

# STAFF REPORT

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TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE November 4, 2013

**SUBJECT 20 and 37 Cityview Drive North - Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (File: 23T-12502 / ZC1208) Ward 1**

REPORT NUMBER 13-65

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## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide planning information on an application requesting approval of a residential Draft Plan of Subdivision and associated Zoning By-law Amendment to permit 264 dwelling units. This report has been prepared in conjunction with the statutory public meeting on the application.

### KEY FINDINGS

Key findings will be reported in future, following staff review of the application.

### FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Planning, Building, Engineering and Environment 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 13-65 regarding a proposed Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File 23T-12502 / ZC1208) by BSRD Inc. to permit a total of 264 dwelling units applying to property municipally known as 20 and 37 Cityview Drive North and legally described as Part of Lot 4, Concession 3, Division C and Lot 34 and Part Lots 30, 32 and 33, Registered Plan 53, City of Guelph, from Planning, Building, Engineering and Environment dated November 4, 2013, be received.



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## BACKGROUND

Applications for a Draft Plan of Subdivision approval and a Zoning By-law Amendment have been received for the property municipally known as 20 and 37 Cityview Drive North. The proposed draft plan of subdivision includes a total of 264 residential units, consisting of 98 single detached dwellings, 46 semi-detached dwellings, 42 on-street townhouse units, 24 cluster townhouse units, and 54 apartment units (see Attachment 4). The applications were received on March 22, 2012 and deemed complete on April 19, 2012.

The applicant's current draft plan of subdivision proposal has incorporated a number of revisions from the initial draft plan that was circulated on May 3, 2012. Reports and materials submitted in support of the applications have also been updated accordingly to reflect the current proposal. Revisions to the original draft plan were made to coordinate proposed development on the subject lands with a separate draft plan of subdivision application (23T-12501) on the adjacent lands to the north at 55 and 75 Cityview Drive (see Attachment 5). It is noted that the original subdivision proposal for the subject lands was not brought forward to a Public Meeting at Council.

## Location

The subject site is a 17.68 hectare parcel located north of York Road, west of Watson Parkway North and east of Elizabeth Street (see Attachment 1). The subject site is bounded by Watson Parkway to the east, CN Railway lands to the south, existing residential development lands to the west and vacant lands to the north that are subject to a separate draft plan of subdivision proposal (23T-12501).

## Existing Official Plan Designations

The subject lands are designated "General Residential", "Open Space", "Core Greenlands and "Mixed Use Node". The site is also within the Non-Core Greenlands Overlay in the current Official Plan. The 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, including multiple unit residential buildings subject to the satisfaction of specific development criteria.

The "Open Space" land use designation is intended to provide for a balanced distribution of open space and recreation facilities connected through a continuous linear open space system.

The "Mixed Use Node" land use designation is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses. Medium and high density residential development is also permitted. The "Mixed Use Node" designation applies to an easterly portion of the subject site adjacent to Watson Parkway North.



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Official Plan Amendment 42 (under appeal), the City's new Natural Heritage System, identifies portions of the Clythe Creek Provincially Significant Wetland Complex as 'Significant Natural Areas' on the subject lands. There are also cultural woodlands identified on the subject site as "Natural Areas".

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan designates the subject site "Low Density Greenfield Residential". This designation permits residential development at a density between 20 to 60 units per hectare. The land use designations contained in Official Plan Amendment 42 and 48 are included in Attachment 3.

## **Existing Zoning**

The subject lands are currently zoned UR (Urban Reserve) Zone, FL (Floodplain Lands) Zone, R.1D (Single Detached Residential) Zone and R.1C (H13) Zone. Attachment 6 illustrates existing zoning of the site and surrounding area.

## **REPORT**

### **Description of Proposed Draft Plan of Subdivision**

The application is a request to subdivide the subject property in accordance with the draft plan of subdivision included in Attachment 4. Details of the proposed subdivision are also included in Attachment 4.

The draft plan includes the creation of lots and blocks to provide a total of 264 residential units, consisting of 98 single detached dwellings, 46 semi-detached dwellings, 42 on-street townhouse units, 24 cluster townhouse units, and 54 apartment units. The draft plan also includes a 0.608 hectare park block (Block 107), two stormwater management blocks (Blocks 110 and 139) and two open space blocks (Blocks 108 and 111).

The development proposed west of Cityview Drive (20 Cityview Drive) includes semi-detached dwellings fronting along the west side of Cityview Drive and single detached lots along a cul-de-sac at the end of Henry Court. Proposed development east of Cityview Drive would be accessed by two new municipal streets on Cityview Drive providing connections to two municipal street extensions from the proposed development to the north at 55 Cityview Drive. A centralized neighbourhood park (Block 107) is also proposed in conjunction with the park block included in the adjacent draft plan proposal to the north (see Attachment 5) to create a larger neighbourhood park between the two developments. Open Space Block 108 is proposed to recognize and protect natural features and steep slopes on the subject site.

