

PLANNING REPORT

**671 Victoria Road North
City of Guelph**

**Prepared on behalf of
1830334 Ontario Inc.**

January 4, 2018

Project No. 0717



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1. Introduction

This report has been prepared in support of a zone change application for a portion of the property municipally addressed as 671 Victoria Road North located in the City Guelph and legally described as, Part of Lot 1, Concession 7, Division 'C', City of Guelph. The subject property is owned by 1830334 Ontario Inc. The total area of the property is 1.248 hectares. The north portion of the property subject to this zone change application is 0.88 hectares in area.

A pre-consultation meeting was held with the City on August 26, 2015. This Planning Report was requested by the City as a requirement for a complete application.

2. Description of the Proposal

The current zoning of the property is the Specialized Neighbourhood Shopping Centre NC-9 Zone. This site is identified as Block 7 within Draft Plan of Subdivision 23T-08502. The current zoning and the Draft Plan of Subdivision were approved by Guelph Council on July 6, 2009. The Draft Plan of Subdivision included on-street townhouse blocks which have been registered in two phases of the subdivision. The subject property was not included within these two phases of registration and the Draft Plan approval has since lapsed.

The Specialized Neighbourhood Shopping Centre NC-9 Zone permits a range of commercial uses and also permits residential dwelling units located in the same building as permitted commercial uses. The NC-9 Zone also prohibits a car wash and drive-thru facilities. A maximum building height of 2 storeys is permitted by the NC-9 Zone.

The zone change application submitted to the City on March 1, 2016 and deemed a complete application by the City on March 29, 2016 proposed to revise the existing zoning to add a Pharmacy as a permitted use in addition to the uses permitted by the NC-9 Zone. This application also requested that a drive-thru be permitted for a Financial Establishment. A Maximum Building Height of 6 storeys was also requested; however the proposed building at the north end of the site was requested to have a maximum of 4 storeys. In addition to the commercial development on the property, 124 residential dwellings were proposed. The required parking was 298 spaces. A total of 346 parking spaces were proposed for this mixed-use development. 199 underground parking spaces were proposed to provide parking for the residents and employees of the commercial uses. 147 surface parking spaces were proposed to provide parking for the patrons of the commercial uses.

On May 9, 2016 the City held a Statutory Public Meeting for the March 2016 proposal. There were concerns raised by the public at this Public Meeting with respect to the building heights, density, lighting, and building setbacks among other issues.

The proposal for the property was revised to address the comments received from the public and from the technical comments received through the planning process. On February 23, 2017 a revised plan which proposed the following was presented to the neighbourhood at an Informal Public Meeting;

