

**220 Arkell Road, Guelph, Draft Plan of Subdivision Submission
 D.P. 23T-19002, ZBA OZS19-017**

Thursday, March 16, 2023

Responses to First Submission Comments received from:

#	C/R	Comment / Response
City of Guelph - First Submission, Comments dated August 19, 2020 from Jyoit Pathak Parks and Recreation		
Parks and Open Space Planning has reviewed the following documents submitted in support of the above noted proposed Draft Plan of Subdivision circulated on February 4, 2020		
<ul style="list-style-type: none"> • Notice of Complete Application dated February 4, 2020, • Proposed Draft Plan of Subdivision dated December 11, 2019 • Environmental Impact Study dated August 28, 2019, • Tree Preservation Plan dated May 28, 2019 • Preliminary Servicing, Grading and Stormwater Management Report dated May 28, 2019, and offer the following comments: 		
<u>Site Location</u>		
1.0	C	The development site is located in southeast Guelph on Arkell Road between Victoria Road South and Gordon Street, south of the Victoria Park Village development currently under construction, north of the recently constructed 246 Arkell Road subdivision, east of the Torrance Creek Swamp Provincially Significant Wetland and west of active agricultural lands. The subject property is approximately 7.16 ha (17.69 acres) in area.
	R	Noted
<u>Proposed Draft Plan of Subdivision:</u>		
Parkland Dedication		
Parkland dedication is required for the proposed subdivision according to the Official Plan Policy 7.3.5.1. The OP policy states the following:		
2.0	C	The City will require parkland dedication as a condition of development, consent or subdivision proposals in an amount up to: ii) 5% of the land or one hectare for each 300 dwelling units for residential purposes
	R	Parkland dedication is provided based on 5% of the land included in the subdivision, exclusive of natural heritage features such as open space and ecological linkages that are to be conveyed to the City for conservation purposes. It has also been agreed to by the City staff that the driveway providing a walkway connection between Dawes Avenue and Arkell Road will be conveyed to the City and will not be included in the calculation for parkland dedication. As a result of Bill 23, the alternative rate for parkland dedication is now 1 ha/600 units. Since the City will chose to implement the greater of the two calculations, the parkland required for this subdivision application is 0.22 ha based on a development area of 4.41 ha.

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3.0	C	<p>The current draft plan of proposed subdivision includes an area of 7.015 hectares and the proposal includes development of 31 single-detached houses and 60 cluster town homes. In accordance with the Official Plan policy 7.3.5.1 a park block of 0.35 ha is required.</p> <p>The proposed draft plan includes a park block 36 of 0.313 ha and the proposal to restore part of the adjacent emergency access/ walkway block as sodded area to be added to the park block for park use.</p> <p>The amount of parkland dedication, including park block 36 and the future 4.0 metre wide block of the block 35 provided on the proposed Draft Plan of Subdivision is satisfactory to Open Space Planning.</p>
	R	<p>The staff comment that this subdivision requires a park land dedication of 0.35 hectares of land is incorrect. The subject lands includes 7.151 hectares of lands of which Block 37, the Open Space and associated buffers, includes 1.435 hectares of land and Blocks 32 & 33, the Ecological Linkage, includes 1.305 hectares of land.</p> <p>According to the City's Parkland Dedication By-law (2019) - 20366 as amended by By-law (2019)-20380, By-Law (2020)-20531 and By-Law (2021)-20573; the definition of "land" specifically excludes any hazard lands, natural heritage features, or ecological buffers identified in the City's Official Plan, an approved Secondary Plan, or through an environmental impact study accepted by the City.</p> <p>Blocks 32, 33 and 37 are identified as Natural Heritage Features in the City's Official Plan as well as by an Environmental Impact Study.</p> <p>In addition, the by-law defines "development" as the construction, erection or placing of one or more buildings on land or the making of an addition or alteration to a building that has the effect of substantially increasing the size or usability thereof by increasing the Gross Floor Area of the building by forty-percent (40%) or more, the addition of one or more new Dwelling Unit(s), or a conversion to a different use.</p> <p>Blocks 32, 33 and 37 do not meet the definition of development.</p> <p>With this information, the calculations of the area required for parkland dedication must exclude Blocks 32, 33 and 37 from the calculation. On this basis, the area to be used when calculating the 5% land dedication is 4.41 hectares. The parkland required for this project therefore is 0.22 hectares as noted in Response #2 above.</p>
Park Block Frontage:		
4.0	C	<p>The current draft plan of proposed subdivision has identified approximately 50.49 meters of Lot Frontage for a 0.313 ha park block.</p> <p>Open Space Planning requires a minimum of 50 meters or 1 metre of frontage for every 100 square meters of park area whichever is greater as identified in Section 9.2 of the Zoning Bylaw.</p> <p>The amount of proposed Lot Frontage of 50.49 meters is satisfactory to Open Space Planning.</p>
	R	Note the revised Draft Plan Shows 50 m of linear frontage.
Park Block Location:		
<p>The Draft plan of subdivision identifies a neighborhood park block location adjacent to a stormwater management pond and an emergency access/walkway block. According to the Official Plan policy 7.3.2.4, following criteria has been considered in the provision of the neighborhood park:</p>		
5.0	C	1.0 - that the site is located within a five to ten-minute walk from the residential area served (service radius of about 500 meters) and is unobstructed by major barriers;
	R	Noted
6.0	C	2.0 - that the site contains adequate street frontage for visibility and safety;
	R	Noted
7.0	C	3.0 - that the site is linked to the trail network;
	R	Noted
8.0	C	4.0 - that the site contains enough table land (approximately 80 percent of site) and is well drained;
	R	Noted
The proposed park block location is currently satisfactory to Open Space Planning and meets all the above location objectives.		

