

# PLANNING JUSTIFICATION REPORT

**26-40 CARDEN STREET, GUELPH**



**up consulting**



## EXECUTIVE SUMMARY

This Planning Justification ('Report') has been prepared as part of the complete Official Plan Amendment and Zoning By-Law Amendment applications for the proposed mixed use development at 26-40 Carden Street, Guelph.

The applicant is proposing to redevelop the site to contain a 14 storey building containing 595.1 sq. m of at grade commercial space and 120 residential units. In order to permit the development, an Official Plan Amendment and corresponding Zoning By-Law Amendment is being requested.

The Report provides an overview of the existing conditions and context of the subject property, the existing land use planning controls applicable to it, the required land use planning applications required and land use planning rationale with respect to the same.

This Report provides land use planning opinion that the proposed development has regard for the matters of Provincial interest as set out in the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, and is in conformity with the direction set out for the property in the City Guelph's Official Plan and Downtown Secondary Plan.

This Report also provides a summary of the supporting plans and reports which have been prepared as part of the complete applications.

This Report was prepared by Up Consulting Ltd., who have been retained as the consulting land use planner for the proposed development to provide independent land use planning analysis and opinion. This Report, including the opinions and recommendations set out herein, has been prepared by a member in good standing with the Ontario Professional Planners Institute and the Canadian Institute of Planners.

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## 1. INTRODUCTION

This Planning Justification ('Report') has been prepared as part of the complete Official Plan Amendment and Zoning By-Law Amendment applications for the proposed mixed use development at 26-40 Carden Street, Guelph.

The applicant is proposing to redevelop the site to contain a 14 storey building containing 595.1 sq. m of at grade commercial space and 120 residential units. In order to permit the development, an Official Plan Amendment and corresponding Zoning By-Law Amendment is being requested.

The purpose of the Official Plan Amendment / Secondary Plan Amendment is to implement site-specific policies to permit the proposed building height. The purpose of Zoning By-Law Amendment application is to:

- Permit the proposed building height of 14 storeys;
- Permit the proposed Floor Space Index of 9.5;
- Permit relief from the interior and rear side yards above the fourth floor; and,
- Permit an exemption from the City's parking requirements to allow for no on-site parking.

The Report provides an overview of the existing conditions and context of the subject property, the existing land use planning controls applicable to it, the required land use planning applications and land use planning rationale with respect to the same.

This Report provides land use planning opinion that the proposed development has regard for the matters of Provincial interest as set out in the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, and is in alignment with the general direction set out for the property in the City Guelph's Official Plan and Downtown Secondary Plan.

This Report was prepared by Up Consulting Ltd., who have been retained as the consulting land use planner for the proposed development to provide independent land use planning analysis and opinion. This Report, including the opinions and recommendations set out herein, has been prepared by a member in good standing with the Ontario Professional Planners Institute and the Canadian Institute of Planners.

## 2. OVERVIEW OF PROPOSED DEVELOPMENT

As shown on the Site Plan and accompanying architectural drawings prepared by SRM Architects, the applicant is proposing to develop the subject lands for the purposes of a 14 storey mixed use development. In total, 120 residential units are proposed in addition to 595 sq. m of at-grade, commercial space.

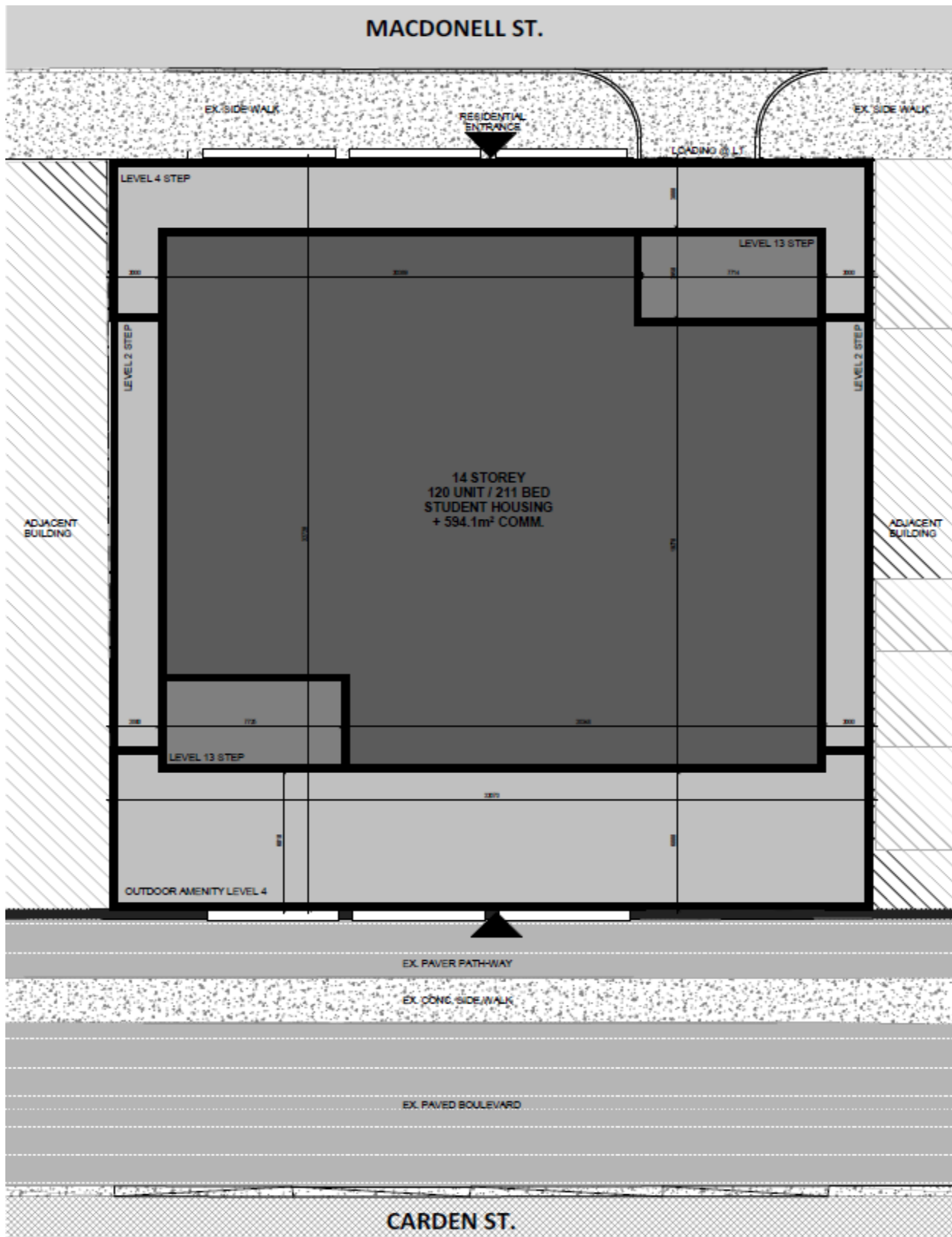
Figure 1 shows the proposed site plan for the development which was prepared by SRM architects, which contemplates a three storey podium extending to front, rear and interior side yards. As shown on the plan, the development will front onto both Carden Street and MacDonell Street as the property is a through lot. The site plan shows the position of the tower which has been positioned 6 m from the Carden Street front façade of the podium, and 3 m from the MacDonell Street podium façade.

The proposed development contemplates a large commercial unit which extends the entirety of the Carden Street façade and the western half of the MacDonell Street facing façade. A series of four entrances are proposed off of Carden Street and two off of MacDonell Street, one of which will lead to the main lobby of the residential component of the building. The ground floor plan shows the commercial unit as a single unit, however it is anticipated that this unit can be divided based on the needs of future commercial tenants.

The ground floor of the development, shown on Figure 2, contains a loading space, provided/accessed off the site's MacDonell Street frontage. This loading space will be relied upon for deliveries to and from the commercial area and will also be used for resident move-ins and garbage collection from a centralized garbage area.

In total the development contemplates 120 residential units, which will include a mix of three bedroom suites (27), two bedroom suites (18 units), one bedroom plus den suites (19), one bedroom suites (54), and studio apartments (2). This range of unit size will provide housing options for a broad range of future tenants.

The proposed development is not proposed to include any parking for personal automobiles, and it is anticipated that this development will be occupied by transit users, active transportation reliant individuals and those living, working or studying in the downtown area.



**Figure 1:** Proposed Site Plan (SRM Architects)

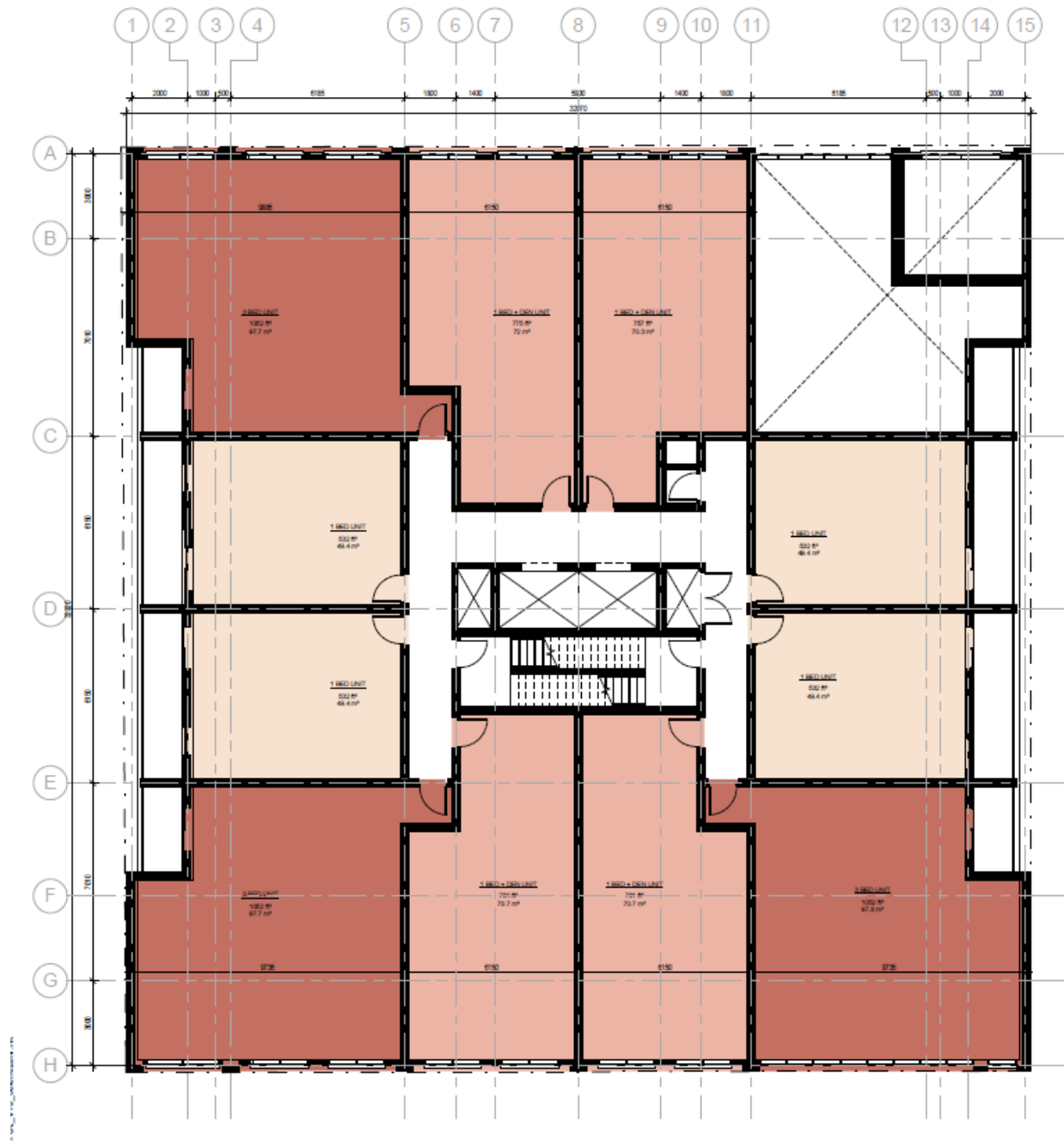






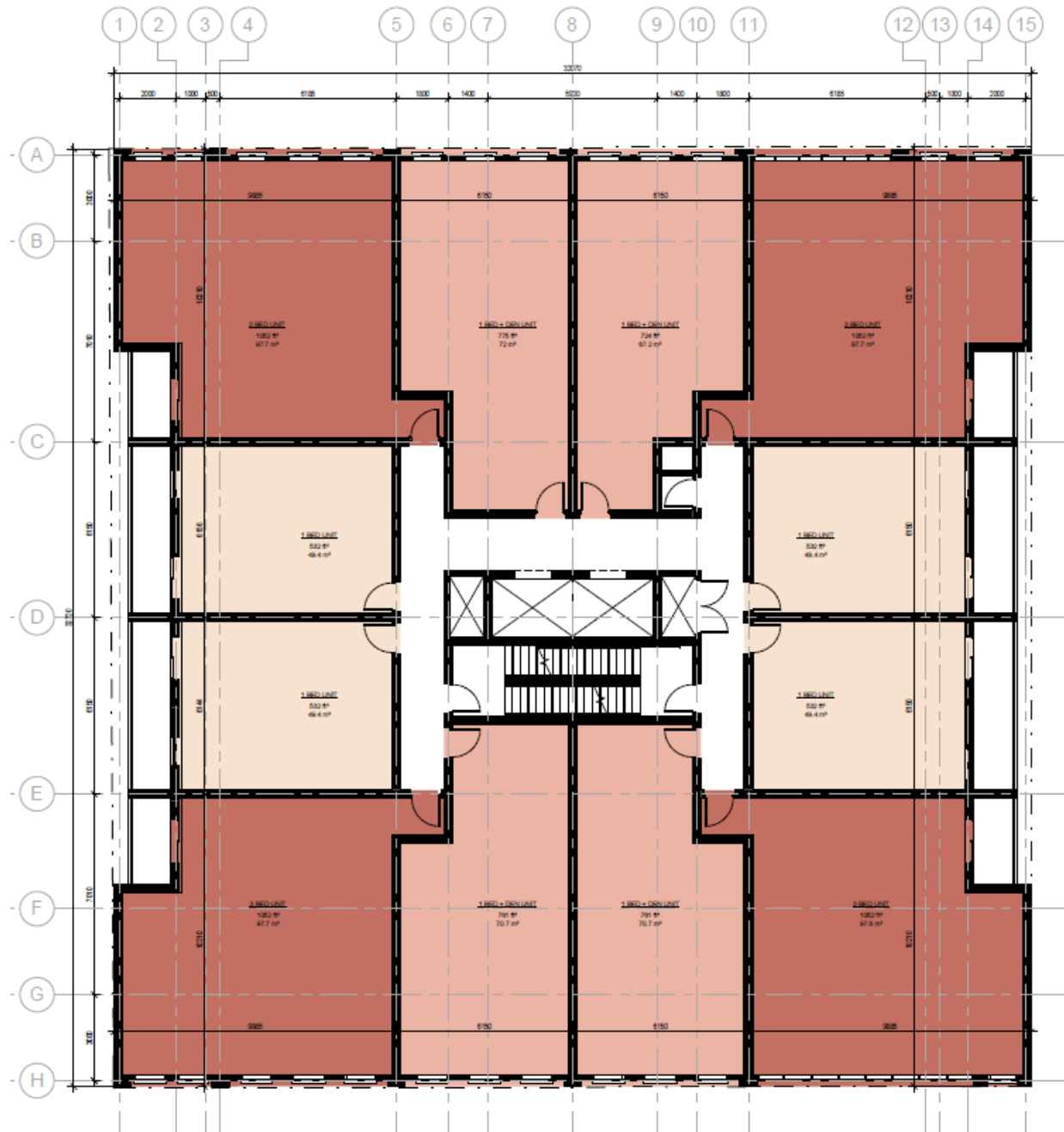
### a. Typical Floor Plans

This section of the Planning Justification Report provides an overview of the proposed floor plans, above the ground floor. Figure 3 shows the Level 2 Floor Plan which includes four one bedroom units, four one bedroom plus den units, and three three-bedroom units. The northeast corner of the floor is open to the ground floor below, due to the location of the proposed loading space.



**Figure 3:** Level 2 Floor Plan (SRM Architects)

Figure 4 shows the Level 3 Floor Plan which mirrors the design of the second level, with the addition of one three bedroom suite above the loading area.

