

# COUNCIL PLANNING AGENDA



## CONSOLIDATED AS OF JULY 10

Council Chambers, City Hall, 1 Carden Street

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

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

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

### PRESENTATION

- a) **United Way Award Presentation, 2014 Campaign of the Year, to Sean Finlay**

### CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

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

#### Consent Reports/Agenda from:

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

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

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

Amendment (Phase 4 of Kortright East Subdivision) (File: 23T-01508 / ZC1306) - Ward 6			
CON-2015.34 Request for an Extension of Draft Plan Approval 927 and 1023 Victoria Road South (Phase 3 of Kortright East Subdivision) (File: 23T-01508) - Ward 6			
CON-2015.35 44, 56, 66 and 76 Arkell Road Proposed Zoning By-law Amendment (File: ZC1314) and Proposed Demolitions - Ward 6			
CON-2015.36 0 Lee Street Proposed Zoning By-law Amendment (File: ZC1501) - Ward 1			

## SPECIAL RESOLUTIONS

### BY-LAWS

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

<p>By-law Number (2015)-19930 A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property referred to municipally as 0 Lee Street that comprises a portion of the former Grange Road alignment that is located at the northwest corner of the newly configured intersection of Lee Street and Cityview Drive North to facilitate the creation of three single detached lots (ZC1501).</p>	<p>To amend the Zoning By-law to create three new single detached lots at the intersection of Lee Street and Cityview Drive North.</p>
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<p>By-law Number (2015)-19931  A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property municipally known as 44, 56, 66 and 76 Arkell Road and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) And Lots 3, 4, 5, And 6, Registered Plan 514, City of Guelph (File ZC1314).</p>	<p>To amend the Zoning By-law to permit the development of ninety-three (93) cluster townhouse dwelling units, modify a wetland boundary and include a 30 metre conservation buffer to a wetland with the ability to provide a future public recreation trail link.</p>
<p>By-law Number (2015)-19932  A by-law to remove Part Block 1, Plan 61M189, designated as Parts 1 to 5 inclusive, Reference Plan 61R20347 in the City of Guelph from Part Lot Control.</p>	<p>To remove the subject lot from Part Lot Control to create separate parcels for multiple townhouse units known municipally as 52, 54, 56, 58 and 60 Mussen Street.</p>
<p>By-law Number (2015)-19933  A by-law to dedicate certain lands known as Part Lot 17, Registered Plan 462, designated as Part 1, Reference Plan 61R-11679, City of Guelph, as part of Lee Street.</p>	<p>To dedicate lands as part of Lee Street.</p>
<p>By-law Number (2015)-19934  A By-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 1023 Victoria Road South and legally described as Part of the Northeast Half of Lot 4, Concession 8 (Geographic Township of Puslinch), City of Guelph.</p>	<p>To amend the Zoning By-law as approved by Council on July 13, 2015. (1023 Victoria South)</p>
<p>By-law Number (2015)-19935  A by-law to confirm the proceedings of meeting of Guelph City Council.</p>	<p>To confirm the proceedings of the meeting of Council held July 13, 2015.</p>

**MAYOR'S ANNOUNCEMENTS**

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

**NOTICE OF MOTION**

**ADJOURNMENT**

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

July 13, 2015

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

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

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

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

WHEREAS the Province's FIT Program encourages the construction and operation of rooftop solar photovoltaic and ground mount solar photovoltaic projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in the City of Guelph;

AND WHEREAS, pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other Persons applying for FIT Contracts;

**NOW THEREFORE BE IT RESOLVED:**

1. That Report IDE-BDE-1506 from Infrastructure, Development and Enterprise, dated July 7, 2015 be received.
2. That Council of the City of Guelph supports without reservation the construction and operation of the Projects anywhere in the City of Guelph.
3. That Council direct the City Clerk to sign the attached "Template: Municipal Council Blanket Support Resolution" (Attachment #1).

Infrastructure, Development & Enterprise Committee Sixth Consent Report

4. That Council direct the Manager, Community Energy to provide a completed and signed "Template: Municipal Council Blanket Support Resolution" (Attachment #1) to applicants requesting same for the purposes of submissions to the Independent Electricity System Operator's Feed-In-Tariff 4.0 Program.
5. That the Municipal Council Blanket Support Resolution remain in effect for one year from the date of adoption.

All of which is respectfully submitted.

Councillor Bell, Chair  
Infrastructure, Development &  
Enterprise Committee

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

# COUNCIL MEMO



DATE Friday, July 10, 2015

TO **City Council**

FROM Todd Salter, General Manager

DIVISION Planning, Urban Design and Building Services

DEPARTMENT Infrastructure, Development and Enterprise

**SUBJECT Amendment to Report 15-61  
CON-2015.35  
44, 56, 66 and 76 Arkell Road  
Proposed Zoning By-law Amendment (File: ZC1314)  
and Proposed Demolition  
Ward 6**

We wish to advise that a minor technical error has been discovered in the above-noted report and associated draft zoning by-law regulations. The report indicates that the applicant requested a specialized provision in the zoning to permit an increased density of 39 units per hectare, whereas the standard R.3A Zoning requires a maximum density of 37.5 units per hectare. The report recommends approval of this special provision.

It has come to staff's attention that due to a technical error in how the density was calculated (related to "netting-out" the ecological linkage on the north side of the site, which is to be zoned P.1 Conservation Land), the actual density of the proposed development is approximately 41 units per hectare, not 39.

This is a minor technical interpretation matter and does not change the development concept or increase the development potential of the site. It also does not in any way modify the planning analysis or staff recommendation contained in the staff report.

Staff have therefore revised Report 15-61 and associated by-law regulations to correct the recommended density from 39 units per hectare to 41 units per hectare. No other changes to the proposed zoning regulations or conditions of approval are recommended.

If you have any questions, please contact me or the lead planner on the file, Michael Witmer.

Yours truly,

A handwritten signature in black ink, appearing to read "Todd Salter", is written over the "Yours truly," text.