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Basic Park Development:		
<p>The developer will be responsible for the Basic park development. The basic park development will include clearing, grubbing, site grading, storm water drainage, site servicing, topsoil and sodding of the Park block. The costs of the following items shall be direct developer responsibilities as a local service:</p> <p>Base parkland development of lands conveyed to the City in connection with development including, but not limited to, the following:</p> <ul style="list-style-type: none"> •clearing and grubbing; •topsoil or any fill or soils shall not be stockpiled on parkland; •parkland shall be free of any contaminated soil or subsoil; •servicing – water, hydro, stormwater, sanitary, electrical, catch basins as per City’s requirements. rough grading (pre-grading) and the supply of topsoil to the required depth as per City’s requirements; •Seek City approval of the structural fill material if park requires filling. •parkland shall not be mined for engineering fill and replaced with fill or topsoil; •parkland shall be conveyed free and clear of all encumbrances; all parks are to be developed to the locally accepted “basic park development” standard which includes all aspects up to fine grade, topsoil and sod; which is to be maintained up to park acceptance. •The park block shall be graded to meet approved parkland grade, including any associated infrastructure requirements (retaining walls, drainage, etc.) and sodded to minimize erosion and dust. •Temporary fencing may also be required where there is no permanent fence to prevent illegal dumping; temporary park sign advising future residents that the site is a future park. Perimeter fencing of parkland to the City’s standard located on the public property side of the property line adjacent land uses (residential or non- residential) as required by the City, or other approval authority. 		
Trail Network:		
<p>The Official Plan – Schedule 8 ‘Trail Network’ includes a proposed off-road secondary trail route along eastern edge of the Torrance Creek provincially significant wetlands through the subject property that connects to the Victoria Park Village subdivision to the north and Arkell Road to the south.</p>		
9.0	C	The proposed alignment for the trail connection included on the Draft Plan subdivision from the northern property line through the stormwater management block where it meets the proposed emergency access is satisfactory, however it would need to be refined further to ensure the trail layout and design meets City’s current standards.
	R	Noted
10.0	C	The proposed trail within the stormwater management block #37 needs to be modified to meet City’s current standards. Revise the trail alignment on Draft plan of subdivision, Grading and Drainage plans and other plans as applicable to demonstrate that the trail can be built to the current City standards as follows: The trail within the stormwater management pond to be minimum 3 metre wide with asphalt surfacing.
	R	A 3.0 m wide asphalt trail has been proposed and enlarged to 4.0 m wide within the SWM Block where it acts as a maintenance access for the facility.
11.0	C	The design and construction of the trail shall meet the accessibility criteria outlined in the City’s Facility Accessibility Design Manual (FADM). The criteria include maximum running slope on trails to be 5% and the maximum cross slope on trails to be 2%, provision of rest areas at regular intervals, information and directional signage etc. Section 4.5.2 OUTDOOR RECREATIONAL FACILITIES of the FADM outlines the accessibility guidelines for trails. This document can be viewed at the following link: http://guelph.ca/wpcontent/uploads/Guelph_FADM_2015-06-30-FINAL.pdf
	R	Noted
12.0	C	Provide minimum 0.6 metre wide mowed grass strips longitudinally along both sides of the trail surface at a cross slope of 2% away from the trail.
	R	The trail layout and grade has respected the City criteria.

