

Planning Justification Report

58 Wellington Street East

City of Guelph

Official Plan Amendment

Zoning By-law Amendment

December 2022



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1. Introduction

1.1 Background

GSP Group Inc. (“GSP”) has been retained by 2278560 Ontario Inc. (Fusion Homes) to prepare a Planning Justification Report in support of a proposed mixed-use development on the property municipally known as 58 Wellington Street East within the City of Guelph (“Site”). The proposed development consists of a 23-storey residential mixed-use building containing 250 dwelling units with a 5-storey podium containing structured parking and retail units along Wellington Street East and commercial/residential units along Wyndham Street South.

To facilitate the proposed development, applications for Official Plan amendment and Zoning By-law amendment are required. The purpose of the Official Plan amendment is to establish a site-specific Official Plan policy for the Site to permit a maximum height of 23-storeys. The Zoning By-law Amendment proposed to establish site-specific zoning regulations through a ‘Specialized Downtown Zone (D.1-#)’ relating to building height, setbacks/stepbacks, active frontage regulations, and to establish a maximum building height of 23-storeys.

1.2 Pre-Consultation

A Pre-Consultation meeting was held on September 14, 2022 to provide an opportunity for City staff and other agencies to review the proposed development and to establish the complete application requirements for Official Plan and Zoning By-law amendment applications.

To address the Pre-Consultation comments/requirements, the following sections have been incorporated into this report:

- Public Consultation Strategy (Section 1.5);
- Community Energy Initiative Analysis (Section 3.7);
- Affordable Housing Analysis (Section 3.8);
- Comprehensive Zoning Chart (Section 5.6.3);
- Draft Proposed Zoning By-law Amendment (Appendix No. 1); and,
- Draft Proposed Official Plan Amendment (Appendix No. 2).

1.3 Proposed Development

The proposed development consists of a 23-storey mixed-use building consisting of a staggered tower resting on a 5-storey podium base containing retail and commercial/residential uses and amenity space at grade with four levels of structured parking directly above, and residential dwelling units contained within floors 6-23.

A total of 250 residential dwelling units are proposed with a variety of unit sizes and a mixture of one- and two-bedroom units. Indoor and outdoor amenity spaces for the residential uses have been provided on the ground level and the 6th storey of the mixed-use building.

The main entrance to the building is located at the corner of Wyndham Street South and Wellington Street East to provide prominent visibility from the public sidewalks and streets

flanking the Site. The location of the main entrance is intended to emphasize the main residential entrance and establishes a significant architectural presence upon entering the Downtown from the east, west, and south.

The proposed development includes 224 parking spaces located throughout four (4) levels of above-grade parking. The 224 parking spaces reflects a minimum parking rate of 0.8 parking spaces per dwelling unit (211 parking spaces) plus 0.05 visitor parking spaces per dwelling unit (13 parking spaces). The 13 visitor parking spaces required for the residential uses are proposed to be shared between the residential and retail/commercial uses.

Bicycle parking has been included within the proposed development, including bicycle parking spaces provided within a secured indoor bicycle room on the ground floor and outdoor bicycle parking.

Vehicular access to the parking, loading, and servicing areas is located along Surrey Street to screen them from the active frontage areas applying to the Site along Wyndham Street South and Wellington Street East.

1.3 Supporting Studies

This report should be read in conjunction with the other reports/drawings prepared in support of the proposed applications:

- Site Plan – CORE Architects Inc.;
- Elevations and Cross-sections – CORE Architects Inc.;
- Renderings – CORE Architects Inc.;
- Urban Design Brief – GSP (December 2022);
- Shadow Study Analysis – CORE Architects Inc.;
- Landscape Concept Plan – Land Art Design;
- Ground Floor Plan Render – Land Art Design (December 13, 2022);
- Pedestrian Level Wind Study – Gradient Wind (December 19, 2022);
- Transportation Noise Feasibility Assessment – Gradient Wind (December 8, 2022);
- Functional Servicing / Stormwater Management Report – Valdor (December 2022);
- Functional Grading Plans – Valdor (December 9, 2022);
- Functional Servicing Plans – Valdor (December 9, 2022);
- Phase Two Environmental Site Assessment – XCG (December 3, 2019);
- Record of Site Condition Filing (March 24, 2021);
- Preliminary ‘Scoped’ Hydrogeological Assessment & Work Plan for Construction Dewatering and Water Balance Assessment – Chung & Vander Doelen (December 6, 2022); and,
- Supplementary Geotechnical Investigation – Chung & Vander Doelen (October 25, 2018).

These reports/studies have been summarized in Section 4 of this Report.

1.4 Report Content and Structure

This Planning Justification Report has been prepared to provide a description of the proposed development as well as planning justification for the noted applications.

The objectives of this Report are as follows:

- To provide a description of the Site's existing conditions and its context within the City of Guelph and Downtown, as well as the surrounding neighbourhood (Section 2);
- To outline the proposed development and required applications to facilitate the development (Section 3);
- To provide a summary of the technical reports prepared in support of the applications (Section 4);
- To provide an overview and analysis of the relevant provincial and local planning policies and guidelines relevant to the proposed applications (Section 5); and,
- To provide a planning opinion and justification supporting the proposed applications based on the suitability of the Site and the land use policy and regulatory framework (Section 6).

A draft Official Plan Amendment is included in this report as **Appendix No. 1**. Further, a draft Zoning By-law Amendment is included in this report as **Appendix No. 2**.

1.5 Public Consultation Strategy

The City of Guelph Community Engagement Framework (dated August 7, 2015) was developed in response to both external and internal demands from community members and City of Guelph employees, for greater clarity, transparency, and support for engaging community members in decisions made at the municipal level. The purpose of the Community Engagement Framework is to establish principles to reflect emerging community engagement practices around inclusivity, early involvement, access to decision making, transparency and accountability, open and timely communication, mutual trust and respect, and evaluation and continuous improvement.

The Community Engagement Framework acknowledges that there are federal and provincial regulations that dictate a minimum level of engagement that must be carried out for certain projects. The proposed applications for Official Plan amendment and Zoning By-law amendment are subject to the public consultation requirements of the *Planning Act* and will be brought forward to a public meeting of Guelph City Council in advance of a decision being made on the applications by Council.

In addition to the statutory public meeting, the landowner and/or consultant team will be available to respond to any questions or concerns from City staff, external agencies, or the general public throughout the application process.

2. Site Description and Context

2.1 Site Location and Description

The Site is comprised of several municipal addresses resulting from consolidation of various parcels of land municipally known as 41, 43, and 45 Wyndham Street South, 53 Surrey Street East, and 58 Wellington Street East, hereinafter referred to as 58 Wellington Street East (**Figure 1**).

The Site is approximately 0.28 ha (2,771.71 m²) in area with approximately 48 m of frontage along Wellington Street East, approximately 65 m of frontage along Wyndham Street South, and approximately 36 m of frontage along Surrey Street East.

For the purpose of this report, the Wyndham Street South side of the Site is described as north, the Wellington Street East side as east, and the Surrey Street East side as west.

The Site's topography generally drops approximately 1-2 m from west to east towards Wellington Street East and drops approximately 0.5 m from north to south towards Wellington Street East. The proposed development accommodates the grade changes on the Site through the design of the ground floor to allow for appropriate integration with the building facades facing the surrounding streets.

The Site is currently vacant of buildings/structures and is predominantly surfaced with soil and/or vegetation. The Site was previously occupied by a gas station (Petro Canada) and three single detached dwellings. An existing driveway from the previous uses is located along Wyndham Street South.

The Site is located within a Well Head Protection Area ("WHPA") B with a vulnerability score of 10, and further, the Site is not located within an Issue Contributing Area.

2.2 Surrounding Land Uses

Directly opposite Wyndham Street South to the north is the Guelph Fire Department Headquarters and a gas station (Esso) with accesses onto Wyndham Street South. The remainder of the blocks to the north of the Site contain single detached dwellings, many of which have been converted into commercial uses, an auto repair shop, a children's care facility, and restaurants.

To the west of the Site, opposite Surrey Street, is a municipal surface parking lot (Fountain Street Lot) containing 202 parking spaces available to the public. The parking lot spans half of the block and is accessed via Fountain Street. Further west is the Guelph Police Services Headquarters.

The Site is north of an apartment complex facing Surrey Street and a restaurant (KFC) facing Wellington Street East. The apartment complex is a two-storey walk-up building with a surface parking area to the rear of the building. A driveway access for the apartment complex is located between the Site and the apartment building. The driveway access to the restaurant is along Wellington Street East and extends across the block to Surrey Street. The remainder of the block consists of fast-food chain restaurants (such as Wendy's, Tim Horton's, and A&W), Western

Union store, and an electrical store. All of the buildings located on the south side of the Site can be accessed from both Wellington Street and Surrey Street.

To the east of the Site, south of Wyndham Street South, are one- to two-storey commercial buildings with surface parking areas located in the front. The commercial block abuts the Speed River to the east. Heritage Park is located on the northeast side of Wyndham Street South which contains a multi-use trail that runs parallel to the Speed River (**Figure 2**).

The Site is located within Downtown Guelph and is surrounded by a mixture of uses including commercial, community, and institutional uses, as well as pockets of low-rise residential and tall residential buildings throughout the Downtown. The Site is east of the Metrolinx rail line providing service from Sarnia to Toronto (**Figures 3 & 4**).

The Site is approximately 275 m to the east of Guelph Central Station (also known as the Guelph Central GO Station), the main inter-modal transportation terminal in Guelph. The Guelph Central Station is used by VIA Rail and GO Transit trains, as well as local Guelph Transit buses, GO Transit regional buses, and intercity buses. The Guelph Central Station is located at 79 Carden Street and includes the historic Guelph Railway Station, as well as the former Guelph Bus Terminal.

The Guelph Central Station provides a variety of transport options to residents and visitors of Downtown Guelph, including:

- Daily Via Rail train on the Sarnia – London – Toronto line;
- FlixBus providing a service route between Kitchener and Toronto; and,
- Bays for local and regional bus services.

In addition to the transit options available at the Guelph Central Station, there are bus transit routes running along Wellington Street East and Wyndham Street East, including a stop immediately west of the Site along Wellington Street East (**Figure 5**).

To improve regional connectivity along the Metrolinx line, various improvements are underway to accommodate increased rail service including two-way, all-day rapid transit options. To accommodate this, Metrolinx is currently working to install a second track between Silvercreek Parkway and the Guelph Central Station (anticipated construction in 2023).

A mixture of commercial and community uses predominate the area, with pockets of low-rise residential north of Wyndham Street East, which includes numerous conversions of detached dwellings to commercial uses. There are several high-rise residential developments on both sides of Speed River, including the Metalworks, River Mill, and River House developments. Large portions of this area have a transitional built form pattern with a characteristic auto-oriented commercial form with front yard surface parking and buildings to the rear.

Downtown Guelph is served by numerous community facilities, including a concentration of institutional uses within the Downtown boundary including several elementary schools and churches, government offices including Guelph City Hall and the Wellington County administration office, Sleeman Centre, and River Run Centre. Downtown Guelph also contains the Guelph Public Library, which will be relocated to the Baker District development (former location of the Baker Parking Lot).

The Basilica of Our Lady Immaculate sits predominantly as the western terminus of MacDonnell Street. In terms of parks and open space, the Downtown contains several small park spaces and plazas, as well as larger parks linking the Speed River and Eramosa River via a multi-purpose trail system.

There are several municipal parking facilities dispersed throughout Downtown, including the Fountain Street Lot facing the western property line of the Site and the Market Parkade (formerly the Wilson Street lot) beside City Hall.

3. Proposed Development

3.1 Overview of Proposed Development

The proposed development consists of a 23-storey mixed-use building with a 5-storey podium base containing retail and commercial/residential uses at grade with structured parking directly above and residential dwelling units contained within floors 6-23. The site plan, landscape plan, floor plans, elevations, and renderings of the proposed development are illustrated in **Figures 6-15**.

A total of 250 residential dwelling units are proposed with a variety of unit sizes and a mixture of one- and two-bedroom units, as detailed below:

- 1-Bedroom 74 Units (29.5%)
- 1-Bedroom + Den 81 Units (32.5%)
- 2-Bedroom 59 Units (23.5%)
- 2-Bedroom + Den 36 Units (14.5%)

Indoor and outdoor amenity spaces for the residential uses have been provided within the mixed-use building comprised of approximately 268 m² of indoor amenity space on the ground floor and 6th storey and approximately 486 m² of outdoor rooftop amenity space. The total amenity area provided in the proposed development is 754.38 m² (3.0 m² per dwelling unit).

The ground floor of the podium contains a loading space accessed via Surrey Street East providing access to the garbage rooms and moving room. The ground floor proposes to include a secure indoor bicycle storage room that accommodates 234 long-term bicycle parking spaces, as well as ancillary spaces associated with the residential units including a vestibule and lobby, mail room, reception area, and parcel room. Outdoor bicycle parking spaces have been shown adjacent to the vestibule and lobby entrance to the building at the corner of Wellington Street East and Wyndham Street South and will be further refined through the Site Plan Control application process.

A breakdown of the commercial/residential and retail units and amenity space contained within the podium along each Wyndham Street South and Wellington Street East is provided below:

Wyndham Street South	
<i>Type of Unit</i>	<i>Sq M / Sq Ft</i>
Commercial/residential	95.52 m ² / 995.87 ft ²
Commercial/residential	121.81 m ² / 1,311.11 ft ²
Commercial/residential	121.81 m ² / 1,311.11 ft ²
Amenity	141.4 m ² / 1,522.03 ft ²
TOTAL	480.54 m² / 5,140.12 ft²
Wellington Street East	
<i>Type of Unit</i>	<i>Sq M / Sq Ft</i>
Retail	252 m ² / 2,712.51 ft ²
Retail	176.98 m ² / 1,904.98 ft ²
Retail	284.79 m ² / 3,065.45 ft ²
TOTAL	713.77 m² / 7,682.94 ft²

The retail units along Wellington Street East and the commercial/residential units along Wyndham Street South provide direct walkway connections to the abutting public sidewalks. The proposed development includes walkways and landscaping have been provided within the active frontage areas to stimulate pedestrian activity similar to neighbouring mixed-use buildings in the area.