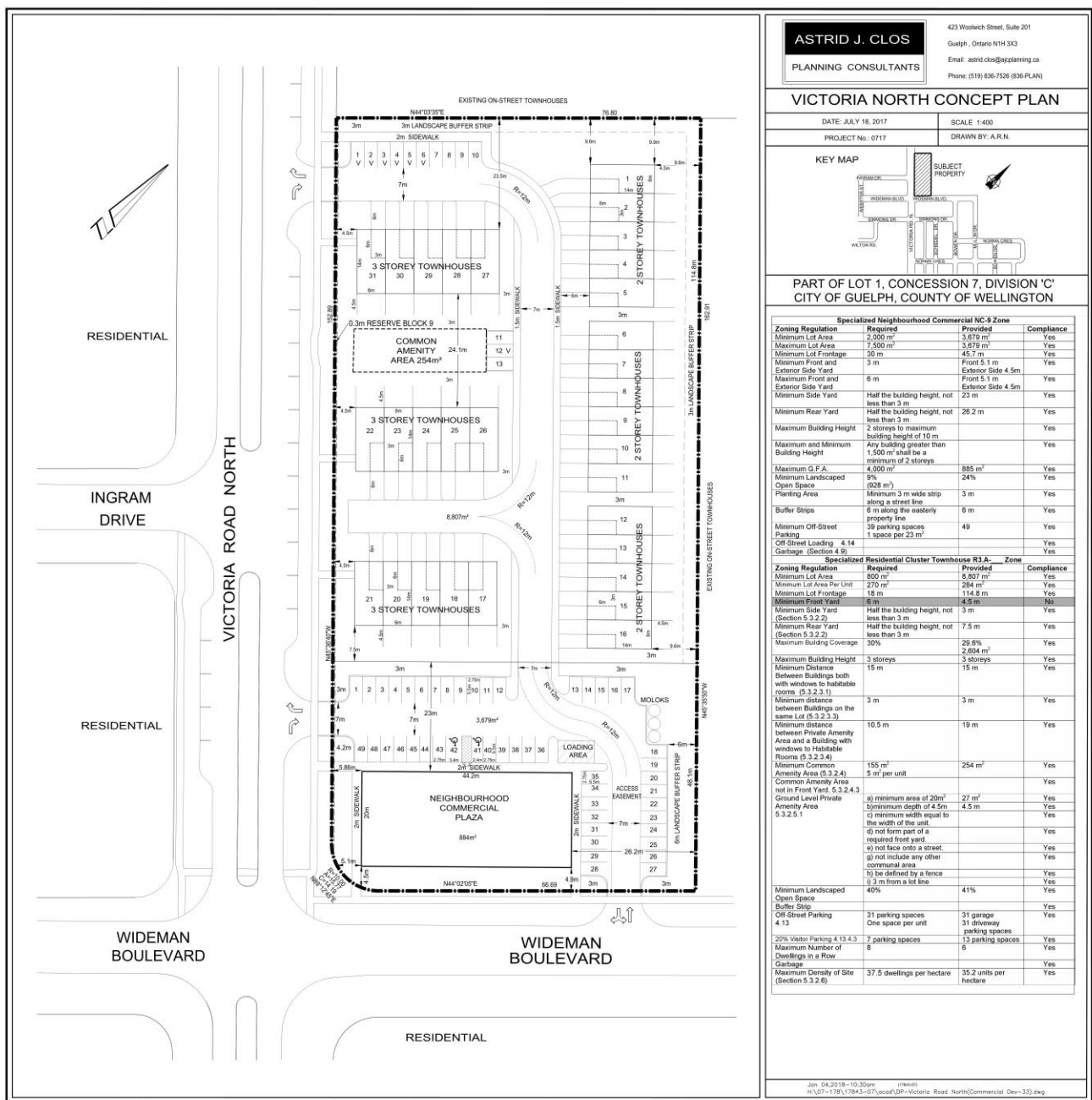
- The commercial floor area was reduced from 4,000 m² to approximately 884 m².
- The minimum lot area of the commercial block has been reduced from 12,487 m² to approximately 3,700 m².
- The number of residential units was reduced from 124 apartment units to 64 stacked townhouse units.
- The maximum building height was reduced from 6 storeys to 4 storeys.

At the February 23, 2017 Informal Public Meeting, while the neighbours appreciated that the owner was revising the plan to address their concerns, the neighbours continued to express concerns related to building height and other matters.

This Planning Report is written in support of the further revised submission, which responds to the comments received from the Informal Public Meeting, and proposes the following;

- The zone change now only applies to the north portion of the property. The south portion of the property will retain the existing NC-9 Zone.
- The commercial floor area has been reduced from 4,000 m² to approximately 884 m².
- The minimum lot area of the commercial block has been reduced from 12,487 m² to approximately 3,700 m².
- The number of residential units has been reduced from 124 apartment units to 31 cluster townhouse units.
- The maximum building height has been reduced from 6 storeys to a maximum of 3 storeys. The townhouse units 1 to 16 abutting the existing townhouses are 2 storey units (appearing as 3 storeys at the back walk out units). Units 17 to 31 are located centrally within the site and are proposed to be 3 storey units.
- Units 1 to 16 have an enhanced setback of 9.6 m from the east property line. Units 27 to 31 have an enhanced setback of 23.5 m from the north property line.
- The request to change the commercial zoning to permit a drive-thru and a pharmacy is being withdrawn and the current NC-9 commercial zoning will remain in effect on the south portion of the property.
- No underground parking is proposed for the property.
- The minimum 6m wide landscaped buffer in the current zoning will continue to be a requirement for the commercial proposal where it abuts the existing on-street townhouses on Mussen Street.
- The commercial proposal meets all of the in effect zoning regulations of the existing NC-9 Zone.
- The proposal respects the density, building height, common amenity area, parking and landscaped area requirements of the R.3A Zone.
- The only specialized zoning regulation required for the cluster townhouse site is a front yard setback of 4.5 m where 6 m is required by the zoning. The purpose of this reduced front yard is to provide an enhanced setback to the existing abutting on-street townhouse units on Mussen Street. The 4.5 m front yard setback will permit landscaping to be located in the front yard of the proposed townhouse units facing onto Victoria Road North.