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13.0	C	Provide sodded drainage swales and culverts at appropriate locations if the adjacent ground is higher to the trail surfacing levels
	R	Swales and culverts have been implemented as required.
14.0	C	Based on the location of the trails within corridors between wetlands and storm water management facilities it would be advisable to implement the trails at the same time as other area features (storm water management areas, 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 related further delay in trail installation typically associated with later trail development.
	R	Noted
15.0	C	Hazard tree removal near trails, must be reviewed on site and approved by City prior to implementation. Parks and Open Space Planning recommends Developer build trail connection from the northern property line to the temporary emergency access road and reimbursing the cost of trail construction to the Developer upon acceptance of the completed trail.
	R	Noted
Open Space Works and Restoration:		
16.0	C	Provide planting to enhance ecological buffers and wildlife corridors and compensation for removed trees, etc. and detailed planting plans will be provided with the Environmental Implementation Report. Provide seeding to restore graded areas within the open space
	R	Noted
Environmental Implementation Report:		
17.0	C	An environmental implementation report (EIR) will be required to address the recommendations provided through the final approved Environmental Impact Study including Open Space Works and restoration, detailed landscape plans (by an accredited landscape architect); detailed design and mitigation plans to support the trail and detailed trail design. The EIR will address the recommendations related to trail system, stormwater management area and natural open space system, including detail design of the trail system; preparation of Landscape Plans and details to address demarcation, removal of hazard trees along the trail system and residential properties; clean-up of debris and waste; restoration; compensation and enhancement planting for buffers; invasive species management; design of educational/ interpretive and stewardship materials/ signage. Detailed trail layout, grading and drainage plans showing trail design details such as signage, trail gates, structures, etc. will be provided in the Environmental Implementation Report consistent with City of Guelph's current trail 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 and Engineering Development Manual where applicable. 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.
	R	Noted
Emergency Access / Walkway Block:		
18.0	C	the developer would be responsible for restoration of the emergency access to the 6 metre wide permanent walkway block and 4 metre wide block as parkland
	R	Noted

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Open Space Dedication:		
19.0	C	Parks and Open Space Planning requires conveyance of natural open space Block 38 to City.
	R	Noted
Tree Preservation and Removal of Invasive Species and Hazard Trees:		
20.0	C	Schedule removal of the common buckthorn within the trail corridor prior to trail construction. A review of hazard trees will be conducted at the time of vegetation removal by a qualified arborist. Identify all dead and hazardous trees along the trail route in consultation with Parks staff for removal prior to start of trail construction.
	R	Noted
Environmental Education:		
21.0	C	The environmental education signage is proposed to be provided along the trail in the subdivision to provide resident education on the area's environmental features and address the common resident impact items including dumping of yard waste, encroachments, pet waste, etc. The signage will be designed to meet City's accessibility guidelines and the details of the signage will be provided in the EIR- trail and landscape plans.
	R	Noted
Demarcation:		
22.0	C	The property demarcation will consist of 1.5 m black vinyl Chain Link fence and/or property markers in accordance with the City's Property Demarcation Policy and specification. City requires demarcation of the existing City owned lands and the lands to be transferred to the City as part of the proposed development. The final configuration of the fence and markers will be determined during the detailed design stage and shown on the 'Landscape Plans' and presented in the Environmental Implementation Report which will include a demarcation plan.
	R	Noted
Stormwater Management Facility Signage:		
23.0	C	City's standard stormwater management area educational and rules sign will be required for the proposed stormwater management facility and its location will be shown on the EIR landscape and trail plans.
	R	Noted
Preliminary Servicing and Stormwater Management Report		
Preliminary Park Block Grading:		
24.0	C	It appears that the park block can be designed to meet City standards for park block development. However, the park block grading needs to be refined at the Environmental Implementation Report stage to be consistent with City of Guelph Official Plan regarding recommended table land for a neighborhood park (80%).
	R	Noted

