

STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE May 9, 2016

**SUBJECT Statutory Public Meeting Report
46, 47 and 87 Hyland Road
Proposed Draft Plan of Subdivision and Zoning By-law
Amendment
(File: 23T-16501/ZC1601)
Ward 2**

REPORT NUMBER 16-30

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Draft Plan of Subdivision and Zoning By-law amendment to permit the development of 19 single detached lots on the properties municipally known as 46, 47 and 87 Hyland Road. This report has been prepared in conjunction with the statutory public meeting for this application.

Location: [46, 47 and 87 Hyland Road](#)

KEY FINDINGS

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

ACTION REQUIRED

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

RECOMMENDATION

1. That Report 16-30 regarding a proposed Draft plan of Subdivision and Zoning By-law amendment application (File: 23T-16501/ZC1601) by Van Harten Surveying Inc. on behalf of Dunnink Homes Ltd. to permit the development of 19 single detached lots on the properties municipally known as 46, 47 and 87 Hyland Road and legally described as Lot 6 and 7, Part of Lots 4 and 5, Registered Plan 359 as in ROS635704 and Part of Lot 12 Registered Plan 359,

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Part 1, 61R633, City of Guelph, from Infrastructure, Development and Enterprise dated May 9, 2016, be received.

BACKGROUND

An application for a Draft Plan of Subdivision and Zoning By-law amendment has been received for the properties at 46, 47 and 87 Hyland Road from Van Harten Surveying Inc. on behalf of Dunnink Homes Ltd. The proposed draft plan of subdivision is a request to subdivide the subject lands to create 19 single detached lots (see proposed draft plan in Attachment 4).

The applications were received on January 11, 2016 and deemed complete on February 10, 2016.

Location

The subject lands consist of one parcel of land located to the north of Hyland Road (46 Hyland Road) and an adjacent parcel south of Hyland Road (47 and 87 Hyland Road), comprising approximately 1.48 hectares of land in total (see Attachment 1). The north parcel contains a one storey garage and the south parcel contains a one storey single detached dwelling, both of which are proposed to be removed. The north parcel abuts existing residential development at the easterly limit of Hyland Road and Eleanor Court and the south parcel abuts existing residential development at Hyland Road, Glenburnie Drive and Fletcher Court. Wetlands associated with the Guelph Northeast Provincially Significant Wetland (PSW) are located to the east and south of the subject lands.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designations that apply to the subject lands are "General Residential" and a small area of "Significant Natural Areas" on the east side of 47 and 87 Hyland Road. Extensive "Significant Natural Areas" also exist to the east of the subject lands. The current Official Plan land use designations and related policies are included in Attachment 2.

The "General Residential" land use designation permits all forms of residential development, with the general character of development being low-rise housing forms at a maximum net density of development of 100 units per hectare.

The "Significant Natural Areas" land use designation that applies to the subject lands includes a portion of the Guelph Northeast Provincially Significant Wetland (PSW) and wooded natural features identified as Significant Woodlands within the City's Natural Heritage System. Guelph's new Natural Heritage System came into effect on June 4, 2014 through the approval of Official Plan Amendment 42 (OPA 42).

Official Plan Amendment 48 Land Use Designations and Policies

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan, designates the "General Residential" portion of the subject site "Low

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Density Greenfield Residential” and retains the “Significant Natural Areas” from the existing Official Plan. The “Low Density Greenfield Residential” designation permits residential development at a density between 20 to 60 units per hectare. Although the application is being processed under the 2001 Official Plan, as amended, staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations contained in Official Plan Amendment 48 are shown in Attachment 3.

Existing Zoning

The subject property is zoned UR (Urban Reserve) Zone and WL (Wetland) Zone, as illustrated in Attachment 5. Details of this current zoning are included in Attachment 4.

REPORT

Description of the Proposed Draft Plan of Subdivision

The application is a request to subdivide the subject lands in accordance with the draft plan of subdivision included in Attachment 5. Details of the proposed subdivision are also included in Attachment 5.