Figure 1 – Proposed Concept Plan (July 18, 2017)



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VICTORIA NORTH CONCEPT PLAN

DATE: JULY 18, 2017 SCALE: 1:400
 PROJECT No.: 0717 DRAWN BY: A.R.N.

KEY MAP

**PART OF LOT 1, CONCESSION 'C', DIVISION 'C'
 CITY OF GUELPH, COUNTY OF WELLINGTON**

Zoning Regulation	Specialized Neighbourhood Commercial NC-9 Zone		Compliance
	Required	Provided	
Minimum Lot Area	2,000 m ²	3,679 m ²	Yes
Maximum Lot Area	7,500 m ²	3,679 m ²	Yes
Minimum Lot Frontage	30 m	45.7 m	Yes
Minimum Front and Exterior Side Yard	3 m	Front 5.1 m	Yes
Maximum Front and Exterior Side Yard	6 m	Exterior Side 4.5m	Yes
Minimum Side Yard	Half the building height, not less than 3 m	Exterior Side 4.5m	Yes
Minimum Rear Yard	Half the building height, not less than 3 m	26.2 m	Yes
Maximum Building Height	2 storeys to maximum building height of 10 m	24%	Yes
Maximum and Minimum Building Height	Any building greater than 1,500 m ² shall be a minimum of 2 storeys		Yes
Maximum G.F.A.	4,000 m ²	885 m ²	Yes
Minimum Landscaped Open Space	5%	24%	Yes
Planting Area	Minimum 3 m wide strip along a street line	3 m	Yes
Buffer Strips	6 m along the easterly property line	6 m	Yes
Minimum Off-Street Parking	39 parking spaces	49	Yes
Off-Street Loading	4.14		Yes
Garbage (Section 4.9)			Yes

Zoning Regulation	Specialized Residential Cluster Townhouses R3.A Zone		Compliance
	Required	Provided	
Minimum Lot Area	800 m ²	8,807 m ²	Yes
Minimum Lot Area Per Unit	270 m ²	284 m ²	Yes
Minimum Lot Frontage	18 m	114.8 m	Yes
Minimum Front Yard	6 m	4.5 m	No
Minimum Side Yard	Half the building height, not less than 3 m	3 m	Yes
Minimum Rear Yard	Half the building height, not less than 3 m	7.5 m	Yes
Maximum Building Coverage	30%	29.6%	Yes
Maximum Building Height	3 storeys	3 storeys	Yes
Minimum Distance Between Buildings both with windows to habitable rooms (S.3.2.3.1)	15 m	15 m	Yes
Minimum distance between Buildings on the same Lot (S.3.2.3.3)	3 m	3 m	Yes
Minimum distance between Private Amenity Area and a Building with windows to Habitable Rooms (S.3.2.3.4)	10.5 m	19 m	Yes
Minimum Common Amenity Area (S.3.2.4)	156 m ²	254 m ²	Yes
Common Amenity Area not in Front Yard, S.3.2.4.3	5 m ² per unit		Yes
Ground Level Private Amenity Area (S.3.2.5.1)	a) minimum area of 20m ² b) minimum depth of 4.5m c) minimum width equal to the width of the unit	27 m ² 4.5 m	Yes Yes Yes
	d) not form part of a required front yard		Yes
	e) not face onto a street		Yes
	g) not include any other communal area		Yes
	h) be defined by a fence 1.3 m from a lot line		Yes
Minimum Landscaped Open Space	40%	41%	Yes
Buffer Strip			Yes
Off-Street Parking	31 parking spaces	31 garage 31 driveway parking spaces	Yes
20% Visitor Parking 4.13.4.3	7 parking spaces	13 parking spaces	Yes
Maximum Number of Dwellings in a Row	5	6	Yes
Garbage			Yes
Maximum Density of Site (Section 5.3.2.6)	37.5 dwellings per hectare	35.2 units per hectare	Yes

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Units 1 to 16 are proposed to be 2 storey units which have the appearance of 3 storeys from the back due to the existing grades of the site. These units are back walk-outs due to the difference in grade from front to back and will appear as 3 storey units from the back. These units are now setback 9.6 m from the east property limit. Units 17 to 31 are proposed to be 3 storey units and are proposed to have a setback from the north property limit of 23.5 m.