Todd Salter  
General Manager

Planning, Urban Design and Building Services  
**Infrastructure, Development and Enterprise**

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# STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE July 13, 2015

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

REPORT NUMBER 15-61

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

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

### KEY FINDINGS

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

### FINANCIAL IMPLICATIONS

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

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

### ACTION REQUIRED

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

# STAFF REPORT



## RECOMMENDATION

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

## BACKGROUND

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



# STAFF REPORT



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

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

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

## **Location**

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

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

# STAFF REPORT

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

## **Existing Official Plan Land Use Designations and Policies**

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

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

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

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

# STAFF REPORT

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

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

## **Existing Zoning**

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

## **REPORT**

### **Description of Proposed Zoning Bylaw Amendment**

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

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

- That the minimum lot area per dwelling unit be 255 m<sup>2</sup> whereas the Zoning By-law requires 270 m<sup>2</sup>;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;

# STAFF REPORT

- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only);
- That the maximum density of the site be 41 units per hectare whereas the Zoning By-law requires 37.5 units per hectare; and
- That the above provisions shall continue to apply collectively to the whole of the subject lands that are within in the R.3A-58 Zone, despite any future severance, phase of condominium registration, partition, or division for any purpose.

## **Proposed Development**

The applicant's proposed development concept plan and proposed building renderings are shown in Attachments 8 and 9. The applicant has proposed rezoning the subject lands to permit a cluster townhouse development containing ninety-three (93) cluster townhouse dwelling units. Two entrances to the site are proposed off of Arkell Road – a full movement entrance to the west, and a right-in/right-out only entrance to the east, aligning with Malvern Crescent. The subject property is a total of 2.4 hectares in size, with a net developable area of 2.2718 hectares with 93 dwelling units proposed. This equates to an average site net density of 40.9 units per hectare ( $93/2.2718 \text{ ha} = 40.9 \text{ units per hectare}$ ).

## **Minor Application Modifications**

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

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

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

# STAFF REPORT



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

## **Supporting Documents**

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

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

## **Staff Review and Planning Analysis**

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

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

# STAFF REPORT



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

## **Planning Staff Recommendation**

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

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

## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

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

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

## **DEPARTMENTAL CONSULTATION**

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

# STAFF REPORT



## COMMUNICATIONS

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

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

## ATTACHMENTS

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

### Report Author

Michael Witmer  
Development Planner II

### Approved By

Todd Salter  
General Manager  
Planning, Urban Design  
and Building Services  
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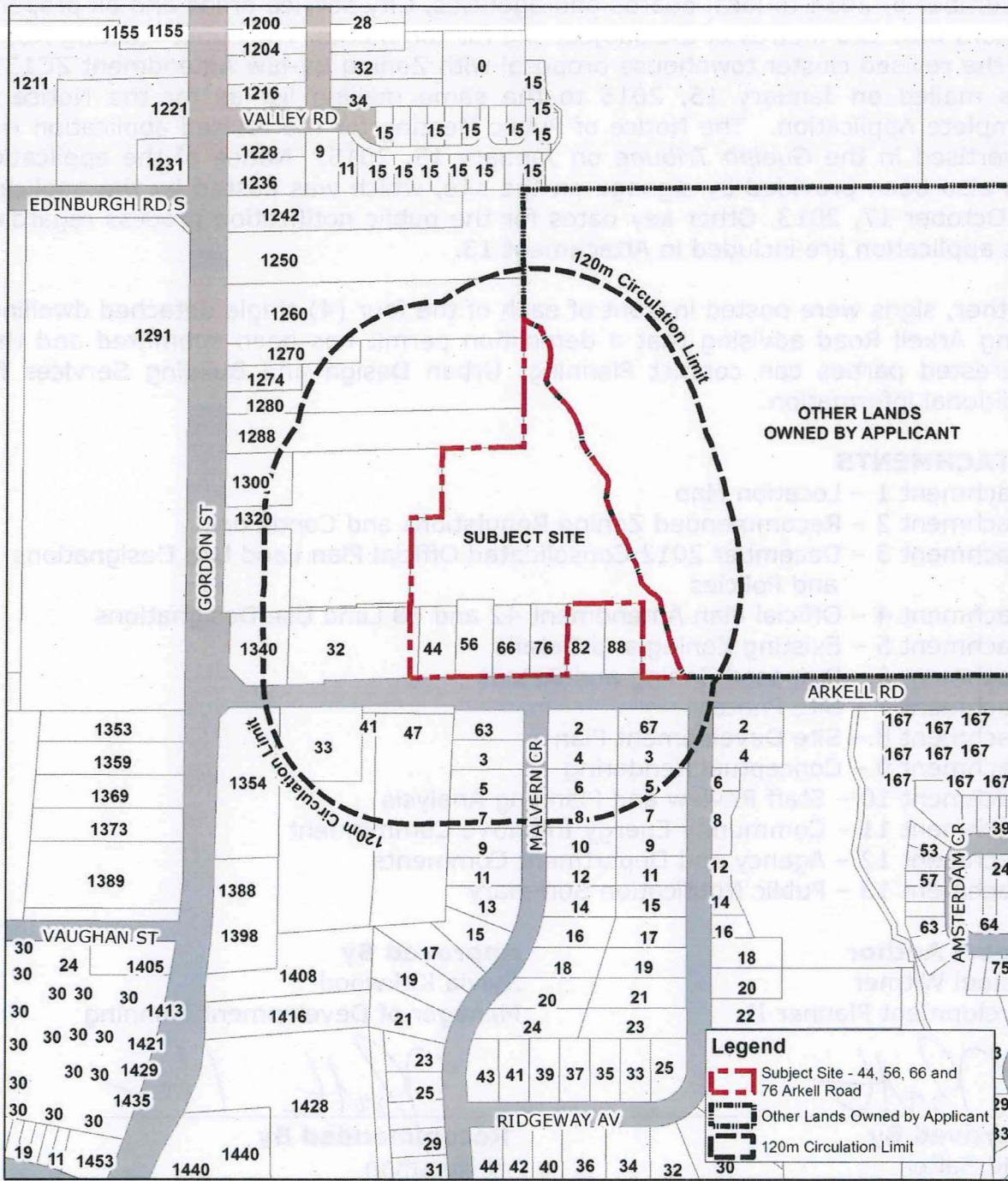
### Approved By