The proposed draft plan would subdivide the property to allow the creation of 19 single detached lots. A cul-de-sac is proposed within the parcel north of Hyland Road (46 Hyland Road) to accommodate 10 single detached dwellings. Glenburnie Drive is proposed to be extended into a cul-de-sac to accommodate an additional 9 single detached lots within the parcel south of Hyland Road (47 and 87 Hyland Road). No development is proposed within Blocks 20 and 21, which is intended to remain in an un-graded natural state. A formal pedestrian trail is proposed immediately east of the proposed lots to maintain existing trail connectivity in accordance with the City’s Trail Master Plan.

Description of Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law amendment is to rezone the subject site from the current UR (Urban Reserve) Zone and WL (Wetland) Zone to the R.1B (Residential Single Detached) Zone to implement the proposed draft plan of subdivision. The existing and proposed zoning is illustrated in Attachment 4

Staff Review

The review of this application will address the following issues:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control);
- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Environmental review;
- Review of the proposed zoning;
- Review of site servicing and street design issues;

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- Review of trail development;
- Confirm support for the Community Energy Initiative; and
- Address all comments and issues raised during the review of the application.

Once the proposed amendment is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

The Public Meeting Notice was mailed on April 18, 2016 to local boards and agencies, City service areas and property owners with 120 metres of the subject site. The Notice of Public Meeting was advertised in the Guelph Tribune on April 14, 2016. Notice of the application has also been provided by signage on the site.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Existing Official Plan Land Use Designations and Policies
- Attachment 3 – Official Plan Amendment #48 Land Use Designations
- Attachment 4 – Proposed Draft Plan of Subdivision
- Attachment 5 – Existing and Proposed Zoning and Details

Report Author

Chris DeVriendt
Senior Development Planner

Approved By

Todd Salter
General Manager
Planning, Urban Design and
Building Services
519.822.1260, ext. 2395
todd.salter@guelph.ca