Figure 2 – Units 1 to 16 Front Building Elevation



Figure 3 - Units 17 to 31 Front Building Elevation



At the time of Site Plan approval, specific building designs will be created to the satisfaction of the City for Units 21, 22 and 31 which side onto Victoria Road North in order to address the City's urban design policies.

Figure 4 – Commercial Zoning Compliance Chart

Existing Specialized Neighbourhood Commercial NC-9 Zone			
Zoning Regulation	Required	Provided	Compliance
Minimum Lot Area	2,000 m ²	3,679 m ²	Yes
Maximum Lot Area	7,500 m ²	3,679 m ²	Yes
Minimum Lot Frontage	30 m	45.7 m	Yes
Minimum Front and Exterior Side Yard	3 m	Front 5.1 m Exterior Side 4.5m	Yes
Maximum Front and Exterior Side Yard	6 m	Front 5.1 m Exterior Side 4.5m	Yes
Minimum Side Yard	Half the building height, not less than 3 m	23 m	Yes
Minimum Rear Yard	Half the building height, not less than 3 m	26.2 m	Yes
Maximum Building Height	2 storeys to maximum building height of 10 m		Yes
Maximum and Minimum Building Height	Any building greater than 1,500 m ² shall be a minimum of 2 storeys		Yes
Maximum G.F.A.	4,000 m ²	885 m ²	Yes
Minimum Landscaped Open Space	9% (928 m ²)	24%	Yes
Planting Area	Minimum 3 m wide strip along a street line	3 m	Yes
Buffer Strips	6 m along the easterly property line	6 m	Yes
Minimum Off-Street Parking	39 parking spaces 1 space per 23 m ²	49	Yes
Off-Street Loading 4.14			Yes
Garbage (Section 4.9)			Yes

The existing Specialized Neighbourhood Commercial NC-9 Zone on the south portion of the property with an area of 0.367 hectares is not proposed to change. The current zoning will remain in effect on this portion of the property. The proposed Concept Plan for the commercial portion of the property is in compliance with the existing zoning.

Figure 5 – Cluster Townhouse Zoning Compliance Chart

Proposed Specialized Residential Cluster Townhouse R3.A-___ Zone			
Zoning Regulation	Required	Provided	Compliance
Minimum Lot Area	800 m ²	8,807 m ²	Yes
Minimum Lot Area Per Unit	270 m ²	284 m ²	Yes
Minimum Lot Frontage	18 m	114.8 m	Yes
Minimum Front Yard	6 m	4.5 m	No
Minimum Side Yard (Section 5.3.2.2)	Half the building height, not less than 3 m	3 m	Yes
Minimum Rear Yard (Section 5.3.2.2)	Half the building height, not less than 3 m	7.5 m	Yes
Maximum Building Coverage	30%	29.6% 2,604 m ²	Yes
Maximum Building Height	3 storeys	3 storeys	Yes
Minimum Distance Between Buildings both with windows to habitable rooms (5.3.2.3.1)	15 m	15 m	Yes
Minimum distance between Buildings on the same Lot (5.3.2.3.3)	3 m	3 m	Yes
Minimum distance between Private Amenity Area and a Building with windows to Habitable Rooms (5.3.2.3.4)	10.5 m	19 m	Yes
Minimum Common Amenity Area (5.3.2.4)	155 m ² 5 m ² per unit	254 m ²	Yes
Common Amenity Area	not in Front Yard. 5.3.2.4.3		Yes
Ground Level Private Amenity Area 5.3.2.5.1	a) minimum area of 20m ²	27 m ²	Yes
	b) minimum depth of 4.5m	4.5 m	Yes
	c) minimum width equal to the width of the unit.		Yes
	d) not form part of a required front yard.		Yes
	e) not face onto a street.		Yes
	g) not include any other communal area		Yes
	h) be defined by a fence		Yes
	i) 3 m from a lot line		Yes
	Minimum Landscaped Open Space	40%	41%
Buffer Strip			Yes
Off-Street Parking 4.13	31 parking spaces One space per unit	31 garage 31 driveway	Yes
20% Visitor Parking 4.13.4.3	7 parking spaces	13 parking spaces	Yes
Maximum Number of Dwellings in a Row	8	6	Yes
Garbage			Yes
Maximum Density of Site (Section 5.3.2.6)	37.5 dwellings per hectare	35.2 units per hectare	Yes

3. Existing Conditions and Surrounding Land Uses

The total area of the property is 1.248 hectares. The north portion of the property subject to this zone change application is 0.88 hectares in area.