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

To implement the proposed draft plan of subdivision, the applicant is requesting to rezone the subject property from the current UR (Urban Reserve) Zone, FL (Floodplain Lands) Zone, R.1D (Single Detached Residential) Zone and R.1C (H13)



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Zone to the following zoning categories to implement the proposed draft plan of subdivision:

- R.1D (Single Detached Residential) Zone
- R.1C (Single Detached Residential) Zone
- R.2 (Residential Semi-Detached/Duplex) Zone
- R.3B-7 (Specialized On-Street Townhouse) Zone
- R.3A (Cluster Townhouse) Zone
- R.4A (Residential General Apartment) Zone
- P.2 (Neighbourhood Park) Zone
- P.1 (Conservation Land) Zone

The existing zoning and proposed zoning and details are provided in Attachment 6.

## **Supporting Documents**

The following reports and material have been submitted in support of the draft plan of subdivision and rezoning applications:

- Preliminary Servicing and Stormwater Management Report (Cityview Ridge Subdivision) prepared by Gamsby and Mannerow Ltd. March 2012.
- Hydrogeological Investigation (Proposed Cityview Ridge Development) prepared by Banks Groundwater Engineering Ltd. February 2012.
- Cityview Ridge Environmental Impact Study prepared by North-South Environmental. February 2012.
- Road and Rail and Vibration Noise Impact Study (Valeriotte Subdivision) prepared by Howe Gastmeier Chapnik Ltd. October 2011.

The following reports have been submitted to support the most recent revisions to the application:

- Revised Preliminary Servicing and Stormwater Management Report prepared by Gamsby and Mannerow Ltd. August, 2013.
- Addendum #2 to Cityview Ridge Environmental Impact Study prepared by North-South Environmental Ltd. August, 2013.
- Revised Road and Rail and Vibration Noise Impact Study prepared by Howe Gastmeier Chapnik Ltd. August, 2013.

## **Staff Review**

The review of this application will address the following issues:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control).
- Evaluation of the proposal against the policies of the Official Plan and Provincial policies including the Provincial Policy Statement and Places to Grow.
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies, including any related amendments.
- Review the range of permitted uses and the proposed zoning regulations.
- Review the proposed site servicing and the availability of full municipal services and storm water management.



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- Review of the proposed phasing and timing in compliance with the Development Priorities Plan (DPP).
- Confirm support for the Community Energy Initiative.
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a recommendation report from Planning, Building, Engineering and Environment 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 Planning, Building, Engineering and Environment recommendation report to Council.

## **COMMUNICATIONS**

The Notice of Revised Application and Public Meeting Notice was mailed on September 24, 2013 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. Notice was also provided by signage on the site. The Notice of Public Meeting was advertised in the Guelph Tribune on October 10, 2013.

## **ATTACHMENTS**

- Attachment 1 – Location Map
- Attachment 2 – Existing Official Plan Designations and Policies
- Attachment 3 – Official Plan Amendment 42 and 48 Land Use Designations
- Attachment 4 – Proposed Draft Plan of Subdivision
- Attachment 5 – Adjacent Draft Plan of Subdivision proposal at 55 and 75 Cityview Drive (23T-12501)
- Attachment 6 – Existing and Proposed Zoning

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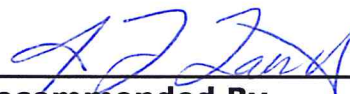