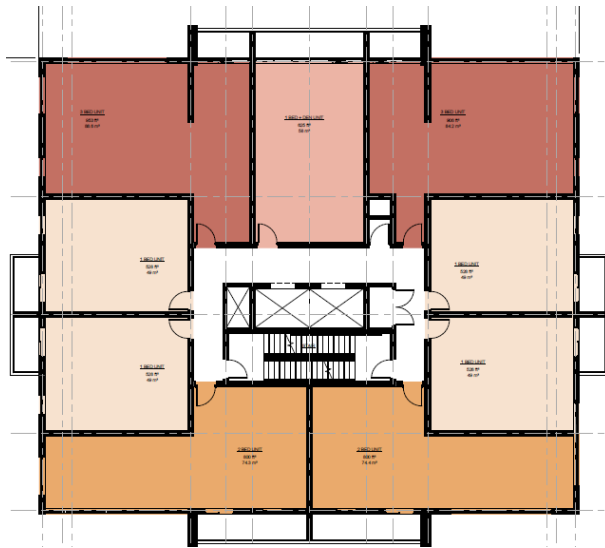


**Figure 4:** Level 3 Floor Plan (SRM Architects)

Level 4 of the development introduces a 6 m stepback from the Carden Street façade, a 3 m stepback from the MacDonell Street façade, and 2.2 m stepback to the interior lot lines. Level four contemplates a large outdoor amenity space (180 sq.m) facing onto Carden Street, which is attached to two indoor amenity rooms providing ~150 sq. m of

indoor amenity for the residents of the building. It is anticipated that the outdoor space will be subject to a comprehensive landscape design with clear linkages to the corresponding indoor spaces.

Figure 5 shows the typical floor plates for levels 5 to 12 of the proposed development. Each of these floors is proposed to contain four one-bedroom units, one one-bedroom plus den unit, two two-bedroom units, and two three-bedroom units. Figure 6 shows the Level 13 and 14 floor plans. As shown on this Figure, the floor plans for the upper levels of the project incorporate additional stepbacks in the northeast and southwest corners of the building to provide a clearly delineated top of the building.



### Figure 5: Level 5-12 Floor Plans



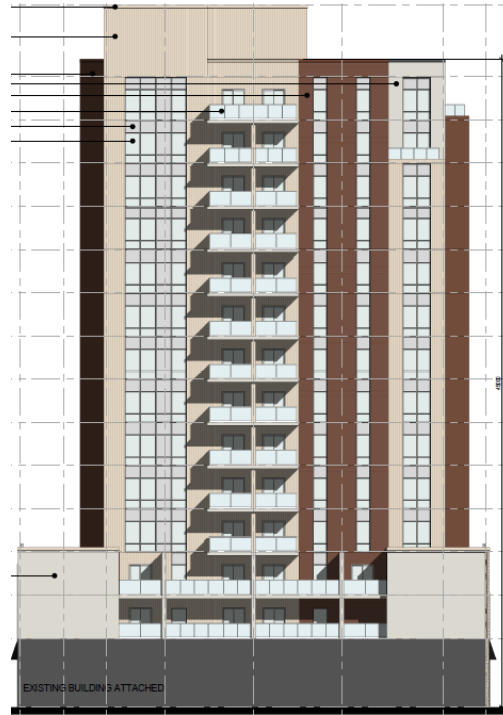
### Figure 6: Level 13-14 Floor Plans

## b. Building Elevations

Figures 7-10 below show the proposed front, rear and side Building Elevations prepared by SRM Architects. As shown on the elevations, a range of building materials are proposed to be incorporated into the design, which includes



**Figure 7:** MacDonell Facing Elevation



**Figure 8:** East Elevation



**Figure 9:** Carden Facing Elevation



**Figure 10:** West Elevation

### c. Renderings

Figure 11-14 show photorealistic renderings of the proposed development from different vantage points to show how the development will relate to the existing built form context of the area. These renderings have been prepared to convey the design intent of the development and to supplement the elevations previously described.



**Figure 11:** Rendering Showing South / Carden Street Facade





**Figure 12:** Rendering Showing North / MacDonell Facing Facade





**Figure 13:** Rendering of Carden Street Façade from Pedestrian Level



**Figure 14:** Rendering of MacDonell Streetscape with Basilica in the Background



### 3. SITE LOCATION AND CONTEXT

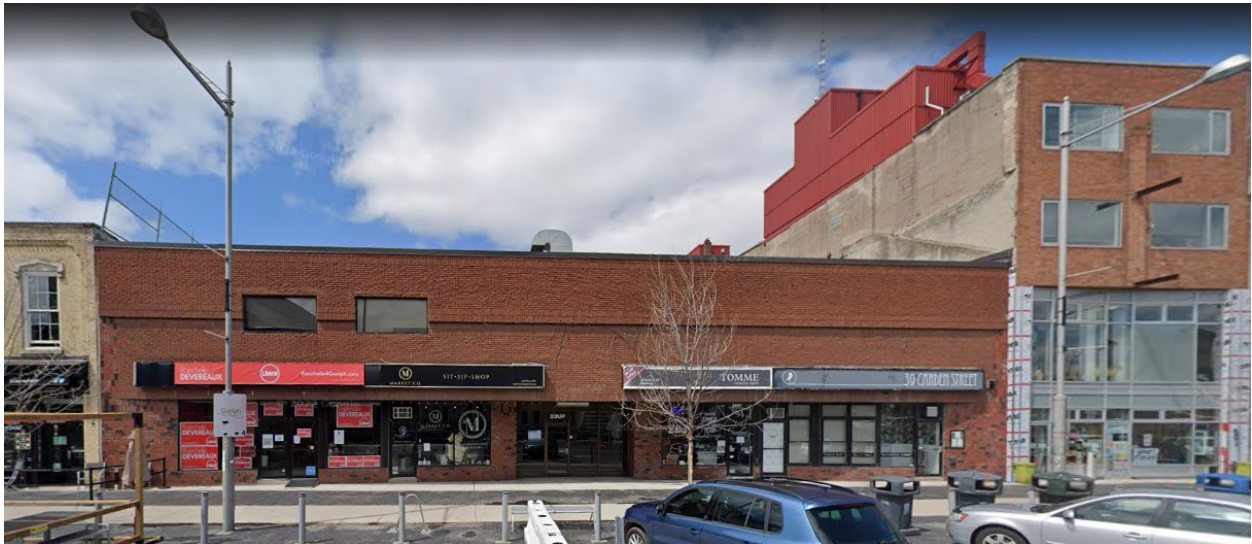
The subject property is municipally addressed as 26-40 Carden Street and 27-39 MacDonell Street, Guelph which is legally known as Lot 116, Registered Plan 8, City of Guelph. The location of the subject property is shown on Figure 15. The subject property is considered a through lot with frontage onto both Carden Street and MacDonnell Street in the downtown area of Guelph.



**Figure 15:** Location of Subject Property (Source: GRCA GIS Portal)

The subject property currently contains a two storey, red brick office/commercial building constructed in the 1950's. Images showing the front and rear of the building are shown on Figures 16 and 17. The existing building extends fully to all lot lines, and has been internally subdivided into multiple commercial and office units.





**Figure 16:** Existing Building viewed from Carden Street



**Figure 17:** Existing Building viewed from MacDonell

The subject lands are located mid block between Wyndham Street North (to the east) and Wilson Street (to the west). Within this block, building heights range from one to four storeys in height, with many buildings having heritage attributes. To the immediate east, along Carden Street, is a recently renovated four storey building which has been retrofitted to contain extensive glazing overlooking the public realm. To the immediate west is a two storey yellow-brick building, containing a modern storefront, restaurant and associated patio area. The block contains a mix of retail, office and commercial uses on the north side of the street.

The subject lands are located immediately north of the City's main administrative building (City Hall) as well as Market Square. To the east of the site is the Guelph Central Station which is a multi-modal transportation hub, providing freight and

commuter rail service to and from the City, and also serving as a central hub for Guelph Transit. Central Station provides stops for various City Bus routes including routes 4, 8, 11, 13, 9, 99s, 10, 14, and 12, with on-demand bus service also provided.

Market Square is an urban plaza located in front of the City hall building, which is a multi-season community space, containing a splash pad/water play for summer months, which is used as an outdoor rink throughout the winter. This space is also used for special events and programming throughout the year.

To the west of the subject lands is the Basilica of Our Lady Immaculate, which is a 19th century gothic-revival style church. The church property is surrounded by a number of civic and community uses, including the John McCrae Statue, the Guelph Civic Museum, St. John Bosco School and Northumberland Park. The church itself is a focal point within the context of Downtown Guelph due in part to its ornate architectural detailing, distinctive twin-towers, and prominent location atop a hill overlooking downtown Guelph to the east.

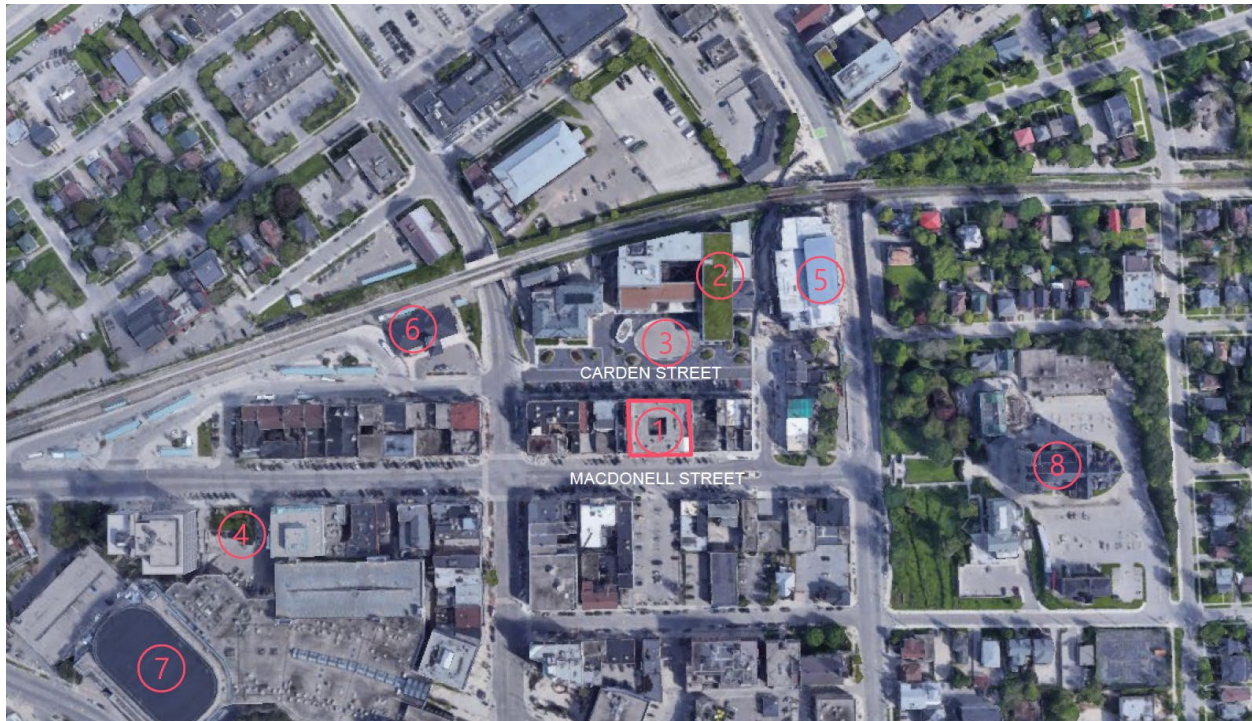


**Figure 18:** Basilica of Our Lady Immaculate (Source: Google Streetview)

The following Figures show a key map of the subject lands and a number of nearby uses. Following this, a number of Figures are provided showing photos of the buildings



and lands surrounding the subject property as well as other prominent land uses in proximity to the site.



**Figure 19:** Nearby Land Uses (Source: Google Earth Base Imagery)

No.	Land Use / Building
1	Subject Lands (26 Carden)
2	City of Guelph City Hall
3	Market Square / Outdoor Community Space
4	Shopping Mall / Old Quebec Street Shoppes
5	Wilson Street / Market Parking Garage
6	Guelph Central Station / Transit Hub
7	Sleeman Centre Arena
8	Basilica of Our Lady Immaculate / Catholic Hill



**Figure 20:** Carden Street viewed from Wyndham Street (Source: Google Streetview)



**Figure 21:** Carden Street viewed from Wilson Street (Source: Google Streetview)





**Figure 22:** MacDonell Street viewed from Wilson Street (Source: Google Streetview)



**Figure 23:** MacDonell Street viewed from Wyndham Street (Source: Google Streetview)

In addition to the above, it is noted that Conestoga College is redeveloping the property municipally known as 130 MacDonell Street for a new satellite campus, which is anticipated to open in the fall of 2025. Once completed, it is anticipated that the new campus will accommodate up to 5,000 students in the downtown core. The subject lands and the proposed development are within a short walking distance of this new campus, and will help address the anticipated housing needs of these students.

## 4. LAND USE PLANNING FRAMEWORK

Land use planning and decision-making related to the same is guided by a range of legislation, policies, and plans set out at the Provincial, Municipal/City and neighbourhood levels. The following subsections of this Report discuss the land use planning policy framework applicable to the subject property and how they have been considered in the proposed development applications.

### a. Planning Act

The Planning Act, R.S.O. 1990 establishes the legal framework for land use planning in Ontario and includes legislative direction with regards to Official Plan Amendments, Zoning By-Law Amendment applications and Site Plan Control among other planning tools. The Planning Act also provides the Minister of Municipal Affairs and Housing with policy making authority to issue policy statements and plans to guide land use planning and development in the province, which is the basis for the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe.

The following subsections of this report provides an overview of the Planning Act as it applies to the proposed development and commentary relating to how the proposed development adheres to the direction set out therein.

#### i. *Matters of Provincial Interest*

Section 2 of the Planning Act sets out various 'Matters of Provincial Interest'. In carrying out their responsibilities under the Planning Act, decision-makers must have regard to these Matters of Provincial Interest. Table 1 outlines the Matters of Provincial Interest set out in Section 2 of the Planning Act and commentary regarding how each matter has been considered, where applicable.

Provincial Interest	Demonstration of Regard
The protection of ecological systems, including natural areas, features, and functions;	Not applicable. The subject property does not contain any ecological systems or natural areas.
The protection of agricultural resources of the Province;	Not applicable. The subject property is not in agricultural use.
The conservation / management of natural resources and the mineral resource base;	Not applicable. No mineral or naturally occurring resources are present on the site.
The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	As part of the complete application, a Heritage Impact Study was prepared by McCallum Sather which considered the impact of the proposed development on nearby heritage resources and the heritage context of the downtown more broadly.

	Based on this assessment, it is understood that the proposed development, while representing a change in the built form of the area, will not create any adverse impacts on adjacent / nearby heritage resources.
The supply, efficient use, and conservation of energy and water;	As discussed in the Functional Servicing Report prepared by WalterFedy, the proposed development will connect to existing services and represents the wise use and management of infrastructure.
The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	The development contemplates context appropriate intensification that will connect to existing communication and physical infrastructure. No new municipal roads or infrastructure will be required to accommodate the proposed development. Waste will be collected via the proposed loading space, connected to an internal garbage room.
The minimization of waste;	Through the site plan and detailed design phases for the development, the applicant will confirm sustainable design elements to be incorporated, which may include low flow plumbing fixtures, energy efficient appliances, and independent monitoring of services tied to units.
The orderly development of safe and healthy communities;	The proposed development is located within the downtown area of Guelph which is designated as the City's Urban Growth Centre and Major Transit Station Area. The overarching planning framework directs growth to these areas, being the focus of growth and intensification in the City. The development will provide additional housing and commercial options in the downtown to support the further development of a healthy community.
The accessibility for persons with disabilities to all facilities, services, and matters to which this Act applies;	The development will be designed to meet or exceed the requirements set out in AODA. This includes barrier free entrances to all commercial spaces, barrier free residential units and barrier free access to all common areas.

The adequate provision and distribution of educational, health, and recreation;	The subject property is located within the downtown area of Guelph which is well served by educational, institutional and recreational uses.
The adequate provision of a full range of housing, including affordable housing;	The proposed development supports the provision of new purpose built rental housing within the City's downtown core. The development will include a range of unit types, including studio, 1-bedroom, 2-bedroom, 2-bedroom plus den and 3-bedroom units.
The adequate provision of employment opportunities;	The development will include a large commercial space on the ground floor which could be used for a broad range of commercial and employment uses, supporting new employment opportunities in the downtown.
The protection of the financial and economic well-being of the Province and its municipalities;	The proposed development will be subject to various municipal fees including development charges, cash-in-lieu of parkland dedication, planning and development application and review fees, and development securities.
The co-ordination of planning activities of public bodies;	The use and development of the subject property is guided by a range of provincial and city policies and regulations, which have been considered in the proposed application.
The resolution of planning conflicts involving public and private interests;	Not applicable.
The protection of public health and safety;	No adverse impacts to public health or safety are anticipated. As part of the future site plan approvals and building permit applications, a detailed construction management plan will be prepared establishing how construction will occur and detailing which safety measures (hoarding, screening, transportation/access, crane swing etc.) will be implemented during construction to protect public health and safety.
The appropriate location of growth and development;	The proposed development is located within the downtown area of Guelph which is designated as the City's Urban Growth Centre and Major Transit Station Area. The overarching planning framework directs growth to these areas, being the focus of

	growth and intensification in the City. The site is also located outside of the protected viewshed of the Basilica.
The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The proposed development is not contemplated to contain any on-site parking. Rather, the development has been planned to be transit supportive and also supportive of active modes of transportation to and from the site.
The promotion of built form that, i) is well-designed, ii) encourages a sense of place, and iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.	As part of the complete application, an Urban Design Brief has been prepared discussing the design of the building, how it encourages a sense of place and how the design is appropriate within its context and how it will support a high-quality public realm.

