the time that payments were made pursuant to the previous By-law than for the type of Dwelling Unit used to calculate the payment,

a refund shall be paid by the City for the Services paid for pursuant to the previous By-law in regard to such different unit types, which refund shall be the difference between the payment previously collected by the City for the Services, adjusted in accordance with section 5 of this By-law to the date of issuance of the building permit or permits, and the Development Charges for those Services in respect to the type of Dwelling Unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits.

- (d) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to a previous By-law, and
- (i) the total number of Dwelling Units of a particular type for which the building permit or permits have been or are being issued is less, on a cumulative basis, than that used for the calculation and payment under the previous By-law, and
 - (ii) there has been no change in the zoning affecting such lot or block,

a refund shall be paid by the City for the Services paid for pursuant to section 3.11 of the previous By-law, which refund shall be calculated on the basis of the number of fewer Dwelling Units at the rate for those Services prevailing at the date of issuance of the building permit or permits for such Dwelling Units.

3.14 Despite sections 3.13 (c) and (d), a refund shall not exceed the amount of the payment actually made to the City for the Services under a previous By-law.

4. PAYMENT BY SERVICES

4.1 Despite the payment required under section 3.11, Council may agree in accordance with the Act to allow a person to perform work that relates to a Service to which this By-law relates, and shall give the person a credit towards the Development Charge in accordance with that agreement.

4.2 The amount of the credit referred to in section 4.1 is the reasonable cost of doing the work as agreed by the City and the person to be given the credit.

4.3 Despite sections 4.1 and 4.2, no credit may be given for any part of the cost of work that relates to an increase in the level of service that exceeds the average level of service as calculated pursuant to the Act.

4.4 Any credit referred to in section 4.1 shall be given at such time, and in relation to such Service or Services as set out in the agreement, and as permitted under the Act.

4.5 Credits referred to in section 4.1 may be transferable by the City, subject to the terms of the agreement and as permitted under the Act.

5. INDEXING

Development Charges pursuant to this By-law shall be adjusted annually, without amendment to this By-law, commencing on the first anniversary date of this By-law coming into effect and on each anniversary date thereafter, in accordance with the index prescribed in the applicable regulation made under the Act.

6. SCHEDULES

The following schedules shall form part of this By-law:

- Schedule A - Components of Services Designated in Section 2.1
- Schedule B - Residential and Non-Residential Development Charges
- Schedule C - University of Guelph "Defined Areas"

7. CONFLICTS

7.1 Where the City and an Owner or former Owner have entered into an agreement with respect to a Development Charge or to provide a credit for the performance of work that relates to a Service to which this By-law or a previous By-law relates, for any land or Development within the area to which this By-law applies, and a conflict exists between the provisions of this By-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.

7.2 Notwithstanding section 7.1, where a Development which is the subject of an agreement to which section 7.1 applies is subsequently the subject of one or more of the actions described in section 3.4(a), an additional Development Charge in respect of the Development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this By-law if the Development has the effect of increasing the need for Services, unless such agreement provides otherwise.

8. SEVERABILITY

If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. DATE BY-LAW IN FORCE

This By-law shall come into effect at 12:01 A.M. on **March 2, 2019**.

10. DATE BY-LAW EXPIRES

This By-law will expire at 12:01 A.M. on **March 2, 2024** unless it is repealed by Council at an earlier date.

11. EXISTING BY-LAW REPEALED

By-law Number (2014)-19692 is hereby repealed as of the date and time of this By-law coming into effect.

PASSED this ELEVENTH day of February, 2019

Cam Guthrie– MAYOR

Dylan McMahon–DEPUTY CLERK

By-law Number (2019)-20372
SCHEDULE A
COMPONENTS OF SERVICES DESIGNATED IN SECTION 2.1

Non-discounted Services (100% Eligible)

Water Services

Treatment Plants and Storage
Distribution Systems

Wastewater Services

Treatment Plant
Sewers

Stormwater Services

Services related to a Highway and related (Facility and Vehicle/Equipment) Services

Services Related to a Highway and Traffic Signals
Public Works Rolling Stock

Fire Protection Services

Fire Stations
Fire Vehicles
Small Equipment and Gear

Police Services

Police Detachments
Small Equipment and Gear

Transit Services

Transit Vehicles
Transit Facilities
Other Transit Infrastructure

Discounted Services (90% Eligible)

Library Services

Public Library Space
Library Materials

Indoor Recreation Services

Recreation Facilities
Recreation Vehicles and Equipment

Outdoor Recreation Services

Parkland Development, Amenities, Amenity Buildings, Trails
Parks Vehicles and Equipment