### **Approved By**

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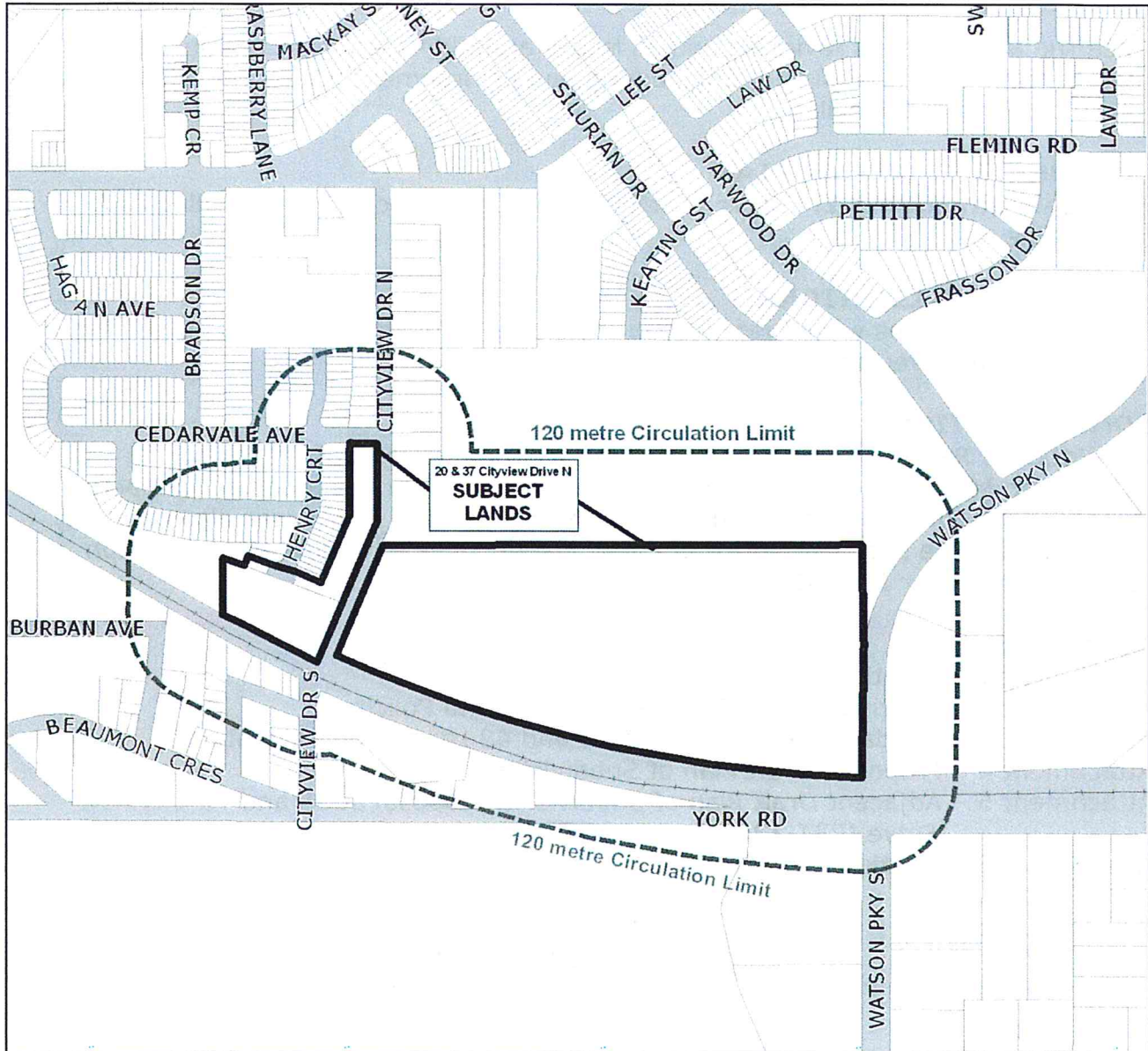
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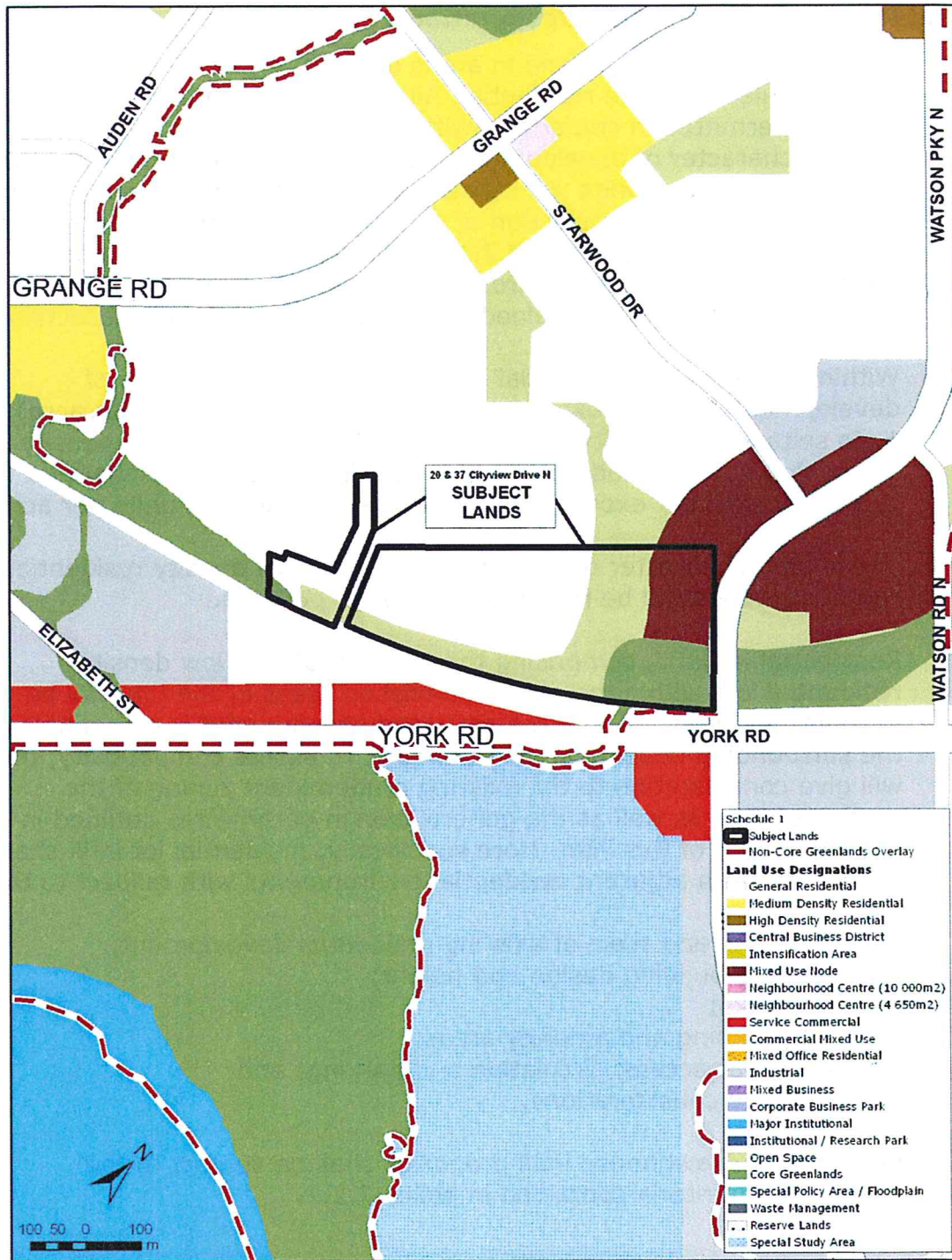
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## Attachment 1 Location Map





