

City Council - Planning Meeting Agenda

Consolidated as of October 6, 2017

Tuesday, October 10, 2017 – 6:30 p.m.
Council Chambers, Guelph City Hall, 1 Carden Street

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

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

Changes to the original agenda have been highlighted.

Open Meeting – 6:30 p.m.

O Canada

Silent Reflection

First Nations Acknowledgment

Disclosure of Pecuniary Interest and General Nature Thereof

Council Consent Agenda:

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

CON-2017.42 43 Arthur Street South: Notice of Intention to Designate Pursuant to Part IV of the Ontario Heritage Act

Recommendation:

1. That the City Clerk be authorized to publish and serve notice of intention to designate 43 Arthur Street South pursuant to Section 29, Part IV of the Ontario Heritage Act and as recommended by Heritage Guelph.
2. That the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

CON-2017.43**122 Cardigan Street (Kelly's Inn): Notice of Intention to Designate Pursuant to Part IV of the Ontario Heritage Act****Recommendation:**

1. That the City Clerk be authorized to publish and serve notice of intention to designate 122 Cardigan Street pursuant to Section 29, Part IV of the Ontario Heritage Act and as recommended by Heritage Guelph.
2. That the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

CON-2017.44**Review of City of Guelph Development Application Fees****Recommendation:**

1. That the Development Application Fee By-law be approved in accordance with ATT-2 of the Infrastructure, Development and Enterprise Report IDE-2017-116, dated October 10, 2017 and the enacted By-law come into full force and effect on January 1, 2018.
2. That the application fees be increased annually based on the Construction Price Index.
3. That the Development Application Fee by-law be formally reviewed once per Council term.

**Public Meeting to Hear Applications
Under Sections 17, 34 and 51 of The Planning Act**
(delegations permitted a maximum of 10 minutes)**1300 Gordon Street Proposed Official Plan and Zoning By-law Amendment
File: OP1704 & ZC1707****Staff Presentation:**

Rino Dal Bello, Planner

Delegations:

Astrid Clos, Consultant on behalf of the applicant
James Fryett, Architect on behalf of the applicant

Correspondence:

Peter Cummins, Treasurer and Director, Business Administration, The Salvation Army Guelph Citadel Corps
Gord and Margaret Jones, Heather and Hugh Martin, Les and Carol Schmidt and Valerie Gilmor

Staff Summary (if required)

Recommendation:

That Report IDE 2017-108 regarding a proposed Official Plan Amendment and Zoning By-law Amendment application (OP1704 & ZC1707) from Astrid J. Clos Planning Consultants on behalf of Carousel Estates Homes Inc. to permit a residential development on the property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph, from Infrastructure, Development and Enterprise dated October 10, 2017, be received.

Special Resolutions

By-laws

Resolution to adopt the By-laws (Councillor Piper)

"That By-law Numbers (2017)-20213 to (2017) - 20216, inclusive, are hereby passed."

By-law Number (2017)-20213	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 1229 Victoria Road South and legally described as Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph (File: ZC1507)(OMB Case # PL 160859) and to repeal By-law (2016)-20079.
By-law Number (2017)-20214	A By-law to authorize the conveyance to Enviva Community Energy Inc. of the lands described as Part of Block 12, Plan 61M169, designated as Part 1, Reference Plan 61R-21160, City of Guelph.
By-law Number (2017)-20215	A By-law to authorize the conveyance to 2598232 Ontario Inc. of the lands described as Part of Block 12 and all Block 13, Plan 61M169, designated as Parts 2, 3 & 4, Reference Plan 61R-21160, City of Guelph.

By-law Number (2017)-20216	A By-law to establish a tariff of fees for the processing and approval of development applications pursuant to the Planning Act, RSO 1990, c P.13, as amended, and to repeal By-law number (2003)-17045, as amended by By-law (2004)-17330.
By-law Number (2017)-20217	A by-law to expand the boundaries of the downtown business improvement area and repeal by-laws (1981)-10773, (1995)-14821 and (2011)-19143.
By-Law Number (2017)-20218	A by-law to confirm the proceedings of the meetings of Guelph City Council held October 4 and 10, 2017.