Approved By

Sylvia Kirkwood
Manager of Development Planning

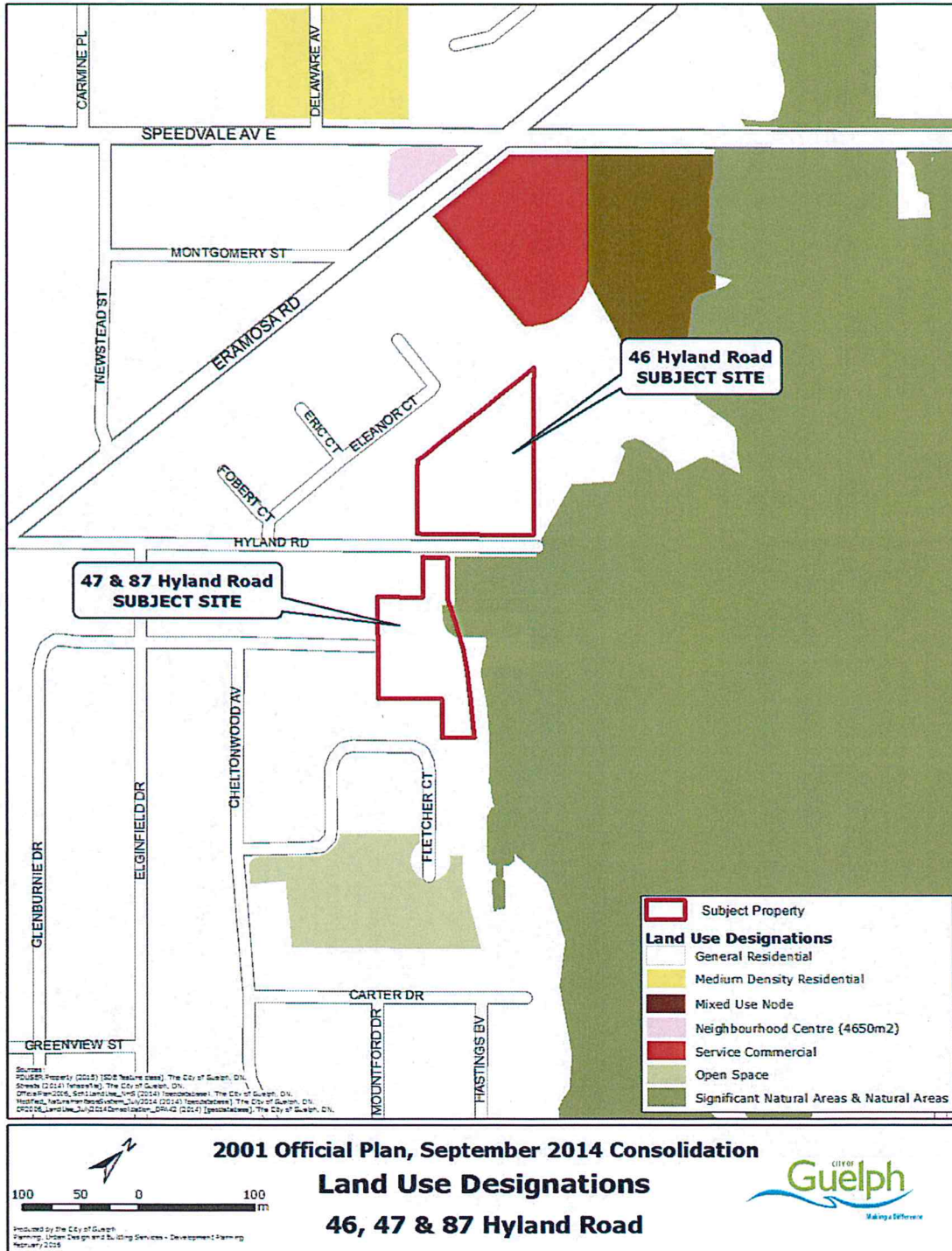
Recommended By

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
519.822.1260, ext. 3445
scott.stewart@guelph.ca

Attachment 1 Location Map



Attachment 2 Existing Official Plan Land Use Designations and Policies



Attachment 2 (continued) Existing 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.