Administration
Studies

Ambulance Services
Ambulance Facilities
Vehicle Equipment

Provincial Offences Act Services
Facility Space

Health Services
Facility Space

Municipal Parking Services
Municipal Parking Spaces

Waste Diversion
Facility Space
Vehicle Equipment

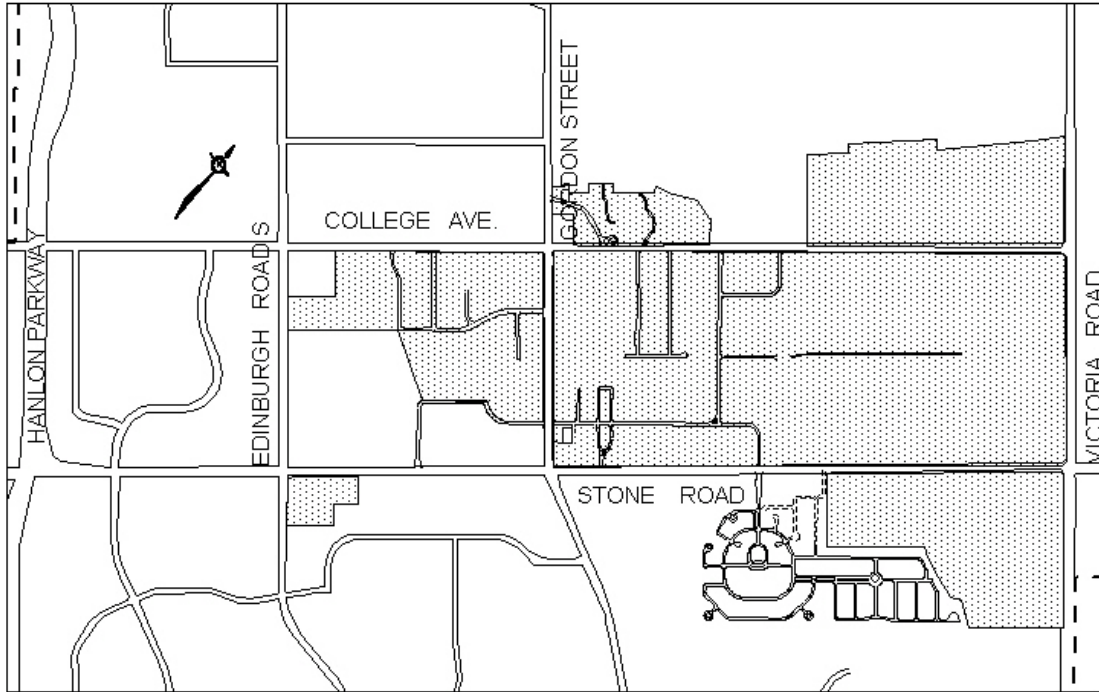
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**By-law Number (2019)-20372
SCHEDULE B**

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Multiple Unit Dwellings	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:						
Services Related to a Highway	6,249	3,468	2,479	4,604	2,063	2.84
Fire Protection Services	316	175	125	233	104	0.15
Police Services	662	367	263	488	219	0.30
Transit Services	2,750	1,526	1,091	2,026	908	1.32
Parking Services	1,160	644	460	855	383	0.56
Outdoor Recreation Services	3,357	1,863	1,332	2,473	1,108	0.18
Indoor Recreation Services	4,393	2,438	1,743	3,237	1,450	0.24
Library Services	967	537	384	712	319	0.05
Administration	762	423	302	561	252	0.37
Health	235	130	93	173	78	0.03
Provincial Offences Act	7	4	3	5	2	0.00
Ambulance	111	62	44	82	37	0.05
Waste Diversion	495	275	196	365	163	0.11
Total Municipal Wide Services	21,464	11,912	8,515	15,814	7,086	6.20
Urban Services						
Stormwater Drainage and Control Services	225	125	89	166	74	0.10
Wastewater Services	6,516	3,616	2,585	4,801	2,151	2.95
Water Services	6,893	3,825	2,735	5,079	2,276	3.12
Total Urban Services	13,634	7,566	5,409	10,046	4,501	6.17
GRAND TOTAL MUNICIPAL WIDE	21,464	11,912	8,515	15,814	7,086	6.20
GRAND TOTAL URBAN SERVICED AREA	35,098	19,478	13,924	25,860	11,587	12.37

By-law Number (2019)-20372
SCHEDULE C

UNIVERSITY OF GUELPH
"DEFINED AREAS"



 **DEFINED AREA**



Local Service Policy

The following sets out the City's Local Service Policy on Development Charges for services related to a highway, underground services (including stormwater, water and sanitary services), stormwater management ponds, pumping stations and open space development. The policy provides guidelines that outline, in general terms, the size and nature of engineered infrastructure that is undertaken as a development charge project, as opposed to infrastructure considered as a local service and paid for directly by developers and landowners pursuant to a development agreement or applicable approval processes.

This policy is developed in connection with Sections 59 and 59.1 of the *Development Charges Act*, Section 51 and 53 of the *Planning Act*.

INTERPRETATION:

This policy includes principles by which City of Guelph (City) staff will be guided in considering development applications. All items listed in this policy shall be constructed to the satisfaction of the City.

Tables are provided for ease of reference. Where there is a conflict, disagreement, or ambiguity between a table and the text of this policy, the text prevails.

The following definitions shall apply in this policy:

“Basic Parkland Development” means the work etc. required to ensure lands are suitable for development for park and other public recreational purposes, to the satisfaction of the City in accordance with applicable policies, and includes but is not limited to the following:

- a. Servicing – water, hydro, stormwater, sanitary, electrical, fibre/phone, meter and meter boxes connected to a point just inside the property line
- b. Catch basins, culverts, manholes and other drainage structures
- c. Clearing and grubbing;
- d. Only where impediments that would inhibit the suitability of parkland exist, any other associated infrastructure (minor bridges and abutments, guard and hand rails, retaining walls) as required to bring the land to a suitable level for development as a parkland;
- e. Topsoil stripping, rough grading, supply and placement of topsoil and engineered fill to required depths and fine grading;
- f. Sodding
- g. Only where parkland is divided between more than one separate development application or is part of more than one phased application within the same development parcel, temporary perimeter fencing where there is no permanent fence;
- h. Temporary park sign(s) advising future residents that the site is a future park.
- i. Permanent perimeter fencing to City standard to all adjacent land uses (residential and non-residential) as required by the City or other approval authority.