The main entrance to the building is located at the corner of Wyndham Street South and Wellington Street East to provide prominent visibility from the public sidewalks and streets flanking the Site. The location of the main entrance is intended to emphasize the main residential entrance and establishes a significant architectural presence upon entering the Downtown from the east, west, and south.

With regards to the form of tenure, the commercial/residential, retail, and residential units comprising the entire development will form one single condominium registration and corporation.

Parking / Access

The proposed development includes 224 parking spaces located throughout four (4) levels of above-grade parking. The 224 parking spaces reflects a parking rate of 0.8 parking spaces per dwelling unit (211 parking spaces) plus 0.05 visitor parking spaces per dwelling unit (13 parking spaces). The 13 parking spaces required for the residential uses are proposed to be shared between the residential uses and commercial uses.

Bicycle parking has been included within the proposed development, including a secured indoor bicycle room and outdoor bicycle parking. The proposed bicycle parking spaces exceed the spaces required for residential and commercial uses, as detailed below:

- | | |
|---|--------------------------------|
| • Residential long-term bicycle parking spaces | 170 (0.68 / unit) |
| • Residential short-term bicycle parking spaces | 18 (0.07 / unit) |
| • Retail long-term bicycle parking spaces | 1 (0.85 / 100 m ²) |
| • Retail short-term bicycle parking spaces | 2 (0.25 / 100 m ²) |

Vehicular access to the parking, loading, and servicing areas is located along Surrey Street to screen them from the active frontage areas applying to the Site along Wyndham Street South and Wellington Street East.

3.2 Overview of Required Applications

To facilitate the proposed development, applications for Official Plan amendment, Zoning By-Law amendment are proposed. These applications are further detailed in the following sections.

3.2.1 Official Plan Amendment

The Site is currently designated 'Mixed Use 1' and '6-18 storeys' according to Schedule C and Schedule D, as contained within the Downtown Secondary Plan.

The purpose of the Official Plan Amendment is to establish a site-specific Official Plan policy for the Site to permit a maximum height of 23-storeys. An amendment to *Schedule D: Downtown*

Secondary Plan Minimum & Maximum Building Heights is required to identify the site-specific provision applying to the proposed mixed-use development.

A draft Official Plan amendment has been included in this report as **Appendix No. 1**.

3.2.2 Zoning By-Law Amendment

The Site is currently zoned 'Specialized Downtown Zone (D.1-25(H30))' according to Defined Area Map No. 37, and further, is identified as '6-18 storeys' on Defined Area Map No. 67 of the Zoning By-law.

The Zoning By-law Amendment proposes to rezone the Site to a 'Specialized Downtown Zone (D.1-#)' with site-specific zoning regulations. The Zoning By-law amendment proposes to rezone the Site as follows:

- Rezone the Site on Defined Area Map No. 37 from 'Specialized Downtown Zone (D.1-25(H30))' to a 'Specialized Downtown Zone (D.1-#)' with site-specific zoning regulations;
- Change the permitted minimum and maximum building height for the Site on Defined Area Map No. 67 from '6-18 storeys' to '6-18 storeys' with an "*" that permits up to 23 storeys on the Site;
- Amend Section 6.3.3.1 of the Zoning By-law to add site-specific regulations for the Site to facilitate the development of the proposed mixed-use building.

A summary of the site-specific zoning regulations being proposed are detailed below.

Active Frontage Regulations

- Notwithstanding Section 6.3.1.1, a dwelling unit may be permitted on the main floor of a building located along an Active Frontage area.
- Notwithstanding Section 6.3.2.4.15, the minimum number of active entrances required along Wyndham Street South is three (3) whereas the Zoning By-law requires a minimum of five (5) active entrances based on a requirement of 1 per 15 m of active frontage.
- Notwithstanding Section 6.3.2.4.1.5.1, Active Entrances located along Wyndham Street South shall not be required to be at or within 0.2 metres above or below Finished Grade.

Floorplate

- Notwithstanding Section 6.3.2.1.1, a maximum floorplate of 1,210 m² is permitted for the 7th and 8th storeys of a mixed-use building whereas the Zoning By-law requires a maximum floorplate of 1,200 m².
- Notwithstanding Section 6.3.2.1.2, a maximum floorplate ratio of 2.5:1 is permitted for any storeys above the 8th floor whereas the Zoning By-law requires a maximum floorplate of 1.5:1.

Building Height

- Notwithstanding Section 6.3.2.3.11 and Table 6.3.27 (Row 5), the maximum building height for a mixed-use building is 23 storeys, whereas the Zoning By-law permits a building height between 6-18 storeys.

Floor Space Index

- Notwithstanding Table 6.3.2.7 (Row 14), a maximum FSI of 8.3 is permitted whereas the Zoning By-law permits a maximum FSI of 1.5.

Setbacks / Stepbacks

- Notwithstanding Section 6.3.2.7, a residential unit contained within the main floor of a mixed-use building may be permitted to have a minimum setback of 0 m whereas the Zoning By-law requires a minimum setback of 3 m.
- Notwithstanding Section 6.3.2.4.13, a minimum setback of 2.4 m is required from Wellington Street East, whereas the Zoning By-law requires a minimum setback of 10 m from the Wellington Street East street line between Gordon Street and Wyndham Street South.
- Notwithstanding Section 6.3.2.1.3, a minimum stepback of 3 m is required for portions of a mixed-use building above the 5th storey, whereas the Zoning By-law requires a minimum stepback of 3 m for portions of a building above the 4th storey.

Parking

- Notwithstanding Table 6.3.2.5.1 (Row 1), a minimum parking rate of 0.8 parking space per dwelling unit plus 0.05 visitor parking spaces per dwelling unit is required, whereas the Zoning By-law requires 1 parking space per dwelling unit plus 0.05 visitor parking spaces per dwelling unit.
- Notwithstanding Table 6.3.2.5.1 (Rows 4 & 5), no minimum parking rates shall apply for retail or service uses for a mixed-use building.

A draft of the proposed Zoning By-law Amendment is included as **Appendix No. 2**.

3.3 Future Applications

Approval of a Site Plan Control application by the City of Guelph will be required prior to issuance of a building permit for the proposed development. Through Site Plan Control, details such as landscaping, building facades, grading, and municipal services will be determined and reviewed by the City of Guelph and other agencies deemed to have an interest in the proposed development.

3.4 Community Energy Initiative Analysis

The City of Guelph is committed to the United Nations Race-to-Zero campaign and has set targets for the whole community to reduce carbon emissions by 63% against the 2018 baseline by 2030, with the goal of becoming a net zero carbon community by 2050.

The Guelph Community Energy Plan (“CEP”), adopted by Council in 2007, was the first of its kind in North America. It set a target for the City to reduce energy consumption by 50% and greenhouse gas emissions by 60% on a per-capita basis over 2006 levels by 2031. In 2009, the

CEP became the Community Energy Initiative (“CEI”), signaling a transition from planning into implementation. To achieve the targets of the CEI, the plan includes three components:

- Build a community organization to co-lead CEI Implementation;
- Implement enabling activities to encourage community action; and,
- Implement specific technical actions with direct greenhouse gas reduction potential.

The proposed development has incorporated a variety of building and Site design features that support the City’s objectives for energy and water conservation, as identified within the 25 actions included in the CEI relating to buildings, energy systems, transportation, and industry. . A summary of the applicable actions relating to the proposed development are noted below:

- A compact built form that efficiently uses land on a Site that is designated for high-density residential mixed-use development within the Built-up Area and Major Transit Station Area of the City with access to full municipal servicing and a variety of local and inter-regional public transportation opportunities;
- Incorporation of landscaped roof areas to reduce the need for building cooling;
- Provision of direct access to the street and to outdoor amenity areas that encourage active and passive recreational opportunities;
- Identifies access to transit stops along Wellington Street East and Wyndham Street South, access to the broader Downtown area and the Guelph Central Transit Station via Wyndham Street South which promotes alternative modes of transit and multi-modal transit options;
- Incorporation of efficient building design standards that provide for energy and water efficiency and conservation; and,
- Low Impact Design (LID) measures will be included in the development, where appropriate, to reduce the amount of stormwater entering into the City’s pipe systems.

In light of the foregoing, the proposed development is consistent with the energy and water conservation strategies outlined in Section 3.8 and Section 4.6 of the Official Plan.

3.5 Affordable Housing Analysis

The proposed development will assist the City in meeting their affordable housing target by providing alternative forms of housing within the established Downtown, an area characterized by a variety of built forms and uses.

The Site is an ideal location for a compact mixed-use development that will provide housing options for current and future residents of the City through the provision of 250 multiple-dwelling units that identifies opportunities for shared costs associated with maintenance and operations.

The proposed development will contribute to the 40% intensification target established in the Growth Plan, and 30% intensification target currently contained in the Official Plan. The proposed development will provide housing opportunities within Downtown Guelph within a five-minute walking distance (400 metres) of Guelph Central Station, allowing for active transportation opportunities. The Site is also located within a five-minute walking distance (400 metres) of three public transit routes which will allow future residents to effectively utilize alternative modes of transportation.

The proposed development comprises 250 new residential units, consisting of one- and two-bedroom units ranging in size. A total of 155 one bedroom / one bedroom + den units (62%) and 95 two bedroom / two bedroom + den units (38%) are proposed.

The range in unit sizes and types will provide for a variety of housing options to accommodate a range of household compositions with direct access to public and active transportation options to reduce reliance on the single occupancy vehicle trips.

A breakdown of the unit types has been provided below:

Type	No. Units / Percentage
1 Bedroom	74 (29.5%)
1 Bedroom + Den	81 (32.5%)
2 Bedroom	59 (23.5%)
2 Bedroom + Den	36 (14.5%)
TOTAL UNITS	250

The proposed development represents a compact high-rise building with a proposed reduction in parking to efficiently use land while minimizing the amount of floor area dedicated to the parking of individual vehicles. Through reduced parking standards, the proposed development will allow for residents/tenants to live in the Downtown, which reduces the requirement for vehicle ownership. These features provide for alternative development standards which minimize the cost of construction and the associated cost to unit owners, which aligns with the general policies for affordable housing in Section 7.2.2 of the Official Plan.

Locationally, the Site is well-situated and supported by existing servicing infrastructure, with a residential density that contributes to the viability of transit use. The proposed redevelopment's compact form and intensity supports the broader growth and intensification directives of the Provincial and City planning policy concerning residential opportunities in core, transit-supported areas. The addition of up 350 new residents within the proposed building specifically contributes to the Secondary Plan's residential target.

The proposed redevelopment contributes to diversity in Downtown Guelph's housing stock with options in unit size. It contains a mix of one-bedroom and two-bedroom units through the building's tower and the smaller size of these unit types will diversify housing choice in respect to more compact options in prominent, transit-accessible locations. The proposed units are sized and designed for a specific target market, targeted to residents looking for more compact and contemporary accommodations within a downtown lifestyle offering proximity to a range of shops, restaurants, entertainment, and services. They cater to residents looking for opportunities for car-free or car-reduced living. They will appeal to residents seeking strong connections to jobs, whether in Downtown by active transportation, elsewhere in Guelph by active transportation, or local transit options or in other municipalities by higher order GO Transit.

Concerning affordable housing, 2278560 Ontario Inc. is not committing to affordable housing that meets the City's defined affordable housing benchmark as part of the proposed redevelopment. The proposed redevelopment, however, does assist with other housing objectives.

The City's Affordable Housing Monitoring Report identifies two relevant trends in Guelph concerning the housing market:

- smaller households are increasing at a faster rate than other household sizes; and,
- the vacancy rate of the Guelph CMA in 2018 remained significantly below the balanced and healthy supply rate of 3%.

The proposed redevelopment contributes to the supply of condominiums within the Downtown Guelph area while providing compact unit forms that cater to smaller households and contribute to a healthier rental vacancy rate in Guelph.

4. Supporting Studies

The following studies have been prepared in support of the proposed development. For additional details on the summaries below, please consult the full reports.

4.1 Functional Servicing / Stormwater Management Report

A Functional Servicing / Stormwater Management Report has been prepared by Valdor Engineering Inc. (dated December 2022) to outline the engineering design elements for the proposed development, including water and wastewater servicing, grading, and storm drainage. The report has been prepared based on several background studies, information from servicing plans obtained from the municipal archives, and discussions with City staff.

In addition to the report, the following drawings have been included with the submission:

- Functional Grading Plans – Valdor (December 9, 2022);
- Functional Servicing Plans – Valdor (December 9, 2022);

Water

The Site will be serviced by connections to the existing 150 mm diameter watermain on Surrey Street East. The new waster service connection for the development will consist of a 150 mm diameter fire line and 100 mm diameter domestic water service. A water meter and back flow prevention device will be located in the meter room of the proposed building.

Wastewater

The proposed development will generate a wastewater load of 7.21 L/s. A new 200 mm diameter sanitary service connection will discharge to the existing 375 mm diameter sanitary sewer on Wyndham Street South.

Stormwater Management

The proposed development will be serviced by a 250 mm diameter service connection to the existing 375 mm diameter Wellington Street East storm sewer.

The proposed building will not have an underground parking garage or basement. Through the implementation of a detention tank below the ground floor at the southeast corner of the Site, the post-development 100 year rate will be controlled to the 2 year pre-development rate of 31.5 L/s in accordance with City design standards.

Quality control will be provided by an oil grit separator in order to achieve 'Enhanced' protection (Level 1 treatment) which is 80% Total Suspended Solids (TSS) removal. Based on the size of the Site and the level of imperviousness, the Stormceptor Model EF04 will provide an 89% TSS removal rate.

With regard to the water balance, based on the Site area and initial abstractions, the volume required to achieve the water balance is 10.60 cubic metres. However, given that the parking garage extends under the full Site there are no below grade opportunities at this time.

The stormwater management system is to be inspected and maintained in accordance with the recommendations contained in the report.

Grading

The topography of the Site is relatively moderate and therefore no significant difficulties are anticipated in achieving the City of Guelph grading design criteria. Given that the Site is located within the area regulated by the GRCA, a permit will be required from their office prior to construction.