Sylvia Kirkwood  
Manager of Development Planning

### Recommended By

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

## Attachment 1 Location Map



0 12.525 50 75 100 m

### LOCATION MAP

#### 44, 56, 66 and 76 Arkell Road

#### 120m Circulation

CITY OF  
**Guelph**  
Making a Difference

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



## Attachment 2 Recommended Zoning Regulations and Conditions

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

### **PROPOSED ZONING**

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

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

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

- That the minimum lot area per dwelling unit be 255 m<sup>2</sup> whereas the Zoning By-law requires 270 m<sup>2</sup>;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;
- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only);
- That the maximum density of the site be 41 units per hectare whereas the Zoning By-law requires 37.5 units per hectare; and
- That the above provisions shall continue to apply collectively to the whole of the subject lands that are within in the R.3A-58 Zone, despite any future severance, phase of condominium registration, partition, or division for any purpose.

#### **P.1 (Conservation Land) Zone**

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

#### **WL (Wetland) Zone**

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

### **PROPOSED CONDITIONS**

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

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

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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

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

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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

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

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

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

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

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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

plan. As well the EIR will be based on an approved Terms of Reference and will include grading, drainage, interim and final erosion and sediment control plans and report, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from June 10, 2015.

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



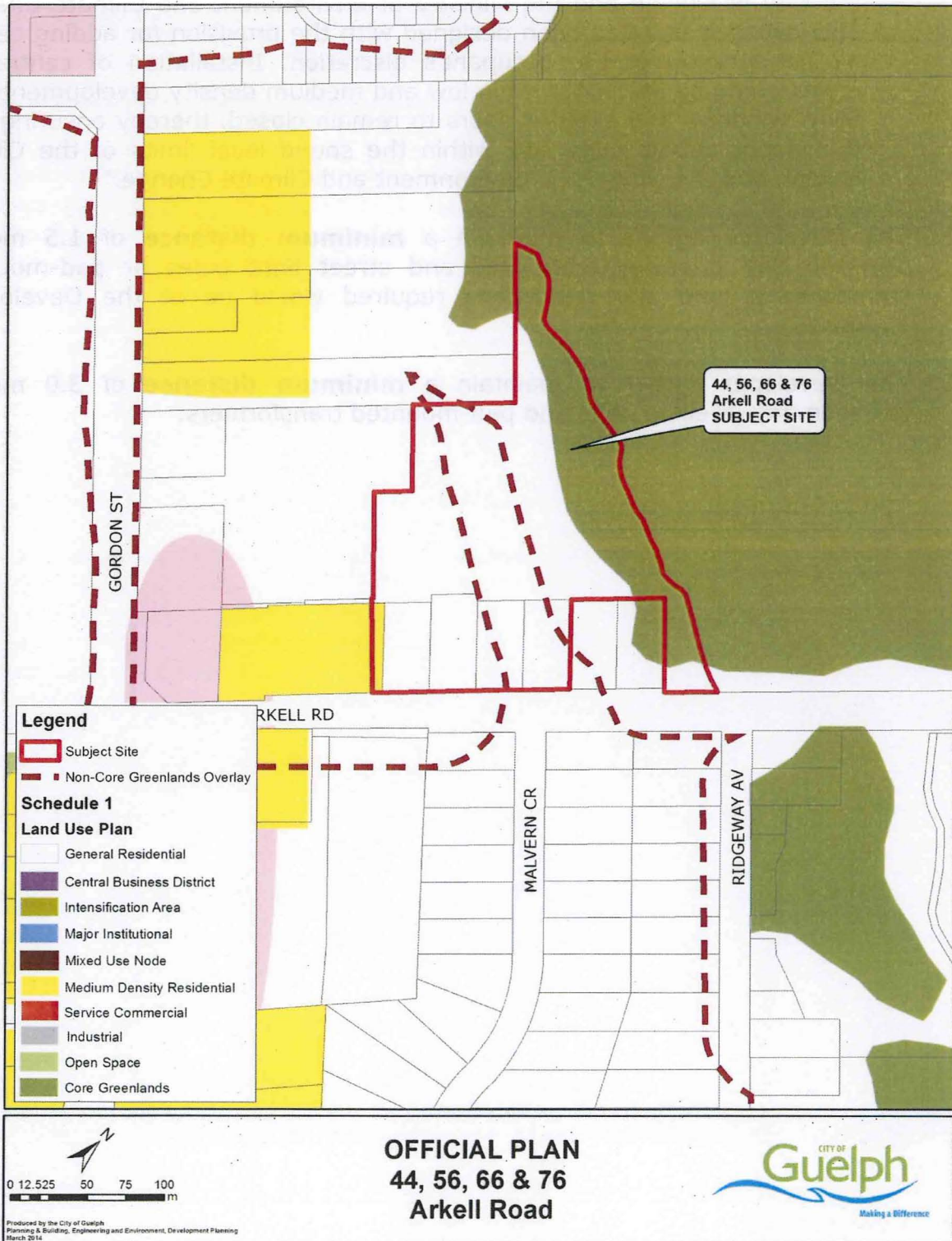
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## Attachment 2 (continued) Recommended Zoning Regulations and Conditions