“Development” means development for which a development charge may be imposed pursuant to section 2(2) of the *Development Charges Act, 1997*, as amended or any successor thereto, and includes redevelopment. References to the area of a Development, or areas internal or external to a Development, shall have the corresponding meaning as required by the context.

“Direct Access” means new or upgraded infrastructure required to provide access from the external Road or active transportation network to the area of a Development.

“Foreseeable” means identified in City plans, studies, or included in the City of Guelph budgeting process and includes infrastructure and other works identified in an official plan, secondary plan, master plan, master servicing study, environmental assessment study, watershed plan or study, or similar document, or items specifically identified in the development charges background study.

“Road Allowance” has the same general meaning as it is used in the *Municipal Act, 2001*, as amended, or any successor statute thereto.

“Road” means, for the purposes of this policy, includes a common or public highway and any facilities within a municipally owned Road Allowance including, but not limited to, the following: road pavement structure and curbs; grade separation / bridge structures (for any vehicles, railways and/or pedestrians); grading, drainage and retaining wall features; culvert structures; storm water drainage systems; traffic control systems; active transportation facilities (e.g. sidewalks, bike lanes, multi-use pathways, walkways, etc.); transit lanes, stops and amenities; roadway illumination systems; boulevard and median surfaces (e.g. sod & topsoil, paving, etc.); street trees and landscaping; parking lanes and driveway entrances; noise attenuation systems; wildlife crossings; railings and safety barriers, utilities (fiber, phone, hydro, etc.), street furniture, and gateway features. Arterial Road, Collector Road, and Local Road have a corresponding meaning with reference to the road hierarchy defined in the City of Guelph Official Plan.

“Trail” means all transportation facilities located outside of a Road Allowance that are an integral part of accommodating pedestrian and cyclist travel and the operation of active and predominantly non-motorized vehicular modes of transportation, which can include but are not limited to walking, running, hiking, cycling etc.

A. SERVICES RELATED TO A HIGHWAY

The development of Road infrastructure in Guelph encompasses all services related to a highway and is based on the concept of a ‘complete street’ accommodating the operation of all travel modes (i.e., walking, cycling, transit and motorized vehicles including trucks) and the provision of all components and features within the road allowance including intersections, in accordance with applicable City policies and design standards.

Unless otherwise specified, the cost of Road infrastructure projects will include the cost of land and the cost of the road infrastructure system. Land Acquisition is primarily provided by dedications under the Planning Act. In areas where limited or no development is anticipated or direct dedication is unlikely, the land acquisition is considered to be part of the capital cost of the related development charges project.

The responsibility for the cost of Road infrastructure and underground services as part of new Developments or Redevelopments will be determined by the following principles:

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. All Local Roads, Collector Roads, and laneways internal to a Development, including intersection improvements, traffic signals and traffic control systems, and all related infrastructure;
 - b. New Local Roads external to a Development required to provide a connection to the existing transportation network;
 - c. Upgrades to existing Local Roads external to a Development required to upgrade connections to existing Collector Roads and Arterial Roads;
 - d. Improvements or alterations to any existing external Roads that are required to provide Direct Access, including turning lanes, walkways, active transportation connections, traffic signals and traffic control systems or other improvements to intersections;
 - a. New sidewalks on existing Roads that are required to connect a Development to public spaces;

2. The costs of the following shall be payable through development charges:
 - a. New Arterial Roads;
 - b. New Collector Roads external to a Development and not required to provide Direct Access;
 - c. Upgrades to existing Arterial Roads and Collector Roads external to a Development that are not required to provide Direct Access;
 - d. Foreseeable intersection improvements, traffic signals and traffic control systems on existing Roads that are not required to provide Direct Access.

<u>SERVICES RELATED TO A HIGHWAY</u>	
Local Services	Development Charges
New local and collector internal Roads.	New Arterial Roads.
New local and collector external Roads that are required for Direct Access.	New Roads external to a Development that are not required for Direct Access.

Improvements to existing external Roads that are required to provide Direct Access.	Improvements to existing external Roads that are not required to provide Direct Access (includes centre turn lanes).
New sidewalks and multi-use pathways on existing Roads that are required to connect a Development to public spaces.	Foreseeable improvements at existing intersections including traffic signals and traffic control systems and that are not required to provide Direct Access.

B. UNDERGROUND SERVICES, STORMWATER MANAGEMENT PONDS AND PUMPING STATIONS

Underground services (linear infrastructure for stormwater, water, and sanitary services) within the road allowance are not included in the cost of road infrastructure and are treated separately. The responsibility for such services as well as stormwater management ponds and pumping stations, which are undertaken as part of new Developments or Redevelopments, will be determined by the following principles:

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. Providing all underground services internal to the Development, including storm sewers up to and including 900 mm, and watermains and sanitary sewers up to and including 300 mm;
 - b. Providing any required external services up to and including 300 mm for watermains and sanitary sewers, and 900 mm for storm sewers, from existing underground services to a Development;
 - c. Providing new underground services or upgrading existing underground services external to the Development if the services are required to service the Development, and if the pipe sizes do not exceed 300 mm for watermains and sanitary sewers and 900 mm for storm sewers. If external services are required by two or more Developments, the developer for the first Development will be responsible for the cost of the external services and may enter into cost-sharing agreements with other developers independent of the City;
 - d. Providing new or upgraded stormwater management facilities (internal or external) required for a Development including all associated features such as landscaping and fencing; and
 - e. Water booster pumping stations, reservoir pumping stations and/or sanitary pumping stations serving one or more proposed Developments. If external services are required by two or more Developments, the developer for the first Development will be responsible for the cost of the external services and may enter into cost-sharing agreements with other developers independent of the City.