The existing surrounding land uses include:

- North - On-street townhouse units fronting onto Mussen Street.
- East - Residential land zoned for townhouse and apartment uses fronting onto Victoria Road North.
- South - Single detached homes fronting onto Wideman Boulevard.
- West - On-street townhouse units fronting onto Mussen Street.

Figure 6 - Surrounding Land Use



4. Planning Framework

4.1 Provincial Policy Statement 2014

The Provincial Policy Statement 2014 (PPS) is issued under the authority of Section 3 of the Planning Act and was in effect as of April 30, 2014. It replaces the Provincial Policy Statement issued March 1, 2005. In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. (**bolding** added for emphasis)

“1.1.3 Settlement Areas

1.1.3.1 **Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.**

1.1.3.2 *Land use patterns within settlement areas shall be based on:*

a. *densities and a mix of land uses which:*

1. **efficiently use land and resources;**
2. *are appropriate for, and **efficiently use, the infrastructure and public service facilities which are planned or available**, and avoid the need for their unjustified and/or uneconomical expansion; and*
3. *minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and*

b. *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

“1.6.3 a) *The use of existing infrastructure and public service facilities should be optimized;”*

“1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.”*

The site is serviced with municipal sewage and water services consistent with the Provincial Policy Statement. The proposal for the subject property is consistent with the Provincial Policy Statement 2014 in that land within the settlement area should be efficiently used.

4.2 Places to Grow

The Growth Plan for the Greater Golden Horseshoe (2017) takes effect on July 1, 2017. *“This Plan applies to the area designated by Ontario Regulation 416/05 as the Greater Golden Horseshoe growth plan area. All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise.”(1.2.2)*

Excerpts from the Growth Plan are included in this report. The subject property is within the designated Greenfield Area of the City of Guelph settlement area.

“1.2.1 Guiding Principles

- ***Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.***

“Outer Ring

*The geographic area consisting of the cities of Barrie, Brantford, **Guelph**, Kawartha Lakes, Orillia, and Peterborough; the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe, and Wellington; and the Regions of Niagara and Waterloo.”*

“2 Where and How to Grow

2.1 Context

*Building more compact **greenfield** communities reduces the rate at which land is consumed. Communities need to grow at transit-supportive densities, with walkable street configurations. Compact built form and intensification efforts go together with more effective transit and active transportation networks and are fundamental to where and how we grow. They are necessary to ensure the viability of transit; connect people to homes, jobs and other aspects of daily living for people of all ages; and meet climate change mitigation and adaptation objectives. Moreover, an increased modal share for active transportation and transit, including convenient, multimodal options for intra- and inter-municipal travel, supports reduced air pollution and improved public health outcomes.”*

“2.2.7 Designated Greenfield Areas

1. *New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:*
 - a) *supports the achievement of complete communities;*
 - b) *supports active transportation; and*
 - c) *encourages the integration and sustained viability of transit services.”*