## Attachment 2 Existing Official Plan Designations and Policies





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## Attachment 2 (continued) Existing Official Plan 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.



## 'Open Space' Land Use Designation

### Objectives

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

### General Policies

- 7.12.1 The predominant use of land designated 'Open Space' on Schedule 1 shall be for public and private recreational uses and facilities, parks, golf courses, conservation lands, school sites, and cemeteries. The designation is also intended to support the protection of natural heritage features and cultural heritage resource conservation.
- 7.12.2 Complementary uses that are compatible to, and which do not detract from or restrict, the primary function of the area, may be permitted within the 'Open Space' designation. Such complementary uses may include, but are not necessarily restricted to: forestry resources, horticulture, and public utilities. Other complementary uses for private and public recreational uses and facilities may include restaurants, club houses, pro shops, public halls and other accessory buildings and uses that are normally associated with the main recreational use.
- 7.12.3 Where any land designated 'Open Space' is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the Municipality or any other public agency.
  - 1. Where lands designated 'Open Space' are in private ownership and application is made requesting a change to a land use other than open space, due consideration shall be given by Council to the following:



- a) Council shall consider the acquisition of the subject lands, having regard for the following:
  - i. The provision of adequate open space and recreational areas, particularly in the vicinity of the subject lands;
  - ii. The existence of cultural heritage resources or natural heritage features on the site;
  - iii. The recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
  - iv. The possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
  - v. The ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space acquisition plan.
- b) If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an 'Open Space' designation by such means as management agreements or easements, where applicable.

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

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

## **'Mixed Use Node' Land Use Designation**

- 7.4.5 The 'Mixed Use Nodes' identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within a "node". These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.

- 7.4.6 The intent of the 'Mixed Use Node' designation is to create a well defined focal point and to efficiently use the land base by grouping complementary



uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.

- 7.4.7 It is intended that where there are adjacent properties within the node that the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Mixed Use Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
- 7.4.8 The boundaries of the 'Mixed Use Node' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of Section 9.2, proposals to expand a 'Mixed Use Node' beyond these boundaries or to establish a new node shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.9 The 'Mixed Use Node' is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and livework studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2. Only small scale professional and medically related offices shall be permitted in this designation in order to direct major offices to the CBD, Intensification Area, Corporate Business Park and Institutional designations.
- 7.4.10 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development.
- 7.4.11 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Mixed Use Node' designation to ensure such consistency.



7.4.12 The 'Mixed Use Nodes' incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. In order to promote a mixture of land uses within each 'Mixed Use Node' designation it is the intent of this Plan that new retail development will be limited to the following floor area cumulatively of all buildings within the node:

- Woodlawn / Woolwich Street Node: 42,000 sq. m.
- Paisley / Imperial Node: 42,000 sq. m.
- Watson Parkway / Starwood Node 28,000 sq. m.
- Gordon / Clair Node 48,500 sq. m.