Erosion & Sediment Control

Erosion and sediment controls are to be implemented during construction to prevent silt laden runoff from leaving the Site in accordance with the Erosion & Sediment Control Guidelines for Urban Construction (December 2006).

Detailed Design

A detailed Site servicing and grading plan is to be prepared in conjunction with the future site plan application.

4.2 Traffic Impact Study

A Traffic Impact Study has been prepared by GHD Limited (dated December 12, 2022) in support of the proposed development. The purpose of the study is to:

- Establish baseline traffic conditions for the study area in 2022 and determine future background operating conditions for a future planning horizon in 2024, 2029, and 2034;
- Utilizing Institute of Transportation Engineers Trip Generation data, proxy site surveys, and first principles to estimate the site trips generated by the proposed development and distribute the traffic to the adjacent road networks;
- Determine future operating traffic conditions using the weekday peak periods through intersection capacity analysis;
- Review the number of proposed parking spaces in accordance with the City of Guelph's Zoning By-law and support for the proposed reduced parking supply;
- Provide a series of Travel Demand Management ("TDM") measures to encourage residents to reduce their dependencies on single occupancy vehicle trips; and,
- Review the swept path for the parking ramp and loading space.

The study identifies that the impact of the development generated traffic is negligible to the operation of the study area intersections and flow along Wyndham Street, Wellington Street East, Gordon Street, and all other study area roadways. With the addition of corridor growth and background development site traffic, the intersections of Wyndham Street and Gordon Street at Wellington Street East are expected to operate at critical levels but remain below the theoretical capacity.

The increased delays at the study intersections under future traffic scenarios are a result of assumed corridor growth rates and the inclusion of background development proposed within

the study area. With limited opportunity for intersection improvements, emphasis has been placed to reduce the traffic generated by the Site through the recommended TDM measures.

The study notes that application of the current parking rates in the Zoning By-law would result in a requirement of 270 parking spaces for the proposed development. The building will have four levels of above grade parking providing 224 vehicle parking spaces, resulting in a deficit of 39 residential spaces and 7 visitor parking spaces. The Lower parking rate provided for the site is justified based on the expected parking demand for the proposed development considering exiting auto ownership levels for apartment units within Guelph's Downtown area, the Site's location near the Downtown core and proximity to the Guelph Central Station and it encourages residents to explore other modes of transportation and reduce single occupancy vehicle trips.

A Vehicle Swept Path Analysis has been included in the study to assess the Site's ability to accommodate the required turning movements of a waste collection truck and MSU Truck using the proposed loading bay on Surrey Street as per TAC design guidelines. The study confirms that the loading space can sufficiently accommodate the aforementioned design vehicles, however, waste trucks will be required to reverse onto Surrey Street from an operational standpoint and will be assisted by signal warning systems, audible alarms, and/or assistance from a traffic control personnel.

A series of TDM measures are recommended for the proposed development to encourage residents to explore various modes of transportation in order to reduce the dependency on single occupancy vehicle trips. These measures include good pedestrian and cycling connectivity to the municipal networks, a reduced parking supply, shared parking between the various uses and real-time bus schedules on screens within the lobby.

4.3 Urban Design Brief

An Urban Design Brief ("UDB") has been prepared by GSP (dated December 2022) in support of the proposed development to outline the design goals and objectives of the proposed development, outline the general Official Plan policies, Urban Design Guidelines, and Built Form Standards that are relevant to the Site and the proposed development, and to describe the design components of the proposed development in relation to the noted policies and guidelines.

The UDB identifies that the proposed 23-storey mixed-use building will bring additional vitality and complementary activities to the Downtown and will be highly compatible with adjacent land uses. Further, the brief notes that the proposed built form succeeds in enhancing the character of the Site at a predominant location with respect to entry to the Downtown, while still being respectful of the surrounding context.

The brief notes that the design of the podium is at an appropriate height and scale, and defines the public realm with good proportions. The tower component of the building is further stepped back from the podium edge and maintains a slender building form in order to minimize its vertical presence and built form impacts on the public realm and surrounding properties.

Further, the UDB identifies the corner element facing the intersection of Wyndham Street South and Wellington Street East is prominently defined and will truly serve as a significant gateway feature for the Site, as well as those entering the Downtown from the south ('east' for the purpose of the brief). Lastly, the UDB identifies that the proposed 23-storey building height further

accentuates the prominence of the proposed development as being a Downtown gateway features and will result in a great addition to the City's skyline with striking geometry.

4.4 Shadow Impact Study

A Shadow Impact Study has been prepared by Core Architects (dated December 12, 2022) and has been analysed within the UDB. The shadow study times, dates, and impacts outlined below were completed in accordance with the City of Guelph Sun and Shadow Study Terms of Reference (**Figures 16-26**).

Residential Amenity Space

The study identifies that there are no new shadow impacts for more than two (2) consecutive hours on any yards, decks, patios or pools, or within 3 m of the rear of a dwelling. The proposed building will cast shadows onto the rear yards of single family dwellings to the northwest in the morning, however, the shadow cast clears each rear yard within two (2) hours or less.

Public Realm

The study notes that with the exception of Heritage Park, there are no school yards, tot-lots, or play areas that are shadowed by the proposed building at any time of the day. Minimal shadowing happens on the southern edge of Heritage Park in April, June, and September after 4PM.

Shadows from the proposed development shadow onto parts of the adjacent sidewalk on Surrey Street East in September in the morning hours, but the sidewalk will be completely clear of shadows from 12PM onwards according to the study.

The study also identifies that shadows from the proposed development will allow for three (3) hours of sunlight on the adjacent sidewalk on Wyndham Street South in the morning from 9AM to 12PM, as the shadow moves along Wyndham Street South at least one (1) additional hour of sunlight is provided in sections along the adjacent sidewalk.

Further, the study notes that there are no community gardens or turf and flower gardens in Public Parks that are impacted by the proposed development, nor are there any cultural heritage resources impacted by the proposed development.

4.5 Pedestrian Level Wind Study

A Pedestrian Level Wind ("PLW") Study has been prepared by Gradient Wind (dated December 12, 2022) to assess wind conditions for the proposed mixed-use development.

Based on the analysis of the measured data, consideration of local climate data, and the suitability descriptors provided in the study, the significant findings of the PLW study with respect to existing scenarios, as follows:

- All public sidewalks, walkways, laneways, landscaped areas, and parking areas within and surrounding the proposed development currently experience wind conditions suitable for standing or better during each seasonal period;

- The nearby transit stop along Wellington Street East currently experiences wind conditions suitable for sitting throughout the year; and,
- Within the context of typical weather patterns, which exclude anomalous localized storm events such as tornadoes and downbursts, no areas over the study site were found to experience wind conditions that are considered unsafe.

Further, the PLW study identifies that, with respect to the proposed scenario:

- All public sidewalks, walkways, laneways, landscaped spaces, and parking areas within and surrounding the proposed development will experience wind conditions suitable for walking or better each seasonal period, which is acceptable for the intended use of the space;
- All primary and secondary building access points (including loading areas and stairwell exits) throughout the proposed development will be comfortable for standing or better throughout the year, which is acceptable;
- The nearby transit stop along Wellington Street East will experience wind conditions suitable for sitting during the summer months and standing or better during the winter, which is appropriate.
- The outdoor amenity terrace on the 6th storey of the proposed building will experience wind conditions generally suitable for sitting or more sedentary activities throughout the warmer half of the year, which is acceptable. One exception is the southeast portion of the terrace which will marginally exceed the sitting criterion during the warmer months. If designated seating areas will be provided in the noted southeast corner, it is recommended to provide target upwind barriers to the immediate west-southwest of such spaces. Such barriers may comprise high-solidity windscreens, raised planters with dense coniferous plantings, or a combination thereof, and should measure at least 1.6 m above the walking surface. The exact composition and configuration can be coordinated with the design team as the landscaping plan develops; and,
- Within the context of typical weather patterns, which exclude anomalous localized storm events such as tornadoes and downbursts, no areas over the study site were found to experience wind conditions that are considered unsafe.

4.6 Transportation Noise Feasibility Assessment

A Transportation Noise Feasibility Assessment has been prepared by Gradient Wind (dated December 8, 2022) to assess the proposed development and provide a summary of the methodology, results, and recommendations related to exterior noise levels generated by local roadway traffic.

The assessment was performed on the basis of theoretical noise calculation methods conforming to the Ministry of Environment, Conservation, and Parks (“MECP”) and Guelph Noise Control Guidelines. Noise calculations were based on site plan drawings provided by Core Architects, with traffic volumes corresponding to the City of Guelph’s Streetscape Manual and Transportation Master Plan roadway classifications.

The assessment identifies that noise levels predicted due to roadway traffic exceed the criteria listed in NPC-300 for building components, therefore, upgraded components with a higher Sound Transmission Class (“STC”) rating will be required. The assessment recommends that a

detailed review of the window and wall assemblies be performed by a qualified engineer with expertise in acoustics during the detailed design stage of the building.

Further, the assessment notes a requirement for central air conditioning, or a similar ventilation system, due to roadway traffic noise to allow occupants to keep windows closed and maintain a comfortable living environment. The noise levels for the outdoor amenity area are expected to be under the criteria listed in the NPC-300 for outdoor living areas.

With regard to stationary noise impacts of the proposed development on the surroundings and upon itself, noise levels produced by the proposed mechanical equipment will be required to comply with the NPC-300 sound level limits. This will be accomplished through judicious selections of the equipment, placing equipment away from noise-sensitive spaces, and where necessary, incorporating silencers or noise screens into the design. Once the location and type of mechanical equipment have been determined, a review by a qualified acoustic consultant will be undertaken. Regarding existing stationary noise sources, the Site is surrounded by fast-food restaurants with small rooftop mechanical equipment and residential dwellings, neither of which are anticipated to be a concern in regard to stationary noise impact on the proposed development.

4.7 Environmental Site Assessment

A Phase Two Environmental Site Assessment (“ESA”) has been prepared by XCG Environmental Engineers & Scientists (dated December 3, 2019) in support of the proposed development. The conclusions of the assessment are:

- Groundwater at the on-site monitoring wells are sampled for metals, volatile organic compounds, petroleum hydrocarbons, and polycyclic aromatic hydrocarbons. The analytical results indicated that all parameters submitted for laboratory analysis in groundwater were below the laboratory reportable detection limit or detected at concentrations less than the MOE Table 2 Standards for all property uses.
- Soil at the Site was sampled for metals, VOCs, PHCs, PAHs. Contaminants of concern identified in the soil included PHCs in the south-central portion of the Site, mercury in the northwest corner of the Site, and PAHs at two locations in the north portion of the Site.
- Impacted soils were excavated and removed off-site, and confirmatory samples were collected for analytical testing. Upon the completion of remedial activities, all parameters submitted for laboratory analysis in the soil were below the laboratory RDL or detected at concentrations below the applicable MOE Table 2 Standards.
- Based on the findings of the Phase Two ESA and the subsequent remediation, no COCs were identified to remain at the Site; therefore, all release and exposure pathways are incomplete. Groundwater at the Site is not used as a potable or industrial source of water.
- At the time of certification date of August 30, 2019 (the last day field activities were completed at the Site), all MOE Table 2 Standards for residential / parkland / institutional property uses were met.

A Record of Site Condition (No. 227674) has been filed in the Environmental Site Registry on March 24, 2021.

4.8 Preliminary Scoped Hydrogeological Assessment

A Preliminary 'Scoped' Hydrogeological Assessment & Work Plan for Construction Dewatering and Water Balance Assessment has been prepared by Chung & Vander Doelen Engineering Ltd. (dated December 6, 2022) to provide a preliminary assessment for construction dewatering and water balance, and further, to provide a recommended work plan that is intended to provide additional confirmatory hydrogeological data to support a detailed assessment in this regard.

Construction Dewatering

The assessment identifies that some temporary dewatering of groundwater in the surficial and gravel deposit will be required during construction of the building foundation. The necessary vertical lowering of the water table is expected to be in the range of 1 to 1.5 m for the majority of the property depending on location, time of year, and the variable elevation of the bedrock. The dewatering would only be required for two to three months until the foundation has been constructed.

All pumped water would be direct to the City storm sewer and ultimately discharges a short distance to the Speed River. As a result, there would be no net loss of groundwater discharge to the Speed River during this short dewatering period. All water would be tested and any appropriate water treatment undertaken prior to discharge to meet the City of Guelph's Sewer Use By-law and any other relevant water quality requirements appropriate to maintain Speed River quality.

Water Balance & Infiltration

The pre-development quantity of groundwater recharge at the Site is expected to be very modest, based on only about 20% of the 'pre-remediation' property having both a pervious surface (e.g., grass) and sufficient flatness to retain rainfall runoff long enough to allow any significant recharge. This is consistent with other largely impervious properties in the Downtown. As a result, there would not be a significantly lower recharge quantity, even with a fully impervious post-development surface.

Nevertheless, as part of the evaluation of various LID features to be incorporate into the building design, an evaluation of the potential for including an enhanced recharge facility beneath the floor will be evaluated. Such inclusion would also depend on the ability to provide an adequate 1 m separation from the high-water table to the bottom of the facility. Preliminary assessment indicates this separation may not be available.

Work Plan for Supplemental Investigation

The maximum dewatering rate can be determined after the spring seasonal water level monitoring and response testing are undertaken. The assessment will include a dewatering model that reflects the hydrogeological conditions and required drawdown. The model will also provide predictions of the drawdown cone extend towards Speed River and also allow an assessment to be made of the potential impact to the river baseflow. No net impact is expected based on the modest dewatering drawdown, limited period of dewatering, and appropriate return of the pumped groundwater to the river.

The detailed dewatering assessment, river impact assessment, and water balance infiltration assessment will be summarized in a supplemental report. The report will be provided to City staff and will be appropriately scoped to support a Permit to Take Water or construction Environmental Activity Sector Registry.