'Significant Natural Areas' Land Use Designation

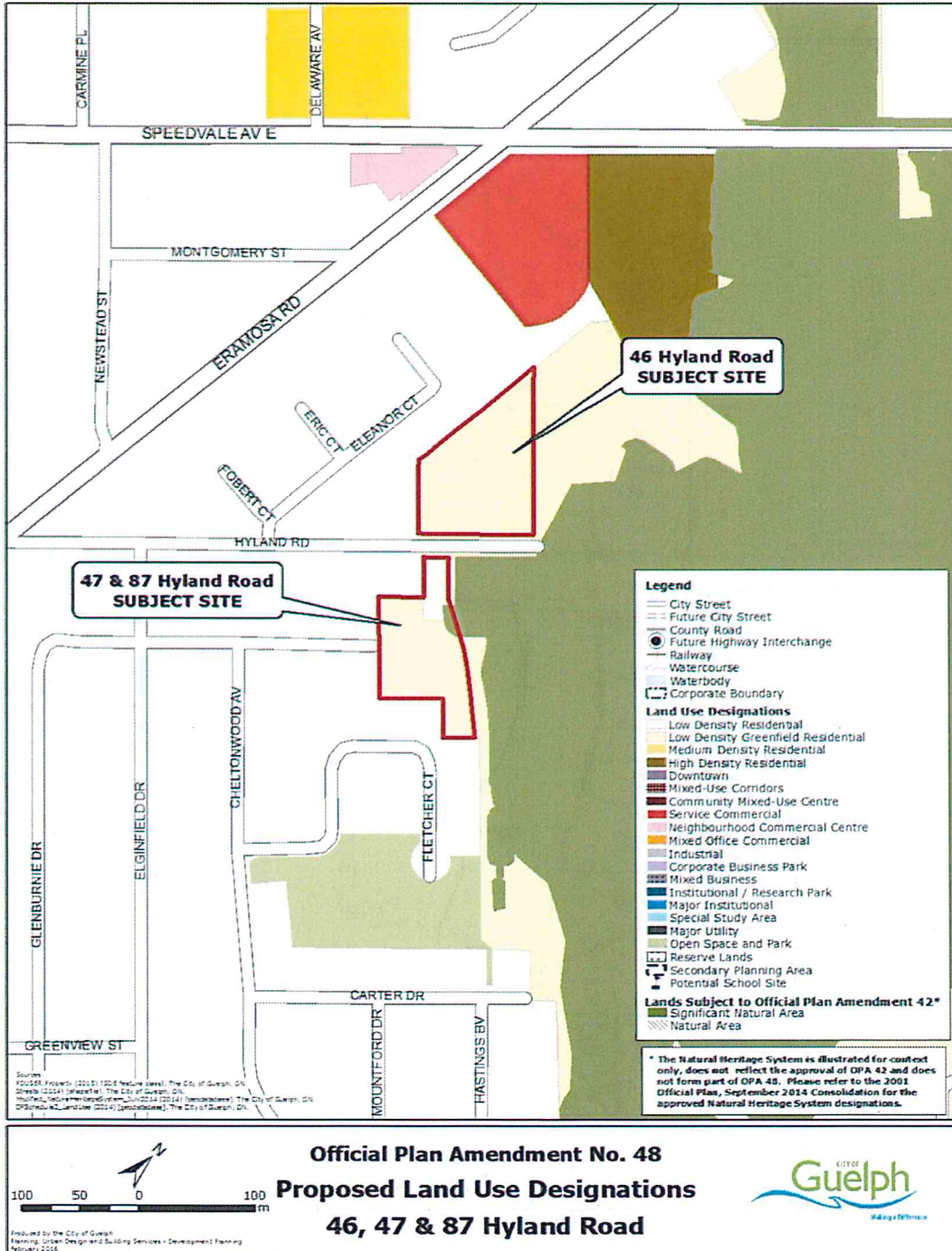
6A.2 Significant Natural Areas

This section outlines specific objectives, criteria for designation and policies for Significant Natural Areas and their *buffers*. Specific policies related to Natural Heritage System management and stewardship are provided in Section 6A.

6A.2.1 General Policies: Significant Natural Areas

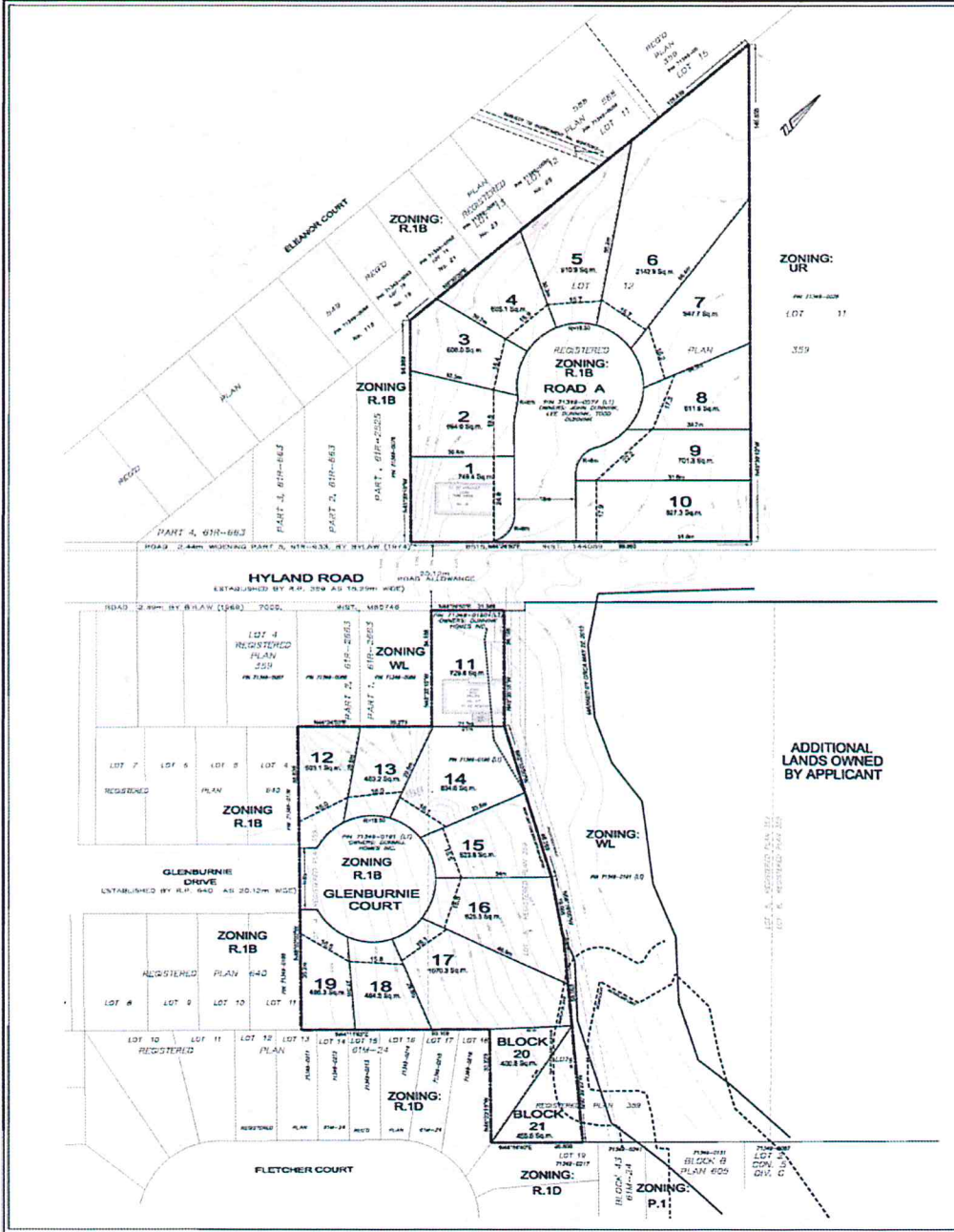
1. Development or site alteration shall not be permitted within Significant Natural Areas including their established or minimum buffers as designated on Schedule 1, except in accordance with the general policies in 6A.1.2 and the Significant Natural Areas policies in 6A.2.
2. In accordance with the applicable policies in 6A.1.2 and 6A.2, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.