## **"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 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.

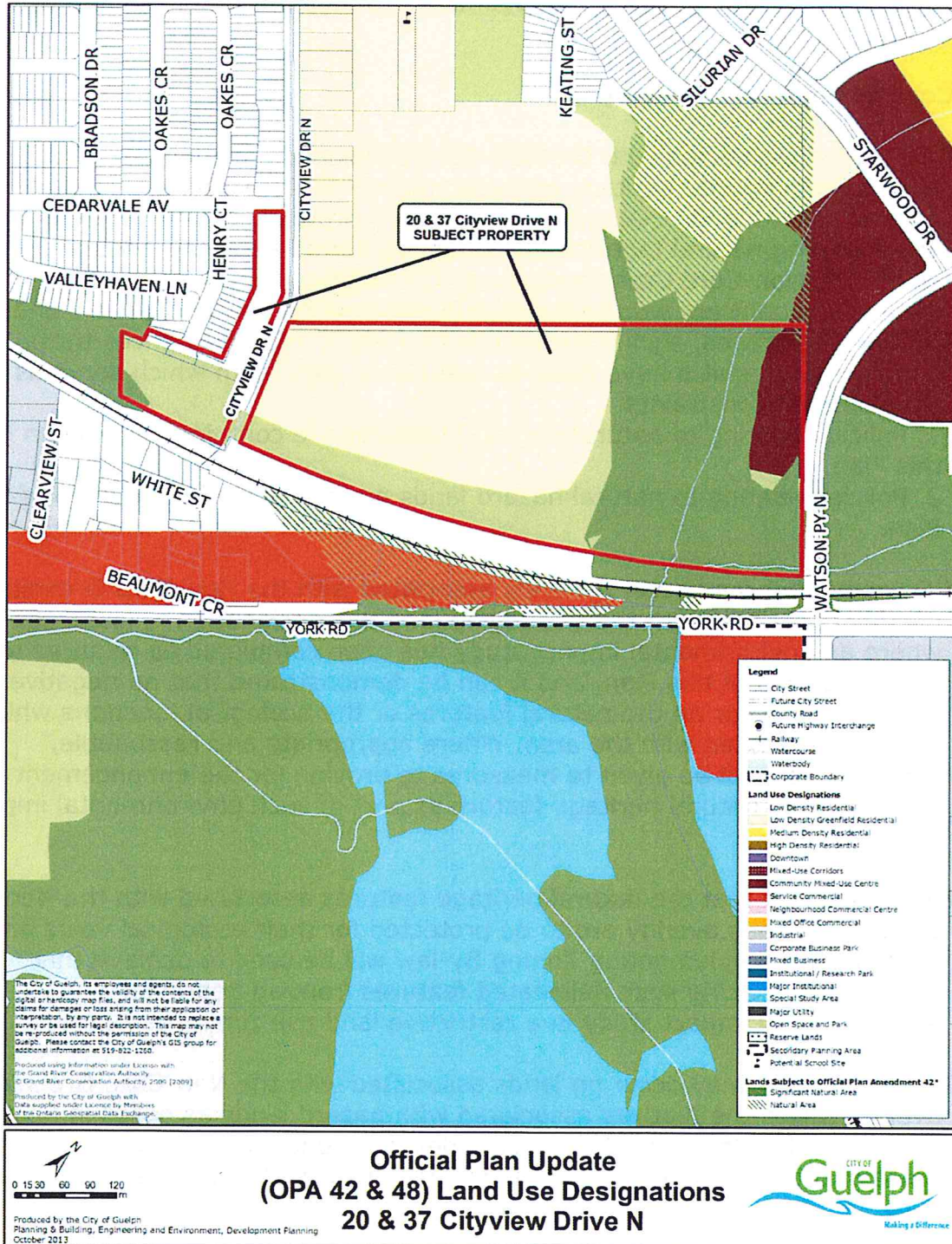
7.13.7 It is intended that the natural heritage features associated with the Non-Core Greenlands overlay are to be protected for their ecological value and function. The implementing Zoning By-law will be used to achieve this objective by placing such delineated features from an approved environmental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



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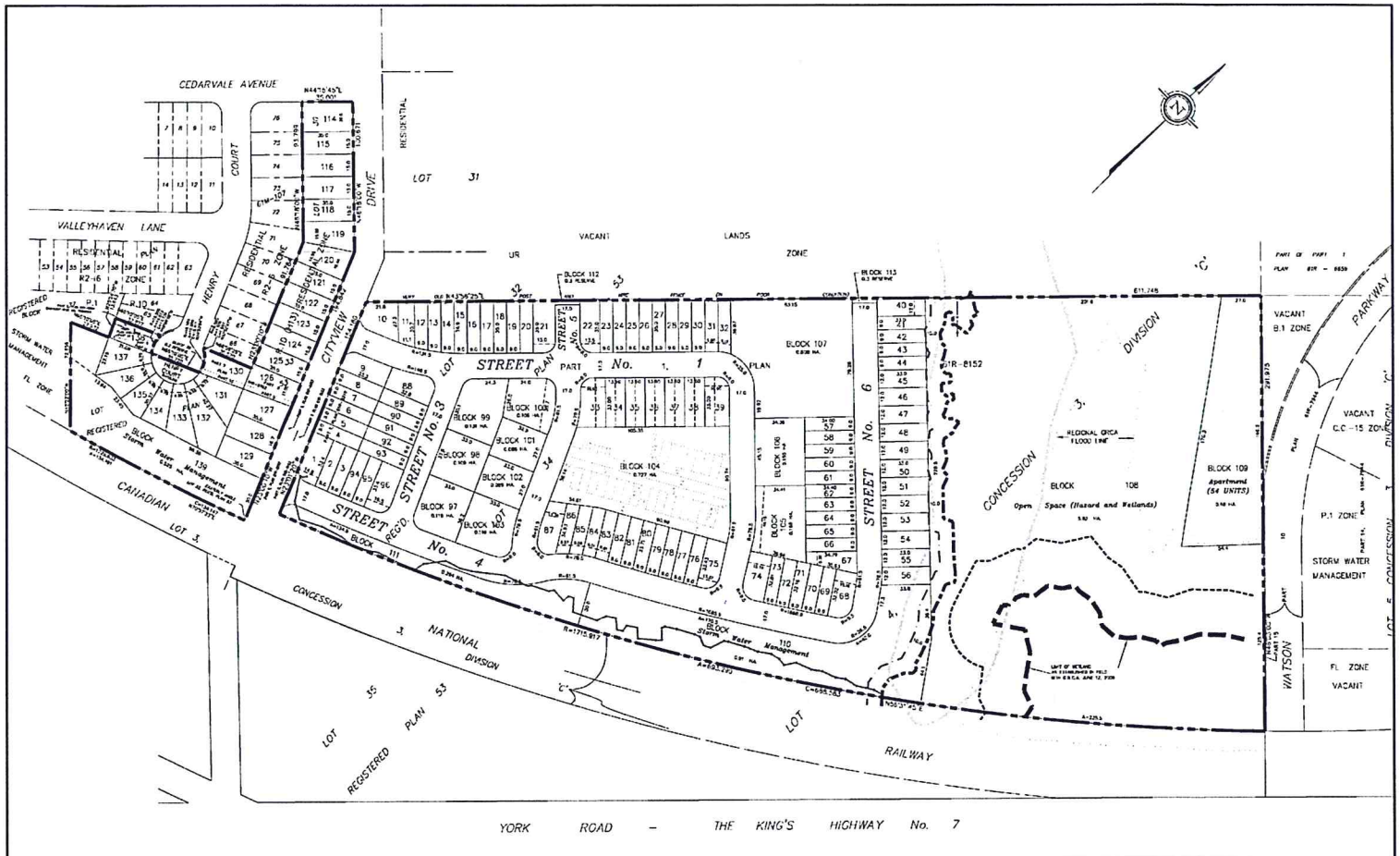
## Attachment 3 Official Plan Amendment 42 and 48 Land Use Designations