2. The costs of the following items shall be payable through development charges:

- a. Foreseeable underground services involving pipe sizes exceeding 300 mm for watermains and sanitary sewers and 900 mm for storm sewers, provided that the oversizing is required to service existing external upstream lands and provided that the contribution towards ‘over-sizing’ through development charges for pipe sizes over 300mm for watermains and sanitary sewers, and over 900mm for storm sewers shall be the cost less the cost of a 300mm pipe for watermains and sanitary sewers or a 900mm pipe for storm sewers; and
- b. Foreseeable major water, reservoir and/or sanitary pumping stations required to service areas broader than individual Developments.

<u>UNDERGROUND SERVICES, STORMWATER MANAGEMENT PONDS AND PUMPING STATIONS</u>	
Local Services	Development Charges
Services internal to a Development including storm sewers up to and including 900 mm and water and sanitary sewers up to and including 300 mm, or the equivalent cost for oversized services internal to a Development.	Foreseeable underground services involving pipe sizes exceeding 300 mm for watermains and sanitary sewers and 900 mm for storm sewers, provided that the oversizing is required to service existing external upstream lands and provided that the contribution towards ‘over-sizing’ through development charges for pipe sizes over 300mm for watermains and sanitary sewers, and over 900mm for storm sewers shall be the cost less the cost of a 300mm pipe for watermains and sanitary sewers or a 900mm pipe for storm sewers
Required external services up to and including 300 mm for watermains and sanitary sewers, and 900 mm for storm sewers, from existing underground services to a Development	
New underground services or upgrades to existing underground services external to a Development if the services are required to service the Development, and if the pipe sizes do not exceed 300 mm for watermains and sanitary sewers and 900 mm for storm sewers.	
Water booster pumping stations, reservoir pumping stations and/or sanitary pumping stations serving one or more proposed Developments. If external services are required by two or more Developments, the developer for the first Development will be responsible for the cost of the external services and may enter into cost-sharing agreements with other developers independent of the City.	Foreseeable major water, reservoir and/or sanitary pumping stations required to service areas broader than individual Developments

New or upgraded Stormwater facilities (internal or external) required by a Development.	
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C. OPEN SPACE DEVELOPMENT

Open space shall be developed to city standards as approved by City staff and the City-approved development application plans. All open space developments shall be maintained by the developer until acceptance by the City. All lands dedicated to the City shall be conveyed free and clear of all encumbrances and shall be free of any contaminated soil and subsoil.

(i) Trails and Active Transportation

1. The costs of the following items shall be direct developer responsibilities as a local service:

Local Connections within a Development:

- a. All costs associated with Trails, multi-use pathways and walkways internal to a Development that do not form part of the Guelph Trail Master Plan (GTMP) identified Trails, the City’s Active Transportation Network (ATN) through an Active Transportation Study, and/or the Official Plan identified trail network, that have been identified through application review. This could include but is not limited to; connections to community assets, natural areas or stormwater management facilities that do not form part of the GTMP identified trails and/or connections to the ATN and/or Official Plan identified trails. including but not limited to: clearing and grubbing, rough grading, supply and placement of topsoil, supply and placement of engineered fill to required depths, fine grading, sodding and any other associated infrastructure (catch basins, manholes, culverts and other drainage structures, bridges and abutments, guard and hand rails, retaining walls, temporary signs, perimeter fencing to City standard), Trail surfacing, permanent signs, benches, garbage cans, temporary and permanent trail barriers;
- b. New Trail connections not identified on the GTMP or as part of the ATN that are required to provide a connection to the local Development trails and/or pedestrian routes to ATN and/or GTMP identified existing or proposed trail locations; and

Voluntary Upgrades to City identified Trails, etc.:

- c. Where a Development includes Trails, multi-use pathways, walkways and/or other elements identified in the GTMP, as part of the ATN, and/or the Official Plan identified trail network, the cost of any upgrades and/or improvements that exceed City trail standards or average service levels which are not required by the City shall be paid by the developer as a local service.

2. The costs of the following items shall be payable through development charges:

City Identified Public Trail and Active Transportation Network:

- a. All costs associated with the City’s identified publicly accessible GTMP Trails and /or ATN Trails constructed within a Development that do not exceed City standards, guidelines or average service levels. Developers may be encouraged to undertake such work on behalf of the City and will, where applicable, be eligible to receive a credit for the work undertaken based on actual costs incurred by the developer up to an upset limit of the value of the work agreed upon prior to undertaking the work, which shall not in any case exceed the actual cost of the works or include any part of the cost of work that relates to an increase in the level of service that exceeds the identified average level of service. In some instances the City may choose to do these works where lands are available to the City and the works can be undertaken as part of other City projects.
- b. All costs associated with the City’s identified publicly accessible GTMP trails and/ or ATN trails undertaken by the City separate from and not forming part of any Development.