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

The Salvation Army

Canada & Bermuda
Ontario Great Lakes Division
Guelph Citadel Corps

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5 October 2017

Subject: File OP1704 & ZC1707 – 1300 Gordon Street

Dear Guelph City Council Members,

The purpose of this letter is to submit comments to the above captioned files for consideration at the public meeting scheduled for 10 October 2017 concerning the property at 1300 Gordon Street and the related proposed amendments to the City of Guelph Official Plan and Zoning By-Law. These comments are submitted by the leadership of The Salvation Army Guelph Citadel located at 1320 Gordon Street, immediately adjacent to the subject property.

First of all, we wish to acknowledge that we fully expected substantial development in the south end of Guelph, including along Gordon Street. Indeed, our decision to purchase our current property and build at 1320 Gordon Street was in part motivated by the expectation of growth in the south end of the City and the need for community services, including churches such as our own. We also wish to acknowledge the extensive effort and work completed by both the applicant and the City to study the options and impact of development of the specific portion of land under consideration. Having said that, there are a handful of important matters we believe merit careful consideration, and potentially modification of proposed plans. Specifically, we wish to comment on the following issues of primary concern to us:

1. Parking
2. Drainage and grading
3. Traffic and safety
4. Wildlife corridor/ecological link

Parking

Problem: The proposal states the plan is to build 32 apartment units and provide 46 parking spaces of which only 2 will be available for visitor parking. The current By-law would require a minimum of 9 visitor parking spaces. The Transportation Impact Study completed for the applicant states the subject site is noted to score a Walk Score of 33 and is considered “Car-Dependent”, which we assume has implications not only for residents but for visitors. Clearly 2 visitor parking spaces is inadequate to service 32 households. There is no reasonable option for on-street parking, the closest option being Valley Rd which according to local residents is already experiencing challenges related to non-residents using Valley Rd. and Landsdown Dr. for parking. The Salvation Army is also already experiencing a regular and meaningful volume of unauthorized parking in our parking lot from residents or visitors to current developments to the east, south, and north of our property (the largest of which are not yet even fully occupied). We fully expect the proposed development at 1300 Gordon to contribute further,

and potentially more regularly, to that issue given the immediate proximity to the site and the relative ease of access.

The above referenced Transportation Impact Study also includes a section entitled Transportation Demand Management in which the following statement is made “Rather than establish generous parking requirements to satisfy the maximum potential demand that may occur, parking management allows contingency based planning, which means that various solutions are identified which can be deployed if needed”. The statement is presented in a manner that suggests current requirements are generous which we do not believe is fair or accurate.

The Salvation Army cannot be expected to permit ongoing unauthorized parking in order to compensate for inadequate planning in surrounding developments, including but not limited to the application under consideration. It raises issues for us related to our programming, property maintenance, and liability. Additionally, we cannot be expected to bear what could be to some degree the avoidable burden and costs of monitoring parking activity and interfacing with By-Law enforcement. We cannot be considered a “contingency plan... an alternate solution to be deployed”.

The decisions Council makes regarding requested amendments to the By-Law and Official Plan directly affect the magnitude of the unauthorized parking issue we will need to manage for years to come.

Solution: We respectfully submit that in the absence of alternate solutions for on-site or on-street parking for visitors the requested variance to permit 132 units per hectare (high density) should not be approved. Remaining within the current 100 units per hectare would reduce the number of units allowing allocation of more of the 46 parking spaces to visitor parking. This would also eliminate the need to obtain a By-Law variance with respect to number of visitor parking spaces.

Additionally, we note that in the Transportation Impact Study there is a recommendation to include an information package to residents regarding transportation options. We would request that the information package also be required to state there is no available nearby on-street parking and that resident or visitor parking on other private property, including the adjacent parking lot of The Salvation Army, is not permitted.

Drainage and grading

Problem: The proposed building footprint would appear to effectively occupy 100% or more of the available lot space after set backs are considered. This creates challenges with respect to on-site management of storm water runoff from the roof. The Hydrogeological Study prepared in support of the application describes the use of an onsite bio-retention swale that would have to be located within the 10m set-back at the east end of the lot and within what is designated as the Wildlife Corridor.

Request: We are not in a position to comment on the technical feasibility and reliability of the proposed solution but seek reassurance from the developer and the City, who are responsible for reviewing the plans, that the construction of the bio-retention swale and grading will not result in increased run-off

onto our property at any time, either into the parking lot to the east of the building or to the driveway to the south.