Based on the foregoing, it is our opinion that the proposed development has regard for the matters of Provincial interest as set out in the Planning Act.

## b. Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), 2020 is issued under Section 3 of the Planning Act and came into effect on May 1, 2020, replacing the previous version of the PPS which was issued in 2014. Approval authorities, including Council of the City of Guelph, in carrying out their responsibilities under the Planning Act, are to ensure that their decisions “are consistent with” the PPS.

The PPS builds upon the policy direction expressed in the Planning Act (“Matters of Provincial Interest”) related to land use planning, which supports the Provincial goal of enhancing the quality of life for all citizens of Ontario. The focus of the PPS is building strong communities, a clean and healthy environment, and supporting sustainable economic growth by directing development to existing settlement areas, encouraging efficient and cost-effective land use development patterns, and protecting natural resources for the long term.

The PPS is to be read in its entirety and applicable policies are to be applied to specific situations/applications. The following table provides a summary of relevant policies of the PPS and describes how the proposed development is consistent with this policy direction.



Section	Policy	Discussion of Consistency
Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns		
1.1.1	<p>Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> <li>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</li> <li>b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long- term care homes), recreation, park and open space, and other uses to meet long-term needs;</li> <li>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</li> <li>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</li> <li>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and</li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed development facilitates intensification within the City's Built-Up Area, Urban Growth Centre and Major Transit Station Area using existing municipal services, promoting the efficient use of land and infrastructure.</li> <li>b) The proposed development will add to the mix and range of housing options in the downtown area, with one-, two- and three-bedroom units proposed. This development will provide housing options suitable to a range of potential tenants, including those reliant on transit and active modes of transportation.</li> <li>c) It is not anticipated that the proposed development will generate any environmental or public health and safety concerns.</li> <li>d) Not applicable as the development is not located near the urban boundary.</li> <li>e) The proposed development facilitates intensification within the City's Built-Up Area, Urban Growth Centre and Major Transit Station Area.</li> </ul>

	<p>infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and</p> <p>h) promoting development and land use patterns that conserve biodiversity; and</p> <p>i) consider the impacts of a changing climate.</p>	<p>f) The development will be constructed in accordance with the OBC and AODA. This includes barrier free entrances to all commercial and amenity spaces, as well as purpose built barrier free units.</p> <p>g) The development will connect to existing services provided on Carden Street and MacDonell Street, including water, sanitary, hydro, natural gas and communications. See the Functional Servicing Report prepared by WalterFedy for additional details.</p> <p>h) No adverse impacts to area biodiversity are anticipated. Bird friendly design measures will be considered in the ultimate design to minimize potential for bird strikes.</p> <p>i) The proposed development will conform or exceed the standards set out in the OBC. Various sustainability measures will be considered at the site plan review stage, including those related to building components, landscape / rooftop amenity space design and building materials. The proposed parking waiver supports sustainability by supporting the use of active modes of transportation and transit use to and from the site.</p>
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1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposed development will facilitate intensification within the City's Built-Up Area, Urban Growth Centre and Major Transit Station Area.
<b>Housing</b>		
1.4.1	To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area.	The proposed development will assist the City of Guelph in meeting this policy objective by providing attainable rental housing options suitable for a broad range of housing types.
<b>Sewage, Water and Stormwater</b>		
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The development will connect to existing municipal water and sanitary services available along Carden and MacDonell Streets.
1.6.6.7	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasibly, and financially viable over the long term;</li> <li>b) minimize, or, where possible, prevent increases in contaminant loads;</li> <li>c) minimize erosion and</li> </ul>	<p>The subject property is proposed to connect to existing storm infrastructure as detailed in the Stormwater Management Brief prepared by WalterFedy.</p> <p>Detailed stormwater design will be confirmed through the future site plan approvals process.</p>

	<p>changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property, and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re- use, water conservation and efficiency, and low impact development.</p>	
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### **Cultural Heritage and Archaeology**

2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	The subject property does not contain any significant built heritage resources.
2.6.2	Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.	As part of the complete Official Plan and Zoning By-Law Amendment applications, a Heritage Impact Assessment was prepared by McCallum Sather. The Assessment found that the “development will provide a new construction that is sympathetic to the adjacent Listed heritage properties, allowing for vertical intensification while reinforcing the historic character of the low-rise mixed use street wall and commercial storefronts in Guelph’s downtown core.”
2.6.3	Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.	

Based on the foregoing, it is our opinion that the proposed development is consistent with the PPS 2020.

### c. Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe sets out a long-term plan for growth and development within the Greater Golden Horseshoe Area of Ontario, which includes the City of Guelph. The current Growth Plan came into effect on August 28, 2020 and is in full force and effect. Land use planning decisions for applications within the Growth Plan area must conform to the policies of the plan, as applicable.

Section 1.2.1 of the Growth Plan sets out its guiding principles, which includes:

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- Providing flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource based sectors;
- Improving the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government;
- Supporting a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households;
- Providing for different approaches to manage growth that recognize the diversity of communities in the Greater Golden Horseshoe;
- Protecting and enhancing natural heritage, hydrologic, and landform systems, features, and functions;
- Supporting and enhancing the long-term viability and productivity of agriculture by impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

In our opinion, the proposed development is aligned with this guiding principles as it:

- Provides a context appropriate infill development within the Built-Up Area and Urban Growth Centre of the City of Guelph.
- Will efficiently use existing municipal infrastructure along both Carden and MacDonell Streets.
- Supports the use of transit and active modes of transportation, by not providing on-site parking and given the close proximity to the City's main transportation hub.

- Supports the provision of a wide range of housing at different levels of affordability, from one to three-bedroom units.

Beyond these overarching goals the growth plan places an emphasis on infilling and intensification. Chapter 2 of the Growth Plan sets out policy direction regarding where and how communities should grow and develop, with specific direction related to the Built-Up Area, Urban Growth Centre and Major Transit Station Area strategic growth areas, which are discussed in the following subsections.

*i. Built-Up Areas*

The subject lands are located within the City of Guelph's delineated Built-Up Area, which are lands within the delineated Built Boundary which are defined as "the limits of the developed urban area as defined by the Minister in consultation with affected municipalities for the purpose of measuring the minimum intensification target in this Plan."

Policy 2.2.2.1 of the Growth Plan directs that a minimum of 50 per cent of all residential development occurring annually within the City of Guelph is to be within the City's delineated built-up area. The proposed development is located within the built boundary of the City of Guelph and will contribute to the achievement of this policy direction.

Policy 2.2.2.3 directs that municipalities are required to develop a strategy to achieve this intensification goal, which will:

- a) identify strategic growth areas to support the achievement of intensification goals;
- b) identify the type and scale of development contemplated for these areas;
- c) encourage intensification generally throughout the built-up area;
- d) ensure appropriate zoning is in place to support the achievement of complete communities;
- e) prioritize planning and investment in infrastructure and public service facilities to support intensification; and
- f) implement Official Plan policies and designations, zoning updated and other materials to support the achievement of these policy directives.

As discussed later in this Report, in the section discussing the City's Official Plan, the City identifies the site as within the Urban Growth Centre and Major Transit Station Area and encourages compatible, transit oriented growth and development within the area.

It is also noted that the City of Guelph recently undertook a municipal comprehensive review of its Official Plan to bring it into alignment with the Growth Plan, which was implemented by way of Official Plan Amendment No. 80. Through this exercise, the lands were again noted as within the City's Urban Growth Centre and Major Transit Station Area, and by way of the Provincial approval permitted heights within the

downtown area were permitted up to 23 storeys in height, save for lands where constrained by natural hazards or within protected viewsheds of the Basilica. In late 2023, the Province repealed/reversed this approval, reverting to the former direction of the Secondary Plan which establishes a maximum height of 6 storeys for the subject lands. Following Council direction on the matter in December 2023, the City is currently undertaking a review of maximum building heights within the Downtown which is slated to be completed by the end of 2024.

## *ii. Urban Growth Centre*

The subject lands are located within the Urban Growth Centre of the City of Guelph as delineated by the Growth Plan. Policy 2.2.3.1. of the Growth Plan provides that Urban growth centres will be planned:

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter-and intra-regional transit;
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
- d) to accommodate significant population and employment growth.

Policy 2.2.3.2.c) builds on this direction and establishes a minimum density target of 150 residents and jobs combined per hectare for Downtown Guelph.

In our opinion the proposed development conforms to this policy direction as it will support the provision of new housing within the core area of the community to support the achievement of Provincial and community housing and growth objectives, and providing new housing that is supported by transit, a diverse range of land uses and services, and culturally and institutional uses.

## *iii. Transit Corridors and Station Area*

In addition to being located within the City's Urban Growth Centre, the subject lands are also located within a Major Transit Station Area given the close proximity of the lands to the Guelph Central Station / Transportation Hub. Section 2.2.4 of the Growth Plan establishes policy direction for Transit Corridors and Station Areas.

Policy 2.2.4.2 of the Growth Plan directs that the City "will delineate the boundaries of major transit station areas in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station." To this end, and as part of its most recent Official Plan review, the City delineated the boundaries of its Major Transit Station Area, which includes the subject lands.

The Growth Plan directs that the City Major Transit Station Area should be planned to achieve a minimum density of 150 residents and jobs per hectare, as it is served by the GO Transit system. The Growth Plan establishes the ability for municipalities to establish a target lower than this target, which was not pursued in the City. It is understood that that current people and jobs per hectare density for the Urban Growth Centre is slightly greater than 100 people and jobs per hectare.

Policies 2.2.4.8 and 2.2.4.9 of the Growth Plan establish policy direction to guide the planning and use of lands within Major Transit Station Areas:

- “8. All major transit station areas will be planned and designed to be transit supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:*
- a) connections to local and regional transit services to support transit service integration;*
  - b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
  - c) commuter pick-up/drop-off areas.*
- 9. Within all major transit station areas, development will be supported, where appropriate, by:*
- a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;*
  - b) fostering collaboration between public and private sectors, such as joint development projects;*
  - c) providing alternative development standards, such as reduced parking standards; and*
  - d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.”*

In our opinion, the development adheres to this policy direction as it proposes a mixed use building containing a range of housing types and at grade commercial uses and is contemplated as a transit supportive and active transportation-supportive development by providing extensive bike parking and transportation demand management measures, as well as no onsite parking to support the use of transit or active modes of transportation to and from the site.

Based on the foregoing, it is our opinion that the proposed development conforms to the Growth Plan for the Greater Golden Horseshoe.

#### d. City of Guelph Official Plan

The use and development of the subject property is guided by the City of Guelph Official Plan. The Official Plan was adopted by City Council November 1, 1994 and has subsequently been updated through various comprehensive review exercises, including Official Plan Amendment (OPA) 39, OPA 42, OPA 48 and most recently by OPA 80, which was approved by the Ministry of Municipal Affairs and Housing on April 11, 2023.

<b>Schedule No.</b>	<b>Official Plan Schedule Title</b>	<b>Applicable Classification</b>
1	Growth Plan Elements	Urban Growth Centre Major Transit Station Area
2	Land Use Plan	Within Downtown Secondary Plan Area*
3	Development Constraints	Not Applicable
4a	Natural Heritage System	Not Applicable
4b	Surface Water and Fish Habitat	Not Applicable
4c	Significant Woodlands	Not Applicable
4d	Significant Valleylands and Significant Landforms	Not Applicable
4e	Significant Wildlife Habitat and Habitat for Significant Species	Not Applicable
5	Road and Rail Network	Within Downtown Secondary Plan Area*
6	Trail Network	Within Downtown Secondary Plan Area*

The following subsections discuss relevant sections of the City's Official Plan, and the policies which correspond to these Official Plan Schedules.

##### i. *Growth Plan Elements*

The subject lands are located within the City's 'Built-Up Area' as shown on Schedule 1 of the Official Plan (Growth Plan Elements). Section 3.4 of the Official Plan establishes policy direction guiding the use and development of lands within the Built-Up Area and goals with respect to the same. Consistent with the approach for other Growth Plan municipalities, the City's Official Plan directs that the majority of growth and development is to occur within the Built Up Area. to that end, Policy 3.4.2 of the Official Plan directs that "a minimum of 46% of all residential development occurring annually will be within the delineated built-up area" and Policy 3.4.3 of the plan directs that the City "will promote and facilitate intensification throughout the delineated built-up area, and in particular within Downtown and Strategic Growth Areas as identified on Schedule 1a."



Policy 3.4.4 of the plan encourages development similar to the proposed, providing that “to support the achievement of the minimum intensification target, vacant or underutilized lots, greyfield, and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings.” It is noted that the existing building is largely vacant and has been for several years. The proposal will facilitate the redevelopment of the property in conformity with this policy direction and represent context appropriate infilling of an under-utilized lot.

Within the Built-Up Area, the Official Plan encourages the planning and development of a range and mix of housing options at varying densities to “meet projected needs of current and future residents at all stages of life and to accommodate the needs of all household sizes and incomes”. In our opinion the proposed development conforms to this policy direction as it will introduce new one-, two- and three-bedroom units which will provide suitable housing options for a diverse range of potential future tenants.

As a proposed rental development, the project will also support the development of purpose-built rental housing within the core area of the City. It is also noted that the development, which contemplates no on-site parking, will provide suitable housing options for urban dwellers who are not reliant on personal car use as their primary mode of transportation.

Car-less living is also common for post-secondary students, and the proposed development is in close proximity to the planned new downtown Conestoga College campus, where up to 5,000 students may study. In our opinion this form of housing is suitable within this context given the extensive availability of transit in the area (both in-town and commuter rail) as well as the viability of active modes of transportation to various commercial, employment and institutional uses.

Policy 3.4.6. of the Official Plan provides that “development within the delineated built-up area will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent properties.” In our opinion, the proposed development provides context appropriate infilling of the subject lands and the stepbacks contemplated provide an appropriate transition to adjacent lands.

Policy 3.4.7. of the Official Plan provides that “development within the delineated built-up area will create attractive and vibrant spaces in accordance with the urban design policies of this Plan”. In our opinion the development conforms to this direction as it represents a high degree of urban design, draws from the materiality and traditional design elements of the area, and provides for context appropriate infilling of the area.

ii. 1.3.14 Official Plan Amendments

Policy 1.3.14 of the Official Plan provides that when considering an application to amend the Official Plan, Council shall consider various matters, which are discussed in the following table:

No.	Matter	Discussion
i)	The conformity of the proposal to the strategic direction of the Plan and whether the proposal is deemed to be in the overall interest of the City.	As previously discussed, the proposed development is located within multiple strategic growth areas and represents an appropriate location for new growth and development in the City. As discussed later in this Report, notwithstanding the proposed height increase, the development is located outside of protected view corridors and will create a negligible impact on the views of the Basilica, which is aligned with the City's strategic direction set out in the Official Plan.
ii)	Consistency with applicable legislation, plans and policy	It is our opinion that the proposed development has regard for the matters of provincial interests as set out in the Planning Act, is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.
iii)	Suitability of the site or area for the proposed use, particularly in relation to other sites or areas of the city	<p>In our opinion, the proposed site is suitable for the proposed development as it:</p> <ul style="list-style-type: none"> <li>• Currently contains a two storey building which is largely vacant, underutilized and containing no heritage significance.</li> <li>• The property is located within the City's downtown/Urban Growth Centre, and delineated Major Transit Station Area which are intended to be the focus for growth and redevelopment in the City.</li> <li>• The development, while exceeding the permitted height of the Official</li> </ul>

		<p>Plan, will not obstruct protected view corridors.</p> <ul style="list-style-type: none"> <li>• Is a walkable site with good access to public transit and inter-city transportation options.</li> <li>• Is located in an area with a diverse range of land uses and amenities.</li> </ul>
iv)	Compatibility of the proposed use with adjacent land use designations	<p>The surrounding properties are also designated for mixed use purposes. The proposed development will not impede the use or redevelopment of adjacent lands.</p> <p>The development will not create unacceptable wind or shadow impacts.</p>
v)	The need for the proposed uses in light of projected population and employment targets	<p>The City has established growth targets in the Official Plan for the current planning horizon, where a significant amount of new growth is to be directed to strategic growth areas, including the Urban Growth Centre, Built Up Area and Major Transit Station Area. In addition to the growth targets established in the Official Plan, and in recognition of the current housing crisis, the City has entered into a housing pledge to take the “necessary steps to facilitate the construction of 18,000 new homes by 2031”. The proposal will support the achievement of this housing pledge and growth targets, by providing new residential uses within priority growth areas of the City.</p>
vi)	The market feasibility of the proposed use, where appropriate	<p>The applicant and their consulting team have concluded that the development is feasible from a market perspective and in particular that there is demand for purpose built rental housing within the area. Further, given the central location and the proximity of employment,</p>

	educational and commercial uses, housing without allocated vehicular parking spaces has been deemed to be feasible in this location.
<b>vii)</b> The extent to which the existing areas of the City designated for the proposed use are developed or are available for development.	The City's Official Plan and Secondary Plan designated limited sites for the scale of redevelopment within the downtown area of the City, which are generally located on the periphery of the downtown, some of which being impacted by GRCA regulated features.
<b>viii)</b> The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and Natural Heritage Systems	<p>Based on the Functional Servicing Report prepared by WalterFedy, it is understood that there is adequate water, sanitary and stormwater infrastructure available to service the proposed development.</p> <p>The subject lands are well served by pedestrian and cycling infrastructure and also has access to frequent City transit services and inter-city rail and bus service.</p> <p>The development is not anticipated to have any adverse impacts on the City's protected Natural Heritage Systems.</p>
<b>ix)</b> The financial implications of the proposed development	Through the ultimate redevelopment of the property, various fees and charges will be applied, including but not limited to parkland cash-in-lieu, development charges and planning and engineering application and review fees.