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## Attachment 4 Proposed Draft Plan of Subdivision





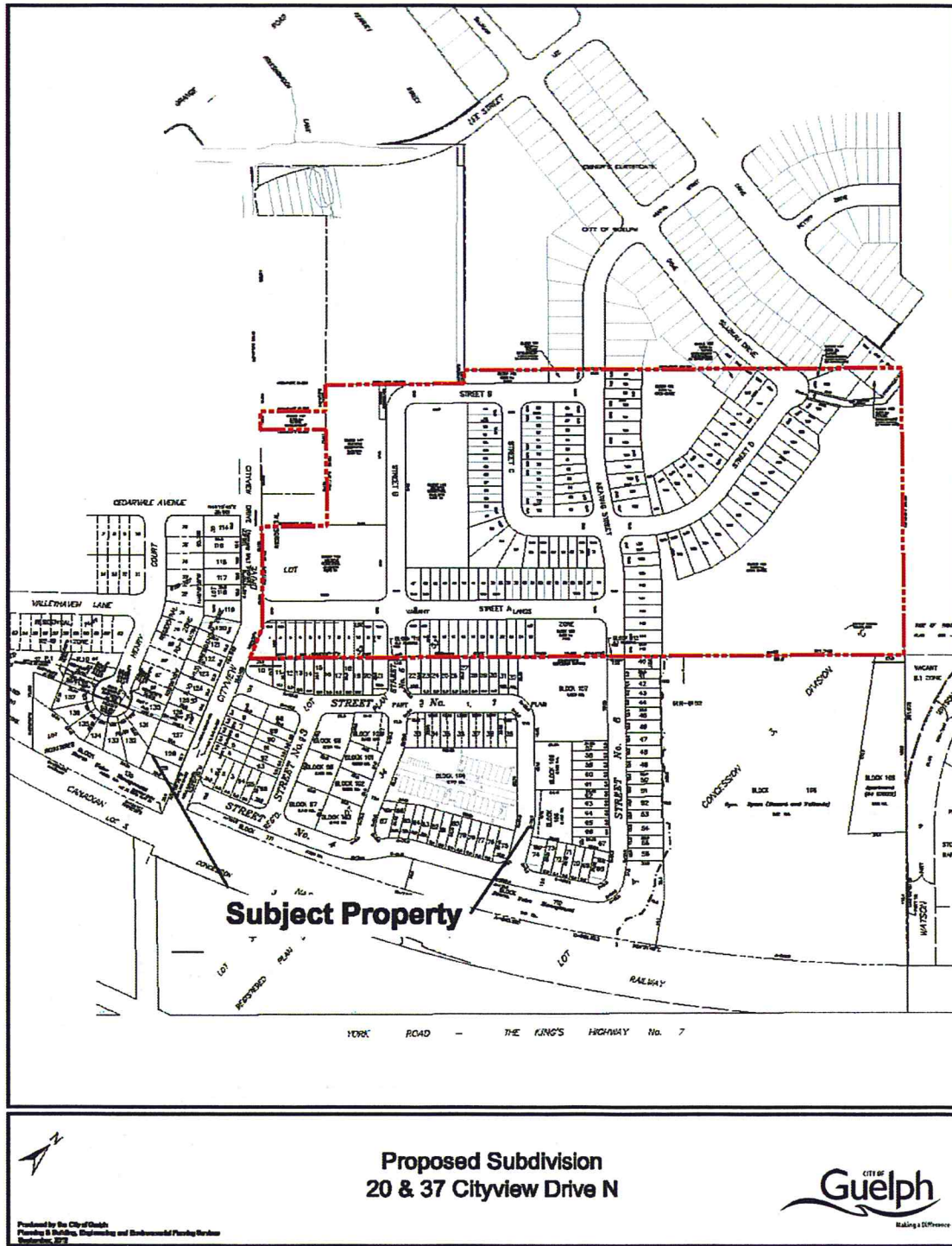
## Attachment 4 (continued) Proposed Draft Plan of Subdivision