Traffic and Safety

Problem: Development in the south end of the city has resulted in a noticeable substantial increase in traffic along Gordon Street in the 12 years since we occupied our building at 1320 Gordon Street. This was expected. The proposed building will add some additional traffic but is unlikely to make a large impact on volume on its own. However, existing construction yet to be fully occupied and the future extensive potential multi-unit residential development along Gordon Street in the general area must also be considered. We understand the pressure intensification strategies place on the City, but we caution against setting precedent along this corridor by permitting high density development where medium density is part of the current plan and where the compounding effect of the combined increased traffic load cannot be safely accommodated.

We note the study discussed a gap survey with a very loose conclusion that “there appears to be more than sufficient gaps available for westbound left-turning vehicles from the site driveway onto Gordon Street with 154 gaps greater than 8 seconds during the AM peak hour and 119 gaps greater than 8 seconds during the PM peak hour”. That conclusion is reached even though the prior sentence states “the survey was not clear on whether coincidental gaps (gaps in both directions at the same time) were recorded.” It is also relevant to note that AM or PM peak hours are actually 3 hour windows each. It is our experience that turning left from our own driveway is quite problematic at times already. Equally important and not discussed in the study is the risk associated with turning left off Gordon St southbound into the driveways on the east side. The speed that traffic travels between Edinburgh and Arkell roads on Gordon Street, along with the assumption that left turn signals from cars in front are indicating planned turns at Arkell Road, makes left turns off Gordon into east side properties prior to Arkell Road perilous at times. One must remain vigilant looking in the rear view mirror to ensure drivers coming from the north do not hit you from behind.

Solution: We advocate caution and more rigorous study on the anticipated impact of the real expected increase of traffic, as well as the increased need for turns both into and off Gordon Street across multiple lanes of traffic. It is not only a matter of convenience but one of safety. In the absence of other simultaneously implemented mitigating measures (e.g. centre turn lane) we recommend against approving development to a density beyond that permitted in the existing by-laws. To do otherwise risks setting precedent that would only further compound the risks and problems as further development occurs.

Wildlife corridor/ecological link

Problem: At the time of planning and construction of our current facility there was considerable discussion with the City regarding the allocation of a portion of our property towards the establishment of a wildlife corridor running the full length of our property on the north side. The requirements placed upon us were substantial in that we were required to fence off and were not permitted to disturb that corridor throughout construction. This even required that we adjust our plans to re-grade the perimeter of the site and the parking lot and to move the main driveway 1m further south to allow minor excavation to place forms for driveway curbs without disturbing the land. Furthermore, after construction we were not permitted to treat the area as a normal landscaped green space (i.e. cut grass or otherwise maintain the area) and have been required to leave it as a natural space. We understood the basis of the requests and accepted the requirements on the assurance that future development to our north would have a similar requirement to allocate space likewise. In the current plan, the proposal is to use the 10m corridor to also satisfy the requirement for a Common Amenity Area. Clearly this is a substantially different and less onerous requirement, effectively negating the need to dedicate land to a wildlife corridor. It simply becomes a landscaped side yard to enhance the property and provide some minimal green space for residents. The effect of the proposed approach would be that The Salvation Army is expected to assume 100% responsibility for the burden and cost of allocating naturalized undisturbed space to the wildlife corridor.

Of particular concern to us is the statement in the Environmental Impact Study Section 5.3.1 Vegetation Removal and Site Grading which states “As described in Section 3.2.1, natural features are absent on the subject property. Vegetation removal would be limited to sodded lawn areas and various tree, shrub and herbaceous yard and garden plantings as well as the cedar hedges along the property boundaries.” According to our site plans these cedar hedges are in large part planted along the property line between our properties. Presumably at least some are on our land and part of the existing wildlife corridor. It is by no means clear to us, in the absence of other information, that the owners of 1300 Gordon St have the right to make decisions regarding the disposition of those cedars.

Solution: We respectfully submit that if the City determines that only a 10m wide corridor of undisturbed naturalized space is required to support the needs of the wildlife corridor that the 10 m be shared equally by both The Salvation Army and owners of the adjacent properties. That is 5m of undisturbed space be contributed by each party and an additional 5m each be designated as Common Amenity Area for each respective property which can be maintained as a landscaped area. This shares the burden of allocating land to that purpose equitably. Additionally, since this would result in the existing cedar hedge bordering the south and east side of the subject property being within the protected wildlife corridor, those hedges would remain in place to enhance the corridor and provide a more attractive visual screen.

Regardless of the City’s response to the above suggestion, we would request the City not approve the removal of the cedar hedges along the property lines between our properties since it would disturb and fundamentally change the existing wildlife corridor and because it is unclear that the cedars are solely on the property of the owner of 1300 Gordon St.