Based on the foregoing, it is our opinion that the proposed development conforms to Policy 1.3.14, which sets out criteria for the consideration of Official Plan Amendments.

### *iii. Affordable Housing Policies*

Section 7.2 of the Official Plan sets out policies and objectives with respect to the provision of affordable housing. The following objectives are set out in the Plan

- a) To encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities.
- b) To actively participate in, encourage and promote affordable housing opportunities funded by Provincial and/or Federal programs in conjunction with the Consolidated Municipal Service Manager (Service Manager) to ensure a supply of new affordable housing within the city.
- c) To encourage and support education and awareness programs with private, public and local community stakeholders to highlight the economic and social advantages of affordable housing.
- d) To recognize the role of existing housing and additional residential dwelling units in providing choices for a full range of housing, including affordable housing.
- e) To protect the existing supply of affordable rental housing by regulating demolitions and the conversion of existing rental properties to condominiums or co-ownership housing.
- f) To promote innovative housing types and forms to ensure affordable housing for all socio-economic groups throughout the city.
- g) To establish and implement minimum targets for affordable housing through new development applications.
- h) To ensure that an adequate supply, geographic distribution and range of housing types including affordable housing and supporting amenities, are provided to satisfy the needs of the community and to support an affordable lifestyle.

The applicant is not proposing to provide any purpose-built affordable housing units as part of the development, however it is noted that the development is contemplated as a purpose-built rental building which will provide much needed rental housing stock in the downtown. It is noted that no existing residential rental units will be lost in order to accommodate the proposed development.

As the development does not contemplate any on-site parking, the anticipated rents are expected to be lower than other developments where parking is tied to units.

The applicant will explore possibilities for the inclusion of affordable housing through the future site plan approvals process, and available funding programs offered by CMHC and other funding providers.

## e. City of Guelph Downtown Secondary Plan

Section 11.1 of the City's Official Plan contains a Secondary Plan for the downtown area of the community. According to Section 11.1, "this Secondary Plan constitutes a part of the City of Guelph Official Plan and as such is intended to guide and regulate development of the city's Downtown, as identified in the attached Schedules."

Section 11.1.2 of the Official Plan establishes the Vision, Principles and objectives for the Downtown Area. The Vision for the Secondary Plan is set out in 11.1.2.1 of the Plan which provides:

*Downtown Guelph: a distinct and vital urban centre nestled against the Speed River, comprised of beautiful buildings and public spaces, and surrounded by leafy neighbourhoods, where people live, work, shop, dine, play and celebrate.*

The Secondary Plan directs that by 2031 the Downtown will "have developed beyond its historical pattern into a distinct urban centre that is Guelph's showcase for high-density, sustainable living. Several thousand people will live Downtown, in addition to the thousands who work there daily and visit routinely to shop, dine, enjoy culture and be entertained. Streets and squares that are lined with businesses will attract people and be bustling with activity throughout the day and evening." The proposed development is consistent with this vision as it will support the introduction of higher density development within the core area of the community and increase the availability of new housing within the core.

### i. Principles

Section 11.1.2.2. of the Plan establishes several core principles to establish "general objectives and specific targets of the plan, articulating what is important and providing guidance to discussions that will shape the future of the area." The following tables summarizes the key principles of the Plan relevant to the proposed development with a discussion related to how the development is aligned with these principles and the corresponding objectives and targets.



No.	Principle	Discussion
1.	<p><b>Celebrate What We've Got</b></p> <p>Downtown Guelph has many assets, not the least of which is its rich inventory of historic buildings, many constructed of limestone. These buildings, and the streets and open spaces they frame, give Downtown a unique and attractive character. Downtown also overlaps with historic neighbourhoods whose qualities should be protected.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>a) Conserve significant heritage structures;</li> <li>b) Encourage the sensitive restoration, rehabilitation and/or re-use of historically or architecturally significant buildings;</li> <li>c) Maintain the character of distinct heritage areas within Downtown;</li> <li>d) Interpret the cultural heritage of Downtown in the design of buildings and public spaces;</li> <li>e) Strategically locate and articulate tall buildings to minimize impacts on historic areas and preserve important public views;</li> <li>f) Ensure new development is compatible with buildings and neighbourhoods that have heritage value;</li> </ul>	<p>As part of the complete application a Heritage Impact Assessment was prepared assessing the impacts of the development on the context of the area.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>a) The existing building does not have any heritage significance.</li> <li>b) The existing building does not have any heritage significance.</li> <li>c) The development has been designed to respect the character of the area through the use of compatible building materials, a well-articulated base of the development, and the incorporation of step-backs to respect the public realm. While the development contemplates a taller building than surrounding land uses, the building is located outside of protected view corridors.</li> <li>d) The design of the building has taken cues from surrounding buildings, including similar colour palettes of and the treatment / design of the podium.</li> <li>e) and f) The subject property</li> </ul>

	<p>g) Improve historic public open spaces and streets, including St. George's Square and MacDonell Street and create new spaces for gathering and recreation.</p> <p><u>Targets</u></p> <p>I. Increase the number of cultural heritage resources designated under the Heritage Act</p> <p>II. Increase the number of rehabilitated, restored and reused heritage buildings.</p>	<p>is located outside of the protected view corridors of the Basilica / Catholic Hill. Stepbacks from both facades have been provided to minimize impacts on the public realm and to maintain a consistent streetwall height along both frontages.</p> <p>g) Not applicable.</p> <p><u>Targets</u></p> <p>Both targets i) and ii) are municipal targets not applicable to the proposed development as the existing building does not have any heritage significance.</p>
2.	<p><b>Set the Scene for Living Well Downtown</b></p> <p>More people living in Downtown will be critical to adding and maintaining economic vitality and creating a vibrant place to live. Along with a variety of housing options in and around the historic core, Downtown will attract more residents by offering diverse employment opportunities, unique shopping, excellent entertainment, arts and culture and important amenities like an easy-to-use public transit system and recreation options.</p> <p><u>Objectives</u></p> <p>a) Accommodate a significant share of Guelph's population growth to 2031 and beyond;</p>	<p>The proposed development is aligned with this principle as it aims to provide purposed built rental housing within the downtown area. The range of unit types and car-less living concept will tailor to a range of potential tenants, including but not limited to students, young professionals, couples and families.</p> <p><u>Objectives</u></p> <p>a) The development will support the achievement of this goal by providing new housing options in the downtown.</p> <p>b) The development contemplates a range of unit</p>

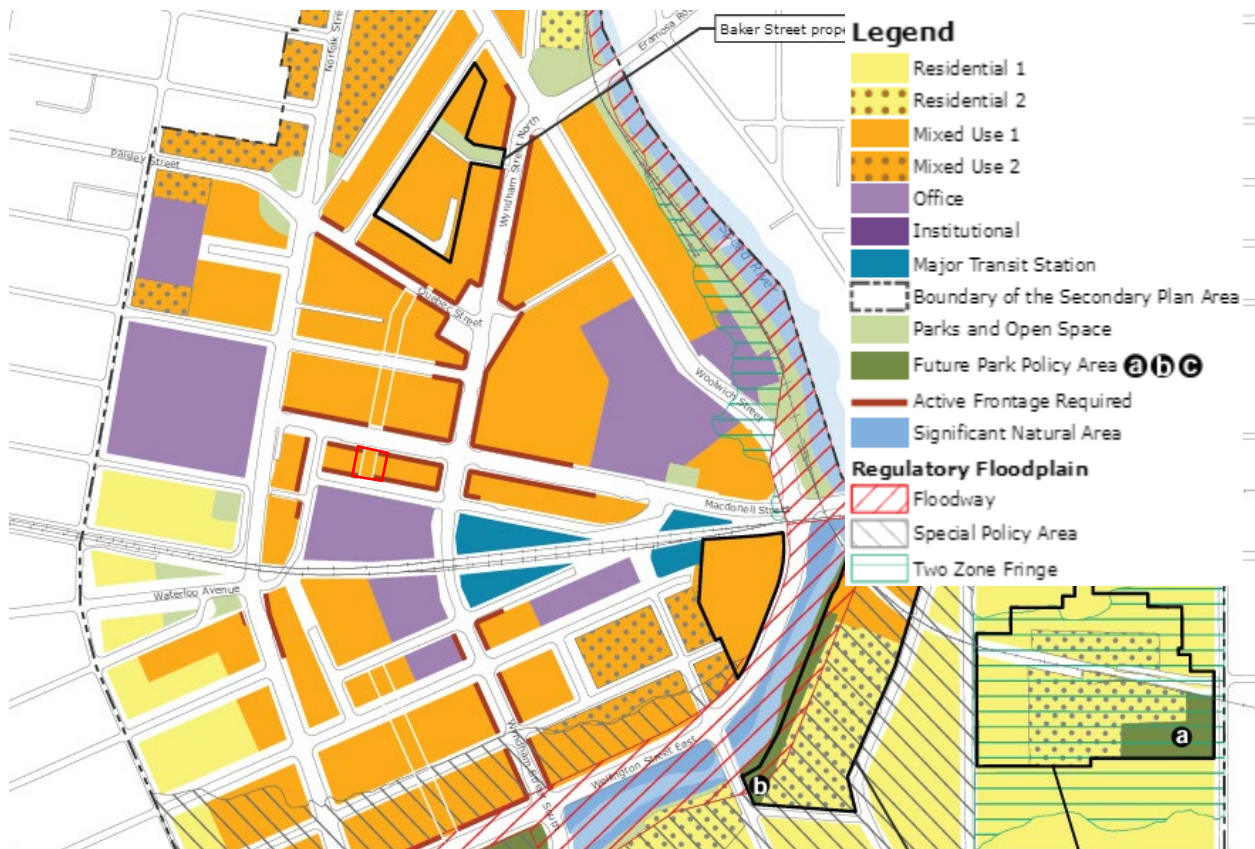
<p>b) Balance Downtown's employment uses with compact residential development and live/work opportunities;</p> <p>c) Ensure Downtown contains a diversity of housing types, sizes and tenures and affordable housing;</p> <p>d) Ensure new development includes or is supported by commercial amenities and community services for existing and future residents;</p> <p>e) Ensure existing and future residents are adequately served by parkland and recreational facilities within walking distance.</p> <p><u>Targets</u></p> <p>I. Increase the number of office jobs downtown</p> <p>II. Achieve a minimum density of 150 people and jobs per hectare by 2031</p> <p>III. Increase each year, at a rate greater than the city's population growth, the number of Guelph residents visiting downtown to shop, dine and attend cultural events.</p>	<p>types from small, compact one bedroom suites to large three bedroom options.</p> <p>c) The development will provide new rental housing options in the area tailored to urban living.</p> <p>d) The development includes extensive at-grade non-residential floor area to support the residential use and add to the diversity of uses within the downtown.</p> <p>e) The development contemplates extensive private and communal amenity spaces, and is well-served by community parks and amenities.</p> <p><u>Targets</u></p> <p>I. The proposed development contemplates new commercial space on the ground floor of the development. No office space is contemplated within the development.</p> <p>II. The development will support the achievement of this goal by providing new residential uses within the downtown area.</p> <p>II. The development will include at grade commercial uses supporting the achievement of this goal.</p>
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6	<p><b>Make it Easy to Move Around</b></p> <p>In successful downtowns, there are many ways to arrive and move around. Streets serve multiple functions. Public transit plays a critical role in supporting high density employment and residential uses. Although multiple modes will be facilitated, movement within Downtown will focus on walking to ensure the creation of an attractive, high-quality urban environment.</p> <p><u>Objectives</u></p> <p>To create a transportation system that works for all urban modes of travel, it will be important to:</p> <p>Design streets to safely and comfortably accommodate pedestrians, cyclists, transit vehicles, loading and private vehicles, using standards appropriate to Downtown’s planned urban context;</p> <p>Accommodate and support a major transit station and a high level of local and regional public transit service;</p> <p>Create an environment that encourages walking everywhere Downtown;</p> <p>Provide facilities within both the public realm and private developments that encourage cycling;</p> <p>Discourage fast-moving vehicular traffic Downtown;</p>	<p>By providing no onsite parking, the development will be inherently transit supportive and geared towards walkability. It is anticipated that future tenants will use active modes of transportation or transit to access the site, consistent with the direction of these principles.</p> <p>The development will increase the number of people living in the downtown area, while not increasing the number of cars commensurately.</p>
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<p>Provide public on-street and off-street parking facilities throughout Downtown to support commercial, institutional and employment uses;</p> <p>Minimize and mitigate traffic impacts on existing residential neighbourhoods within and surrounding Downtown.</p>	
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ii. *Land Use Designations: Mixed Use 1*

Schedule C of the Secondary Plan establishes land use designations within the Secondary Plan boundaries. As shown on Figure 24 below, the subject property is designated Mixed Use 1, and subject to Active Frontage Requirements for both the Carden Street and MacDonell Street frontages.



**Figure 24:** Downtown Secondary Plan, Schedule C, Land Use Plan

Section 11.1.7.3 of the Secondary Plan establishes a policy framework for lands designated Mixed Use 1, providing that such lands “are intended to accommodate a

broad range of uses in a mix of highly compact development forms.” Policy 11.1.7.3.1 of the plan provides that “development within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. Active uses that enliven the street are encouraged to locate on the ground floor of buildings and, as per Policy 11.1.7.3.4, shall be required on key streets.”

Within this designation a range of land uses are permitted as set out in Policy 11.1.7.3.2, which includes retail and service uses, including restaurants and personal service uses; multiple unit residential buildings, including apartments and townhouse dwellings; live/work uses; offices including medically related uses; entertainment and commercial recreation uses; community services and facilities; cultural, educational and institutional uses; public parking; hotels; parks, including urban squares; and, other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are compatible with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration. Within the Mixed Use 1 designation, the Secondary Plan provides that a minimum floor space index of 1.5 shall generally be required. Both residential and at-grade commercial / retail uses are permitted uses within this designation, and the density of the development adheres to the minimum FSI requirements set out in the Secondary Plan.

As noted, both the MacDonell and Carden Street frontages are required to be designed to have active frontages. Policy 11.1.7.3.4 provides that “active frontages will be achieved to reinforce the role of these streets or portions of streets as commercial, pedestrian-oriented, urban streetscapes” and establishes the following policy requirements for development within this area:

- a) Retail and service uses, including restaurants and personal service uses, or entertainment uses shall generally be required on the ground floors of all buildings at the street edge.
- b) Notwithstanding subsection 11.1.7.3.4 a), offices are also permitted on the ground floors of these properties; however, such uses shall be encouraged to locate in other locations Downtown to ensure Downtown’s main streets maintain a strong retail character. The Zoning By-law may restrict the size of such new uses and/or their width along the street to ensure they do not detract significantly from the intended commercial function of the street.
- c) Buildings shall contribute to a continuous street wall that has a minimum height of 3 storeys, with infrequent and minimal gaps between buildings. The width of retail stores and the frequency of entrances shall contribute to a continuously active public realm and give the street wall a visual rhythm.



- d) The width of stores and restaurants may be limited through the Zoning By-law to ensure a rhythm of commercial entrances and avoid long distances between commercial entrances.
- e) Ground floor heights will generally be a minimum of approximately 4.5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors.

With respect to matters (a) and (b) it is noted that the development contemplates retail commercial uses facing onto both Carden and MacDonell Streets, in conformity with this direction. A lobby for the residential component of the development is also proposed off of MacDonell Street, contributing to an active and interactive streetscape.

With respect to matters (c) and (e) it is noted that the ground floor will achieve a minimum height of greater than 4.5 m and that the base of the development is proposed as a 3 storey podium to be consistent with the height of the adjacent streetwall.

With respect to matter (d) it is noted that a number of entryways into the building are contemplated on both sides of the building, with four entryways provided along Carden Street and a minimum of two entryways off of MacDonell.