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

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

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



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

## **"General Residential" Land Use Designation**

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

## Attachment 3 (continued)

### December 2012 Consolidated Official Plan Land Use Designations and Policies

#### **"Medium Density Residential" Land Use Designation**

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

#### **"Core Greenlands" Land Use Designation**

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

## Attachment 3 (continued)

### December 2012 Consolidated Official Plan Land Use Designations and Policies

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

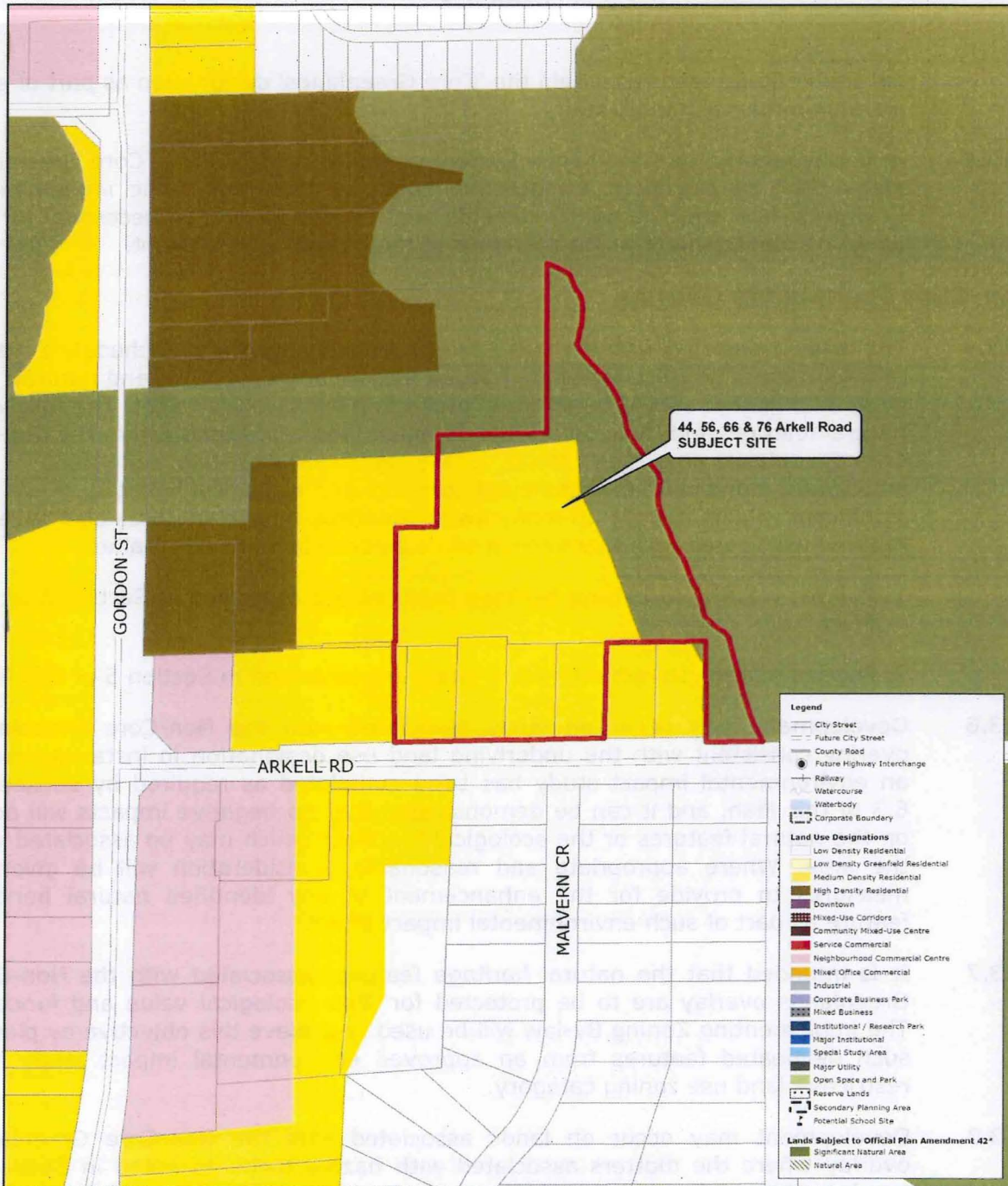
- 7.13.4 In implementing the Greenlands System provisions of this Plan, 'Core Greenland' areas shall be placed in a restrictive land use category of the implementing Zoning By-law, which prohibits development except as may be necessary for the on-going management or maintenance of the natural environment.

#### Non-Core Greenlands Overlay

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

# STAFF REPORT

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



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

**9.3.4 Medium Density Residential**

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

**Permitted Uses**

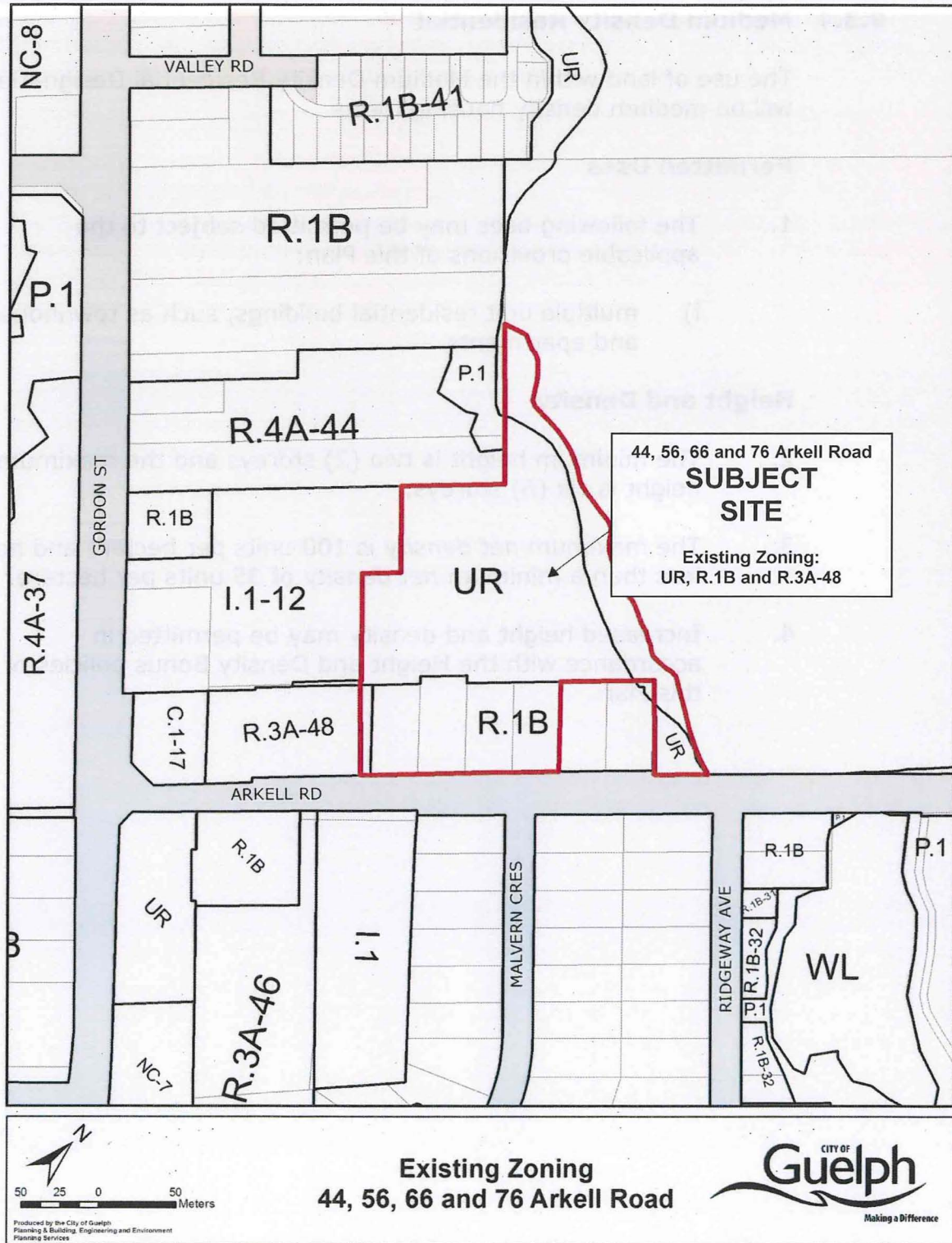
1. The following uses may be permitted subject to the applicable provisions of this Plan:
  - i) multiple unit residential buildings, such as townhouses and apartments.