In conclusion, The Salvation Army Guelph Citadel leadership understand and accept development of the properties surrounding our site. Indeed it was one driver in the selection of a new site for our church over 12 years ago. We also commend those involved on the scope and quality of the work done to provide for what looks like an attractive residential development. Nonetheless, there are a number of issues that we believe require resolution prior to moving forward. We note there seem to be a significant number of requests for exemptions which is a separate issue on its own. We, however, have attempted to focus on what really matters most to us, to be clear and concise in our description of the concerns, and to offer potential solutions for each issue. While few in number, the issues are significant in impact and scope. Major themes in our solutions are consistency in requirements, alignment with current requirements and Planning Department direction, and avoiding decisions on variances or requests that may set precedent and be done in isolation and without regard to the substantial additional development expected along this corridor. We trust our submission will be considered to add value to the proceedings and be considered seriously. We would be happy to address any questions or expand on our issues should you find that helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Cummins', with a stylized, cursive script.

Peter Cummins
Treasurer and Director, Business Administration
The Salvation Army Guelph Citadel Corps

cc: Major Chris Pilgrim. Pastor, The Salvation Army Guelph Citadel Corps
Julia Coley Phillips, Divisional Property Coordinator, The Salvation Army, Ontario Great Lakes Division

1300 Gordon Street Development Application
File: OP1704 & ZC1707 Ward 6
October 5, 2017

This written submission reflects the concerns and comments of the following neighbours and taxpayers of the city of Guelph.

Gord and Margaret Jones	Gordon Street
Heather and Hugh Martin	Landsdown Drive
Valerie Gilmor	Valley Road
Les and Carol Schmidt	Bathgate Drive

OUR CONCERNS re: Amendment to Official Plan #48 Land Use Designation

In Guelph's OP48 (approval pending) Schedule 2 Land Use Plan, Schedule 7 Trail Network - this site is identified as a Significant Natural Area and Natural Areas (Ecological Linkage) and provides one of two deer crossings on the east side of Gordon with the second a little north and closer to Edinburgh on property, highly likely to be redeveloped and which is understood to be owned by the current applicant.

The land use change being sought, from Significant Natural Area and Natural Areas (Ecological Linkage) to High Density Residential represents a significant change from a single family, low density, natural area to the highest density possible. This site currently provides:

- A natural environmental corridor for animals, i.e. deer, to cross Gordon Street
- A natural green and open space to provide visual and real relief to the hardscapes of a 4 lane expressway and surrounding medium density townhouses and apartments.
- An opportunity to provide badly needed recreational, park and community space

As stated in Official Plan 48, Guelph's goals include:

- Ensuring development is compatible with existing land uses and existing built form p4
- Developing sufficient parks and open space facilities for active and passive recreation p5
- Minimizing impact of vehicular traffic, circulation, access and parking p123

By approving the application as presented, the High Density Residential designation (defined as up to 150 units per hectare and in this case, 132 units per hectare with a floor space index of 2.22 or 32 actual units) significantly increases the number of allowable units, by about 30%, over a Medium Density Residential designation, (100 units per hectare and floor space index for 1.5 or 24 actual units). All this on a very, very small piece of land. A 6 storey building above grade with 1 storey below grade parking means this structure totals 7 storeys. Current multi-unit buildings to the north and east are Medium Density Residential of 4 storeys with ground level parking of 1 storey.

Approval of this application to High Density Residential, would allow the applicant to petition the City at some future time to approve a taller structure, up to 10 storeys as permitted by the High Density Residential designation with an even greater number of units. There would be no recourse were this to occur.

October 5, 2017

More important, a change in the land use designation from a Significant Natural Area and Natural Areas/ R.1B to High Density Residential would set a precedent which could, and highly likely would, be used by developers in the future to seek High Density Residential designations for property development on this length of Gordon Street.

OUR CONCERNS re: Amendment to Zoning By-laws

Recognizing that Guelph must operate within the provincial Places to Grow document, intensification of surrounding lands on the east side of Gordon Street, has been occurring over the past few years and provides Medium Density Residential units (100 units per hectare) with the tallest buildings being 4 storeys with parking at ground level, giving the appearance, in some cases, of a 5 storey building.