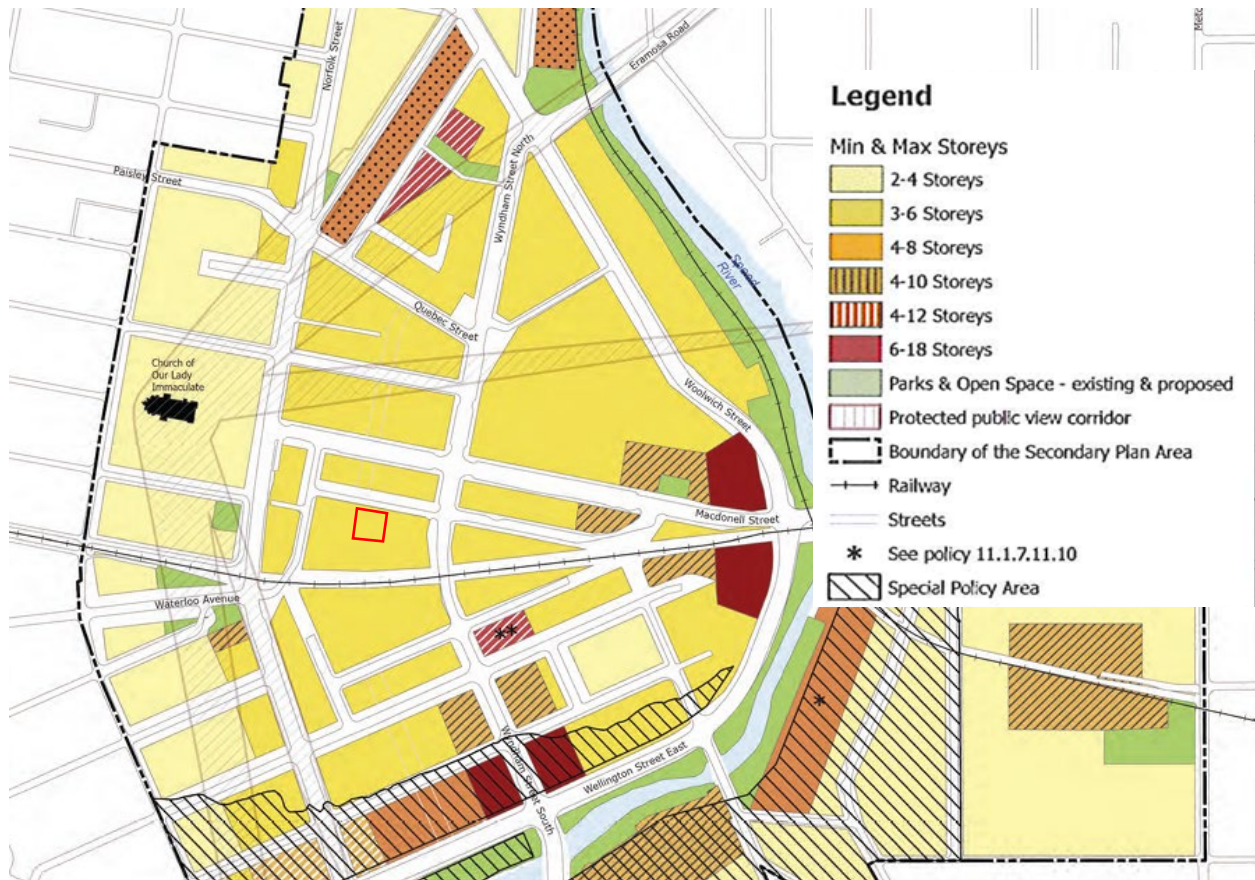
In order to frame and animate the streets, the Secondary Plan directs that buildings within the designation “shall be built close to the front property line to help frame and animate adjacent streets”. It is noted that the proposed building has been designed to respond to this policy direction by extending to both its Carden and MacDonell Street front lot lines.

The Secondary Plan also establishes the requirement for setbacks above building bases/podiums in order to ensure a pedestrian scale for the public realm, which are to be in the general in the range of 3-6 m. For the proposed development, a 3 m setback is proposed above the 3<sup>rd</sup> floor facing MacDonell and a 6 m setback is proposed facing Carden Street, which is consistent with (and in excess of) these requirements. These setbacks will reinforce the 3-4 storey street walls for both streets and help maintain a pedestrian scaled public realm.

Policy 11.1.7.3.8 of the Secondary Plan provides that entrances should be flush with the sidewalk for ease of access and to maintain a strong relationship with the street. As shown on the proposed site plan and architectural drawings, all at-grade entrances are proposed to be flush with the sidewalk and do not require any steps/risers or ramps to enter the building. This will help maintain and enhance a strong relationship with the street and support barrier free access to the building.

### iii. General Built Form and Site Development Policies

Section 11.1.7.2 of the Secondary Plan establishes policy direction with respect to general built form and site development in the Downtown Area. Policy 11.1.7.2.1 of the Plan provides that “Schedule D identifies building height ranges to be permitted within the Downtown Secondary Plan Area. In general, the predominant mid-rise built form of Downtown shall be maintained with taller buildings restricted to strategic locations, including gateways that act as anchors for key streets. Taller buildings in these locations will have minimal direct impacts to existing neighborhoods and the historic core of Downtown, and they will be outside protected public view corridors. In the height ranges contained on Schedule D, the lower number represents the minimum height in storeys for buildings and the higher number represents the maximum permitted height in storeys. The maximum heights recognize the Church of Our Lady’s status as a landmark and signature building; it is the general intent that no building Downtown should be taller than the elevation of the Church. Exemptions from minimum height requirements may be permitted for utility and other buildings accessory to the main use on a site.”



**Figure 25:** City of Guelph Downtown Secondary Plan, Schedule D

For the subject lands, Schedule D, which is included as Figure 25, establishes a minimum building height of three (3) storeys for the subject property and a maximum building height of six (6) storeys. As the proposed development contemplates a 14 storey building, a site-specific Official Plan Amendment/Secondary Plan Amendment is proposed to allow for the contemplated height.

The appropriateness of this proposed building height and the impact of the proposal on the Basilica's protected view corridors is discussed further in this Report and the Heritage Impact Assessment prepared as part of the complete applications.

## f. City of Guelph Zoning By-Law 1995-14864

The subject lands are currently zoned D.1-1 (Specialize Downtown) by Zoning By-Law 1995-14864, as shown on Figure 26 below. The D.1-1 zone permits a broad range of commercial, residential, office, recreational and other uses indicative of the downtown area.



**Figure 26:** Existing Zoning (Source: City of Guelph)

Sections 6.3.2.1 and 6.3.3.1 of the By-Law sets out built-form regulations for development within this zone, which are summarized in the following table.

Regulation	Requirement	Provided
Minimum Lot Area	NA	1,054.8 sq. m
Maximum Floorplate (7-8 <sup>th</sup> floor)	1,200 sq. m	~745 sq m
6.3.2.1.1		
Maximum Floorplate (above 8 <sup>th</sup> floor)	1,000 sq. m 1.5:1 length to width ratio	~700 sq m
6.3.2.1.2		



Minimum Tower Setback (At or below 12 <sup>th</sup> Storey) 6.3.2.2.3.1 6.3.2.2.3.3	6 m to side lot lines  3 m where no windows provided	East: 2 m* West: 2 m*
Minimum Tower Setback (Above 12 <sup>th</sup> Storey)  6.3.2.2.2	Shall be separated by a minimum of 25 metres from any portion of another Tower above the 12th Storey of any Building, measured perpendicularly from the exterior wall at the 13th Storey.	No adjacent towers
Maximum Front Yard Setback  6.3.2.4.1.1	Where a Street Line, identified as Active Frontage Area exceeds 35 metres, the maximum Front Yard Setback shall be 0 metres for a minimum of 75% of the Street Line. The remaining 25% of the Street Line shall have a maximum Front Yard Setback of 2 metres.	0 m (Carden Street and MacDonell)
Ground Floor Height  6.3.2.4.1.4	4.5 m	4.5 m
Minimum Entryways  6.3.2.4.1.5	1 for every 15 m of Street Line	To be provided
Minimum Glazing Requirement for Ground Floor  6.3.2.4.1.6	60% of the surface area of the first Storey façade, measured from the Finished Grade up to a height of 4.5 metres	To be provided
Minimum Side Yard Setback	NA	0 m
Minimum Rear Yard Setback	NA	0 m
Minimum / Maximum Building Height	3 storeys / 6 storeys	14 storeys*



#### 6.3.2.3.1.1 and Defined Area Map 67

Location of Garbage Storage	Within the building	Within the building
Step-backs above Fourth Floor	6 m from Carden and MacDonell facades	Carden: 6 m MacDonell: 3 m*
6.3.3.1.1.1.1		
Parking Requirements	Residential: 1 space per unit	0 spaces*
6.3.3.1.1.1.2	Visitor: 0.05 spaces per unit Non-residential: 0 spaces per unit	
Bicycle Parking Spaces	<u>Residential</u> 0.68 long-term spaces per dwelling unit (82)  0.07 short-term spaces per dwelling unit (9)  <u>Retail</u>  0.085 per 100 sq m long term (1)  0.003 per 100 sq m short term (1)	120 long term bicycle parking spaces provided.  The location of the required 10 short term parking spaces will be confirmed in consultation with the city as part of the Site Plan review process.
Table 6.3.2.5.3		

As noted in the table above with asterisks, site specific regulations are required to account for the following items:

- Notwithstanding 6.3.2.3.1.1 and Defined Area Map 67, permit a maximum building height of 14 storeys
- Notwithstanding 6.3.3.1.1.1.2, permit a parking exemption for the property
- Notwithstanding 6.3.2.2.3.1 and 6.3.2.2.3.3, permit a minimum stepback of 2 m from the east and west facades
- Notwithstanding 6.3.3.1.1.1.1, permit a minimum stepback of 3 m from the MacDonnell façade above the 4<sup>th</sup> storey

## g. City of Guelph Zoning By-Law 2023-20790

The City of Guelph approved its new comprehensive Zoning By-Law (2023-20790) on April 18, 2023. This Zoning By-law is currently under appeal and until such time as the appeals are resolved, new development applications will be assessed in accordance with both the 1995 and 2023 By-Laws.

Similar to the 1995 By-Law, the new By-Law zones the subject lands D.1-1, which permits a broad range of uses as shown in the following table. According to the Zoning By-Law, “the purpose of this zone is to permit a broad range of uses in a mix of highly compact development forms.”

Permitted uses	D.1	D.2	D.3	D.3a	Active uses
<b>Residential uses</b>					
Additional residential dwelling unit	--	P <sup>(1)</sup>	--	--	--
Apartment building	P <sup>(2)</sup>	P	--	--	--
Day care, private home	P <sup>(2)</sup>	P	--	--	--
Duplex dwelling	--	P	--	--	--
Group home	P <sup>(3)</sup>	P <sup>(3)</sup>	--	--	--
Home occupation	P <sup>(4)</sup>	P <sup>(4)</sup>	--	--	--
Hospice	P <sup>(2)</sup>	P	--	--	--
Live-work unit	P <sup>(5)</sup>	P	--	--	--
Lodging house type 1	P <sup>(16)</sup>	P <sup>(16)</sup>	--	--	--
Long term care facility	P <sup>(2)</sup>	P	--	--	--
Mixed-use building	P <sup>(5)(6)</sup>	P	--	--	--
Retirement residential facility	P <sup>(2)</sup>	P	--	--	--
Semi-detached dwelling	--	P	--	--	--
Single detached dwelling	--	P	--	--	--
Supportive housing	P	P	--	--	--
Townhouse, on-street	P <sup>(2)(14)</sup>	P <sup>(14)</sup>	--	--	--
Townhouse, rear access on-street	P <sup>(2)(15)</sup>	P <sup>(15)</sup>	--	--	--
<b>Retail uses</b>					
Agricultural produce market	P	P	P	P	P
Retail establishment	P	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P

<b>Service uses</b>					
Artisan studio	P	P	P	--	--
Auction centre	P	--	--	--	P
Catering service	P	--	P	--	--
Commercial entertainment	P <sup>(8)</sup>	--	P	--	P
Day care centre	P	P	P	--	--
Financial establishment	P	P <sup>(7)</sup>	P	--	P
Food vehicle	P <sup>(12)</sup>	P <sup>(12)</sup>	P <sup>(12)</sup>	P <sup>(12)</sup>	--
Micro-brewery	P <sup>(9)</sup>	--	--	--	P
School	P	P	P	--	--
School, post secondary	P	P	P	--	--
Transit terminal	P	--	P	P	--
<b>Hospitality uses</b>					
Bed and breakfast	P <sup>(10)</sup>	P <sup>(10)</sup>	--	--	--
Hotel	P	--	P	--	P
<b>Other</b>					
Accessory use	P	P	P	P	--
Occasional use	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	--
Micro-distillery	P <sup>(9)</sup>	--	--	--	P
Nightclub	P <sup>(9)</sup>	--	--	--	P
Restaurant	P <sup>(8)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P
School, commercial	P	P	P	--	--
Service establishment	P	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P
Taxi establishment	P	--	P	--	--
Tradesperson's shop	P	--	P	--	--
Veterinary service	P	P	--	--	--
<b>Office uses</b>					
Medical clinic	P	P	P	--	--
Office	P	P	P	--	--
Research establishment	P	--	P	--	--
<b>Community uses</b>					
Art gallery	P	P	P	--	P
Community centre	P	P	P	--	P
Conference and convention facility	P	--	P	--	--
Emergency shelter	P	--	--	--	--
Museum	P	P	P	--	P
Place of worship	P	P	P	--	--
Public hall	P <sup>(8)</sup>	--	P	--	--
Recreation facility	P	--	P	--	P

**Figure 27:** City of Guelph Zoning By-Law, Table 9.1

The use and development of lands within this zone are subject to the regulations and requirements set out in Section 9.3 of the By-Law, which are similar to those which currently apply under the 1995 Zoning By-Law. These regulations and requirements are summarized in the following table.

<b>Regulation</b>	<b>Requirement</b>	<b>Provided</b>
Minimum Lot Area	NA	1,054.8 sq. m
Minimum Floor Space Index	1.5	9.5
<b>Table 9.4</b>		
Maximum Floorplate (7-8 <sup>th</sup> floor)	1,200 sq. m	~745 sq m
<b>9.3 (a) (i)</b>		
Maximum Floorplate (above 8 <sup>th</sup> floor)	1,000 sq. m 1.5:1 length to width ratio	~700 sq m
<b>9.3 (a) (ii)</b>		
Carden Street and MacDonnell Street Stepbacks above the 4 <sup>th</sup> Storey	3 m	6 m and 3 m
<b>9.3 (a) (iii)</b>		
Minimum Tower Setback (Above 12 <sup>th</sup> Storey)	Shall be separated by a minimum of 25 metres from any portion of another Tower above the 12 <sup>th</sup> Storey of any Building, measured perpendicularly from the exterior wall at the 13 <sup>th</sup> Storey.	No adjacent towers
<b>9.3 (b)(i)</b>		
Minimum Tower Setback (At or below 12 <sup>th</sup> Storey)	6 m to side lot lines	East: 2 m* West: 2 m*
9.3(b)(ii)(A)	12 m of separation to another tower	No adjacent towers
9.3(b)(ii)(B)	3 m where no windows provided	
9.3(b)(ii)(C)		

Maximum Building Height	6 storeys	14 storeys*
9.3(c) Schedule B-4		
Minimum and Maximum Front Yard Setback	0 m minimum – 0.5 maximum	0 m (Carden Street and MacDonell)
9.3(d)(i)		
9.3(d)(ii)		
Ground Floor Height	4.5 m	4.5 m
9.3(d)(iv)		
Minimum Entryways 9.3(d)(v)	1 for every 15 m of Street Line	To be provided and confirmed at the Site Plan approvals stage
Minimum Glazing Requirement for Ground Floor 9.3(d)(vi)	60% of the surface area of the first Storey façade, measured from the Finished Grade up to a height of 4.5 metres	To be provided and confirmed at the Site Plan approvals stage
Location of Garbage Storage	Within the building	Within the building
Parking Requirements 6.3.3.1.1.1.2	Residential: 1 space per unit Visitor: 0.05 spaces per unit Non-residential: 0 spaces per unit	0 spaces*
Bicycle Parking Spaces Table 6.3.2.5.3	<u>Residential</u> 0.68 long-term spaces per dwelling unit (82)0.07 short-term spaces per dwelling unit (9)  <u>Retail</u> 0.085 per 100 sq m long term (1) and 0.003 per 100 sq m short term (1)	120 long term bicycle parking spaces provided.  The location of the required 10 short term parking spaces will be confirmed in consultation with the city as part of the Site Plan review process.



## 5. REQUIRED LAND USE PLANNING APPROVALS

In order to permit the proposed development a site-specific Zoning By-Law Amendment is proposed. Details of this application are provided as follows:

The purpose of the Official Plan Amendment / Secondary Plan Amendment is to implement site-specific policies to permit the proposed building height of 14 storeys.

The purpose of Zoning By-Law Amendment application is to:

- Permit the proposed building height of 14 storeys;
- Permit relief from the step-back requirements above the fourth floor from the MacDonell Frontage (3 m proposed whereas 6.0 m required).
- Permit relief from the interior side yards above the fourth floor (2.0 m provided whereas 6.0 m required); and,
- Permit an exemption from the City's parking requirements to allow for no on-site parking.

Proposed by-laws for the required Official Plan Amendment and Zoning By-Law Amendment are included in Appendix A and B, respectively.

## 6. LAND USE PLANNING RATIONALE

This section of the Report builds on the previous sections and provides land use planning opinion with regards to the fundamental components of the proposed development and site-specific planning instruments proposed to accommodate the contemplated development.