4.9 Geotechnical Investigation Report

A Supplemental Geotechnical Investigation Report has been prepared by Chung & Vander Doelen Engineering Ltd. (dated October 25, 2018) to determine the subsurface conditions of the Site, and based on the findings, make geotechnical recommendations for foundation design recommendations, excavation control, groundwater control during construction, backfilling recommendations, foundation soil classification seismic design, and foundation walls and shoring design.

The report notes that in general, the surficial topsoil is underlain with loose to compact fill materials and a layer compact to very dense and gravel overlying carbonate rock. The bedrock contact elevations generally dip from west to east as well as north to south across the Site from elevations 310.44 to 307.06 m.

The report identifies an evaluation of soil and groundwater conditions of the property and concludes that the proposed development can be supported from a geotechnical perspective, subject to recommendations during the design and construction of the building/structure.

5. Planning Policy Framework

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed Official Plan and Zoning By-law Amendments in the context of provincial and local policies and regulations.

It is noted that Bill 23, the *More Homes Built Faster Act, 2022* was introduced by the provincial government on October 25, 2022 and was subsequently passed by the Legislature and received Royal Assent on November 28, 2022. Through Bill 23, new subsections 16(20) and (21) have been added to the *Planning Act* to require zoning by-laws to be amended to conform with certain official plan policies described in paragraph 1 or 2 of subsection (21) within one year of the policies coming into effect.

Subsection 21 establishes that policies must be set out in the official plan of local municipality that:

- Delineate an area surrounding and including an existing or planned higher order transit station or stop, and identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the area; and,
- Are required to be included in an official plan to conform with a provincial plan or be consistent with a policy statement issued under subsection 3(1).

Further, various amendments were made to Section 41 of the *Planning Act* with respect to site plan control areas including new subsections (1.2) and (1.2) to redefine “development” and new subsections (4) and (4.1) to provide that exterior design is no longer a matter that is subject to site plan control.

5.1 Ontario Planning Act

The *Planning Act* R.S.O. 1990, c. P.13 establishes the policy-led land use planning system for Ontario that outlines matters of provincial interest as part of municipal planning decisions and provides for statutory planning processes in Ontario.

Section 2 of the *Planning Act* identifies the breadth of matters considered as being provincial interest which a municipality must “have regard to” in carrying out its responsibility under the *Planning Act*. These matters are general in nature and broad in range. These matters are captured in more detail through the policy statements and provincial plans issued under Section 3 of the *Planning Act* and through the Official Plan of the City of Guelph which are reflected in subsequent sections of this Planning Justification Report.

Section 3(5) of the *Planning Act* requires that the decisions of municipal councils regarding the exercise of authority concerning planning matters, including decisions on *Planning Act* applications:

- (a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and,
- (b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The 2020 Provincial Policy Statement was issued under Section 3(5) and is applicable and relevant to the consideration of the proposed application. The 2019 Growth Plan for the Greater Golden Horseshoe, 2017 Greenbelt Plan, 2017 Oak Ridges Moraine Conservation Plan, and 2017 Niagara Escarpment Plan were also issued under Section 3(5). The 2019 Growth Plan for the Greater Golden Horseshoe applies to the Site.

5.2 Provincial Policy Statement

The 2020 Provincial Policy Statement (“PPS”) establishes the policy direction for land use planning on matters of Provincial interest. The PPS directs the majority of growth and development to existing serviced settlements and has imposed boundaries around settlement areas to limit sprawl, protect farmland, increase servicing efficiency, improve transit ridership, and reduce greenhouse gas emissions.

Community Design

Section 1.1.1 of the PPS seeks the establishment of “healthy, livable, and safe communities” through:

- i. *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- ii. *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, 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;*
- iii. *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- iv. *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;*
- v. *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- vi. *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- vii. *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- viii. *promoting development and land use patterns that conserve biodiversity; and,*
- ix. *preparing for the regional and local impacts of a changing climate.*

Section 1.1.2 of the PPS requires municipalities to ensure there is a sufficient supply of land to accommodate growth for 25 years. Section 1.1.3 directs development to settlement areas and promote intensification.

Housing

Section 1.4 of the PPS requires planning authorities to provide for a range and mix of housing options and densities to meet projected requirements of current and future residents. This includes maintaining the ability to accommodate residential growth for a minimum of 15 years and land with servicing capacity sufficient to provide at least a three-year supply of residential units through lands zoned to facilitate residential intensification and land in draft approved plans.

Planning authorities are to permit all housing options required to meet the well-being of current and future residents and to promote densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities. Development standards for new development are required to minimize the cost of housing and facilitate compact form which maintaining appropriate levels of public health and safety.

Sewage, Water, and Stormwater

Section 1.6.6 of the PPS establishes a servicing hierarchy for development. Full municipal services are preferred for settlement areas, followed by partial services and communal services. Private services are the least preferred option for servicing and are only permitted in settlement areas for infilling and minor rounding out of existing development.

Protecting Public Health and Safety

Section 3.0 of the PPS directs development away from natural or human-made hazard lands, including floodplains, areas of steep slope, areas subject to erosion or dynamic beach hazards, mine hazards, oil, gas, and salt hazards, former resource extraction use, and contaminated areas.

Consistency

The proposed development is also consistent with Section 1.1.3.2(a) of the PPS as the development is a compact form of development that contributes to the overall intensification of the community with access to full municipal services available to service the development, including sanitary, water, and stormwater infrastructure, which can accommodate the proposed development per the Functional Servicing Report prepared by Valdor Engineering Inc. (November 2014) and supplementary Stormwater Management Brief (February 2021).

The proposed development is consistent with Section 1.1.3.4 and 1.1.3.6 of the PPS in that the development:

- Efficiently utilizes, and maximizes, the use of the Site as a residential use while retaining the character of the surrounding community; and,
- Utilizes existing infrastructure and capacity available to the Site.

Further, the proposed development is consistent with Section 1.4.3 of the PPS as the development will contribute to the diversification of the available housing stock within the community through the provision of one-bedroom and two-bedroom units in a located where existing infrastructure is available with sufficient capacity.

The density proposed for the Site is appropriate for the Site given it is within walking distance to a broad mixture of uses within Downtown Guelph while contributing to the overall supply of residential units within the community.

The location of the proposed development promotes the use of transportation alternatives including active transportation and transit options. The Site's location within Downtown Guelph, three transit lines, as well as GO and VIA train stations via Guelph Central Station allow for convenient access and encourages the use of public and active transportation, which is consistent with Section 1.6.7.4 of the PPS.

The proposed development is consistent with Section 1.8.1 as the building has been designed in a compact form to efficiently utilize land while providing opportunities for higher densities within Downtown Guelph, including employment, retail, and entertainment opportunities, as well as a variety of community amenities with a variety of transportation options, including public transit, cycling, and pedestrian modes.

In light of the foregoing, the proposed development is consistent with the PPS policies respecting mixed-use development as the proposal efficiently utilizes land within a designated settlement area with access to available municipal infrastructure, public transit, and services/amenities located within Downtown Guelph.

5.3 Growth Plan for the Greater Golden Horseshoe

In May 2019, the Province released *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and Amendment 1 was approved with an effective date of August 18, 2020 ("Growth Plan"). The Growth Plan Guides growth and development within the Greater Golden Horseshoe for the past 30 years.

The Site is within the 'Built-Up Area' identified on Schedule 2 of the Growth Plan (**Figure 27**). Further, Downtown Guelph is the designated Major Transit Station Area ("MTSA") for the City.

For the purposes of this Section, the following definition of Major Transit Station Area has been provided for reference, as contained within the Growth Plan:

The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

Section 2.2.3.1 directs that Urban Growth Centres are to be planned as a focal area for investment for regionally-servicing uses, accommodate and support regional scale transit, serve as high-density major employment centre, and accommodate significant population and employment growth. Section 2.2.3.2(c) directs the Downtown Guelph Urban Growth Centre to be planned to achieve, by no later than 2031, a minimum density target of 150 residents and jobs combined per hectare.

Section 2.2.1 (Managing Growth) identifies that Growth Plan policies are meant to support the achievement of complete communities through (Policy 2.2.1.4):

- Featuring a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- Improving social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- Providing a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- Expanding convenient access to:
 - A range of transportation options, including options for the safe, comfortable, and convenient use of active transportation;
 - Public service facilities, co-located and integrated in community hubs;
 - An appropriate supply of safe, publicly accessible open spaces, parks, trails, and other recreational facilities; and,
 - Healthy, local and affordable food options, including through urban agriculture; provide for a more compact built form and vibrant public realm, including public open spaces.
- Mitigation and adaptation to climate change impacts; improve resilience, and reduce greenhouse gas emissions, and contribute to environmental sustainability; and,
- Integration of green infrastructure and appropriate low impact development.

Section 2.2.1.2 directs that growth within settlement areas will be focused in delineated Built-Up Areas; strategic growth areas; locations with existing or planned transit, particularly those with a priority on higher order transit where it exists or is planned, and areas with existing or planned public service facilities.

Section 2.2.4 (Transit Corridors and Station Areas) establishes minimum density targets for MTSA's and identifies a density of 160 residents and jobs per hectare for those served by light rail transit or bus rapid transit, and further, the land uses and built forms within a MTSA should support the achievement of the minimum density targets.

The Growth Plan states that within all MTSA's, development will be supported, where appropriate, by planning for a diverse mix of uses to support existing and planned transit service levels, by fostering collaboration between public and private sectors, and by providing alternative development standards, such as reduced parking.

Further to these general growth directions, the Growth Plan identifies specific targets for intensification for municipalities. For the City of Guelph, Section 2.2.2 identifies the minimum target is 50 percent of all residential development within the delineated Built-Up Area by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter. Section 2.2.3 directs that municipalities are to develop a strategy to achieve this target, which will include identifying strategic growth areas as key development focus areas, identifying appropriate scales of development in such areas and built form transition to adjacent areas, encouraging intensification generally throughout the delineated Built-Up Area, and ensuring lands are zoned and development designed to support complete communities.

Conformity

The proposed development represents redevelopment and intensification within Downtown Guelph that will create housing options for current and future residents of the City with infrastructure to support pedestrians and cyclists, as well as access to three public transit stops in the immediate area. The development incorporates TDM measures that will support public infrastructure and service levels, such as direct access to the street for pedestrians/cyclists, providing small-scale commercial uses to support residents of the proposed development and surrounding neighbourhood, and the provision of bicycle parking. The Zoning By-Law Amendment proposes to reduce the required parking spaces for the Site, which aligns with the Growth Plan policies for development within a MTSA.

The proposed development conforms to Section 2.2.1 of the Growth Plan as the Site is located within the 'Built-Up Area' of the City of Guelph, and is within Downtown Guelph, an area that is designated for focused growth and intensification as the City's designated 'Major Transit Station Area'.

The development proposes a mixture of one-bedroom and two-bedroom units in an area with access to a variety of transportation options and adequate on-site bicycling parking to encourage alternative means of transportation. Due to the Site's proximity to Downtown Guelph and other amenities within the community, walking and active transit are viable options while three public transit routes are also readily available.

In light of the foregoing, the proposed development conforms to the policies of the Growth Plan as the Site is within the delineated 'Built-Up Area' and will provide for a compact built form with access to municipal infrastructure that will provide housing options for current and future residents of the City of Guelph while contributing to the intensification targets. The proposed development will contribute to the supply of residential units in the area and will take advantage of existing infrastructure.

5.4 City of Guelph Official Plan

Proposed development guided by the City of Guelph's applicable policies and guidelines, including the City of Guelph Official Plan, Downtown Secondary Plan, Urban Design Manual, and Downtown Streetscape Manual and Built Form Standards.

5.4.1 City of Guelph Official Plan

The City of Guelph Official Plan ("Official Plan") was adopted by the Council of the City of Guelph in 1994 and approved by the Ministry of Municipal Affairs and Housing in 1995. The Official Plan was comprehensively updated in 2001 and more recently through the following City-initiated Official Plan amendments:

- Official Plan Amendment No. 39 ("OPA39") Growth Plan Conformity (approved by the Ministry of Municipal Affairs and Housing in November 2009);
- Official Plan Amendment No. 42 ("OPA42") Natural Heritage Strategy (approved by the Ontario Municipal Board in June 2014); and,
- Official Plan Amendment No. 48 ("OPA48") Final Phase of the Five-year Review (approved by the Ontario Municipal Board in October 2017).

Further, Guelph City Council approved Official Plan Amendment No. 80 (“OPA80”) on July 11, 2022 which was an amendment to update the Official Plan to conform to provincial plans and policies, and to conform to *A Place to Growth: Growth Plan for the Greater Golden Horseshoe*. OPA80 is subject to approval by the MMAH and is currently posted on the Environmental Registry of Ontario for comments until January 4, 2023.

A few of the changes to the Official Plan established through OPA80 are noted below:

- Expand the timeline for the City to accommodate projected growth from 2031 to 2051;
- To identify the need to provide an appropriate range and mix of housing options and densities to accommodate residential growth for a minimum of 15 years through residential intensification / redevelopment, and further, to maintain at all times land with servicing capacity to provide at least a 3-year supply of residential units available through lands suitably zoned to facilitate residential intensification / redevelopment;
- Updates the Official Plan to identify recognize the Downtown Secondary Plan and to establish the Downtown as a protected MTSA and Urban Growth Centre with the following minimum density targets:
 - 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.
- To update the Natural Heritage Systems policies to align with current legislation, the water resource system, and the impacts of a changing climate;
- To delete all references to height and density bonusing;
- Amend Schedule D of the Downtown Secondary Plan (Minimum and Maximum Building Heights) to allocate additional height to limited designations in response to the deletion of the bonusing provisions, as follows:
 - ‘4-8 storeys’ redesignated to ‘4-10 storeys’;
 - ‘4-10 storeys’ redesignated to ‘4-12 storeys’; and,
 - ‘4-12 storeys’ redesignated to ‘4-14 storeys’.

5.4.2 Downtown Secondary Plan

The Downtown Secondary Plan (“DSP”) comprises Section 11.1 of the Official Plan. It was approved by the Council of the City of Guelph in 2012 and brought into effect by Ontario Municipal Board decisions in 2013 and 2015. It is now in full force and effect.