LOTS/BLOCKS	LAND USE	AREA	# OF UNITS
Lots 1-32, 40-96, 130-138	Single Detached Residential	3.53 hectares	98
Lots 33-39, 114-129	Semi-Detached Residential	1.24 hectares	46
Blocks 97-103, 105, 106	On-Street Townhouses	1.08 hectares	42
Block 104	Cluster Townhouses	0.73 hectares	24
Block 109	Apartment	0.68 hectares	54
Block 107	Park	0.61 hectares	
Blocks 110 & 139	Stormwater Management	1.44 hectares	
Blocks 108 & 111	Open Space	6.1 hectares	
Blocks 112 & 113	0.3 metre reserves	0.001 hectares	
	Streets	2.28 hectares	
<b>TOTAL AREA</b>		<b>17.68 hectares</b>	<b>264</b>



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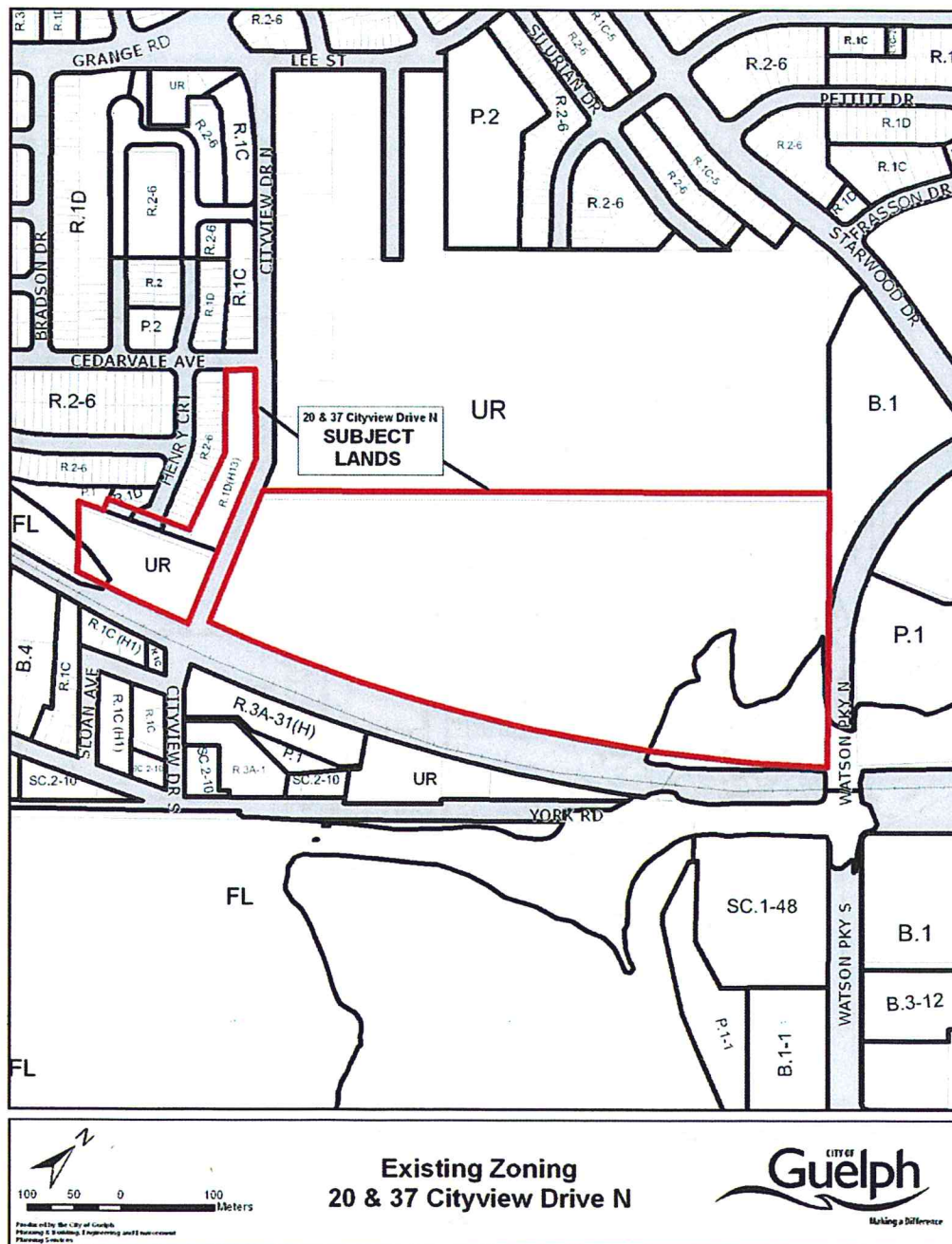
## Attachment 5 Adjacent Draft Plan of Subdivision Proposal at 55 and 75 Cityview Drive (23T-12501)