**Height and Density**

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

# STAFF REPORT

## Attachment 5 Existing Zoning and Details





## Attachment 5 (continued) Existing Zoning and Details

### R.1B (Residential Single Detached) Zone

#### Permitted Uses

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

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

#### Regulations

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

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## Attachment 5 (continued) Existing Zoning and Details

### UR (Urban Reserve) Zone

#### Permitted Uses

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

#### Regulations

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

#### Minimum Separation Distances Regulating Livestock Based Agriculture

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

#### Permitted Building or Structure

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

#### Minimum Side Yard

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

#### Minimum Rear Yard

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

#### Minimum Front Yard

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

#### Off-Street Parking

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

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## Attachment 5 (continued) Existing Zoning and Details

### Off-Street Loading

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

### Accessory Building or Structure

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

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

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

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

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

### Lighting of Outdoor Sportsfield Facilities

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

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

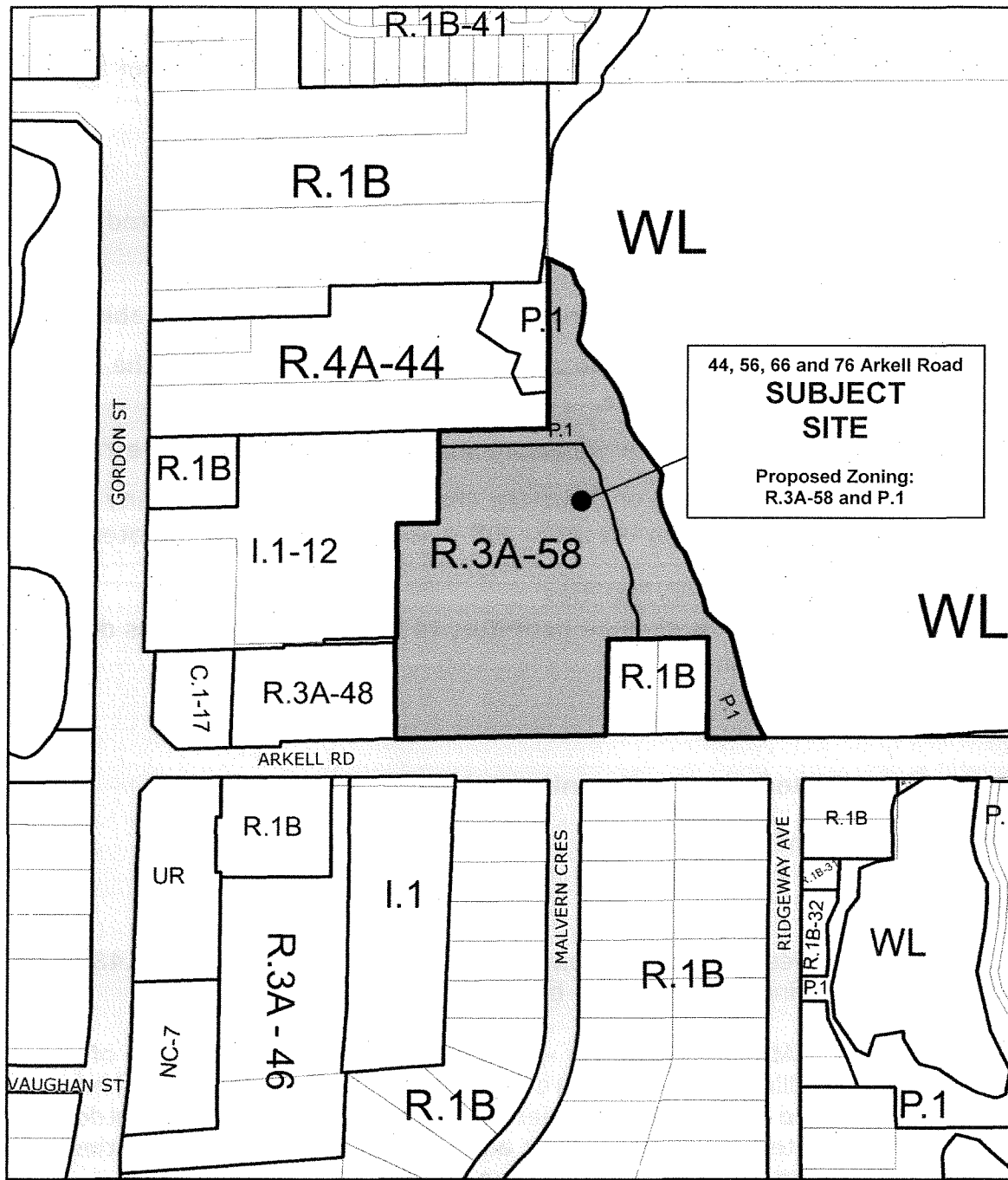
*Applies to:* 30, 34 and 40 Arkell Road

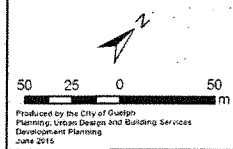
### **Permitted Uses**

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

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


## Attachment 6 Proposed Zoning and Details





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

**Proposed Zoning**  
**44, 56, 66 and 76 Arkell Road**



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## Attachment 6 (continued) Proposed Zoning and Details