<u>OPEN SPACE DEVELOPMENT</u>	
<i>Trails and Active Transportation</i>	
Local Services	Development Charges
All costs associated with Trails, multi-use pathways and walkways internal to a Development that are not identified City-wide Trails or ATN that have been identified through application review.	All costs associated with the identified publicly accessible City-wide Trail and /or ATN network constructed within a Development that do not exceed City standards, guidelines or average service levels.
All costs associated with new Trail connections not identified on the GTMP or as part of the ATN that are required to connect a Development’s internal trails and/or pedestrian routes to identified City-wide Trails or ATN.	All costs associated with the City’s identified publicly accessible GTMP trails and/ or ATN trails undertaken by the City separate from and not forming part of any Development.
The costs of any voluntary upgrades and/or improvements to the City-wide Trail or ATN network that exceed City trail standards or average service levels which are not required by the City.	

(ii) *Parkland Development*

Land for parks is generally acquired through dedications required under a by-law passed pursuant to section 42 of the Planning Act, as a condition of approval of a draft plan of subdivision under section 51.1 of the Planning Act, as a condition of a consent under section 53 of the Planning Act, or from the expenditure of funds collected in lieu of a required dedication under one of those sections. Capital costs relating to parkland development will be considered as local services or as development charges projects on the following basis:

Basic Parkland Development:

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. Basic Parkland Development of lands conveyed, or to be conveyed, to the City for park or other public recreational purposes in connection with Development.

Design and Implementation of City Parks:

2. The costs of the following items shall be payable through development charges:
 - a. Design and implementation of facilities and all other associated site works exceeding Basic Parkland Development. Upon receiving written approval from the City, developers may request to undertake such work on behalf of the City and will receive a credit for the work undertaken based on actual costs incurred by the developer up to an upset limit of the value of the work agreed upon prior to undertaking the work which shall not in any case exceed the actual cost of the works. In some instances the City may choose to do these works where lands are available to the City and the works can be undertaken as part of other City projects.

<u>OPEN SPACE DEVELOPMENT</u>	
<i>Parkland Development</i>	
Local Services	Development Charges
Basic Parkland Development of lands conveyed, or to be conveyed, to the City for park or other public recreational purposes in connection with Development	Design and implementation of facilities and all other associated site works exceeding Basic Parkland Development.

(iii) *Landscape Buffer Blocks, Features, Cul-De-Sac Islands, Round-About Islands, Berms, And Natural Heritage System (NHS), Stormwater Management Areas*

Landscaping, etc. Supporting Development:

1. The costs of the following items where they are internal to a Development or required as part of works external to the Development for which the developer is otherwise responsible as a local service pursuant to this policy shall be direct developer responsibilities as a local service:

- a. development of all landscape buffer blocks, landscape features, cul-de-sac islands, berms and other remnant pieces of land conveyed to the City including, but not limited to, the following: clearing and grubbing, rough grading, supply and placement of topsoil (to the City’s required depth), sodding and seeding, drainage structures and other infrastructure (guard and handrails, retaining walls), landscape features, temporary perimeter fencing, temporary and permanent signs, amenities and all plantings including naturalization plantings in natural heritage features and their buffers and stormwater management areas;
- b. restoration planting and landscaping requirements (as required by the City or authorities having jurisdiction), as a result of impact of the Development including related restoration projects to enhance the NHS (e.g. compensation planting, stream realignment, habitat features); and
- c. permanent perimeter fencing to City standard to all adjacent land uses (residential, or non-residential) as required by the City, or other approval authority.
- d. Special landscape or built features not required by the City, or which exceed City standards or average service levels, may be permitted but must be provided by the developer as a local service. The City will not generally accept any responsibility for the costs of constructing or maintaining such features.

<u>OPEN SPACE DEVELOPMENT</u>	
<i>Landscape Buffer Blocks, Features, Cul-De-Sac Islands, Round-About Islands, Berms, And Natural Heritage System (NHS), Stormwater Management Areas</i>	
Local Services	Development Charges
All costs related to landscaping buffer blocks, features, cul-de-sac islands, round-about islands, berms, NHS, and stormwater management areas internal to a Development or required as part of works external to the Development for which the developer is otherwise responsible.	Landscaping, etc. for open spaces and other areas external to a Development and not required as part of works which are required as a local service.

Growth doesn't pay for itself

The hidden tax hit - Susan Watson

Capital Cost of Growth Recovery

Staff report: Page 4

The cost of growth is not completely funded by developers or by DCs. The DC legislation limits the amount a municipality can recover to approximately 80 per cent due to the following:

- *10 per cent statutory deduction;*
- *Statutory and discretionary DC exemptions;*
- *Ineligible services; and*
- *Growth-related costs in excess of the 10 year service level cap*

Development Charges Collected

Year	DCs Collected *includes \$ from City to compensate for exemptions	Developer DC contribution: 80% of total	Tax contribution: 20% of total
2014	\$23,737,358	\$18,989,886	\$4,747,472
2015	\$21,180,295	\$16,944,236	\$4,236,059
2016	\$18,569,855	\$14,855,884	\$3,713,971
2017	\$25,019,672	\$20,015,738	\$5,003,934
2018 *as at November 30, 2018	\$19,777,337	\$15,821,870	\$3,955,467
Total	\$108,284,517	\$86,627,614	\$21,656,903

Identified shortfall

\$10.23 million

Tax implications

\$1.25 million
per year for 10 years

(In addition to existing multi-million annual subsidy)

Conclusion

The existing tax base of the municipality must be used to pay for the additional costs of growth that are not compensated via the Development Charges Act (through legislation “arbitrary” limitation specifications and service exclusions), and also at the local level by not charging for growth-related expenses.