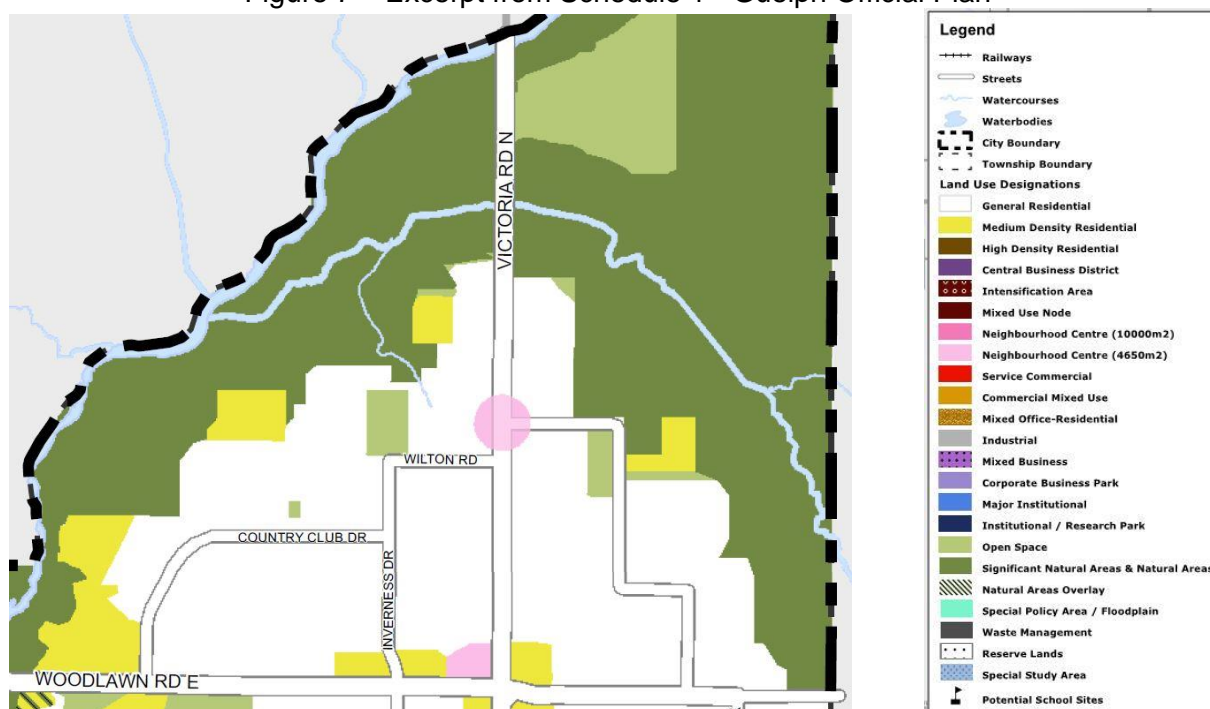
“Designated Greenfield Area - Lands within settlement areas but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan.”

The proposal for the subject property will assist the City to meet the Places to Grow 2017 guiding principles by prioritizing intensification and higher densities to make efficient use of land and infrastructure and support transit viability. The proposal will assist the City in meeting the in effect minimum density target for the designated Greenfield Area within the Guelph Official Plan that is approved and in effect as of July 1, 2017.

4.3 City of Guelph Official Plan (September 2014 Consolidation)

When the zone change application was deemed to be complete on March 29, 2016 the City of Guelph Official Plan (September 2014 Consolidation) was in effect and applicable to the subject property. The property was designated as “General Residential” and “Neighbourhood Commercial Centre” in the September 2014 Consolidation of the 2001 Guelph Official Plan.

Figure 7 – Excerpt from Schedule 1 - Guelph Official Plan



“General Residential’ Land Use Designation

7.2.31 *The predominant use of land in areas designated, as ‘General Residential’ on Schedule 1 shall be residential. All forms of residential development shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. **Multiple unit residential buildings will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7.***

7.2.32 Within the 'General Residential' designation, the **net density of development shall not exceed 100 units per hectare (40 units/acre).**"

7.2.7 Multiple unit residential buildings, such as **townhouses**, row dwellings and apartments, **may be permitted within designated areas permitting residential uses.** The following development criteria will be used to evaluate a development proposal for multiple unit housing:

- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
- b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
- c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
- d) That adequate municipal infrastructure, services and amenity areas for the residents can be provided.

"7.4.22 A 'Neighbourhood Commercial Centre', comprised of one or several commercial buildings on one or more properties within a compact "node", is intended to primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment

districts. In addition, institutional and small scale office uses may also be permitted where these uses are compatible with the particular surroundings. **Medium density multiple unit residential buildings** and apartments in accordance with Section 7.2 may also be permitted provided the principle commercial function is maintained."

In addition to the commercial uses permitted within the Neighbourhood Commercial Centre designation, medium density multiple residential units are also permitted provided that the principal commercial function of the designation is maintained. The principal commercial function of the site is maintained by retaining commercial uses on the corner portion of the property.