Attachment 3 Official Plan Amendment #48 Land Use Designations



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Attachment 4 Proposed Draft Plan of Subdivision





Van Harten
SURVEYING INC.
LAND SURVEYORS AND ENGINEERS


413 WOODWIN STREET GUELPH ONTARIO N1H 2W9
PHONE: (519) 821-2783 FAX: 451-8677
www.vanharten.com

450 KENNELL ROAD UNIT 10 BRANTFORD ONTARIO N3R 3M6
PHONE: (519) 842-4170 FAX: (519) 842-4183
www.vanharten.com

**DRAFT PLAN OF SUBDIVISION
HYLAND ROAD**

DATE: JANUARY 3, 2016	DRAWN BY: G.K.S.
PROJECT NO: 21209-13	SCALE: 1:500

**KEY MAP
NOT TO SCALE**



**LEGAL DESCRIPTION
PART OF LOTS 4, 5 AND 12
REGISTERED PLAN 359
CITY OF GUELPH
COUNTY OF WELLINGTON**

NOTES
1. TOPOGRAFICAL INFORMATION PROVIDED BY VAN HARTEN SURVEYING INC. DECEMBER 3, 2014.

ZONING R.1B LAND USE SCHEDULE			
DESCRIPTION	LOTS/BLOCKS	UNITS	AREA (sq.m.)
SINGLE FAMILY	1-19	19	1.68
BLOCK	20	—	0.04
BLOCK	21	—	0.04
STREET A		—	0.16
GLENBURNIE COURT		—	0.11
TOTAL		19	1.83m

ADDITIONAL INFORMATION
(FOR INFORMATION ONLY FOR THE PLANNING ACT)
INFORMATION PROVIDED BY CLARENCE WELLS & SONS LIMITED AND BROWN JOHN SIMPSON & PARTNERS
1. Municipal Order
2. City Survey
3. Municipal Boundaries

OWNERS CERTIFICATE
I, THE UNDERSIGNED, SURVEYOR, HEREBY DECLARE THAT THE DRAFT PLAN OF SUBDIVISION IS CORRECT AND ACCURATE IN ALL RESPECTS.

[Signature] SURVEYOR
DATE: JANUARY 8, 2016

OWNERS CERTIFICATE
I, THE UNDERSIGNED, SURVEYOR, HEREBY DECLARE THAT THE DRAFT PLAN OF SUBDIVISION IS CORRECT AND ACCURATE IN ALL RESPECTS.

[Signature] SURVEYOR
DATE: JANUARY 8, 2016

SURVEYOR'S CERTIFICATE
I, THE UNDERSIGNED, SURVEYOR, HEREBY DECLARE THAT THE DRAFT PLAN OF SUBDIVISION IS CORRECT AND ACCURATE IN ALL RESPECTS.