### R.3A (Cluster Townhouse) Zone

#### Permitted Uses

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

#### Regulations

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

#### Maximum Building Coverage

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

#### Minimum Side and Rear Yards – R.3A Zones

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

#### Minimum Distance Between Buildings and Private Amenity Areas

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

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

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

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

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## Attachment 6 (continued) Proposed Zoning and Details

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

### Minimum Common Amenity Area - R.3A Zone

- a) Except for developments which contain less than 20 dwellings, a minimum of 5 m<sup>2</sup> of Amenity Area per dwelling shall be provided and be developed as Common Amenity Area. This Common Amenity Area shall be aggregated into areas of not less than 50 m<sup>2</sup>.
- b) Despite Section 5.3.2.4.1 a), the following shall apply to Stacked Townhouse developments:
  - i) Except for developments which contain less than 20 dwellings, a minimum of 10 m<sup>2</sup> of Amenity Area per dwelling shall be provided and be developed as Common Amenity Area, and be aggregated into areas of not less than 50 m<sup>2</sup>.
- c) Where combined Cluster and Stacked Townhouses occur, the Common Amenity Area for the site shall be calculated by using the provisions of Section 5.3.2.4.1 b) for the proportion of units which are stacked and utilizing the provisions of Section 5.3.2.4.1 a) for the proportion of units which are Cluster Townhouse.

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

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

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

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

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

- a) have a minimum area of 20 m<sup>2</sup>;
- b) have a minimum depth (from the wall of the dwelling unit) of 4.5 metres;
- c) have a minimum width equal to the width of the unit when the layout of the unit permits. If the preceding cannot be accomplished, the minimum width of the Private Amenity Area shall be 4.5 metres
- d) not form part of a required Front or Exterior Side Yard
- e) not face onto a public Street

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## Attachment 6 (continued) Proposed Zoning and Details

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

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

### Maximum Density of Site

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

### Additional Front and Exterior Side Yard Regulations

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

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

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

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

## Attachment 6 (continued) Proposed Zoning and Details

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

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



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## Attachment 6 (continued) Proposed Zoning and Details

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

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## Attachment 6 (continued) Proposed Zoning and Details

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

- That the minimum lot area per dwelling unit be 255 m<sup>2</sup> whereas the Zoning By-law requires 270 m<sup>2</sup>;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;
- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys. (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only); and
- That the maximum density of the site be 41 units per hectare whereas the Zoning By-law requires 37.5 units per hectare.

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### **P.1 (Conservation Land) Zone**

#### **Permitted Uses**

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

#### **Regulations**

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

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

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

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## Attachment 6 (continued) Proposed Zoning and Details