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Preliminary Stormwater Management Facility Grading:		
25.0	C	It appears that the stormwater management facility and open space grading and drainage can be designed to meet current City standards for trail development and "Development Engineering Manual". However, the plans need to be refined at the Environmental Implementation Report stage to be consistent with City's current trail standards and accessibility guidelines.
	R	The SWM Facility has been reshaped based on Engineering comments and trail/maintenance access designed to follow the City Standards.
Draft Plan		
Phasing Plan:		
26.0	C	Parks and Open Space Planning recommends that the park block, open space and storm water management blocks be included in the first phase of the plan of the subdivision so park and trail development can take place at an early stage of the subdivision development.
	R	Noted
Proposed Zoning:		
		Parks and Open Space Planning supports the following proposed zoning for park and open space block(s):
27.0	C	1.0 - Block 36 - P.2 "Neighbourhood Park".
	R	Noted, now Block 35
28.0	C	2.0 - Block 38 - P.1 "Conservation Land".
	R	Noted, now Block 37
Conditions for Subdivision Development Agreement:		
		Parks and Open Space Planning recommend the following subdivision approval conditions:
		<u>Conditions to be met prior to Execution of Subdivision Agreement</u>
29.0	C	1.0 The Developer shall be responsible for the cost of design and development of the Basic Park Development as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading, sodding and any required servicing including water, storm, sanitary and hydro for any phase containing a Park block 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 Basic Park Development for the Park Block to the satisfaction of the Deputy CAO of Public Services.
	R	Noted
30.0	C	2.0 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 an 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.
	R	Noted

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31.0	C	3.0 The Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (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 the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
	R	Noted
32.0	C	4.0 The Developer shall design and develop the Storm Water Management Facility Landscaping in accordance with the City of Guelph's current 'Development Engineering Manual' to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings for City approval and the administration of the construction contract up to the end of two-year warrantee period completed by an Ontario Association of Landscape Architects (OALA) full member with seal 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 Storm Water Management Facility Landscaping for the City lands to the satisfaction of the Deputy CAO of Public Services.
	R	Noted
33.0	C	5.0 The Developer shall be responsible for the detailed design of the Pedestrian Trail System for the Stormwater Management area and Open Space Blocks according to City's current trail standards to the satisfaction of the Deputy CAO of Public Services. This shall include identifying the trail system, detailed layout, grading and drainage, planting design including interpretative and educational signage and submitting drawings completed by a full member (with seal) of the Ontario Association of Landscape Architects (OALA) for City approval to the satisfaction of the Deputy CAO of Public Services.
	R	Noted
34.0	C	6.0 The Developer shall be responsible for the costs of construction of the Pedestrian Trail system according to the City of Guelph's current trail standards, 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 construction of the Trail to the satisfaction of the Deputy CAO of Public Services. The Developer and the City will enter into a cost sharing agreement and City shall reimburse the Developer the costs of trail construction according to the cost sharing agreement.
	R	Noted, to be included as a Draft Plan Condition
35.0	C	7.0 The Developer shall provide Public Services with digital files in AutoCAD - DWG format and PDF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks.
	R	Noted
36.0	C	8.0 The Developer shall install, at no cost to the City, 1.5 m high black vinyl chain link fencing, adjacent to Blocks 32 and Lots 1 through 18, 28, 29, 30 and 31. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the. 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.
	R	Suggest fencing implementation should occur once finished grading is completed on the lots and certified to ensure the fencing is positioned at the correct elevation.