[Signature] SURVEYOR
DATE: JANUARY 8, 2016

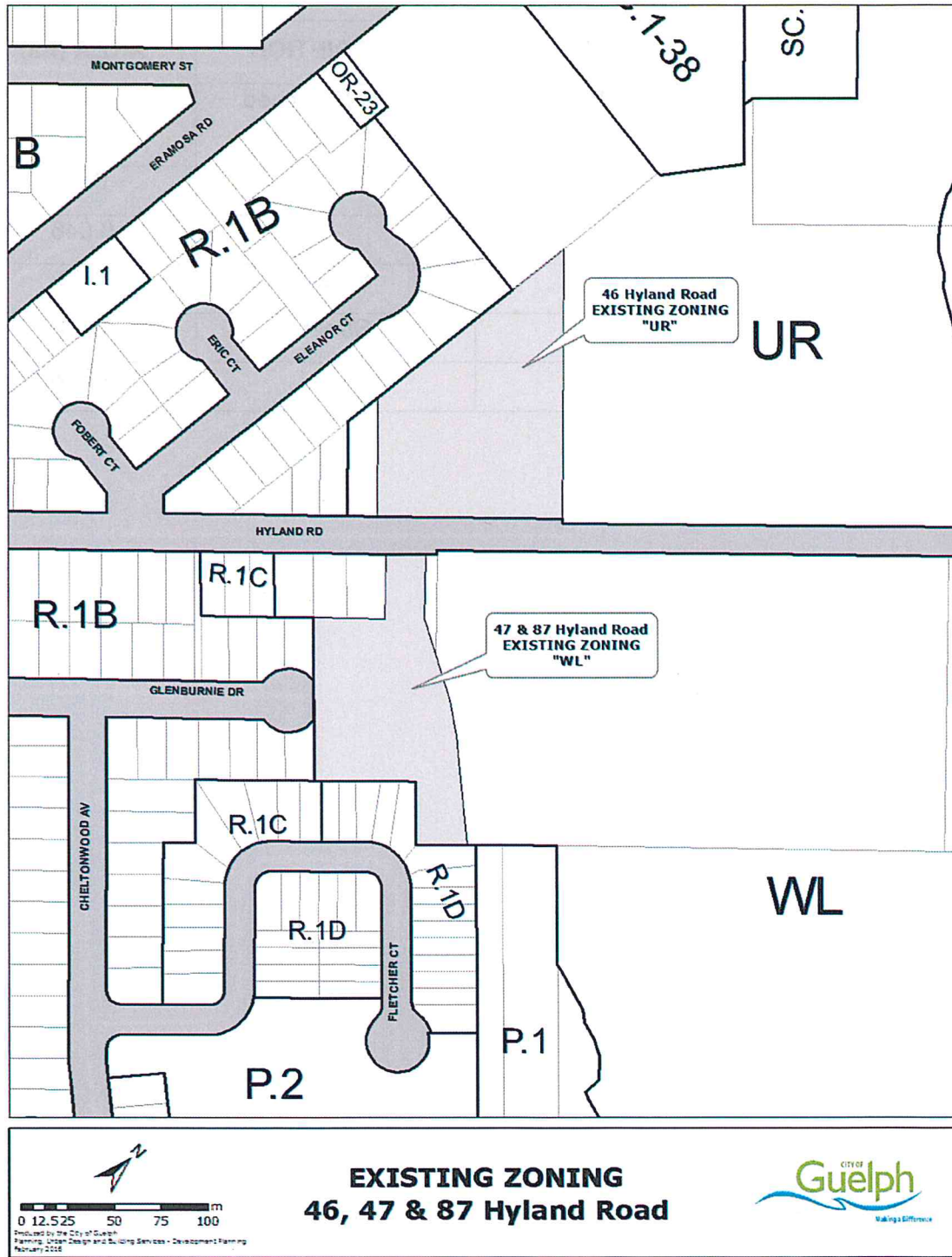
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Attachment 4 (continued) Proposed Draft Plan of Subdivision Details

LOTS/BLOCKS	UNITS	DESCRIPTION	AREA (ha)
Lots 1-19	19	Single Detached Residential	1.48
Block 20	-	-	0.04
Block 21	-	-	0.046
Road A	-	Street	0.16
Glenburnie Court	-	Street	0.11
Total	19		1.836

Attachment 5 Existing Zoning and Details



Attachment 5 (continued) Existing Zoning 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.