### a. Appropriate Location for Growth and Development

As noted previously, the subject property is located within multiple strategic growth areas in the City of Guelph, and more broadly within the Greater Golden Horseshoe. This includes:

- Within an Urban Growth Centre and Built Up Area as delineated by the Province in the Growth Plan for the Greater Golden Horseshoe
- Within a Major Transit Station Area as delineated by the Province in the Growth Plan for the Greater Golden Horseshoe
- Within the Urban Growth Centre and Built Up Area of the City of Guelph as delineated by the City's Official Plan / Secondary Plan
- Within a Major Transit Station Area as delineated by the City's Official Plan / Secondary Plan

As discussed, the City's Official Plan puts a heightened emphasis on growth within these strategic growth areas providing that the urban growth centre, will be planned to achieve a minimum density target of: 150 residents and jobs combined per hectare by the year 2031; 175 residents and jobs combined per hectare by the year 2041; and, 200 residents and jobs combined per hectare by the year 2051.

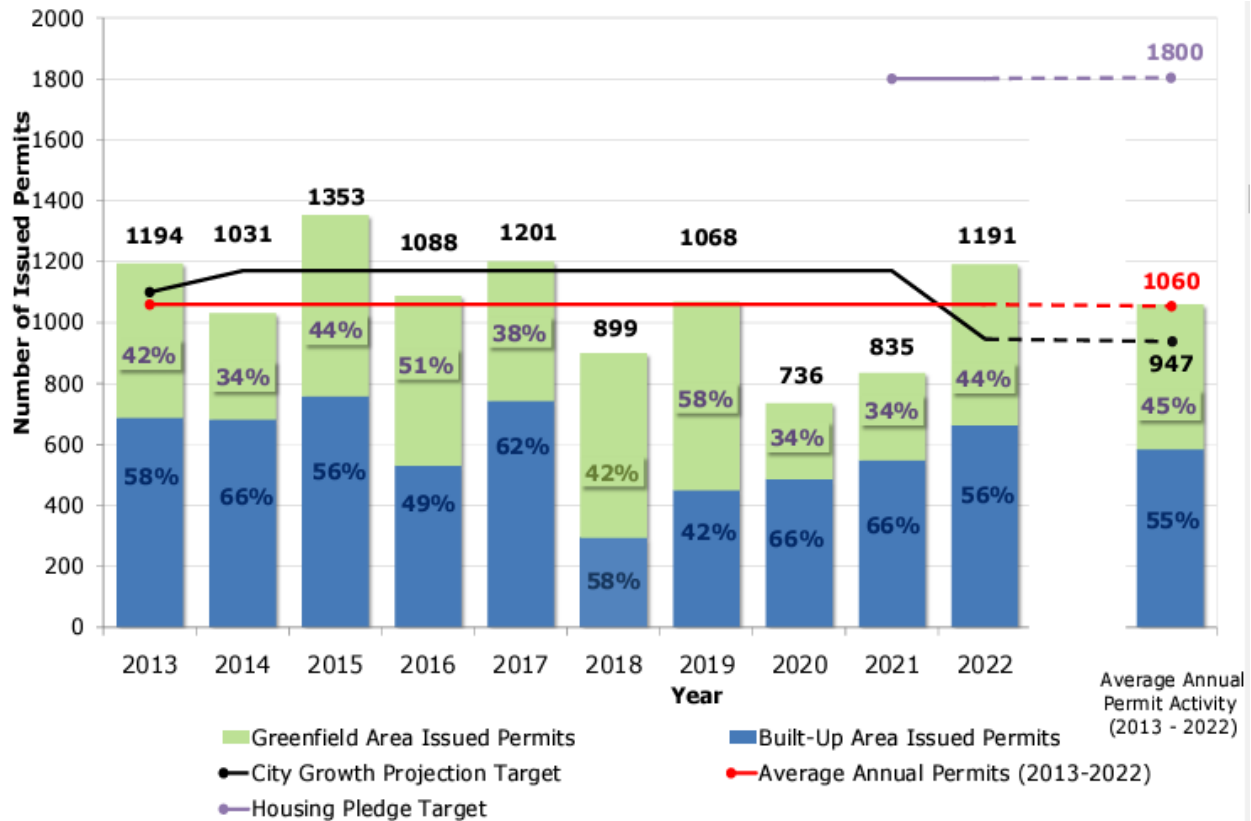
Likewise, both the Growth Plan and the Official Plan direct that major transit station areas should be the focus for growth and redevelopment recognizing transit as fundamental to sustainable growth management. Beyond and additional to these targets established by the City's Official Plan, it is noted that the City has pledged to take the "necessary steps to facilitate the construction of 18,000 new homes by 2031" (City of Guelph Housing Pledge, February 28, 2023). The proposed development will help the municipality achieve this target.

#### i. Development Activity within the Urban Growth Centre

Based on a 2022 Report (City of Guelph Official Plan Review Growth Management Strategy Report) issued by the City of Guelph, the current density of the Downtown is slightly above 105 people and jobs per hectare which is considerably lower than the target of 150 people and jobs per hectare established by the Official Plan to be achieved by 2031, which is planned to be achieved within the next seven (7) years.

To track performance relative to planning objectives, the City monitors building permit activity on an annual basis to track its progress in achieving its intensification targets.

Annual building permit activity from 2013 to 2022 is presented in the table below as Figure 28. As shown, the city has averaged 1060 residential building permits annually and has consistently achieved 50% of residential development within its existing Built Up area.



**Figure 28:** 10 Year Built-Up Area Rate of Intensification (Source: City of Guelph Growth Management and Affordable Housing Monitoring Report 2022)

While these statistics illustrate that the City has been successful in pivoting towards infill development as opposed to new greenfield / suburban development, the location of much of the new residential development activity has occurred outside the Urban Growth Centre / Downtown, but rather in strategic growth locations outside of the core areas of the city (such as the Gordon Street corridor).

In 2022 for instance, 56% of building permits issued in the City of Guelph occurred within the City's Built-Up Area, exceeding the intensification target established in the City's Official Plan being that 46% of all residential development occurring annually within the delineated built-up area to the year 2051. However, it is noted that the majority of residential permits issued were for projects located outside of the downtown as summarized in the following table.

Project Location	Units	Located within Urban Growth Centre (Yes / No)
93 Arthur Street	193	Yes
20 Huron Street	117	No
20 Gosling Gardens	44	No
721 Woolwich Street	32	No
10 Shelldale Crescent	32	No
Additional Dwelling Units	203	Majority presumed to be outside UGC due to lot size, housing type and setback requirements

The proposed development, given its location within the Urban Growth Centre will help satisfy the City's residential intensification target for the Downtown, where the Official Plan directs a significant amount of new growth to occur.

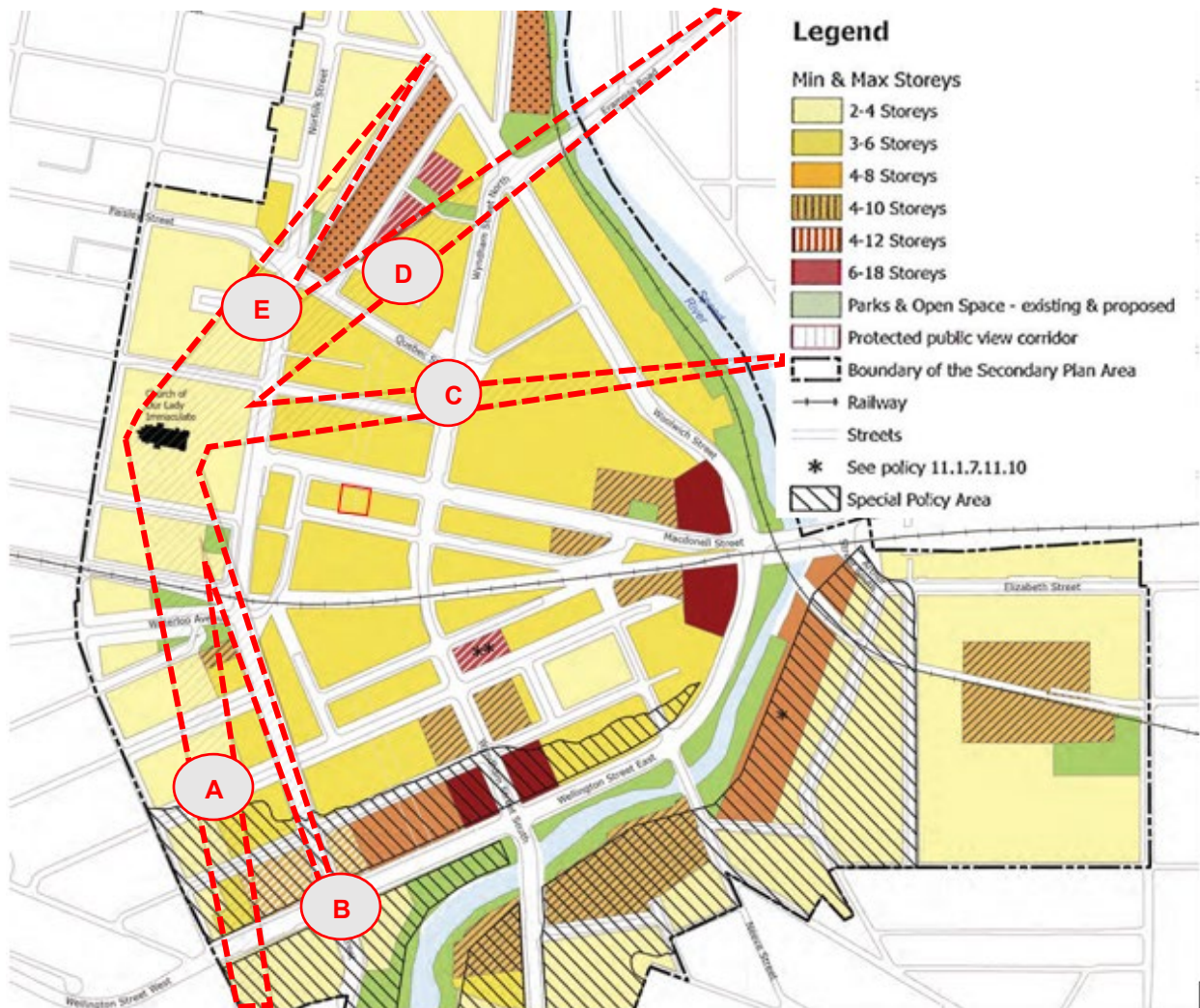
## **b. Appropriateness of Proposed Building Height**

The applicant is seeking to amend the existing land use designations and zoning applicable to the property to permit a site-specific maximum height of 14 storeys in height, whereas the existing Zoning permits a maximum height of six storeys. The following subsections build off the preceding sections of this Report to discuss the appropriateness of this building height within the context of the development.

### *i. Protected Viewsheds of Basilica Maintained*

The City's Official Plan and Secondary Plan place a strong emphasis on maintaining views of the Basilica and its pre-eminence / significance in the downtown area. To that end, the Secondary Plan delineates 'protected public view corridors' on Schedule D of the Secondary Plan and Schedule B-3 of the Zoning By-Law which are highlighted on Figures 29 and 30.

In total there are five public view corridors radiating from the Basilica towards the Speed River, two leading south from the Basilica over Norfolk Street towards Wellington Street, and the remaining three extending to the north and north east. Figures 31-35 show perspectives along these viewsheds of the Basilica corresponding to the labels on Figure 29.



**Figure 29:** Protected View Corridors, Schedule D, Downtown Secondary Plan

As previously discussed within this Report and the Heritage Impact Assessment prepared by McCallum Sather, the subject lands are located entirely outside of these identified protected view corridors and the development will not intrude into the protected viewsheds. In that regard, this policy objective of the Official Plan / Secondary plan is not impacted by the development which falls outside these viewsheds.





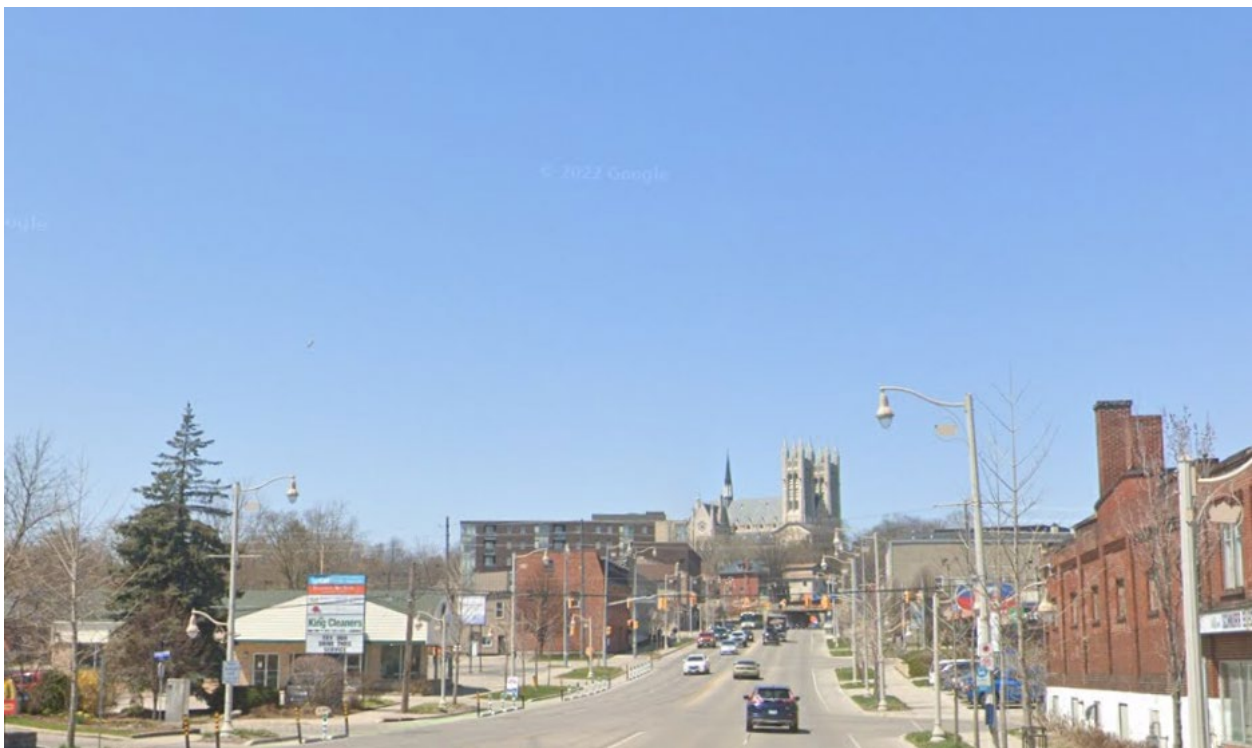
**Attachment 6-  
Schedule B-3:  
Protected View Area Overlay**



**Figure 30: Protected View Area Overlay, Schedule B3, Guelph Zoning By-Law**



**Figure 31:** View Corridor (A) along Waterloo Ave., looking towards the Basilica



**Figure 32:** View Corridor (B) along Wellington, looking towards the Basilica





**Figure 33:** View Corridor (C) from Wyndham and Quebec, Basilica in the background



**Figure 34:** View Corridor (D) from Park Lane



**Figure 35:** View Corridor (E) from Norfolk Street and Paisley Street

The policy basis for viewshed protection is intuitive from a land use planning perspective and in no way disputed. Viewshed protection provides a mechanism for the City to ensure that existing prominent views to and from the Basilica are maintained from various perspectives in the downtown area. Based on our assessment, the proposed development will in no way impeded these protected viewsheds.

#### *ii. Downtown Height Restrictions*

In addition to viewshed protection, the City has implemented height restrictions throughout the Downtown in the Secondary Plan to “recognize the Church of Our Lady’s status as a landmark and signature building” and lays out a general intention that “no building Downtown should be taller than the elevation of the Church.” This policy objective is largely premised on the view that regulating absolute height throughout the downtown is necessary and appropriate to ensure the primacy of the Basilica in the City.

As proposed, the development at 14 storeys would exceed the height of the Basilica by approximately 24 m, or approximately 8 storeys, with the ultimate height of the building being 367 m above sea level (372.5 m above sea level to the top of the mechanical penthouse) and the Basilica having an ultimate height of 343.51 m above sea level. Notwithstanding, it is our opinion that this building height is appropriate within this

location and would create a negligible impact on the existing views of/to the Basilica itself, as discussed in the following subsections of this Report.

Unlike viewshed protection, the policy basis for blanket height restrictions relative to the ultimate height of the Basilica or other protected heritage buildings is comparably more convoluted. And, in many ways, such blanket restrictions conflict with the policy direction applicable to the downtown core as set out in the Provincial Policy Statement, Growth Plan and the City's Official Plan itself, as well as the City's housing pledge to develop 18,000 new housing units by 2031, as well as the planned function of the City's Urban Growth Centre and Major Transit Station Area as the focus for growth and development in the community.