*It is not hard to understand that annual local tax rates **need to exceed the rate of inflation** due to the financial challenges of **growth not paying for itself**.*

Paul Kraehling

Former Senior Planner

City of Guelph



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February 6, 2019

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

Attn: Mayor Guthrie and Members of Council

2018/2019 CITY OF GUELPH DEVELOPMENT CHARGES BACKGROUND STUDY AND BY-LAW REVIEW

The Guelph-Wellington Development Association (GWDA) and the Guelph and District Home Builders Association (GDHBA) participated in the extensive stakeholder consultation process related to the City's development charges review. IBI Group has been the consultant to the industry through this process and has a long history of involvement with development charges in Guelph and across southern Ontario.

The development industry continues to have a number of concerns which have not been addressed. A letter was submitted and a deputation was made to Council at the Public Meeting held on January 21, 2019, which outlined our concerns. This letter re-iterates some of the major issues raised through the letter previously submitted and raised through the consultation process.

1. **Local Service Policy** - We request the following changes to the Local Service Policy (LSP):

- Where major infrastructure is required that benefits **more than one** individual development, rather than having the first developer be responsible for the cost of external services with potentially no ability to recoup costs from other benefitting parties **we request the City consider alternative options:**
 - Include the infrastructure servicing more than one development in the DC,
Or
 - Include the oversized portion of the infrastructure in the DC (as is done in Milton, Oakville, Cambridge and others),
Or
 - Have the City assist in collecting the portion of applicable costs through the development application approval process or before issuing a sewer or water permit (as is done in Hamilton).
- Basic Parkland Development include a requirement for seeding only (**not** sodding; seeding only is done in Hamilton and many other municipalities).
- Open Space should be developed in accordance with documented standards (not standards arbitrarily imposed by City staff).
- Grade separations should be DC eligible items.

City of Guelph – February 6, 2019

2. **Project Information Sheets** – *We request that future DC Background Studies include project information sheets which include scope and cost details for major projects across all service categories* (similar to the City of Kitchener example attached).
3. **Growth Forecast** – The last 3 years of the population forecast included in the DC (2028-2031) reflects a housing forecast which assumes the delivery of a 5 fold increase in apartment units, potentially equivalent to 30-45 buildings in 3 years. This 'back ended' growth is unrealistic. This suggests that the City is overestimating its infrastructure needs unnecessarily and thereby placing a burden on new homebuyers and the City's financial resources. *We request that the City review its population and housing forecast to ensure it can realistically be achieved.*
4. **Level of Service - We request**
 - *In instances where the City has received the lands through dedication, that the land component of the infrastructure not be included in the level of service.*

And

 - *The level of service calculation for Roads be revised to exclude the cost of land as most lands for roads are dedicated through the planning process. This revision will not impact the 2019 DC quantum but it will provide clarity on future DC updates.*
5. **Redevelopment Credit** - Given that in many instances of intensification, the redevelopment process is very complex and deals with extraordinary matters, the City's existing 48 month timeframe is insufficient. *We request there be no limitation on the redevelopment credit timeframe.*
6. **DC Rate Quantum** - *We request that the DC be phased in over a two year period to allow existing applications to advance to a stage where the uptick in costs can be somewhat mitigated and ensure development projects remain feasible.*

The industry has actively participated in the DC stakeholder consultation process, providing input and discussing issues and concerns with City staff, its consultant and other participating stakeholders. We appreciate Council's consideration of the development industry requests and look forward to working together as planned development in the City unfolds.

Yours truly,

IBI GROUP



Audrey Jacob MCIP RPP PLE
Deputy Regional Director, Canada East

cc: Kevin Brousseau, President, GDHBA
Carson Reid, President, GWDA
Tara Baker, City Treasurer, City of Guelph
Stephen O'Brien, General Manager/City Clerk, City of Guelph

Attachment – City of Kitchener Development Charges Project Sheet example

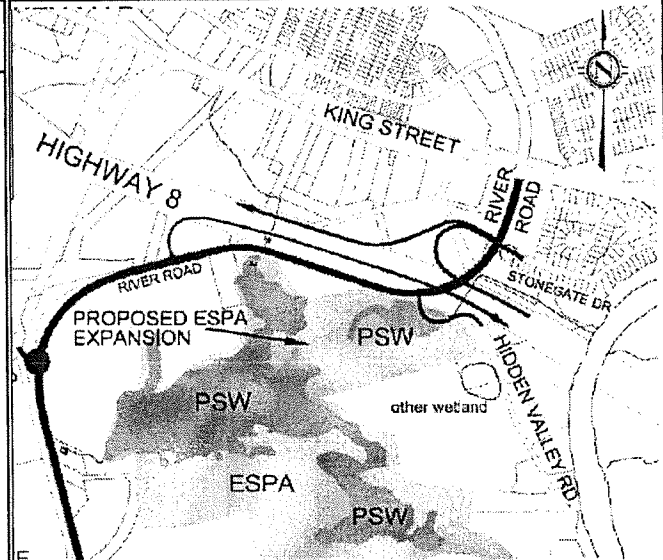
Development Charges Project Sheet

PRJ. NAME	Freeport Sanitary Forcemain	PROJECT #	SA6
PROJECT	Sanitary Pumping Station Capacity Upgrades	PRJ. TYPE	Sanitary
LOCATION	Freeport Pumping Station to Wabanaki Drive		
Revised April 2014			

PROJECT

DESCRIPTION

The Freeport Pumping Station Environmental Study Report - 2010 recommends construction of a new 400mm twin barrel forcemain from the pumping station to Wabanaki Drive, following the proposed route for the River Road extension. The new forcemain includes a trenchless crossing under highway 8. Construction to be coordinated with the construction of the River Road Extension.