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

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### **WL (Wetland) Zone**

#### **Permitted Uses**

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

#### **Regulations**

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

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

## Attachment 7 Site Photos



44 Arkell Road



56 Arkell Road

## Attachment 7 (continued) Site Photos



66 Arkell Road

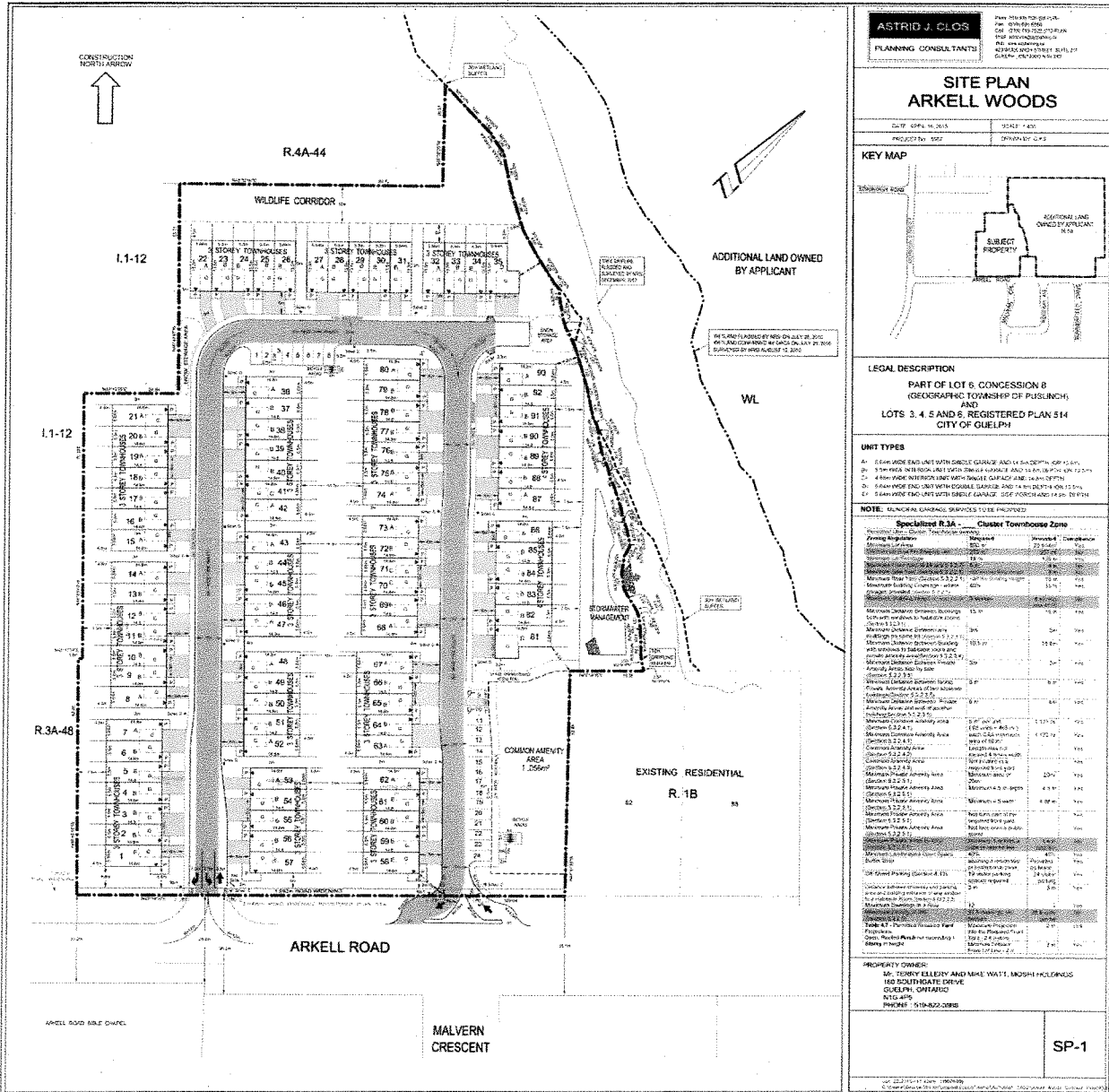


76 Arkell Road

Photos by M. Witmer, June 2015

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## Attachment 8 Site Development Plan



## Attachment 9 Conceptual Rendering



Conceptual Rendering provided by Moshi Holdings Ltd., June 2015

## Attachment 10 Staff Review and Planning Analysis

### 2014 Provincial Policy Statement

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

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

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

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

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

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

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



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

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

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

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

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

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

## **Places to Grow: Growth Plan for the Greater Golden Horseshoe**

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

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

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

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

## **Official Plan (December 2012 Consolidation)**

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

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

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

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

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

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

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

As per Section 7.2.32 of the Official Plan, the net density of development within the General Residential designation is not to exceed 100 units per hectare (40 units/acre). The subject property is a total of 2.4 hectares in size, with 93 dwelling units proposed. The subject property is a total of 2.4 hectares in size, with a net developable area of 2.2718 hectares and 93 dwelling units proposed. This equates to an average site net density of 40.9 units per hectare ( $93/2.2718 \text{ ha} = 40.9 \text{ units}$ )

# STAFF REPORT

per hectare), which is less than the maximum permitted density in the General Residential designation. For comparison purposes, the previous proposal of 40 stacked townhouses and one hundred and 176 multiple attached dwelling units for a total of 216 units had a density of 90 units per hectare.

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

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

## Arkell Springs Water Resource Protection Area

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

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

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

- The preparation of a stormwater management plan and water balance that incorporate LID measures to achieve an annual balance of surface water runoff to the Arkell Provincially Significant Wetland in relation to the post-development to pre-development conditions, and also provides treatment of stormwater runoff to contribute to maintaining water quality;
- Maintaining on-site predevelopment infiltration rates post development as supported by the hydrogeological report and stormwater management study in order to maintain on site infiltration/recharge functions; and
- Protection of the Arkell Provincially Significant Wetland including its ecological and hydrological functions as supported by the EIS. More information regarding the EIS is provided later in this analysis.

### Source Water Protection & The Clean Water Act

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

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

### Official Plan - Conclusions

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

### **Official Plan Amendment No. 42 – Natural Heritage System**

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

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

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

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

## **Environmental Impact Study (EIS)**

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

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

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

## Public Multi-use Trail

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

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

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

## Tree Preservation

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

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

## EIS - Conclusions

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

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

## **Official Plan Amendment No. 48**

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



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

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

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

## **Review of Proposed Zoning**

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

- That the minimum lot area per dwelling unit be 255 m<sup>2</sup> whereas the Zoning By-law requires 270 m<sup>2</sup>;
- That the minimum front yard be 3.9 m whereas the Zoning By-law requires 6 m;
- That the minimum side yard be 3 m whereas the Zoning By-law requires half the building height;
- That the maximum building height be 4 storeys whereas the Zoning By-law requires 3 storeys. (for units 81 to 93 only);
- That a private amenity area be a minimum of 1.4 m from a side lot line whereas the Zoning By-law requires 3 m (for unit 93 only);
- That the maximum density of the site be 41 units per hectare whereas the Zoning By-law requires 37.5 units per hectare; and
- That the above provisions shall continue to apply collectively to the whole of the subject lands that are within in the R.3A-58 Zone, despite any future severance, phase of condominium registration, partition, or division for any purpose.

# STAFF REPORT



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

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

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

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

## Changes to Zoning Since February 9, 2015 Public Meeting

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

# STAFF REPORT

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

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

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

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

## **Community Energy Initiative Considerations**

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

## **Statutory Public Meeting**

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

# STAFF REPORT



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

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

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

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

## Traffic Impacts

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

# STAFF REPORT

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

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

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

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

# STAFF REPORT

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

## Affordable Housing

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

## Solid Waste Resources

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

## **Cultural Heritage Resources – Archaeology**

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

## **Environmental Site Assessment (ESA)**

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

# STAFF REPORT

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## **Requested Demolition of Existing Four (4) Single Detached Dwellings**

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

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

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

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

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

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

## Attachment 11 Community Energy Initiative Commitment

Moshi Holdings Ltd.

June 8, 2015

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

Attention: Michael Witmer, Development Planner  
Planning Services

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

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

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

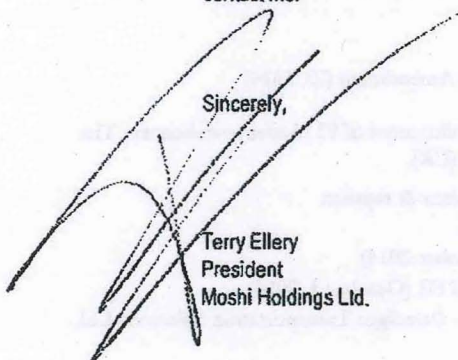


## Attachment 11 (continued) Community Energy Initiative Commitment

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

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

Sincerely,

  
Terry Ellery  
President  
Moshi Holdings Ltd.