The purpose of the DSP is to provide a policy framework to guide and regulation growth and development in the Downtown Guelph Urban Growth Centre and help achieve the provincial Growth Plan intensification target of 150 people and jobs combined per hectare by 2031.

5.4.3 Urban Design Manual

Council of the City of Guelph approved the Urban Design Manual in November 2017. Volume I of the manual provides the urban design vision for the City. Volume II of the manual updates the Urban Design Action Plan originally prepared in 2009. The Urban Design Manual is intended to provide guidance on the use of urban design excellence to create a complete and distinctive community that enhances the sense of place enjoyed by Guelph residents.

The Urban Design Action Plan identifies Downtown Guelph as an opportunity area. It establishes the following vision for Downtown Guelph:

A distinctive 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.

An Urban Design Brief has been prepared by GSP (dated December 2022) in support of the proposed development which outlines the applicable Official Plan policies, as well as the guidelines contained within the Urban Design Manual and Downtown Streetscape Manual.

5.4.4 Policy Overview

The relevant and/or applicable sections of the Official Plan, including the Downtown Secondary Plan, are noted below.

As previously noted, the Site is located within the designated 'Urban Growth Centre' for Downtown Guelph, as identified on *Schedule 1: Growth Plan Elements (Figure 28)*. Section 3.8 of the Official Plan provides policy direction for the Downtown Urban Growth Centre.

Section 3.8.4 Downtown will be planned and designed to:

- i.* achieve a minimum density target of 150 people and jobs combined per hectare by 2031, which is measured across the entire Downtown;
- ii.* serve as a high density major employment area that will attract provincially and potentially nationally and internationally significant uses;
- iii.* provide for additional residential development, including affordable housing, major offices, commercial and appropriate institutional development in order to promote live/work opportunities and economic vitality in Downtown;
- iv.* maintain, enhance and promote cultural heritage resources, the Natural Heritage System, unique streetscapes and landmarks within Downtown;
- v.* develop additional public infrastructure and services; public open space; and tourist, recreational, entertainment, and cultural facilities within Downtown; and,
- vi.* accommodate a major transit station and associated multi-modal transportation facilities within Downtown, which facilitates both inter and intra-city transit service.

The Site is located within the designated 'Major Transit Station Area' for the City of Guelph, as identified in Section 11.1.7.6.

The Site is designated 'Mixed Use 1' according to *Schedule C: Downtown Secondary Plan Land Use Plan (Figure 29)*. Mixed Use 1 areas are intended to accommodate a broad range of uses in a mix of highly compact development forms, and further, development within this designation shall contribute to the creation of a strong urban character and high-quality, pedestrian-oriented environment. Active uses that enliven the street are encouraged to be located on the ground floor of buildings within the Mixed Use 1 designation and shall be required on key streets as per Policy 11.1.7.3.4 (s.11.1.7.3.1).

Within the Mixed Use 1 designation, a minimum Floor Space Index (“FSI”) shall generally be 1.5 (s.11.1.7.3.3). Where active frontage is required on properties within the Mixed Use 1 designation, the following shall apply (s.11.1.7.3.4):

- Retail and service uses, including restaurants and personal service uses, or entertainment uses shall generally be required on the ground floor of all buildings at the street edge;
- 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 be located 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;
- 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 continuous active public realm and give the street wall a visual rhythm. 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; and,
- Ground floor heights will generally be a minimum of 4.5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors. Generally, a large proportion of the street-facing ground wall of a new mixed-use building shall be glazed.

The Official Plan directs that generally buildings in Mixed Use 1 areas shall be built close to the street and that the Zoning By-law shall establish maximum setbacks on streets where active frontage is required. Further, the Zoning By-law may include limited exceptions to the build-to lines and maximum setbacks while ensuring a consistent streetwall is extended, maintained, or established (s.11.1.7.3.5).

Buildings taller than 4 storeys in the Mixed Use 1 areas shall generally have a substantial stepback above the fourth storey generally in the range of 3-6 metres, except on Gordon Street and Wellington Street, where a stepback of generally 3-6 metres minimum is required above the sixth storey (s.11.1.7.3.6).

Buildings within Mixed Use 1 areas shall reflect their urban context and should have detailed and well articulated street level facades with high quality materials, and blank walls facing the street or public open spaces should be avoided (s.11.1.7.3.7). Further, generally building entrances to non-residential uses shall be flush with the sidewalk for ease of access and to maintain a strong relationship to the street (s.11.1.7.3.8).

Schedule C: Downtown Secondary Plan Land Use Plan also identifies certain areas where active frontages are required to reinforce the role of the streets as commercial, pedestrian-oriented, urban streetscapes. In general, retail, service, or entertainment uses are required on the ground floor in active frontage areas. Policies for these areas relate to providing a continuous streetwall, location, and frequency of entrances and ground floor heights and glazing to achieve the urban character envisaged. The Wyndham Street South / Wellington Street East frontages of the Site are identified as active frontage areas (s.11.1.7.3).

The Site is designated for '6-18 storeys' according to Schedule D: Downtown Secondary Plan Minimum & Maximum Building Heights (**Figure 30**).

The DSP establishes that generally, buildings within a Mixed Use 1 area are to be built close to the front property line to help frame and animate the street, and further, that the Zoning By-law may establish minimum and maximum setbacks for active frontage areas (11.1.7.3.5).

To respect the historic character of the Downtown and ensure a human-scale pedestrian realm, the DSP states that generally, buildings taller than four storeys shall have a substantial stepback above the fourth floor in the range of 3-6 metres (11.1.7.3.6).

The DSP includes general built form policies that apply to all areas of the Downtown as well as policies that are specific to each land use designation. The built form policies of the DSP echo the objectives of the Official Plan to create high quality, enduring environments that contribute to a pedestrian-oriented public realm.

Section 11.1.7.2 of the DSP directs that the predominant mid-rise form of Downtown shall be maintained with taller buildings restricted to strategic locations, including gateways that act as anchors for key streets, and further, that taller buildings in these locations will have minimal direct impacts to existing neighbourhoods and the historic core of Downtown, and they will be located outside any protected view corridors.

Section 11.1.7.2 also identifies that the maximum heights established through the DSP (e.g., 18 storeys) recognizes the Basilica's status as a landmark and signature building, and further, that the general intent is that no building Downtown should be taller than the elevation of the Basilica (s.11.1.7.2.1). Protected view corridors to the Basilica are identified in Schedule D of the DSP and are to be more precisely defined through the Zoning By-law (s.11.1.7.2.2). It is noted that the Site is not within a protected view corridor identified on Schedule D.

The general built form policies provide for buildings to be oriented towards a street or open space, that buildings longer than 40 metres in length are to break up the visual impact of the massing with vertical recesses or architectural articulations and/or changes in material, balconies are to be recessed and/or integrated into the building façade and generally not constructed of exposed concrete, drop-off areas are to be avoided on local streets, and buildings are to be finished with high-quality materials (11.1.7.2.3).

Where buildings are taller than six storeys, the perceived massing and shadow impacts are to be moderated through the massing and articulation of buildings while contributing to a varied skyline. Generally, the maximum floorplate of any floor above the sixth storey shall be 1,200 square metres, and the maximum floorplate above the eighth storey shall be 1,000 square metres and should not exceed a length to width ratio of 1.5:1 (11.1.7.2. & 11.1.7.3)

Transportation / Parking

Schedule A: Downtown Secondary Plan Mobility Plan establishes a street hierarchy for the Downtown and identifies Wyndham Street South as a 'Downtown Main Street', Wellington Street East as a 'Primary Street (arterial)', and Surrey Street as a 'Local Street'. Further, Wellington Street South is identified as a 'Primary Streetscape' according to Schedule B: Downtown Secondary Plan Public Realm (**Figure 31**).

Wyndham Street South is identified as a 'Downtown Main Street' which are main commercial streets within Downtown and are considered pedestrian and transit priority streets. They are to have minimum six-metre-wide pedestrian zones on both sides where possible and should accommodate parking and bicycle parking where appropriate.

Local streets like Surrey Street are intended to provide access to development and facilitate circulation by all modes. They will generally accommodate two travel lanes and have sidewalks on both sides.

The Official Plan states that the City may reduce or exempt any requirement for private off-street parking for development if there is adequate alternative parking (s.11.1.4.5).

5.4.5 Conformity

The proposed redevelopment contributes to the establishment and maintenance of a complete community within Downtown Guelph. The proposed building has a mix of retail and commercial/residential uses integrated within the active frontage areas of the building and has a compact form and development intensity that efficiently supports existing public facilities as well as transit. These proposed uses will support and be supported by existing residential, commercial, employment, institutional, entertainment, and recreation activities throughout Downtown Guelph.

The proposed development supports the inward-focused growth direction in the policy framework as the Site is located within the designated 'Built-Up Area' for the City of Guelph and is within the immediate area of Downtown Guelph and Guelph's Major Transit Station Area.

The proposed redevelopment will provide opportunities for vitality and live-work opportunities in Downtown Guelph. Also, it will support the function of the Guelph Central Station with the addition of new potential transit users, both residents and tenants.

The proposed development will provide a residential development accommodating 250 new dwelling units including three (3) commercial/residential units along Wyndham Street South that will contribute to vitality and live-work opportunities in Downtown Guelph. Also, it will support the function of the Guelph Central Station with the addition of new potential transit users, both residents and tenants.

The proposed development identifies an intensity of use and form that contributes to Downtown Guelph achieving its density targets per Section 2.2.3.2(c) of the Growth Plan and Section 3.8.4 of the Guelph Official Plan. Further, the Site is an appropriate location for the proposed 23-storey mixed-use building given its geodetic elevation, its location outside of the protected view corridors, and its ability to accommodate the proposed height while the Basilica of Our Lady remains the highest building in Downtown Guelph. This maintains the fundamental visions and objectives of the Downtown Secondary Plan to retain the Basilica as a prominent landmark in the Downtown.

The Site is subject to the land use designations and policies contained in the Downtown Secondary Plan. Within the Downtown Secondary Plan, the Site is designated as 'Mixed Use 1', together with a permitted building height range of 6-18 storeys.

The proposed site-specific zoning provisions implement various design features included within the mixed-use building to enhance the private realm and interface with the street.

A Shadow Study has been prepared to demonstrate that the proposed building will not result in adverse shadow impacts on surrounding properties cast by the building, which pass more quickly over the landscape and maintain adequate sunlight for the surrounding area. The podium-tower form minimizes potential wind impacts at the pedestrian level through tower setbacks and intended design features. The substantial tower setbacks from the northern property line shared with an existing residential property minimizes overlook.

Pedestrian-friendly edges to the development have been created by fronting retail units along Wellington Street East and commercial/residential units along Wyndham Street South with direct pedestrian access, as well as providing patio/amenity spaces for the units along Wellington Street East and Wyndham Street South.

An Urban Design Brief (GSP) has been prepared in support of the proposed Official Plan and Zoning By-Law Amendment applications, which demonstrates that the proposed development will be consistent with the policies of the Official Plan and Downtown Secondary Plan, as well as the relevant design guidelines contained in the Urban Design Manual and Downtown Streetscape Manual.

The proposed development identifies for a compact urban form that promotes mixed and transit supportive land uses, urban intensification, and will encourage active transportation through the provision of active entrances along Wellington Street East and Wyndham Street South.

The proposed development will incorporate TDM measures by encouraging active transportation through the provision of on-site bicycle parking and storage. Further, parking for the residential units will be sold separately to allow for residents to opt for car-free living. The proximity of the site to active and public transportation supports the inclusion of these TDM measures as future residents will have options for multi-modal traffic, consistent with the transportation policies contained in Section 5.4.3(iv).

The Site identifies convenient access to three public transit routes along Wellington Street East and Wyndham Street South, while also encouraging active and recreational transit options. These features allow the proposed development to provide multi-modal access to jobs, housing, schools, cultural, and recreational opportunities, as well as good and services within the Downtown, which is aligned with the transportation policies outlined in Section 3.15 of the Official Plan.

Transportation Demand Measures (“TDM”) have been incorporated into the development to reduce reliance on single-family vehicles and individual trips, including:

- A reduced parking space rate of 0.8 parking spaces per dwelling unit plus a visitor parking rate of 0.05 parking spaces per dwelling unit, and the removal of parking requirements for non-residential uses within the proposed mixed-use building to embrace a walkable lifestyle in an urban area, and further encourages current/future residents of the area to embrace a car-free lifestyle;
- Identifies adequate bicycle storage for residents of the building, contained within a secured area of the building;

- Encouragement of public transit use through immediate access to transit stops located on Wellington Street East and Wyndham Street South; and,
- Providing on-site individual storage facilities that will support families and residents transiting into an urban lifestyle.

The TDM measures identified encourage alternative forms of transit and access to outdoor amenities/natural areas on the Site, which conforms to Section 5.3.1, Section 5.3.2, and Section 5.4 of the Official Plan policies respecting vehicular and alternative modes of transportation.

The Official Plan establishes that reduced parking requirements may be considered with the submission of a Parking Study, particularly within the Downtown area where high levels of transit exist or are planned (Policy 5.11.6). The proposed development is identified within the Downtown Secondary Plan area, with pedestrian/cyclist access to the Downtown via Wellington Street East and Wyndham Street South, and further, the proposed development has access to three public transit routes within 400 metres, or five minutes of walking. As such, the requested parking space reduction is appropriate for the Site, in accordance with Section 5.11 of the Official Plan.

5.5 Grand River Source Water Protection Area

The Grand River Source Protection Plan was approved in November 2015 and came into effect on July 1, 2016. The Site is located within the City of Guelph Special Policy Area associated with the floodplain of the Speed River. Development is permitted within the Special Policy Area in accordance with the applicable Official Plan policies, such as the need to floodproof structures to the Regulatory Flood Elevation and/or 100 Year Flood Elevation, based on the specific use.

5.6 City of Guelph Zoning By-law

5.6.1 Current Zoning Regulations

The City of Guelph Zoning By-law (1995)-14864 was adopted by the Council of the City of Guelph on June 19, 1995. The Site is currently zoned 'Specialized Downtown Zone (D.1-25(H30))' according to Defined Area Map No. 37, as contained within the Zoning By-law (**Figure 34**). Further, the Site is identified for '6 to 18 storeys' according to Defined Area Map No. 67 of the Zoning By-law (**Figure 37**).