This policy objective assumes that by limiting the heights of built form relative to the height of the Basilica, the primacy of Basilica is maintained. Or, put another way, that having buildings taller than the Basilica would diminish its significance. To that end, the Secondary Plan generally permits heights which would allow for heights equal or similar to that of the Basilica. If downtown sites were to be redevelopment in accordance with these heights, the outcome would not be primacy of the Basilica in terms of height, but rather a largely homogeneous skyline limited in height to that of the Basilica, and a predominantly low to medium density Urban Growth Centre. Furthermore, given that much of the downtown has been developed with three and four storey buildings, the height restrictions constrain viable options for infilling and intensification in the core area of the City, where the majority of community growth should occur.

It is prudent to consider the approaches of other jurisdictions in how they protect viewshed of significant buildings. The City of Toronto prepared Staff Report 15-248158-SPS-00 which outlines recommendations for how three of the City's significant viewsheds should be protected.

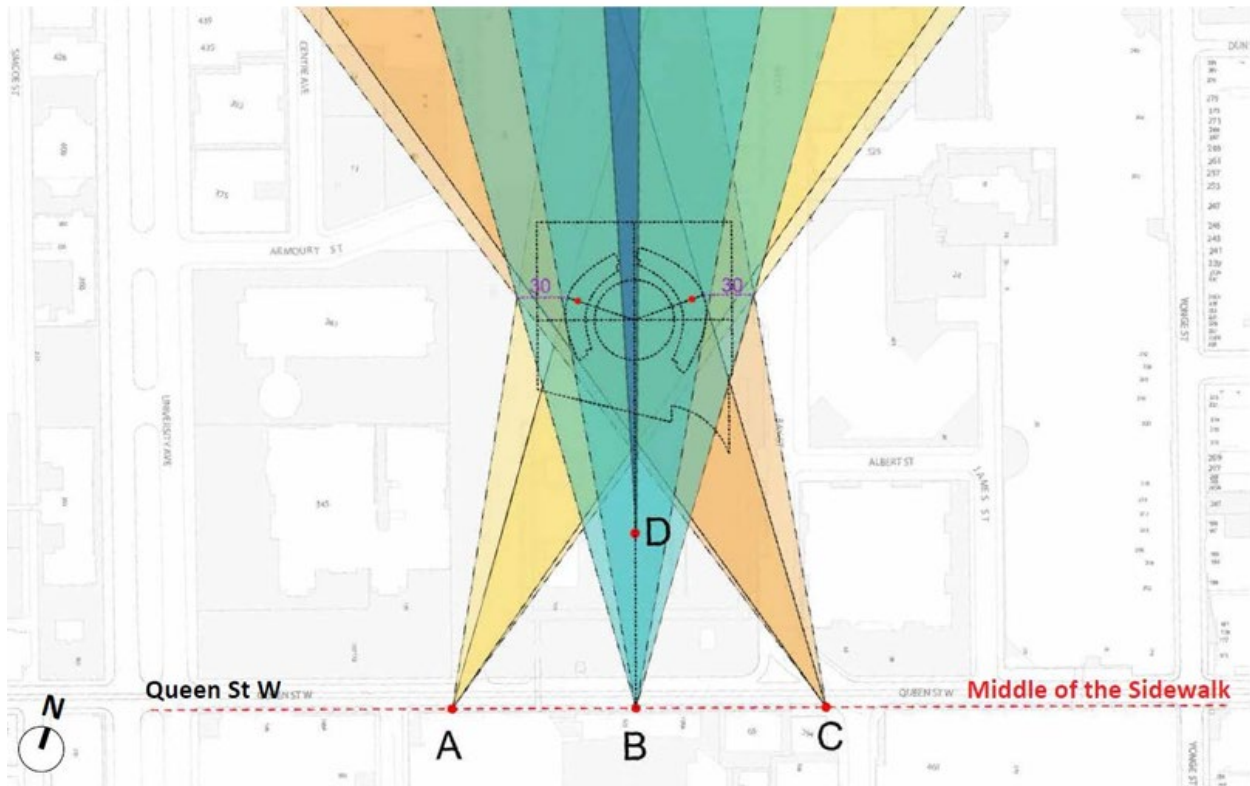
Figures 36 - 38, show the approach to viewshed protection of Toronto City Hall, while the report also speaks to viewshed protection of Old City Hall and St. James Cathedral which are both prominent heritage buildings located within the downtown of the City.

While the context of Toronto City hall is obviously considerably different than that of the City of Guelph – being centrally located within the downtown of the largest City in Canada – the approach taken by the City of Toronto is something which should be considered elsewhere. As shown on Figure 36, three primary views of Toronto City hall have protected viewshed status, which all begin along Queen Street and extend northwards over and past City Hall itself.

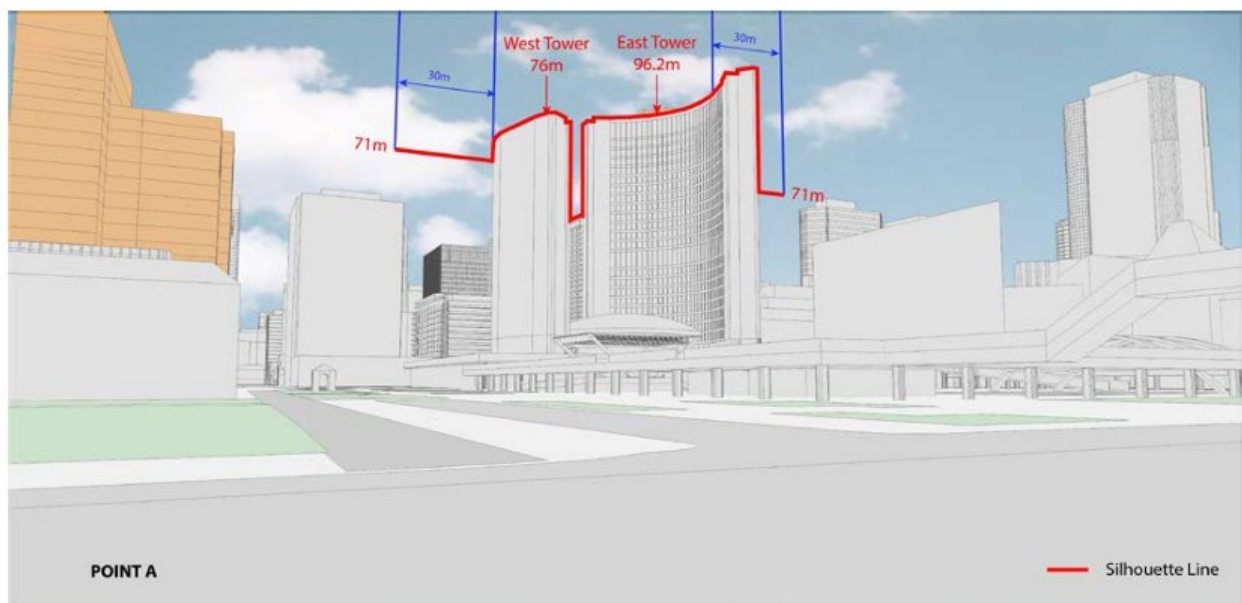
While the City of Toronto delineates viewshed in a similar manner as the City of Guelph, it is noted that in addition to these viewsheds, direction is provided with respect to



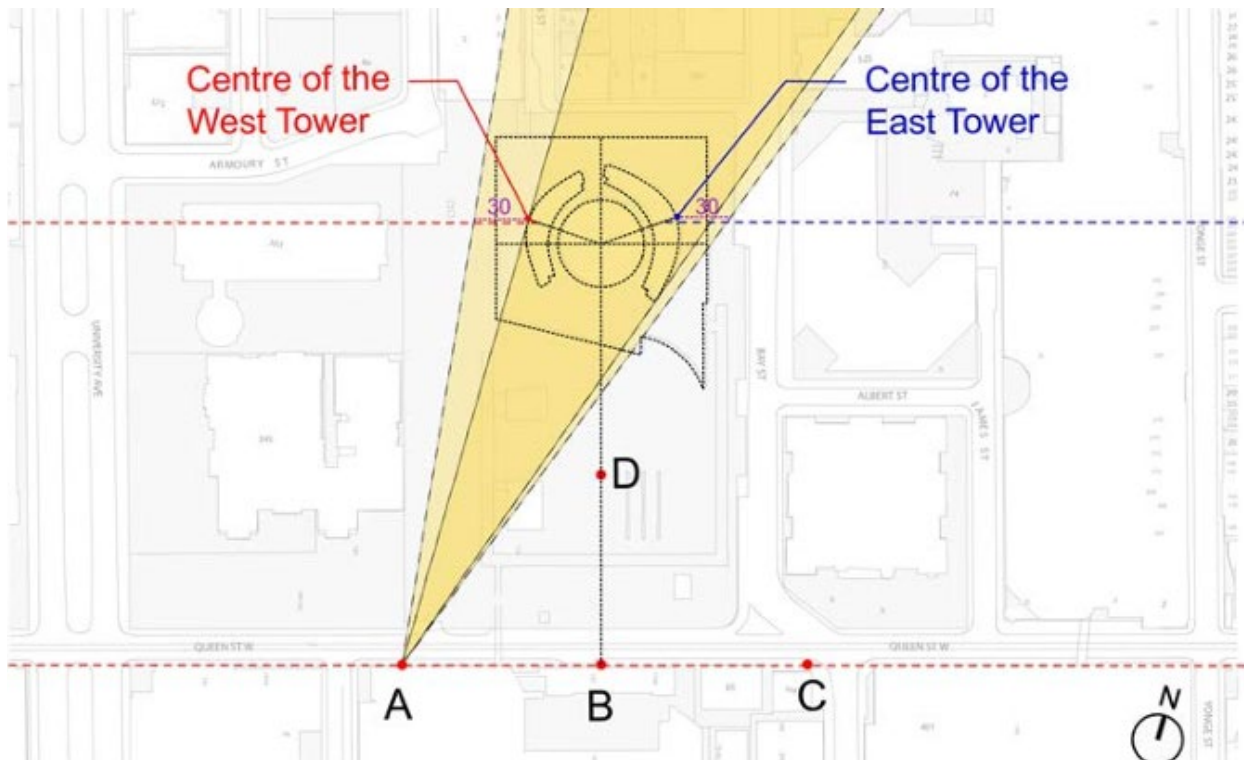
appropriate heights within the viewsheds themselves (foreground and background) as well as within the periphery of City Hall. As shown on Figure 37, heights of new developments would be determined/limited to the delineated silhouette line shown in red.



**Figure 36:** Protected Views of Toronto City Hall (Toronto Report: 15-248158-SPS-00)



**Figure 37:** Height Restrictions in Relation to Toronto City Hall (Toronto Report: 15-248158-SPS-00)



**Figure 38:** Toronto Staff Report: 15-248158-SPS-00, City Hall Protected Viewshed

The approach taken by the City of Toronto aims to protect significant view corridors, while also recognizing that the applicable buildings (Toronto City Hall, Old City Hall and St. Andrew's Church) are located centrally within the downtown area, and major transit station areas where new, high density developments should be focussed. Outside of these protected view corridors, heights and densities of adjacent lands are planned to facilitate high density development in keeping with the planned function of these areas.

It is also noted that, unlike the viewsheds of the City of Guelph, the viewshed for Toronto City hall extend beyond City Hall itself (whereas the protected views of the Basilica terminate at the building itself). This approach recognize the impact of height both in front and behind the protected heritage viewshed as important. As the City reviews its permitted building heights within the Downtown, it is recommended that it consider extending viewshed protection to apply to lands behind the Basilica.

### *iii. Visual Impact of Additional Height Versus Existing Planning Permissions*

It is prudent and necessary to consider the impact of the proposed building height and massing relative to the planning permissions which currently apply to the site, and the

impact of this additional height on the protected viewsheds of the Basilica. As previously discussed, the existing land use planning designation applicable to the site permits a maximum building height of 4-6 storeys, whereas the zoning applicable to the site permit a maximum building height of 6 storeys with the requirement for a building stepback above the podium (which can be a maximum of 4 storeys).

Figure 39 provides a schematic overlay of permitted building heights along the Carden Street street-wall illustrating a potential build out of the block in accordance with current zoning permissions. Currently, the Basilica can be viewed from the south side of Carden Street between Wyndham Street and Wilson Street, but is not visible on the north side of the street due to massing of existing buildings. As illustrated, the north side of Carden Street is permitted as of right to have a building height of 4 storeys, with an additional two storeys recessed above to a maximum of 6 storeys. It is noted that these building heights can be achieved by way of a site plan application.

This figure demonstrates that even under the current zoning framework, that views of the Basilica from Carden Street would be effectively entirely obstructed if the block was redeveloped in accordance with the permitted building heights set out in the Zoning By-Law. In this regard, it is noted that the additional building height contemplated by the development application would not establish new visual obstructions from Carden Street of the Basilica beyond those which could already be realistically created under existing planning permissions.



**Figure 39:** Carden Street Permitted Building Height Overlay (approx., not to scale)

While not itself identified as a protected view corridor identified in the Official Plan, it is acknowledged that MacDonell Street provides the most prominent view of the front façade of the Basilica in the City due to the perpendicular orientation of the street relative the Basilica itself, which was an intentional design objective for early plans for the City of Guelph to prominently display the Basilica.

Figure 40 provides a schematic overlay of permitted building heights – as set out in the City’s Zoning By-Law - along the MacDonell Street street-wall illustrating a potential build out of the block in accordance with current zoning permissions. Similar to Carden Street, buildings are permitted to be 6 storeys in height along both sides of MacDonell, provided step-backs are provided above the 4<sup>th</sup> storey.

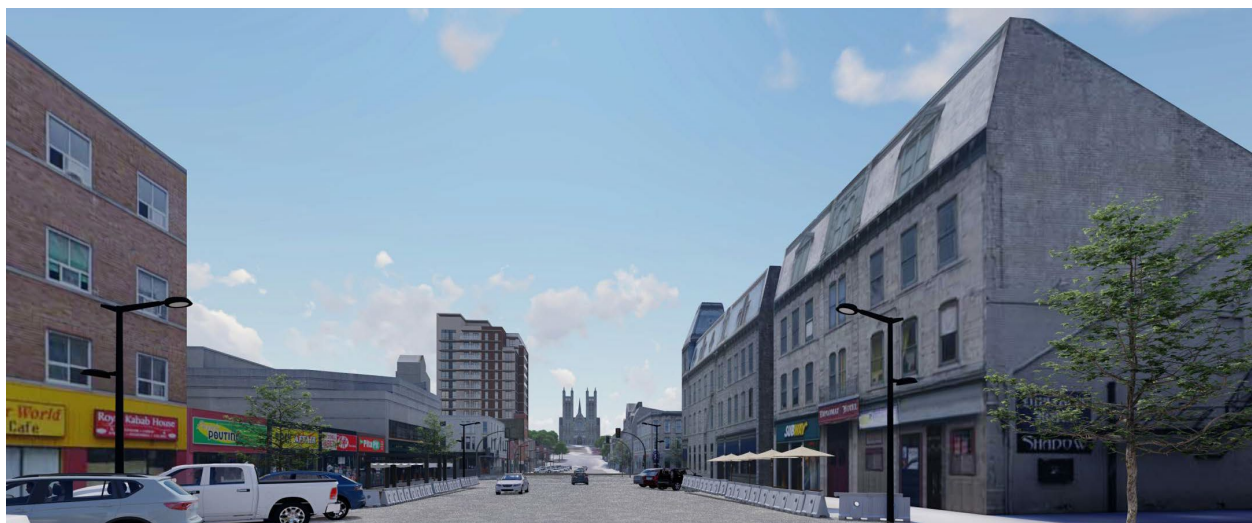
Unlike Carden Street where six storey massing would effectively obstruct views of the Basilica, along MacDonell Street, additional height would not impede direct views of the Basilica but rather establish new building massing within the peripheral views of the Basilica.





**Figure 40:** MacDonell Street Permitted Building Height Overlay (approx., not to scale)

Figure 41 below shows the proposed building overlaid onto existing street-view imagery along MacDonell, and the approximate visual impact it would have on views of the Basilica itself. In our opinion, while this would create a peripheral visual obstruction, the visual impact would be negligible with the street alignment reaffirming the continued visual prominence of the Basilica aligned with the centreline of MacDonell.



**Figure 41:** Rendering of Proposed Building, viewed from the Centreline of MacDonell (Source: SRM Architects)



### c. Exemption from Parking Requirements

As part of the Zoning By-Law Amendment application the applicant is proposing a site-specific exemption from the City of Guelph's parking requirements to waive the requirement for on-site parking for both the residential and non-residential uses. As part of the 'complete' application, a Parking Justification Report was prepared by Paradigm Transportation Solutions which discusses the appropriateness of the proposed parking waiver. The findings of this report are discussed later in this Report.

#### *i. Location within the Downtown Area*

The subject property is located within the Built-Up Area and Downtown Area of the City of Guelph, which has been planned to be the focus for growth and redevelopment in the City. Additionally, the site is located within the City of Guelph Major Transit Station Area as identified in the City's Official Plan. Within these areas, transit supportive development is encouraged by the Official Plan as opposed to car-oriented land uses.