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:

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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

WL (Wetland) Zone

Permitted Uses

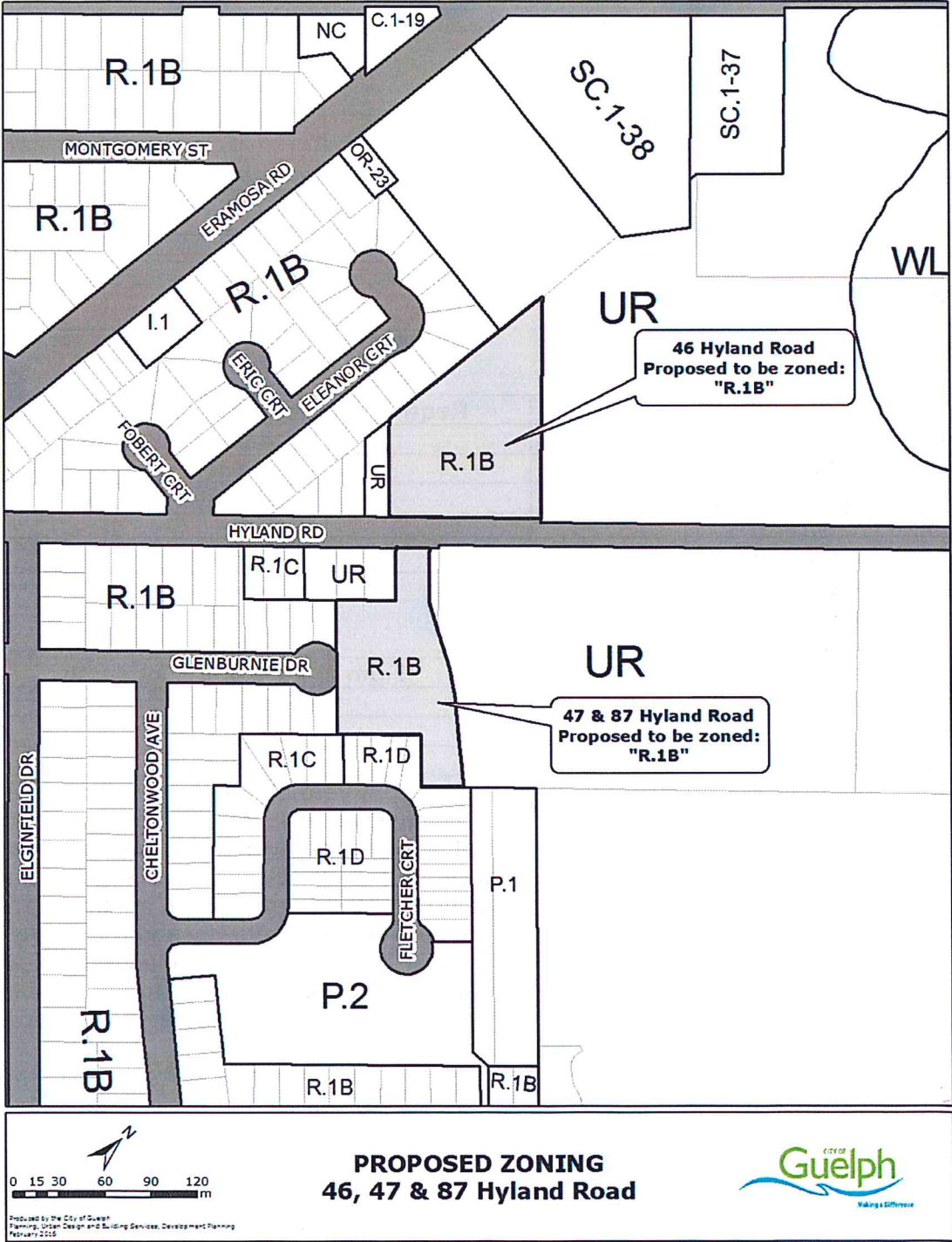
Wetland
Flood Control Facility
Recreation Trail (approved by the Grand River Conservation Authority)
Wildlife Management Area

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 the By-law within the WL Zone shall be recognized as legal non-conforming.

Attachment 5 (continued) Proposed Zoning and Details



Attachment 5 (continued) Proposed Zoning Details

R.1B Detached Residential Zone

Permitted Uses

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

Regulation	Required in the Standard R.1B Zone
Minimum Lot Area	460m ²
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	1.5m
Over 2 storeys	2.4m
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	See Section 4.9