The Site is subject to site-specific regulations contained within the 'Specialized Downtown Zone (D.1-25(H30))' contained in Section 14.2 of the Zoning By-law.

The D.1-25(H30) zone establishes the following site-specific provisions for the Site:

- All uses in Section 14.1.1 of the Zoning By-law are permitted, as well as a Vehicle Gas Bar (s.14.2.2);
- That Active Frontage Regulations apply to the Wellington Street East and Wyndham Street South lot lines in accordance with the following (s.14.2.3):
 - The setback along Wellington Street East is a minimum of 10 metres (s.14.2.3.1.1);

- The setback along Wyndham Street South shall be 0 metres for a minimum of 75% of the Street Line. The remaining 25% of the Street Line shall have a maximum Setback of 2 metres (s.14.2.3.1.1);
- The minimum height of the first Storey shall be a minimum of 4.5 metres (s.14.2.3.1.2);
- A minimum of one (1) Active Entrance per 15 metres of Building façade along Wellington Street East and Wyndham Street South but shall not be less than one (1) (s.14.2.3.1.3);
- Active Entrances are to be at or within 0.2 metres above or below Finished Grade (s.14.2.3.1.3.1);
- A minimum of 60% of the surface area of the first Storey façade, measured from the Finished Grade up to a height of 4.5 metres, facing the Street Line must be comprised of a Transparent Window and/or Active Entrances (s.14.2.3.1.4); and,
- Notwithstanding Section 14.1.1, the Uses identified as Active Uses shall occupy a minimum of 60% of the Street Line (s.14.2.3.1.6).
- That Building Tower Separation Regulations contained in Section 14.2.4 apply, as follows:
 - A minimum 25 metre tower separation is required for any tower portion of a Building greater than 12 Storeys as measured perpendicularly to the exterior wall of the tower portion of the building (s.14.2.4.2);
 - For any tower portion of a Building 12 storeys or less:
 - A minimum tower Setback of six (6) metres is required from the Side Yard and/or Rear Yard Lot Line (s.14.2.4.3.1);
 - A minimum 12 metre tower separation is required (s.14.2.4.3.2); and,
 - Notwithstanding Sections 14.2.4.3.1 and 14.2.4.3.2, the tower Setback may be reduced to a minimum of three (3) metres from the Side Yard and/or Exterior Yard Lot Line if there are no windows to a Habitable Room on the facing wall of an existing abutting Building (s.14.2.4.3.3).
- That Building Height Regulations contained in Section 14.2.5 apply, as follows:
 - Notwithstanding Table 14.1.8, Row 5, and Defined Area Map No. 67, the minimum Building Height is six (6) Storeys and the maximum Building Height is 18 Storeys (s.14.2.5.1).

Holding Provision (H30)

The holding provisions (H30) applying to the Site are contained in Section 14.2.6 of the Zoning By-law, as detailed below.

14.2.6 (H30) Holding Provision

Purpose

To ensure that municipal services are adequate and available, to the satisfaction of the City, prior to intensification of the lands.

Interim Uses Prior to Removal of the "H"

For such time as the "H" symbol is in place, these lands may be Used for all Uses permitted in the applicable Zone, subject to the following interim Regulations:

- a) *Modifications to existing Building façade(s);*
- b) *Minor additions to existing Buildings, to a maximum of 10 square metres.*

Conditions

Prior to the removal of the Holding symbol “H” a municipal services review shall be completed to the satisfaction of the City. The scope and boundary of the municipal services review will be determined by the City and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.

- a) *Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the City, the “H” may be lifted; or,*
- b) *Should the municipal services review determine that all necessary municipal service are not adequate and available, then prior to the “H” being lifted:*
 - *The actual design and construction costs of any required municipal services shall be secured where appropriate and in a manner satisfactory to the City; and,*
 - *Any required municipal service shall be designed to the satisfaction of the City; and,*
 - *Any required municipal service shall be constructed to the satisfaction of the City prior to any intensification of the lands.*

It is anticipated that the servicing conditions related to (H30) would be satisfied through detailed review of the functional servicing strategy provided in the submission, and through detailed design drawings and specifications provided through a future Site Plan Control application.

Additional Zoning Regulations Applying to the Site

Zoning regulations for Downtown Zone (D.1) are identified in Section 6.3.2.7 of the Zoning By-law. Within the D.1 zone, a wide range of uses is permitted including apartment buildings and mixed-use buildings, along with a variety of service, office, community, and hospitality uses. A summary of the D.1 zoning regulations in the context of the proposed development are included in Section 5.6.3 of this report.

The frontages abutting the Site along Wyndham Street South Wellington Street East are identified as ‘Active Frontage Areas’ according to Defined Area Map No. 65 (**Figure 36**). Zoning regulations for Active Frontage Areas are contained in Section 6.3.1.1 of the Zoning By-law and have been detailed in Section 5.6.3 of this report.

Section 6.3.2.5.1 of the Zoning By-law identifies off-street parking requirements for mixed-use buildings, specifically the parking rate required for dwelling units and retail / service uses. Further, the Zoning By-law establishes that parking space dimensions are to be determined through the City’s development standards imposed at Site Plan Control (s.4.13.3.2.2). Additional parking regulations are identified in Section 6.3.2.5.2 relating to location and setbacks of parking areas in Downtown zones.

Section 6.3.2.5.3 identifies bicycle parking space requirements and notes that bicycle parking spaces will need to be allocated for each use and delineated by long- and short-term requirements for each use.

It is noted that the Site is outside of the protected view corridors identified on Defined Area Map No. 63 (**Figure 35**).

5.6.2 Downtown Zoning By-law

The 'D.1' Zone was created as part of a City-initiated comprehensive Zoning By-law amendment to implement Downtown Zones which was approved by Guelph Council on July 24, 2017, and subsequently approved (with modifications) by the Local Planning Appeal Tribunal ("LPAT") on March 5, 2019. The purpose of the Downtown Zoning By-law update was to review commercial zones in the Downtown to:

- Support a vibrant Downtown Guelph;
- Line up the existing Zoning By-law with the Downtown Secondary Plan; and,
- Support appropriate development downtown.

At the time of the LPAT decision on the Downtown Zoning By-law update, it was determined that the Downtown Zoning By-law had appropriate regard for matters of Provincial interest, was consistent with the 2014 Provincial Policy Statement, conformed with the 2017 Growth Plan for the Greater Golden Horseshoe, conformed with the City of Guelph Official Plan, and conformed to the Downtown Secondary Plan. It is noted that the planning documents in effect at the time of approval of the Downtown Zoning By-law have since been updated through Provincial legislation, as well as City-initiated Official Plan amendments such as OPA39, OPA42, OPA48 (approved and in effect), and OPA80 (under review by the Ministry of Municipal Affairs and Housing ("MMAH")).

Through the Downtown Zoning By-law update, various definitions and regulations were established relating to Active Frontage Areas, Bicycle Parking requirements, Floorplate, Mixed-Use Buildings, and Stepbacks. It is noted that the Downtown Zoning By-law was approved by the LPAT with a parking requirement of one (1) parking space per Dwelling Unit for Apartment Buildings, and a visitor parking rate of 0.05 parking spaces per Dwelling Unit for Apartment Buildings with more than twenty (20) Dwelling Units. Further, the Downtown Zoning By-law was approved with a retail / service use parking rate of one (1) parking space per 100 m² of Gross Floor Area ("GFA"), and office use parking rate of one (1) parking space per 67 m² of GFA.

5.6.3 Comprehensive Zoning By-law Review

As the current Zoning By-law (1995)-14864 pre-dates the recent updates to the Official Plan through OPA39, OPA42, OPA48, and OPA80, the City has initiated a comprehensive review of the Zoning By-law to bring it into compliance with provincial legislation, ensure conformity with the City's Official Plan, and to reflect current community and zoning trends. Further, The draft Zoning By-law will implement additional height on certain designations in the Downtown in accordance with OPA80.

A draft of the proposed Zoning By-law was presented to Council and the public at a meeting of Council on July 13, 2022. As it relates to the proposed development, the draft Zoning By-law maintains the height and parking requirements that currently exist for the Site.

According to the City's timeline to complete the comprehensive Zoning By-law review, a final By-law and recommendation is to be brought forward to Council in early 2023, and brought into force and effect as early as the end of 2023.

5.6.4 Proposed Zoning By-law Amendment

The Zoning By-law Amendment proposes to rezone the Site to a 'Specialized Downtown Zone (D.1-#)' with site-specific zoning regulations. The Zoning By-law amendment proposes to rezone the Site as follows:

- Rezone the Site on Defined Area Map No. 37 from 'Specialized Downtown Zone (D.1-25(H30))' to a 'Specialized Downtown Zone (D.1-#)' with site-specific zoning regulations (**Figure 38**);
- Change the permitted minimum and maximum building height for the Site on Defined Area Map No. 67 from '6-18 storeys' to '6-18 storeys' with an "*" that permits up to 23 storeys on the Site (**Figure 39**);
- Amend Section 6.3.3.1 of the Zoning By-law to add site-specific regulations for the Site to facilitate the development of the proposed mixed-use building.

A summary of the site-specific zoning regulations being proposed are detailed below.

Active Frontage Regulations

- Notwithstanding Section 6.3.1.1, a dwelling unit may be permitted on the main floor of a building located along an Active Frontage area.
- Notwithstanding Section 6.3.2.4.15, the minimum number of active entrances required along Wyndham Street South is three (3) whereas the Zoning By-law requires a minimum of five (5) active entrances based on a requirement of 1 per 15 m of active frontage.
- Notwithstanding Section 6.3.2.4.1.5.1, Active Entrances located along Wyndham Street South shall not be required to be at or within 0.2 metres above or below Finished Grade.

Floorplate

- Notwithstanding Section 6.3.2.1.1, a maximum floorplate of 1,210 m² is permitted for the 7th and 8th storeys of a mixed-use building whereas the Zoning By-law requires a maximum floorplate of 1,200 m².
- Notwithstanding Section 6.3.2.1.2, a maximum floorplate ratio of 2.5:1 is permitted for any storeys above the 8th floor whereas the Zoning By-law requires a maximum floorplate of 1.5:1.

Building Height

- Notwithstanding Section 6.3.2.3.11 and Table 6.3.27 (Row 5), the maximum building height for a mixed-use building is 23 storeys, whereas the Zoning By-law permits a building height between 6-18 storeys.

Floor Space Index

- Notwithstanding Table 6.3.2.7 (Row 14), a maximum FSI of 8.3 is permitted whereas the Zoning By-law permits a maximum FSI of 1.5.

Setbacks / Stepbacks

- Notwithstanding Section 6.3.2.7, a residential unit contained within the main floor of a mixed-use building may be permitted to have a minimum setback of 0 m whereas the Zoning By-law requires a minimum setback of 3 m.

- Notwithstanding Section 6.3.2.4.13, a minimum setback of 2.4 m is required from Wellington Street East, whereas the Zoning By-law requires a minimum setback of 10 m from the Wellington Street East street line between Gordon Street and Wyndham Street South.
- Notwithstanding Section 6.3.2.1.3, a minimum stepback of 3 m is required for portions of a mixed-use building above the 5th storey, whereas the Zoning By-law requires a minimum stepback of 3 m for portions of a building above the 4th storey.

Parking

- Notwithstanding Table 6.3.2.5.1 (Row 1), a minimum parking rate of 0.8 parking space per dwelling unit plus 0.05 visitor parking spaces per dwelling unit is required, whereas the Zoning By-law requires 1 parking space per dwelling unit plus 0.05 visitor parking spaces per dwelling unit.
- Notwithstanding Table 6.3.2.5.1 (Rows 4 & 5), no minimum parking rates shall apply for retail or service uses for a mixed-use building.

A draft of the proposed Zoning By-law Amendment is included as **Appendix No. 2**.

5.6.5 Summary of Zoning Regulations

The following table provides a summary of the ‘Specialized Downtown Zone (D.1-25(H30))’ currently applying to the Site, as well as the zoning regulations for the ‘Downtown Zone (D.1)’ and an analysis of compliance for the proposed development.