If a High Density Residential designation were approved, there would be virtually no common outdoor space for residents as the proposed apartment occupies almost all of the site. Set-backs for all sides, front, side and back are being requested. The protected animal corridor which the applicant proposes to reduce, is expected to do triple duty as 1) animal corridor, 2) recreation space for residents and 3) landscaped amenity. Trees are not being replaced at the 3:1 ratio as required in OP#48 and are proposed at a replacement rate of less than a 1:1 ratio.

Visitor parking space in the proposed apartment building will only accommodate 2 visitors.

Although the proposed number of units will not impact traffic and congestion on Gordon Street significantly, it is the broader context that needs to be considered. This development is but one which will be built on or adjacent Gordon Street, between Arkell Road and Edinburgh Road in the next ten years, bringing gridlock to Gordon Street, increased noise and air pollution not to mention increased demands for off-site parking and the resultant littering which are already issues on neighbouring residential streets. The Transportation Impact Study in support of this application, notes that there is already queuing to turn at intersections at Gordon and Edinburgh and Gordon and Arkell with a LOS (level of service) of D and F with much of the other traffic operating at LOS C. Current LOS of C,D,F do not bode well for the near or distant future.

Note: LOS A represents the best operating conditions; LOS B represents reasonably free-flowing conditions; LOS C represents a constrained constant flow below speed limits, with additional attention required by the drivers to maintain safe operations. Comfort and convenience levels of the driver decline noticeably; LOS D represents traffic operations approaching unstable flow with high passing demand and passing capacity near zero, characterized by drivers being severely restricted in maneuverability; LOS E represents unstable flow near capacity. LOS E often changes to LOS F very quickly because of disturbances (road conditions, accidents, etc.) in traffic flow; LOS F represents the worst conditions with heavily congested flow and traffic demand exceeding capacity, characterized by stop-and-go waves, poor travel time, low comfort and convenience, and increased accident exposure.

IMPACT

This site is being squeezed in every way. The only guarantees are that:

- green space will be almost non existent
- animal (deer) movement will be even further restricted (signposts will be required for the deer)

1300 Gordon Street Development Application

File: OP1704 & ZC1707 Ward 6

October 5, 2017

- a floor space index of 2.2 will increase density significantly, by approximately 30%
- parking for residents and visitors will be limited
- nearby residential streets, Valley Road & Landsdown Drive, will have to accommodate resident and visitor parking (Currently 2-7 cars park on Valley Road every night and 4 or more cars park on Landsdown Drive each night. Every one of these vehicles belongs to a resident of an apartment building on Gordon Street.)
- increased vehicle access and egress to and from Gordon Street, much of it left turning, will become a safety hazard on the increasingly highly travelled Gordon Street
- a safe and attractive environment for residents and citizens who choose to walk will not exist

Our Recommendation re: Amendment to Official Plan #48 Land Use Designation is:

1. Maintain the current Significant Natural Area and Natural Areas designation. Then, protect, maintain, enhance and restore this Significant Natural Area to enable, animal movement, tree canopy and the creation of passive community recreational space for current residents of the Arkell Road /Gordon Street intensification area.

We recognize that, unfortunately, the city is unlikely to use the site for community space. In light of this:

Our Recommendation re: Amendment to Official Plan #48 Land Use Designation is:

2. Permit a designation of Medium Density Residential as endorsed by Council (2016) and explicated in the Draft Concept Plans for the Gordon Street Intensification Corridor. A Medium Density designation would ensure that a new structure would blend into the current landscape on the east side of Gordon Street as a Medium Density residential structure of 4 storeys and ground level parking and rather than a 6 storey structure.

Our Recommendation re: Amendments to Zoning By-laws

3. Maintain current Medium Density Residential by-law setbacks, for the front, side and back yard to allow for some green space. Additionally, uphold current visitor parking of 9 spaces.
4. Maintain current Medium Density Residential maximum Floor space index of 1.5 and 100 units per hectare or in this case a maximum of 24 units

General observations and comments:

- The city must follow all its own proposed rules especially not allowing high density and reduced parking on this site. If the city's proposed rules are ignored, they seem to be of little value.
- If the city makes exceptions here, then the exceptions become the rule for the future.
- It is neither the city's problem nor responsibility if a developer cannot make enough money within the city's guidelines for development! If it is not profitable to stay within the rules, it is not the rules that need to be changed, it's the development that should change or not happen!

We recognize intensification is a reality but call upon decision makers to consider this application within the much larger context of intensification of the entire Gordon Street corridor.