ESTIMATE

DESCRIPTION	QTY	UNIT	COST PER	TOTAL COST
Installation of twin 400 mm forcemains	2680	m	\$1,200	\$3,216,000
Contingency	20	%		\$643,200
Sub-total				\$3,859,200
Engineering & Services During Construction	10	%		\$385,920
Total Project Cost				\$4,245,120
Attributable to new growth	64	%		\$2,716,877
Growth Related Balance Required				\$2,717,000



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February 7, 2019

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

Attn: Mayor Guthrie and Members of Council

2018 CITY OF GUELPH DEVELOPMENT CHARGES BACKGROUND STUDY AND BY-LAW REVIEW – SILVERCREEK DEVELOPMENTS

IBI Group was retained by Silvercreek Developments to assist in a review of the Guelph 2018 DC update. The focus of Silvercreek's interest is the Silvercreek Parkway/CN Grade Separation project as identified in Minutes of Settlement (PL070533).

We submitted two letters to the City/their DC consultant; one dated October 9, 2018 and the other December 5, 2018. The City's response to IBI's October 9th letter was provided November 2nd, but was incomplete and did not respond to a number of the questions raised and as a result the December 5th letter was submitted. That letter remains unanswered. Further, a letter was submitted and a deputation was made to Council at the Public Meeting held on January 21, 2019, which outlined Silvercreek's concerns, indicating a response from City staff was outstanding; we requested that Council direct City staff to respond. To date we have not received a response from City staff.

Key to Silvercreek's concerns is the basis of the increasing cost of the proposed Grade Separation. The project cost, as reflected in the various DC background studies, rose from \$7 million in 2008, to \$10 million in 2014 and most recently to \$16.23 million in 2018.

The draft DC included an associated line item: Silvercreek Parkway/CN Grade Separation Growth Related Debt interest of \$2.049 million. We had inquired about the relevance of this debt interest since Silvercreek is front-ending the project and will be reimbursed by the City. In the updated DC background study released that particular line item has been 're-labeled' GID Growth Related Debt Interest. This also requires an explanation from City staff.

We would appreciate a response to the outstanding matters and look forward to hearing from City staff.

Yours truly,

IBI Group

Audrey Jacob MCIP RPP PLE
Deputy Regional Director, Canada East

c.c.: Tom Halinski, Aird & Berlis
Carlo Stefanutti, Silvercreek Developments
Stephen O'Brien, General Manager/City Clerk, City of Guelph

Development charges

FROM: HUGH WHITELEY

RE: NISKA ROAD AND WHITELAW ROAD NOT ELIGIBLE FOR
DEVELOPMENT CHARGES

The letter below gives the reasons for Niska Road and Whitelaw Road being ineligible for development charges.

I ask Council to have the projects for Niska Road and Whitelaw Road removed from the project list included with the Development Charges by-law.

Hugh Whiteley

Tara Baker, CPA, CA, Treasurer, GM Finance
City of Guelph
tara.baker@guelph.ca

February 6 2019

RE: ELIGIBILITY OF NISKA ROAD PROJECT FOR DEVELOPMENT CHARGES

Ms. Baker:

I have received and read your response of February 04 2019 and find it to be unsatisfactory in two important aspects.

1. In your response you refer to Niska Road and Whitelaw Road as being classified as collector roads. This abbreviated classification is inaccurate because it is incomplete. The correct classification of these two roadways is “**two-lane collector roadways in neighbourhoods of primarily residential land use**”. Both roadways are so classified in the Neighbourhood Traffic Management Policy.
2. You assert that *both roads serve more than one development*. This statement is contradicted by the Neighbourhood Traffic Management Policy. The NTMP explicitly shows both roadways in the set of roadways to which the NTMP applies. All roadways to which the NTMP applies are internal roadways within a single neighbourhood whose function is to provide Direct Access and on which any appreciable external traffic is considered a potential hazard that may require management by volume-controlling traffic calming.

I remind you that I have provided extensive documentation of the traffic policies approved by City Council and incorporated in Official Plans that apply to Niska Road and Whitelaw Road. The most important policy principles contained in this documentation are:

- Adoption by City Council in the 1975 Official Plan of a City-wide policy of separating through and local traffic by establishing a hierarchy of roadways.
- Adoption by City Council in 2006 of a Neighbourhood Traffic Management Policy applicable to all roads classified as local roads or two-lane collector roads in neighbourhoods of primarily residential land use. The NTMP reserves roadways to which it applies for local traffic (i.e. Direct Access) and serves to protect these roadways from the detrimental effects of high volumes of traffic short-cutting through residential neighbourhoods.
- Adoption by City Council in 2012 of OPA 48 which contains in section 5.6.5 the requirement that in the design of new or altered roadways to which the NTMP applies the principles of the NTMP shall be incorporated in the design.

I conclude from my review of City of Guelph policy decisions that Niska Road and Whitelaw Road are both clearly and consistently identified as internal roads within one residential neighbourhood with only Direct Access function. As such Niska Road and Whitelaw Road do not qualify for Development Charges.

If you have documentation by way of a City Council decision that removes Niska Road and Whitelaw Road from the list of roadways to which the NTMP applies, or any other documentation that supports your statement that Niska Road and Whitelaw Road serve to convey traffic external to their respective neighbourhoods please direct me to this documentation.

If you are not able to provide supportive documentation for the City's position that Niska and Whitelaw do qualify for development charges please indicate that in your response,

I await your reply.