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

## Attachment 12 Agency and City Department Comments

# MEMO



FILE: 16.131.001

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

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

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

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

### 1. Road Infrastructure:

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

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

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

### 3. Municipal Services:

#### *Arkell Road*

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

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

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## Attachment 12 (continued) Agency and City Department Comments

### MEMO



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

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

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

#### Sanitary Sewer Wastewater Collection System

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

#### Water Supply and Distribution System

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

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

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

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

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

## Attachment 12 (continued) Agency and City Department Comments

# MEMO



### 3. Storm Water Management:

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

### 4. Environmental:

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

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

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

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

### 5. Recommended conditions of Approval

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

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

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## Attachment 12 (continued) Agency and City Department Comments

### MEMO



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

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

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## Attachment 12 (continued) Agency and City Department Comments

### MEMO




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

## Attachment 12 (continued) Agency and City Department Comments

### MEMO



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



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



**Michelle Thalen, C.Tech**  
Development Technologist

## Attachment 12 (continued) Agency and City Department Comments

### INTERNAL MEMO



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

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

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

#### **Development Proposal:**

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

#### **Proposed Zoning Bylaw Amendment:**

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

Parks Planning offers the following comments:

#### **Zoning By-law Amendment:**

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

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

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

#### **1. Parkland Dedication:**

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



## Attachment 12 (continued) Agency and City Department Comments

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

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

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

### **2. Property Demarcation:**

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

### **3. Open Space Works and Restoration:**

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

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

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

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

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

## Attachment 12 (continued) Agency and City Department Comments

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### **Environmental Impact Study:**

#### **Pedestrian Trail System:**

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

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

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

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

### **Functional Servicing and Stormwater Management Report**

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

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

## Attachment 12 (continued) Agency and City Department Comments

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

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

### Conditions for Development approval

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

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

## Attachment 12 (continued) Agency and City Department Comments

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

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

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

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

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

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

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

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

## Attachment 12 (continued) Agency and City Department Comments

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

**Summary:**

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

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

Regards,

**Jyoti Pathak**  
Parks Planner

Parks and Recreation  
**Public Services**

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

## Attachment 12 (continued) Agency and City Department Comments

### INTERNAL MEMO



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

#### **Documents Reviewed:**

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

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

#### **Proposal:**

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

#### **Background Summary:**

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

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

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

## Attachment 12 (continued) Agency and City Department Comments

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

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

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

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

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

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

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

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

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

### **Environmental Planning Context:**

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

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

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

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

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



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

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

### **Staff Comments and Recommendations:**

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

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

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

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

### Recommended Conditions of Approval:

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

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

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

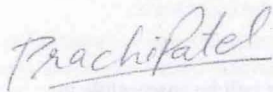
### Recommended Conditions of Approval for Demolition:

The following conditions are recommended prior to demolition:

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

Please let me know if you have any questions,

Thanks,



**Prachi Patel**  
Environmental Planner - Development

Planning Services  
**Infrastructure, Development and Enterprise**  
Location: City Hall

T 519-822-1260 x 2563  
E [prachi.patel@guelph.ca](mailto:prachi.patel@guelph.ca)

## Attachment 12 (continued) Agency and City Department Comments



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

RECEIVED

June 11<sup>th</sup>, 2014

JUN 13 2014

PBEE

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

Attention: ATT: Katie Nasswetter, Senior Development Planner

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

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

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

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

#### **Stormwater Management - Advisory to City:**

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

## Attachment 12 (continued) Agency and City Department Comments

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

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

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

### Recommendations:

- We would recommend that Low Impact Development Guidelines should be explored for the site to assist in reducing on site ponding within the roadways. (ie. Green Roofs) Low Impact Development Guidelines - [http://www.creditvalleyca.ca/wp-content/uploads/2014/04/LID-SWM-Guide-v1.0\\_2010\\_1\\_no-appendices.pdf](http://www.creditvalleyca.ca/wp-content/uploads/2014/04/LID-SWM-Guide-v1.0_2010_1_no-appendices.pdf)
- In addition, it is our understanding the City of Guelph has completed a Tier 3 Water Budget, this may be utilized and refined to provide additional guidance on groundwater infiltration in the area and can be refined at detailed design.
- An Environmental Implementation Report should be prepared for this site to provide additional design and implementation details.
- F.S.R. Section 3.1 Proposed Grading, details for dewatering requirements should be covered in an Environmental Implementation Report.

# STAFF REPORT



## Attachment 12 (continued) Agency and City Department Comments

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

Yours truly,

Nathan Garland  
Resource Planner  
Grand River Conservation Authority

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

## Attachment 12 (continued) Agency and City Department Comments



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

**Martha C. Rogers**  
Director of Education

May 5, 2014

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

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

RECEIVED

MAY 08 2014

PBEE

Dear Ms. Nasswetter;

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

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

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

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

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

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

Sincerely,

Emily Bumbaco  
Planning Department

# STAFF REPORT

## Attachment 12 (continued) Agency and City Department Comments



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

RECEIVED

May 6, 2014

MAY 08 2014

PBEE

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

Dear Ms. Nasswetter:

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

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

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

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

Michael Wittmund, P.Eng.  
Director of Engineering

MW/gc



## Attachment 12 (continued) Agency and City Department Comments



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

January 25, 2015

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

Dear Ms. Nasswetter:

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

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

We look forward to the public meeting on this application.

Sincerely,

Suzanne Swanton, Co-Chair  
Wellington and Guelph Housing Committee

# STAFF REPORT



## Attachment 12 (continued) Agency and City Department Comments

### Summary Table of Agency and Department Comments

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

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## Attachment 13 Public Notification Summary

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

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## Attachment 13 (continued) Public Notification Summary

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