## Attachment 6 Existing and Proposed Zoning

### Existing Zoning

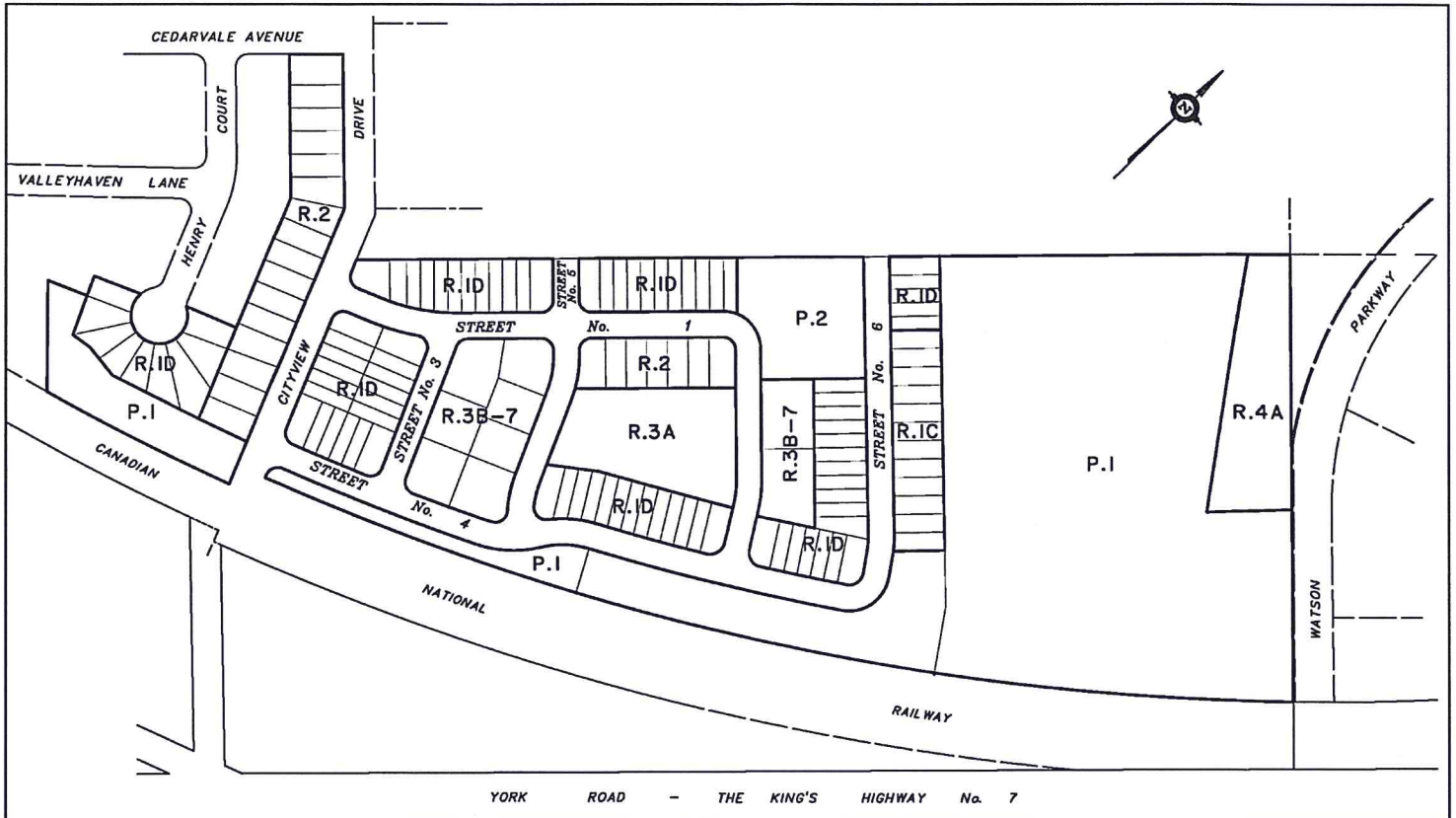




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## Attachment 6 (continued) Existing and Proposed Zoning

### Proposed Zoning





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## Attachment 6 (continued) Proposed Zoning Details

Proposed Zoning Schedule					
Land Use	Lots/Blocks	Zone	Specialized Regulations	Bylaw Requirement	Exemption
Single Detached	Lots 45-56	R.1C	–	–	–
Single Detached	Lots 1-32, 40-44, 57-96	R.1D	–	–	–
Semi-Detached	Lots 33-39, 114-129	R.2	–	–	–
On-Street Townhouse	Blocks 97-103, 105-106	R.3B-7	–	Min Exterior Side Yard – 4.5 metres  Maximum Building Coverage – 50%	–
Cluster/Stacked Townhouse	Block 104	R.3A	–	–	–
Apartment/Cluster/Stacked Townhouse	Block 109	R.4A	–	–	–
Park	Block 107	P.2	–	–	–
Open Space	Blocks 108, 110-111, 139	P.1	–	–	–

Block 108 identifying wetlands, open space and buffers is proposed to be zoned P.1 for conservation land and protection.