It is noted that several nearby or similar municipalities have moved towards the waiver of parking requirements for developments within their strategic growth areas and downtowns, recognizing that these areas are generally more walkable, better served by public transit, and more dense and diverse in terms of land use supporting car-free living. This includes the Cities of Kitchener, London and Ottawa all of which do not have minimum parking rates for residential and non-residential uses, within their respective downtowns.

#### *ii. Highly Walkable Pedestrian Environment*

As noted previously, the subject lands are located within the downtown area of Guelph within a very walkable context. The site is located in close proximity to a range of land uses where the majority of daily errands. To that end, it is noted that 26 Carden Street has a Walk Score of 100 (source: [www.walkscore.com](http://www.walkscore.com)), representing the highest possible walkability score.

#### *iii. Bill 185: Cutting Red Tape to Build More Homes Act, 2024*

In April of this year, the Provincial government introduced Bill 185: Cutting Red Tape to Build More Homes Act, 2024. As part of this proposed legislation, amendments to Section 16 and 34 of the Planning Act are proposed to prohibit parking requirements within Major Transit Station Areas within municipal planning instruments (i.e., Official Plans and Zoning By-Laws). If/when passed, the proposed development would not be required to provide any on-site parking.

*iv. Transportation Demand Management Measures*

As part of the complete Official Plan Amendment and Zoning By-Law Amendment applications a Parking Justification Report was prepared Paradigm Transportation Solutions, which recommended the following Transportation Demand Management measures to off-set the impacts of the proposed parking waiver:

**d. Relief from Side Lot Line Requirements**

As part of the Zoning By-Law Amendment application, the applicant is proposing reduced side yard setbacks for the tower portion of the development; providing 2 m of setback versus the required 6 m. in our opinion, these proposed setbacks are appropriate as:

- The adjacent parcel (24 Carden Street) is a listed property on the City's heritage registry and unlikely to see redevelopment due to its narrow property dimensions.
- The property to the east of the development (42 Carden Street) has been recently renovated and is unlikely to see further redevelopment given its narrow property dimensions and as the adjacent buildings (46-52 Carden Street) are also listed on the municipal heritage registry.
- Both the eastern and western facades are well articulated and the upper levels of the development include additional stepbacks in the northeast and southwest corners.

## 7. Neighbourhood Engagement Summary

On October 19, 2023 a Community Meeting was held to introduce the community to the proposed development and to solicit feedback on the proposed design of the development. Invitations were sent out to properties within 120 m of the site, based on a mailing list provided by staff in the Planning Department City of Guelph. The Community Meeting was held on-site in a currently vacant commercial unit and was attended by over 20 individuals, including two City Council members representing the downtown wards.

At the Community Meeting, members of the design team on behalf of the applicant provided a presentation on the proposed development and the land use planning applications contemplated to facilitate the redevelopment. Following this presentation, a question-and-answer period was provided where individuals could ask questions of the design team and provide feedback with regards to the proposal. The following provides a summary of key comments received at the community meeting.

1. General concern with impact on availability of parking in the downtown, and the related impacts on the business community.
2. General support for the creation of new rental housing in the downtown, with recommendation that affordable housing be considered.
3. General support for redevelopment of an underutilized property.
4. Concerns related to the impact of the development during construction (maintaining access to the street and sidewalks, noise, vibration etc.).
5. Limited concern about the height of the development.
6. Recommendations that transportation demand management measures be provided such as secure bike parking, to support active modes of transportation.
7. Ensure that design and building materials / appearance considers the context of the area.

Since the neighbourhood meeting, the design of the proposed development has been refined with several of these recommendations incorporated, including materiality similar to those indicative of the downtown, additional building articulation to break up massing, and identification of additional TDM measures, while no changes to building height or parking have been made. As part of the future site plan approvals process a detailed construction management plan will be prepared which will speak to how the impact of development/construction will be minimized.

## 8. Community Energy Initiative

As discussed previously in this Report, the applicant is proposing various sustainability measures which will be incorporated into the ultimate development. These preliminary measures are described in the following subsections of this Report. Recognizing the preliminary nature of the application, it is recommended that these measures be confirmed through the eventual site plan approvals process.

<b>Urban Development</b>	The development provide for context appropriate intensification of a vacant property in the downtown. The site is highly walkable and in close proximity to City and inter-city transit services.
<b>Existing and Proposed Trees / Vegetation</b>	The site does not contain any existing vegetation. The proposed development is anticipated to extend to all lot lines. The applicant will prepare a landscape plan for the proposed roof terraces which will include tree plantings and other plantings to be confirmed through the site plan approvals process.
<b>Site Lighting</b>	Site lighting will be designed in accordance with City standards and will be designed as night sky compliant.
<b>Parking Reduction and Alternate Transportation</b>	The development contemplated no on-site parking. The development provides extensive indoor bicycle storage and is in a highly walkable location supporting active modes of transportation to and from the site.
<b>Reduced Energy Use and Building Sustainability</b>	The development will use energy efficient appliances and HVAC systems to support reduced energy consumption. Each unit is proposed to be individually metered to encourage energy conservation by future residents.
<b>Heat Island and Microclimate Effects</b>	The building proposes a range of building materials, including lighter materials for the base of the building. Rooftops will be lighter colour to reflect sunlight and minimize heat absorption. A shadow study and wind study have been prepared in accordance with City standards, and both wind and shadowing impacts are anticipated to be acceptable.
<b>Water Efficient Landscaping</b>	Drought resistant plants and landscaping will be used on the rooftop terraces to minimize water needs.
<b>Reduced Water Consumption</b>	Low flow fixtures will be used throughout the building to minimize individual water use. Each unit is proposed to be individually metered to encourage water conservation by future residents.
<b>Mechanical Systems</b>	The mechanical system design for the development has not yet been advanced, but will be confirmed through the site plan and detailed design stages. The applicant will review various options to reduce energy use within the building.
<b>Electrical Systems</b>	Energy efficient lighting and appliances will be used in the development, which is anticipated to include LED lighting in all common areas, hallways and parking areas.

<b>Electrical Metering</b>	Utilities including water and electricity will be individually metered to encourage conservation by future residents.
<b>Local Materials</b>	To the extent possible, building materials will be sourced from local suppliers. To the extent possible materials will be sourced from within 800 km, consistent with LEED standards.
<b>Low Emission Materials</b>	Low VOC materials will be used throughout the building to the extent possible.
<b>Recycling and Compost</b>	Refuse, including garbage, recycling and compost will be collected in a central garbage room. To support proper sorting, the developer will explore the use of a tri-sorting system.
<b>Building Materials</b>	Sustainably sourced materials will be use for building construction as feasible and available. The use of recycled materials will be considered where appropriate.
<b>Existing Building and Demolition</b>	The existing building is proposed to be demolished in order to make way for the proposed development. To the extent possible building materials will be salvaged and recycled.
<b>Indoor Environment</b>	All units will have controls for heating/cooling, lighting and ventilation.
<b>Natural Lighting and Shadowing</b>	The outdoor amenity space has been positioned with southern exposure to provide maximum sunlight access to the area. Balconies are provided for the majority of units to provide private outdoor amenity spaces.
<b>Bird Friendly Design</b>	Bird friendly design elements will be incorporated as possible to minimize bird strikes.

Given the design of the building is preliminary, it is recommended that this summary of sustainable design elements be confirmed through the future site plan approvals process.



## 9. Summary of Supporting Studies

This section of the Report provides a summary of the key supporting / supplementary studies that were prepared as part of the ‘complete’ planning applications.

### a. Heritage Impact Assessment

A Heritage Impact Assessment was prepared by McCallum Sather with regards to the proposed development. The purpose of the Heritage Impact Assessment is “to evaluate the potential impacts of the proposed development on adjacent heritage buildings that are protected under the Ontario Heritage Act as listed or designated Part IV properties on the block bounded by Carden Street, Wilson Street, Wyndham Street, and Macdonell Street, as well as the property located at 1 Carden Street, which is designated under Part IV of the Ontario Heritage Act.” In addition to studying these impacts, the report also studied the impact of the proposed development on the Basilica, which is a nationally designated heritage site.

The Report set out a number of recommendations which have been implemented into the design and others that will be considered through more detailed design. The Report concluded that the proposed development will “provide a new construction that is sympathetic to the adjacent Listed heritage properties, allowing for vertical intensification while reinforcing the historic character of the low-rise mixed-use streetwall and commercial storefronts in Guelph’s downtown core.”

The report also concludes that the “design considers both the historic and evolved character of Guelph’s downtown streetscape, situating the podium as a transition between the heritage three-storey streetwall and adjacent to buildings with alterations to increase the streetwall height to four-storeys. It is the opinion of mcCallumSather that the proposed development meets the recognized professional standards, applicable policies, conservation guidelines, and best practices within the field of heritage planning at the municipal, provincial, and federal levels.”

### b. Development Engineering Feasibility Report

A Development Engineering Feasibility Report was prepared by Walter Fedy providing a functional engineering review of the development and preliminary stormwater management plan.

The Report found that there are sufficient services available for the development and that:

- The municipal sanitary sewers have adequate capacity to convey dry weather flows from the proposed development.
- The Downtown Servicing Study recommends downstream improvements to address wet weather conditions to optimize the City of Guelph's sewer networks, however, these are not necessarily required for the subject site.
- The municipal water systems can adequately service the proposed development for domestic and fire flows with connections to MacDonell Street.
- The proposed development will incorporate roof drains with stage-storage-discharge to provide storage and attenuation of stormwater.
- Perimeter silt fence and silt sacs in storm structures can provide erosion and sediment control. These will be designed during detailed design.

### c. Preliminary Noise Study (Stationary and Road Noise)

A Preliminary Acoustic Study was prepared by JJ Acoustics as part of the complete application, which considered stationary and road noise impacts. As a result of this study, various noise mitigation measures are recommended to account for transportation noise, including:

- Warning Clause Type C for units along the North façade.
- Warning Clause Type D for all other façades.
- Requirement for Air Conditioning for the entire building.
- A minimum of STC 27 is required for all exterior glazing for the East façade using 35% window area to floor area and thick operable windows.
- A minimum of STC 30 is required for all exterior glazing for the South façade using 35% window area to floor area and thick operable windows.
- A minimum of STC 27 is required for all exterior glazing for the West façade using 35% window area to floor area and thick operable windows.
- Canadian National Railway Company Warning Clause for all units.
- Within 100 meters of a rail line exterior façades are to be brick veneer or masonry equivalent.

In addition to these matters, the acoustic consultant recommended the use of a Class 4 Area classification to allow for minor exceedances beyond permitted stationary noise levels, recognizing the urban context of the site and the existing noise sources in close proximity to the site. Recognizing the preliminary nature of the design, the report also recommends that a detailed noise study be conducted during the site plan reviews process.

#### d. Urban Design Brief

An Urban Design Brief was prepared by Up Consulting as part of the complete Official Plan Amendment and Zoning By-Law Amendment applications, which considered the urban design framework of the City of Guelph as it relates to the proposed development.

While the proposed development contemplates heights beyond those permitted by the Official Plan and Zoning By-Law, the Brief finds that the development is aligned with the design direction of the City and that the proposed development will contribute positively to the downtown and both applicable streetscapes. It is recommended that this report be updated to reflect the ultimate development concept advanced through the future site plan approvals process.

#### e. Wind Study

The pedestrian wind conditions predicted for the proposed development at 26-40 Carden Street in Guelph, Ontario have been assessed through wind tunnel testing. Based on the results of our assessment, the following conclusions have been reached:

- The wind safety criterion is met at all locations on-site and surrounding the development in both the Existing Configuration and Proposed Configuration.
- Wind conditions on the site, including entrances, are suitable for the intended use year-round.
- Wind conditions on the terrace at Level 4 are generally suitable for the intended use year-round. Wind control measures are recommended for the winter season if the space is intended to be used during the winter.
- On the sidewalks surrounding the proposed development, wind conditions are suitable for the intended use.

#### f. Shadow Study

A Shadow Study was prepared by SRM Architects as part of the complete application, which was prepared in accordance with the City's TOR for shadow studies. The Study considered shadow impacts of the proposed development at the following dates/times:

- April 21: 8:00am hourly until 6:00pm

- June 21: 8:00am hourly until 7:00pm
- September 12: 7:00 hourly until 5:00pm
- December 21: 10:00am hourly until 3:00pm

The study found that the development satisfied the TOR shadow criteria for amenity areas, play spaces / public realm amenities, community gardens and parks and cultural heritage resources. Likewise, the Study demonstrated that impacts on sidewalks was generally acceptable, with the exception of two interval periods in the September 12 PM and 1 PM study hours. It is noted that during these periods, the shadows were cast over the sidewalk abutting the 34 MacDonell Street surface parking lot, where impacts are negligible.

It is also noted that no significant shadow impacts on Market Square are anticipated, with shadows being cast over the far east portion of Market Square at the 6-7 PM interval periods in June.

Based on the findings and upon analysis of the Study, the author opined that the proposed development will generally not have a negative effect on the existing neighborhood, with the greatest impact being on the surface parking lot to the north of the site.

### g. Parking Justification Study

A Parking Justification Study was prepared by Paradigm Transportation Solutions with regard to the proposed development and the requested on-site parking reduction/waiver. The Parking Study found that the proposed parking waiver is appropriate given:

- The subject site and adjacent properties currently have no vehicular access or onsite parking. The proposed redevelopment is based on the same arrangement.
- Downtown apartments generally accommodate significant proportions of tenants who do not own cars or require parking. The subject development is designed to take advantage of its downtown location and accommodate tenants who do not own cars or require parking.
- The development can accommodate tenants with vehicles by offering them long term residential parking permits for the Market Parkade through arrangement with the City's Parking Services.
- The development provides opportunities for implementing a range of robust TDM measures and for using non-auto modes of travel that will support tenants without a car and not requiring parking.

In addition to the above, it is noted that recently the Province of Ontario introduced Bill 185 which contemplates amendments to the Planning Act which would prohibit the establishment of parking minimums for areas within Major Transit Station Areas. In the event that this legislation is enacted, this parking exemption would apply to the subject lands and the majority of Downtown Guelph which has been previously identified as a Major Transit Station Area.



## 10. CONCLUSION

This Planning Justification Report provides an assessment of the proposed development and development applications for the property known municipally as 26-40 Carden Street, Guelph, which includes a discussion on the existing conditions of the site, its context, the land use planning policy framework applicable to it and land use planning rationale for the development proposed.

Based on our assessment of the applications, it is our opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are justified as it has regard to the “Matters of Provincial Interest” set out in the Planning Act, and is consistent with the PPS, and conforms to the Growth Plan for the Greater Golden Horseshoe.

Moreover, it is our opinion that the development provides for context appropriate intensification, supports the orderly redevelopment of the site and supports the wise use of existing infrastructure. It is our opinion that this application serves the public interest and represents sound land use planning.

Based on the above and the conclusions of this Report, it is our recommendation that the City of Guelph:

- Deem the applications complete and process the application in accordance with the municipal process; and,
- Circulate the application to internal departments, technical review agencies, and the community in accordance with city procedures and the Planning Act;
- Prepare a Staff Recommendation Report with regards to the application for City Council consideration.

Respectfully submitted,



## **APPENDIX A:**

# **PROPOSED OFFICIAL PLAN / SECONDARY PLAN AMENDMENT**

## **Proposed Official / Secondary Plan Amendment No. XXX**

The purpose of Official Plan Amendment XXX is to add a site-specific policy to the “Mixed Use 1” land use designation and to amend Schedule D of the Downtown Secondary Plan for the property municipally known as 26-40 Carden Street and 27-39 MacDonell Street, Guelph which is legally known as Lot 116, Registered Plan 8, City of Guelph.

**Proposed site-specific policy:** Notwithstanding Schedule D of the Downtown Secondary Plan, the permitted maximum building height on the property municipally known as 26-40 Carden Street and 27-39 MacDonell Street, Guelph shall be 14 storeys.

# **APPENDIX B:**

## **PROPOSED ZONING BY-LAW AMENDMENT**

## THE CORPORATION OF THE CITY OF GUELPH

**By-law Number (2024)**\_\_\_\_\_

A by-law to amend By-law Number (1995)14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 26-40 Carden Street and 27-39 MacDonell Street, Guelph which is legally known as Lot 116, Registered Plan 8, City of Guelph.

**WHEREAS** Section 34(1) of the Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:**

1. By-law Number (1995)-14864, as amended, is hereby further amended by changing property described as Lot 116, Registered Plan 8, City of Guelph from D1-1 to D1-1 subject to the following site-specific regulations:
  - a) Notwithstanding 6.3.2.3.1.1 and Defined Area Maps 67, permit a maximum building height of 14 storeys;
  - b) Notwithstanding 6.3.3.1.1.1.2, permit a parking exemption for the property for residential and non-residential uses;
  - c) Notwithstanding 6.3.2.2.3.1 and 6.3.2.2.3.3, permit a minimum setback of 2 m from the east and west facades / interior lot lines; and
  - d) Notwithstanding 6.3.3.1.1.1.1, permit a minimum setback of 3 m from the MacDonnell Street façade above the 4<sup>th</sup> storey

This by-law shall come into force and effect on the date of its final passing, subject to the provisions of the Planning Act, 1990 and amendments thereto.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2024

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**MAYOR**

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**CLERK**