	REGULATION	REQUIRED	PROVIDED	COMPLIANCE
<i>Specialized Downtown (D.1-25) Zone Regulations</i>				
14.2.1	All regulations in Section 14.1 apply to the D.1-25(H30) Zone and the following:			
14.2.2	Permitted Uses	All uses permitted in Section 14.1.1; and, Vehicle Gas Bar	Mixed-Use Building	Yes
14.1.1	Permitted Uses	Mixed-Use Building, Retail Uses, Service Uses, Office Uses, Community Uses, Hospitality Uses, etc.	Mixed-Use Building	Yes
14.2.3	Active Frontage Regulations			
14.2.3.1	The following provisions apply to the Wellington Street East and Wyndham Street South Street Line.			
14.2.3.1.1	The Setback along Wellington Street East is a minimum of 10 metres. The Setback along Wyndham Street South shall be 0 metres for a minimum of 75% of the Street Line. The remaining	10 m 0 m, min (75%) 2 m, max (25%)	2.4 m 0 m	No. Site-specific provision needed. Yes

	REGULATION	REQUIRED	PROVIDED	COMPLIANCE
	25% of the Street Line shall have a maximum Setback of 2 metres.			
14.2.3.1.2	The height of the first Storey shall be a minimum of 4.5 metres.	4.5 m	5.3 m	Yes
14.2.3.1.3	The minimum number of Active Entrances to the first Storey on the Front Yard and/or Exterior Side Yard Building façade shall be 1 for every 15 metres but shall not be less than 1.	4 (Wellington St E) 5 (Wyndham St S)	4 (Wellington St E) 3 (Wyndham St S)	No. Site-specific provision needed for Wyndham St S
14.2.3.1.3.1	Active Entrances shall be at or within 0.2 metres above or below Finished Grade.	0.2 m or less	>0.2 m	No. Site-specific provision needed for Wyndham St S
14.2.3.1.4	A minimum of 60% of the surface area of the first Storey façade, measured from the Finished Grade up to a height of 4.5 metres, facing the Street Line must be comprised of a Transparent Window and/or Active Entrance.	60%	61.8 % 65.7%	Yes
14.2.3.1.5	Notwithstanding Section 14.1.1, the Uses identified as Active Uses shall occupy a minimum of 60% of the Street Line.	60%	50% (non-residential) 85% (with residential)	Site-specific provision needed to permit residential uses within Active Frontage along Wyndham Street South
14.2.3.1.6	A Driveway (Non-Residential) is prohibited at grade or in the first storey of a Lot or Building for the first 6.0 metres of the depth measured in from the Street Line. Notwithstanding this provision, where the entirety of a Lot's Street frontage is included within the Active Frontage Area, a maximum of one (1) Driveway shall be permitted perpendicular to the Street Line in accordance with all other requirements of this By-law.	N/A	N/A	Yes
14.2.4	Building Tower Separation Regulations			
14.2.4.1	The tower of a Building refers to the Storeys located above the Stepback.			
14.2.4.2	A minimum 25 metre separation is required for any tower portion of a Building greater than 12 Storeys as measured perpendicularly to the exterior wall of the tower portion of the Building.	25 m	>25 m	Yes

	REGULATION	REQUIRED	PROVIDED	COMPLIANCE
14.2.4.3	For any tower portion of a Building 12 Storeys or less:			
14.2.4.3.1	A minimum tower Setback of 6 metres is required from the Side Yard and/or Rear Yard Lot Line.			
14.2.4.3.2	A minimum 12 metre tower separation is required.	12 m	>12 m	Yes
14.2.4.3.3	Notwithstanding Section 14.2.4.3.1 and 14.2.4.3.2, the tower Setback may be reduced to a minimum of 3 metres from the Side Yard and/or Rear Yard Lot Line if there are no windows to a Habitable Room on the facing wall of an existing abutting Building.	N/A	N/A	N/A
14.2.5	Building Height Regulations			
14.2.5.1	Notwithstanding Table 14.1.8, Row 5 and Defined Area Map 67, the minimum Building Height is 6 storeys and the maximum Building Height is 18 Storeys.	6-18 storeys	23 storeys	No. Site-specific provision needed to permit 23-storey maximum.
<i>Downtown (D.1) Zone Regulations</i>				
6.3.1.1	<u>Permitted Uses</u> Mixed Use Building (6) In Active Frontage Areas, Dwelling Units are not permitted in the Cellar, Basement, or on the main floor level (i.e. the first storey)		Mixed Use Building with Commercial / Residential Uses in Active Frontage	No. Site-specific provision to permit residential on main floor of Active Frontage Area.
6.3.2.1.1	Maximum Floorplate (7 th / 8 th Storey)	1,200 m ²	1,203.29 m ²	No. Site-specific provision needed.
6.3.2.1.2	Maximum Floorplate (Above 8 th Storey)	1,000 m ² 1.5:1 length to width ratio max	999.81 m ² 2.5:1	No. Site-specific provision needed.
6.3.2.1.3	Stepbacks 3 m stepback for all portions of building above 4 th storey; measured from 3 rd floor building facade	3 m (4 th storey)	3 m (5 th storey)	No. Site-specific provision needed.
6.3.2.2.2	Building Tower Separation Any portion of a Tower above the 12 th storey of a building shall be separated by a minimum 25 metres from any portion of another Tower above the 12 th storey of any building, measured perpendicularly from the exterior wall at the 13 th storey.	25 m	>25 m	Yes.

	REGULATION	REQUIRED	PROVIDED	COMPLIANCE
6.3.2.2.3	<p>For any portion of a Tower at or below the 12th Storey of a Building:</p> <ul style="list-style-type: none"> Minimum Tower Setback of 6 m required from Side and/or Rear Lot Line Shall be separated by a minimum of 12 m from any portion of another Tower at or below the 12th storey of any building, measured perpendicularly from exterior wall of Tower Notwithstanding Section 6.3.2.2.3.1 and 6.3.2.2.3.2, Tower setback may be reduced to a minimum of 3 m from the Side and/or Rear Lot Line if there are no windows to a Habitable Room on the facing wall of an existing abutting building. 	3 m	7.4 m	Yes
6.3.2.3	Building Height Regulations			
6.3.2.3.1	In addition to the provisions of Section 4.16 and 4.18, the following shall apply:			
6.3.2.3.1.1	Defined Area Map No. 67 – min and max Building Heights in Downtown	6-18 storeys	23 storeys	No. Site-specific provision needed.
6.3.2.3.1.2	Minimum Building Height is not applicable to Accessory Buildings or Structures.	N/A	N/A	N/A
6.3.2.3.1.4	<p>In addition to Defined Area Map No. 67, an Angular Plane establishes the maximum Building Height as follows:</p> <p>Building Heights shall not exceed an Angular Plane of 45 degrees from the minimum required Rear Yard or Side Yard of a Downtown Zone that abuts a Lot Line of a R.1, R.2, or R.3 Zone, as measured from 10.5 metre above the average elevation of the grade at the property line.</p>	N/A	N/A	Yes. Site does not abut an R.1, R.2, or R.3 zone.
<i>Active Frontage Regulations</i>				
6.3.2.4.1.1	Where a Street Line, or portion thereof, identified as Active Frontage Area exceeds 35 metres, the maximum Front Yard and/or Exterior Side 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 and/or Exterior Side Yard Setback of 2 metres.	0 m	0 m	Yes.
6.3.2.4.1.2	Where a Street Line, or portion thereof, identified as Active Frontage Area is less than or equal to 35 metres, the maximum Front Yard and/or Exterior Side Yard Setback shall be 0 metres.	N/A	N/A	N/A

	REGULATION	REQUIRED	PROVIDED	COMPLIANCE
6.3.2.4.1.3	Notwithstanding Section 6.3.2.4.1.1 and 6.3.2.4.1.2, where a Lot abuts Wellington Street East between Gordon Street and Wyndham Street South the Building Setback shall be a minimum of 10.0 m from the Wellington Street East Street Line.	10 m	2.4 m	No. Site-specific provision needed.
6.3.2.4.1.4	The height of the first Storey shall be a minimum of 4.5 metres.	4.5 m	5.3 m	Yes.
6.3.2.4.1.5	The minimum number of Active Entrances to the first Storey on the Front Yard and/or Exterior Side Yard Building façade shall be 1 for every 15 metres of Street Line or portion thereof identified as Active Frontage Area but shall not be less than 1.	4 (Wellington St E) 5 (Wyndham St S)	4 (Wellington St E) 3 (Wyndham St S)	No. Site-specific provision needed.
6.3.2.4.1.5.1	Active Entrances shall be at or within 0.2 metres above or below Finished Grade.	<0.2 m	>0.2 m (Wyndham St S)	No. Site-specific provision is needed.
6.3.2.4.1.6	A minimum of 60% of the surface area of the first Storey façade, measured from the Finished Grade up to a height of 4.5 metres, facing a public Street or public square must be comprised of a Transparent Window and/or Active Entrances.	60%	>60%	Yes
6.3.2.4.1.7	Notwithstanding Table 6.3.1.1, the Uses identified in the Active Uses column in Table 6.3.1.1 with a “√” shall occupy a minimum of 60% of the Street Line. Where an existing Building occupies less than 60% of the Street Line, the Uses identified in the Active Uses column in Table 6.3.1.1 with a “√” shall occupy all portions of a Building of the first Storey immediately abutting a Street Line.	Active Uses within 60% of Street Line	Commercial / Residential Retail Uses within Active Frontage >60%	No. Site-specific provision needed to permit residential uses within Active Frontage.
<i>Regulations Governing D.1 Zones (Table 6.3.2.7)</i>				
Row 1	Front Yard or Exterior Side Yard, min In accordance with Section 4.24 (Road Allowances). Section 4.6 is not applicable (Sight Triangles). The following exceptions apply: b) Where a Dwelling Unit occupies the first Storey of a Building, that portion of the Building shall have a minimum Setback of 3.0 m from the Street Line.	0 m 3 m	0 m	No. Site-specific provision to establish 0 m setback for residential uses.
Row 2	Front Yard or Exterior Side Yard, max The following exception applies:	4 m	0 m	Yes

	REGULATION	REQUIRED	PROVIDED	COMPLIANCE
	a) Within Active Frontage Areas, the maximum Front Yard and the maximum Exterior Side Yard shall be in accordance with Section 6.3.2.4.			
Row 3	Side Yard, min	0 m	0 m	Yes
Row 4	Rear Yard, min	0 m	0 m	Yes
Row 5	Building Height, min & max	4-18 storeys	23 storeys	No. Site-specific provision needed.
Row 6	Parking Area Access Vehicle access to a Parking Area is by 1 Driveway (non-residential) only, which shall have a minimum width of 6 metres throughout its length.	N/A	N/A	Yes
Row 7	Buffer Strip Required where D.1 zone abuts a R.1, R.2, R.3, Institutional, Park or Wetland Zone.	N/A	N/A	Yes. Site does not abut the noted zones.
Row 14	Floor Space Index, min	1.5	8.3	No. Site-specific provision needed.
<i>Off-Street Parking Requirements (Table 6.3.2.5.1)</i>				
Row 1	Apartment Building	263 (1.0 / unit)	250 (0.8 / unit)	No. Site-specific provision needed.
	Visitor	13 (0.05 / unit)	13 (0.05 / unit)	Yes.
Rows 4, 5	Retail / Service Uses	8 (1 / 100 m ²)	0	No. Site-specific provision needed.
<i>Parking in Downtown Zones (Table 4.5)</i>				
6.3.2.5.2.1.2	An underground Parking Area shall be permitted to have a minimum 0 metre Setback from any Lot Line.	0 m	0 m	Yes
6.3.2.5.2.1.4	A Parking Area is prohibited from locating within 4.5 metres of the Street Line within the first Storey of a Building.			Yes
<i>Bicycle Parking (Table 4.4)</i>				
Row 1	Apartment Building, Multiple 0.68 long term spaces / unit 0.07 short term spaces / unit	188 (0.75 / unit)	188 (0.75 / unit)	Yes
Row 3	Retail Uses 0.085 long term / 100 m ² 0.25 short term / 100 m ²	3 (0.335 / 100 m ²)	3 (0.335 / 100 m ²)	Yes

5.6.6 Rationale for Site-Specific Provisions

A summary of the proposed site-specific regulations for the proposed development and the rationale for the requests is provided below.

Active Frontage Regulations

- Notwithstanding Section 6.3.1.1, along the Wyndham Street South Street Line, a Dwelling Unit is a permitted Active Use within a mixed-use building.
- Notwithstanding Section 6.3.2.4.15, the minimum number of active entrances required along Wyndham Street South is three (3) whereas the Zoning By-law requires a minimum of five (5) active entrances based on a requirement of 1 per 15 m of active frontage.
- Notwithstanding Section 6.3.2.4.1.5.1, Active Entrances located along Wyndham Street South shall not be required to be at or within 0.2 metres above or below Finished Grade.

Justification

Active uses comprised of flex commercial/residential units and amenity space along Wyndham Street South and retail units along Wellington Street East have been incorporated into the proposed development to support the creation of a strong urban character and high-quality, pedestrian-oriented environment which aligns with the Official Plan policy direction for active frontage areas (Sections 11.1.7.3.1 & 11.1.7.3.4 & 11.1.7.3.5).

While retail and service uses are permitted active uses, residential uses are currently not permitted on the main floor of a building within active frontage area. The addition of residential uses as a permitted use on the main floor of the mixed-use building is intended to allow flexibility in the type of occupants within the space, while recognizing the variations in market demands. Further, the Site is flanked by two active frontage areas, establishing a significant requirement for active frontage uses for the proposed development that potentially exceed the market demands for such spaces.

Appropriate breaks in the streetwall along Wyndham Street South and Wellington Street East are appropriate to provide high-quality public open space that provides a place for rest and recreation within the Downtown to serve as a community and cultural hub with multiple purposes, consistent with the Official Plan direction for proposed parks and open spaces.

Ease of access to the retail and commercial/residential units have been maintained by providing amenities along the ground floor including active entrances along the building facades of Wyndham Street / Wellington Street to maintain a strong relationship between the building and the street.

For reasons of building design efficiency, the incorporation of residential units within the active frontage designation is a reasonable development standard that maintains the desired street presence of the policy implemented through zoning. It is noted that in order to accommodate the existing grades on Site and the architectural / structural design of the proposed buildings, the entrances to the commercial/residential units along Wyndham Street South are greater than the 0.2 m required in the Zoning By-law. As such, a site-specific provision is proposed to recognize that the active entrances along Wyndham Street South will not be required to meet this provision.

Floorplate

- Notwithstanding Section 6.3.2.1.1, a maximum floorplate of 1,210 m² is permitted for the 7th and 8th storeys of a mixed-use building whereas the Zoning By-law requires a maximum floorplate of 1,200 m².
- Notwithstanding Section 6.3.2.1.2, a maximum floorplate ratio of 2.5:1 is permitted for any storeys above the 8th floor whereas the Zoning By-law requires a maximum floorplate of 1.5:1.

Justification

The request to permit a maximum floorplate of 1,210 m for the 7th storey and 8th storey is a minor increase from the 1,200 m² required and provides for a mixed-use building that efficiently utilizes land within the Downtown while incorporating an architectural design that prioritizes the pedestrian realm along Wyndham Street South and Wellington Street East.

The requested increase in floorplate ratio from 1.5:1 to 2.5:1 for floors above the 8th floor reflects the irregular shape of the Site and desire to efficiently utilize the land for a mixed-use development. Architectural articulations have been provided along the building facades (e.g., balconies, stepbacks) to reduce the visual massing of the building and enhance its aesthetic from adjacent streets.

Further, the proposed site-specific regulations do not impact the Site's ability to provide a well-designed and compact built form that is not anticipated to result in any adverse impacts related to shadow and/or wind. As such, the proposed provisions are considered appropriate and are reasonable development standards to maintain the desired development.