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		Conditions to be met prior to Registration of the Plan
37.0	C	<p>9.0 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 placed in the City's subdivision agreement to be registered on title:</p> <ul style="list-style-type: none"> • "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 private gates will not be allowed into Blocks 33, 34, 35, 36, 37, 38 and 39 and Lots 1 through 18, 28, 29, 30 and 31 that abut these Blocks". • "Purchasers and/or tenants of all lots or units are advised that a public trail or walkway will be installed or exists abutting or in close proximity to Blocks 32, 34, 35, 36, 37 and 39 and Lots 28 and 29 and that public access to this trail will occur between Blocks 32 and 38 and Block 36 and lots 28 and 29". • "Purchasers and/or tenants of all lots are advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails." • "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 are advised that the Park Block has been designed for active public use and may include sports fields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions." • "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of 1.5 m high black vinyl chain link fence adjacent to lot numbers 1 through 18, 28, 29, 30 and 31 and Block 32." The Developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to walkway, open space, stormwater management and park blocks.
	R	Note reference to final Lot and Block #'s to be based on Revised Draft Plan.
38.0	C	<p>10.0 The Developer agrees to provide temporary signage describing the proposed park, open space, asphalt trail and fencing on all entrance signs for the development, at the street frontage of park block 36 and open space block 38, and entrance/exit of trails, to the satisfaction of the Deputy CAO of Public Services. The signage shall:</p> <ul style="list-style-type: none"> • advise prospective purchasers of dwellings in the area of the type of park, open space and asphalt trail and level of maintenance of these parcels of land by the City; • clearly state that the maintenance of the park block and trail are the responsibility of the Developer until such time as the City accepts the park and trail, and • clearly state that all questions relating to the maintenance of the park block and trail shall be directed to the Developer. <p>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 type of fencing be identified on any marketing or promotional materials.</p>
	R	Noted

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39.0	C	11.0 The Developer shall convey Block 36 for neighborhood park (P.2 Zone) purpose in accordance with the City's Official Plan Policies.
	R	Noted, now Block 35
40.0	C	12.0 The Developer shall convey Block 38 to the City as Conservation Open Space (P.1 Zone).
	R	Noted, now Block 37
Conditions to be met prior to Basic Parkland Development acceptance by the City		
41.0	C	13.0 Prior to Basic Parkland Development acceptance by the City, the Developer shall submit a Geotechnical Investigations Report, prepared by a geotechnical engineer certifying that all fill placed on the Parkland has adequate structural capacity to support play structures, swings, pathways, paved courts, sun shelter and other park elements that require footings and foundations, to the satisfaction of the Deputy CAO of Public Services. This report shall include the following information; block number, locations of boreholes, soil profile including depths of topsoil, fill etc. and top elevations of fill.
	R	Noted
42.0	C	14.0 Prior to Basic Parkland Development acceptance by the City, the Developer shall submit a report prepared by a professional engineer certifying that the parkland grading and site servicing have been constructed in accordance with the approved Grading, Drainage and Servicing Plan and Parks Planning Specifications including property demarcation and sodding and are functioning as designed. This report shall be accompanied by as-built Grading drainage and Servicing Plan stamped by the Engineer. The Developer shall also submit the as-built grading, drainage and servicing plan in AutoCAD format to the satisfaction of the Deputy CAO of Public Services.
	R	Noted
43.0	C	15.0 Prior to Basic Parkland Development acceptance by the City, the Developer shall provide a written Topsoil Test Report from a recognized laboratory confirming topsoil compliance with the Parks Planning specifications. The testing shall include, but is not limited to nutrient levels, organic content, heavy metals and pesticides/herbicides (such as Atrazine).
	R	Noted
44.0	C	16.0 Prior to Basic Parkland Development acceptance by the City, the Developer shall submit a report prepared by a registered Landscape Architect (full member of OALA) certifying that the landscape works and property demarcation work have been constructed in accordance with the approved Landscape Plans and Parks Planning Specifications. This report shall be accompanied by 'As Built' Landscape Plans stamped by the registered OALA full member. The Developer shall also submit the as-built Landscape Plans in AutoCAD format to the satisfaction of the Deputy CAO of Public Services.
	R	Noted
45.0	C	17.0 The Developer shall provide a digital file in AutoCAD - DWG format containing the as built information: parcel fabric, street network, grades and contours and landscaping of the park, trails, open space and storm water management blocks.
	R	Noted
Summary:		

Parks and Open Space Planning supports the above application, based on the current information provided, subject to the conditions outlined above.