Yours truly

Hugh Whiteley

From: Susan Watson

Subject: DC By-law update: Current rate of growth is unaffordable

Mayor Guthrie and Members of Council:

For me, the main take away from the recent Development Charge By-law update study is that the current rate of growth has become unaffordable for Guelph citizens.

You were told the following in a recent staff report:

.....the City's Development Charge Reserve Funds are projecting to be in an overdrawn position

This has then translated into the identification of a \$10.23 million tax-funded shortfall which staff is seeking to address by adding \$1.25 million annually to Guelphites' property tax bills for the next 10 years.

With the 2018 DC Study complete, a funding shortfall has been identified over the ten-year period for the tax supported Growth Reserve Fund which is used to fund the tax cost of growth including the tax cost of development charge exemptions.

In Guelph, Development Charges only cover 80% of the actual costs of growth. The other 20% is made up from the public purse. Over the next ten years, \$122 million of public money will be required to subsidize growth. \$50 million will be coming from property taxes, and the remainder from fees and rates.

When we look at it from the perspective of an individual home, under the new By-law, the DC rate for a single detached home will be \$35,098. Since this will only cover 80% of growth related costs, Guelph citizens will be providing an additional subsidy of \$8,775 for that individual home.

This is money that cannot be used for other key expenses in the City, whether it is affordable housing, safe recovery rooms, parkland acquisition or pressing infrastructure repairs.

The cost of growth seems to be treated as if it is a non-negotiable part of our yearly budget. It is true that Development Charge formulas are set by the Province, however, our Official Plan gives Council the authority to manage and direct growth and define and prioritize the rate, timing and location of development in the City.

Council needs to take the reins and fulfill that role.

There are actually several options to respond to the current situation:

- ☐ Increase taxes to cover the Development Charge shortfall
- ☐ Slow the pace of growth to meet minimum required targets
- ☐ Negotiate with developers for additional capital contributions (Approach used by Milton and Barrie)
- ☐ Consider which types of growth should be prioritized

I am attaching a copy of the PowerPoint which I will be presenting at Council on Monday. In particular, I would draw your attention to Slide #7. A study conducted for the Town of Milton in the early 2000s by

Watson & Associates tracked the net property tax impact of various types of development. Council needs to start factoring in the long-term revenue/loss impacts of the different kinds of development which are approved.

I would also draw Council's attention to correspondence prepared by Watson & Associates at this link, starting on p. 36:

https://guelph.ca/wp-content/uploads/info_items_020119.pdf#page=31

This correspondence details the experience of Milton and Barrie. These municipalities negotiated capital contributions from developers over and above the required DCs. I have heard that this is also the case in Oakville, but have not yet been able to confirm that information.

Town of Milton – Located in the G.T.A. West, it is identified as a key growth area. In 2000, it had a population of 31,500 and was “planned” to grow to approximately 175,000. The early building projections were to grow at about 1,000 units per year which has increased significantly, reaching well over 2,000 units per year for a number of years. At present, the Town's population is approximately 130,000. Planning for this municipality to grow almost six times its size required significant investment in both infrastructure and operating costs. From the fiscal impacts undertaken for each secondary plan, growth was deemed unaffordable. Observations arising from the studies included:

- D.C.s only contributed to about 75% of the growth-related costs (due to mandatory exemptions, reductions, deductions and averaging of historical service standards;
 - Debt capacity would exceed 50% placing it well above the provincial limit of 25%; and
 - Tax rate increases averaging approximately 10% per year were anticipated over the planning period.
- Based upon the above challenges facing the Town, the growth would have to be slowed to approximately 30% of the growth targets in order to maintain financial affordability. The municipality, however, was able to negotiate with the development community to assist in mitigating the impacts. By agreement, capital contributions (in addition to the D.C. payments) were made to reduce the debt borrowing requirements (thus reducing the debt to below the capacity limits) along with the direct impact on property taxes.

City of Barrie – Located north of the G.T.A., Barrie also achieved rapid growth in the 1990s and subsequently sustained moderate growth thereafter. In 2010, the City had annexed 5,700 acres of land from Innisfil which was targeted primarily for residential development. Within the City's existing built boundary, there was significant residential lands along with employment lands to be developed. The landowners within the annexed area wished to proceed with the Secondary Plan process and potentially proceed to advance the development of the area. In addition to the financial costs of providing infrastructure to the existing built boundary area, the City was facing significant financial challenges to address replacement of aging water, wastewater, roads and other infrastructure. In attempting to address the financial infrastructure requirements within the existing built boundary along with layering the growth within the annexation lands, the City would have to consider the following impacts:

- D.C.s only contributed to about 75% of the growth-related costs (due to mandatory exemptions, reductions, deductions and averaging of historical service standards;
- Debt capacity would exceed 46% placing it well above the provincial limit of 25%; and

- Tax rate increases averaging 6% per year.

Similar to Milton, the City negotiated capital contributions to assist with reducing the debt capacity below the mandatory limit and the direct impact on property taxes (4% per year).

Note that the capital contributions mentioned for Milton and Barrie were to directly fund growth-related capital costs which were not D.C. recoverable as a result of the reductions, deductions and limitations set out in the D.C.A. Without these contributions, housing supply would have been reduced and staged to maintain affordability and sustainability. Note that with the changes imposed through the Smart Growth for Our Communities Act, 2015 (Bill 73), the Province has sought to provide limitations in this area.

Sincerely,

Susan Watson