Building Height

- Notwithstanding Section 6.3.2.3.11 and Table 6.3.27 (Row 5), the maximum building height for a mixed-use building is 23 storeys, whereas the Zoning By-law permits a building height between 6-18 storeys.

Justification

The site-specific provision to permit a maximum height of 23 storeys is proposed to align the Zoning By-law with the site-specific Official Plan amendment for the Site to permit a maximum height of 23 storeys. The increased height provides for a site-specific development that maintains the intent of the Downtown Secondary Plan to provide various heights and massing for development within Downtown. Further justification for the increased height has been included in Section 5.4.5 of this report.

Floor Space Index

- Notwithstanding Table 6.3.2.7 (Row 14), a maximum FSI of 8.3 is permitted whereas the Zoning By-law permits a maximum FSI of 1.5.

Justification

The requested FSI of 8.3 reflects the overall design of the building and implements the floor space appropriate for a 23-storey mixed use building containing a variety of uses at grade and the required parking structure configuration to accommodate the needs of the retail,

commercial/residential, and residential uses. Justification for the increased height has been noted above, as well as further detailed in Section 5.4.5 of this report.

Setbacks / Stepbacks

- Notwithstanding Section 6.3.2.7, a residential unit contained within the main floor of a mixed-use building may be permitted to have a minimum setback of 0 m whereas the Zoning By-law requires a minimum setback of 3 m.
- Notwithstanding Section 6.3.2.4.13, a minimum setback of 2.4 m is required from Wellington Street East, whereas the Zoning By-law requires a minimum setback of 10 m from the Wellington Street East street line between Gordon Street and Wyndham Street South.
- Notwithstanding Section 6.3.2.1.3, a minimum stepback of 3 m is required for portions of a mixed-use building above the 5th storey, whereas the Zoning By-law requires a minimum stepback of 3 m for portions of a building above the 4th storey.

Justification

The request to permit a 0 m setback for residential uses in a mixed-use building reflect the nature of the commercial/residential flex units proposed along Wyndham Street South. The units are proposed to be permitted for either commercial or residential uses and has been designed to accommodate either use. Further, the 0 m setback encourages the interaction between the commercial/residential uses and the pedestrian realm along Wyndham Street South.

The site-specific provision to permit a 3 m stepback for portions of the building above the 5th floor reflects the need to provide a 5-storey podium which includes the retail, commercial/residential, and amenity uses on the main floor, as well as four levels of structured parking above the ground floor. This modification ensures that parking spaces do not occupy the building's main floor and/or active frontage areas along Wyndham Street South and Wellington Street East, while also providing above-grade parking due to site constraints associated with a high-water table. Further, the podium has been architecturally articulated and animated along the streets, including additional height for the retail units and significant portions of transparent glazing, to minimize the visual impact of the 5-storey podium and maintain a pedestrian-friendly environment along the street lines.

It is noted that there are no adverse impacts anticipated from shadow, wind, or visual perspective resulting from the proposed built form with the noted 3 m stepback for portions of the building above the 5th storey. These observations are further detailed in the Urban Design Brief prepared in support of the proposed development, which includes an analysis of shadow and wind studies prepared in support of the applications.

An enhanced pedestrian realm has been provided along the Wellington Street East façade, including plantings and architectural details to maintain the streetscaping setback required along Wellington Street East. It is noted that a 10 m streetscape has been provided to maintain the intent of the zoning provision, however, it includes a portion of the Wellington Street East right-of-way which is currently not permitted. As such, the site-specific provision to permit a maximum setback of 2.4 m from Wellington Street East is appropriate and will maintain the intent of the Official Plan and Zoning By-law to provide an enhanced pedestrian realm along the street.

Parking

- Notwithstanding Table 6.3.2.5.1 (Row 1), a minimum parking rate of 0.8 parking space per dwelling unit plus 0.05 visitor parking spaces per dwelling unit is required, whereas the Zoning By-law requires 1 parking space per dwelling unit plus 0.05 visitor parking spaces per dwelling unit.
- Notwithstanding Table 6.3.2.5.1 (Rows 4 & 5), no minimum parking rates shall apply for retail or service uses for a mixed-use building.

Justification

The reduced parking rate is intended to provide a compact and efficient mixed-use building while recognizing the Downtown as a MTSA with access to local transit networks, as well as access to the GO transit line. As previously noted, the Site is within the designated MTSA and Urban Growth Centre associated with the Downtown, and as such, represents an appropriate location for alternative forms of transportation to reduce reliance on the single occupancy vehicle while ensuring that excess parking is not provided beyond market demands which allows for an efficient use of land within the Downtown.

Further, a reduction in parking spaces encourages the use of alternative forms of transportation (e.g., public transit, bike, GO), which aligns with the staff recommendation and Council direction for the City's Transportation Master Plan update, brought forward to the Council of the City of Guelph on May 26, 2021. The transit-orientation of the proposed building and the reduced parking standard directly support the achievement of the Action 20 of the CEI regarding a car-free Downtown by 2040.

The proposed site-specific regulations reflect the intent to support the use of public transit use by residents and commercial/residential and retail tenants, as contemplated in the Downtown Secondary Plan (s.11.1.4.1.4) as well as the Growth Plan, subject to the preparation of a parking study.

The requested parking rate of 0.8 spaces per dwelling unit plus 0.05 visitor parking spaces, and no parking required for commercial / retail uses reflects the anticipated parking demands for the Site and aligns with the approved parking rate for other mixed-use developments in the immediate area and broader Downtown area. It is noted that 13 shared parking spaces have been provided as visitor spaces, which are proposed to be shared between the residential and commercial uses.

In support of the proposed parking rates, a Parking Study has been prepared by GHD which includes a comprehensive analysis of the proposed parking reduction which supports the proposed parking rates given reasons of proximity to intra-regional and local transit, existing modal share attributes, active transportation infrastructure, shared and unbundled parking, and other TDM initiatives. The study identifies that the proposed parking reductions have consideration to the Site's multimodal transportation context, City's current parking policy direction, and implementation of TDM and parking management measures. The Parking Study is further detailed in Section 4.2 of this report.

Further to this, reductions in the residential parking requirement are consistent with the zoning approach of other municipalities concerning reduced standards for small units, such as the proposed one-bedroom units.

6. Conclusion

6.1 Summary

GSP Group Inc. (“GSP”) has been retained by 2278560 Ontario Inc. (Fusion Homes) to prepare a Planning Justification Report in support of a proposed mixed-use development on the property municipally known as 58 Wellington Street East within the City of Guelph (“Site”). The proposed development consists of a 23-storey residential mixed-use building containing 250 dwelling units with a 5-storey podium containing structured parking and retail units along Wellington Street East and commercial/residential units along Wyndham Street South.

To facilitate the proposed development, applications for Official Plan amendment and Zoning By-law amendment are required. The purpose of the Official Plan amendment is to establish a site-specific Official Plan policy for the Site to permit a maximum height of 23-storeys. The Zoning By-law Amendment proposed to establish site-specific zoning regulations through a ‘Specialized Downtown Zone (D.1-#)’ relating to building height and active frontage regulations, and to establish a maximum building height of 23-storeys.

6.1 Conclusion

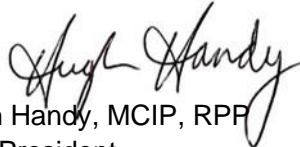
The proposed development satisfies the provincial and municipal goals and objectives for the City of Guelph, as the proposed development:

- Consistent with the relevant PPS policies, conforms to the relevant Growth Plan policies, and aligns with the strategic initiatives and objectives of the Guelph Official Plan;
- Supports the broader growth and intensification directives for development by the Province and City, as the development represents a compact built form that efficiently utilizes land with access to full municipal servicing, and is located within Downtown Guelph with access to a mixture of retail, commercial, service, and entertainment businesses that support a complete community;
- The Site is located within the designated Major Transit Station Area for the City of Guelph, intended for intensification and redevelopment to support new development in areas with access to intra-regional transit networks. Further, MTSA’s will be subject to the new provisions of Bill 23 requiring municipalities to establish minimum density targets to be achieved within the MTSA area;
- The Site is appropriate for the proposed 23-storey mixed-use building given its location as a gateway to the Downtown and placement at a key intersection (Wellington Street East and Wyndham Street South);
- The Site is outside of the protected view corridors and is able to accommodate the proposed height while maintaining the Basilica of Our Lady as a landmark and signature building in the Downtown;
- Contributes to the intensification targets of the Growth Plan and Guelph Official Plan in respect to land within the designated ‘Built-Up Area’;

- The intensity of the proposed redevelopment furthers the minimum target of 40% of residential development within the built-up area in the existing Guelph Official Plan and the minimum of 50% required for the next comprehensive review per the Growth Plan.
- Represents a true mixed-used development that contains two ground floor retail units with residential above;
- Is transit-supportive with access to a variety of public transit routes that provide access to the City and greater geographical area, and contains elements associated with Transportation Demand Management (“TDM”) principles, including bicycle parking and street frontage onto three municipal roads to encourage a walkable neighbourhood;
- Identifies a range of a mix of compact unit sizes as part of a condominium building, diversifying housing choice in Downtown Guelph and beyond, designed to accommodate current and future residents of the City that are seeking a lifestyle with less dependence on single family vehicles;
- Identifies a compatible development form with a compact tower atop a lower building base, together with massing and architecture that fits with the surrounding urban fabric and is consistent with the Urban Design Master Plan for the Site; and,
- Embraces sustainability related to its prominent location for sustainable travel means together with a building design that will further Guelph’s “net zero” target for the community and assist in the implementation of the City’s Community Energy Initiative.

In light of the above, the proposed development will provide a development form that optimizes the use of the land and existing municipal services while providing housing opportunities near Downtown Guelph that better reflect Provincial policy direction for transit-supportive development within the City of Guelph. In our opinion, the proposed development contributes to the broad housing objectives and policies of the PPS, Growth Plan, Guelph Official Plan, and Downtown Guelph Secondary Plan.

Respectfully submitted,



Hugh Handy, MCIP, RPP
Vice President



Amanda Stelling
Planner

Appendix No. 1: Draft Official Plan Amendment

1. Schedule D of the Downtown Secondary Plan is hereby amended by changing the permitted building height on the property shown on **SCHEDULE OPA-1** from '6-18 storeys' to '6-18 storeys', with an "****" that permits up to 23-storeys.
2. Section 11.1.7.3.9 is hereby amended by adding a site-specific policy for 58 Wellington Street East that reads as follows:
*11.1.7.3.# For the property at 58 Wellington Street in the Mixed Use 1 designation:
(a) Notwithstanding Schedule D, the maximum building height is 23 storeys.*

Appendix No. 2: Draft Zoning By-Law Amendment

1. Defined Area Map 37 in Zoning By-law (1995)-14864 is hereby amended by changing the Zone on the property shown on **SCHEDULE ZBA-1** from 'Specialized Downtown Zone (D.1-25(H30))' to "Specialized Downtown Zone (D.1-X)".
2. Defined Area Map 67 in Zoning By-law (1995)-14864 is hereby amended by changing the permitted minimum and maximum building height from '6-18 storeys' to '6-18 storeys' with an "*" that permits up to 23 storeys on the property shown on **SCHEDULE ZBA-2**.
3. Section 6.3.3.1 in Zoning By-law (1995)-14864 is hereby amended by adding the following 'Specialized Downtown (D.1-#)' regulations:

6.3.3.1.# **D.1-#**

58 Wellington Street East

As shown on Defined Area Map Number 37 of Schedule "A" of this By-law.

Active Uses

- 6.3.3.1.#.1 Notwithstanding Section 6.3.1.1, along the Wyndham Street South Street Line, a Dwelling Unit is a permitted Active Use.

Active Entrances

- 6.3.3.1.#.2 Notwithstanding Section 6.3.2.4.1.5.1, Active Entrances located along Wyndham Street South shall not be required to be at or within 0.2 metres above or below Finished Grade.
- 6.3.3.1.#.3 Notwithstanding Section 6.3.2.4.15, the minimum number of Active Entrances to the first storey along Wyndham Street South shall be 3.

Minimum Tower Floorplate

- 6.3.3.1.#.4 Notwithstanding Section 6.3.2.1.1, a maximum floorplate of 1,210 m² is permitted for the 7th and 8th storey of a mixed-use building.

Maximum Tower Floorplate Ratio

- 6.3.3.1.#.5 Notwithstanding Section 6.3.2.1.2, a maximum floorplate ratio of 2.5:1 is permitted for any storeys above the 8th floor.

Maximum Building Height

- 6.3.3.1.#.6 Notwithstanding Section 6.3.2.3 and Defined Area Map 67, the maximum Building Height shall be 23 storeys.

Floor Space Index

- 6.3.3.1.#.7 Notwithstanding Table 6.3.2.7 (Row 14), a maximum Floor Space Index of 8.3 is permitted.

Minimum Setback, Dwelling Units

- 6.3.3.1.#.8 Notwithstanding Section 6.3.2.7, a Dwelling Unit contained within the main floor of a mixed-use building may be permitted to have a minimum setback of 0 m.

Minimum Building Stepback

- 6.3.3.1.#.9 Notwithstanding Section 6.3.2.4.13, a minimum setback of 2.4 m is required from the Wellington Street East street line.

Minimum Tower Stepback

- 6.3.3.1.#.10 Notwithstanding Section 6.3.2.1.3, a minimum stepback of 3 m is required for all portions of a mixed-use building above the 5th storey.

Minimum Parking, Residential

- 6.3.3.1.#.10 Notwithstanding Table 6.3.2.5.1 (Row 1), a minimum number of parking spaces for Dwelling Units within a mixed-use building shall be 0.8 spaces per unit plus the 0.05 visitor parking spaces required by Section 6.3.2.5.1.1.

Minimum Parking, Non-Residential

- 6.3.3.1.#.11 Notwithstanding Table 6.3.2.5.1, uses identified in Row 4 (Retail Uses), Row 5 (Service Uses), Row 6 (Office Uses), Row 7 (Community Uses), Row 8 (Hospitality Uses), and non-residential uses in Row 2 (Live/Work & Mixed-Use), no off-street parking shall be required in the D.1-# Zone.