Figure 8 - Conformity with Neighbourhood Commercial Centre Policies

7.4 Neighbourhood Commercial Centre	
Official Plan Policy	Policy Analysis
7.4.22 A 'Neighbourhood Commercial Centre', comprised of one or several commercial buildings on one or more properties within a compact "node", is intended to primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts. In addition, institutional and small scale office uses may also be permitted where these uses are compatible with the particular surroundings. Medium density multiple unit residential buildings and apartments in accordance with Section 7.2 may also be permitted provided the principle commercial function is maintained.	This Neighbourhood Commercial Centre is comprised of one commercial building located on one property within a compact node and will primarily serve the shopping needs of nearby residents. Medium density multiple unit residential buildings such as cluster townhouses are permitted. These residential units are in conformity with section 7.2 of the Official Plan which permits a maximum density of 100 units per hectare. These residential units will maintain the principal commercial function of this Neighbourhood Commercial Centre designation by maintaining a portion of the site for commercial uses.
7.4.23 The 'Neighbourhood Commercial Centre' designations on Schedule 1 recognize the existing centres within the City and identify the general location of new 'Neighbourhood Commercial Centres'.	Schedule 1 recognizes a portion of the subject property at the intersection of Victoria Road North and Wideman Boulevard as a location for a designated 'Neighbourhood Commercial Centre'.
7.4.27 This Plan intends that a 'Neighbourhood Commercial Centre' shall not be extended or enlarged to provide more than 4,650 square metres (50,000 square feet) of gross leasable floor area.	The proposed 884 square metre gross leasable floor area is less than the maximum 4,000 square metres permitted by the existing NC-9 Zone. This is less than the maximum 4,650 square metres permitted for the entire commercial node.
7.4.29 The maximum <i>gross leasable floor area</i> of an individual retail use within the node shall be 3,250 square metres (35,000 square feet).	The proposed maximum gross leasable floor area of an individual retail use will be less than the maximum permitted of 3,250 square metres.
7.4.30 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of <i>Zoning By-laws</i> and <i>site plans</i> used to regulate <i>development</i> within the 'Neighbourhood Commercial Centre' designation to ensure such consistency.	When the Specialized NC-7 Zone was created it included regulations which are consistent with the City's urban design objectives and guidelines. For example, minimum and maximum building setbacks, requiring building entrances facing onto Victoria Road, and the requirement for a building to locate at the corner of Victoria Road and Wideman Boulevard,
7.4.31 It is intended that where there are adjacent properties within the node that as new development occurs the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Neighbourhood Commercial Centre designation will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.	There is only one property located within this portion of the node, however, stormwater management easements have been incorporated into abutting properties to integrate their function. The Concept Plan provided shows sidewalk connections to the municipal sidewalks to accommodate pedestrian connectivity and the building has been placed in close proximity to the street.

Figure 9 - Conformity with Non-Residential Urban Design Policies

3.6 Urban Design	
Character of Development in Non-Residential Areas	
3.6.20 The following specific matters will be considered in the design of non-residential developments:	
Official Plan Policy	Policy Analysis
1. Signage should be in the form of free standing ground signs with extensive landscaping and/or building signage incorporated into the building façade design.	Signage will be provided in accordance with the City's Sign By-law or an exemption applied for at the time of Site Plan approval.
2. Buildings should be oriented toward the street and provide direct user entrances from adjacent streets and walkways. Corner buildings should address both streets by providing two articulated façades facing the street and avoiding blank walls.	The proposed buildings are oriented toward the street and user entrances are provided with direct walkways connecting to sidewalks along Victoria Road North and Wideman Boulevard.
3. Walkways should be provided directly from the public sidewalk and from parking areas to the main entrance(s) of the building(s). These walkways should be well articulated, safe and accessible and integrated with the overall network of pedestrian linkages in the area.	The Concept Plan provided indicates that walkways are provided directly from the public sidewalk and from parking areas to the main entrances of the buildings. These walkways are 2m wide where a parking space is positioned to allow a car to potentially encroach slightly over the sidewalk and 1.5 m wide in other locations. The walkways are in locations which will be lit and are visible from the abutting streets and connect with the overall network of pedestrian linkages in the area.
4. Parking garages should be designed to provide well-articulated façades facing the streets. If conditions are favourable, street-related uses on the ground level of the parking structure are encouraged.	No parking garage is proposed
5. Transit user amenities, such as shelters and associated user furniture should be provided in instances where significant pedestrian/transit user traffic is expected.	There are no existing transit routes which stop along either the Victoria Road North or Wideman Boulevard frontages of the subject property. The closest Guelph Transit Route is East Loop 3.

Figure 10 - Conformity with the Development Criteria for Multiple Unit Housing

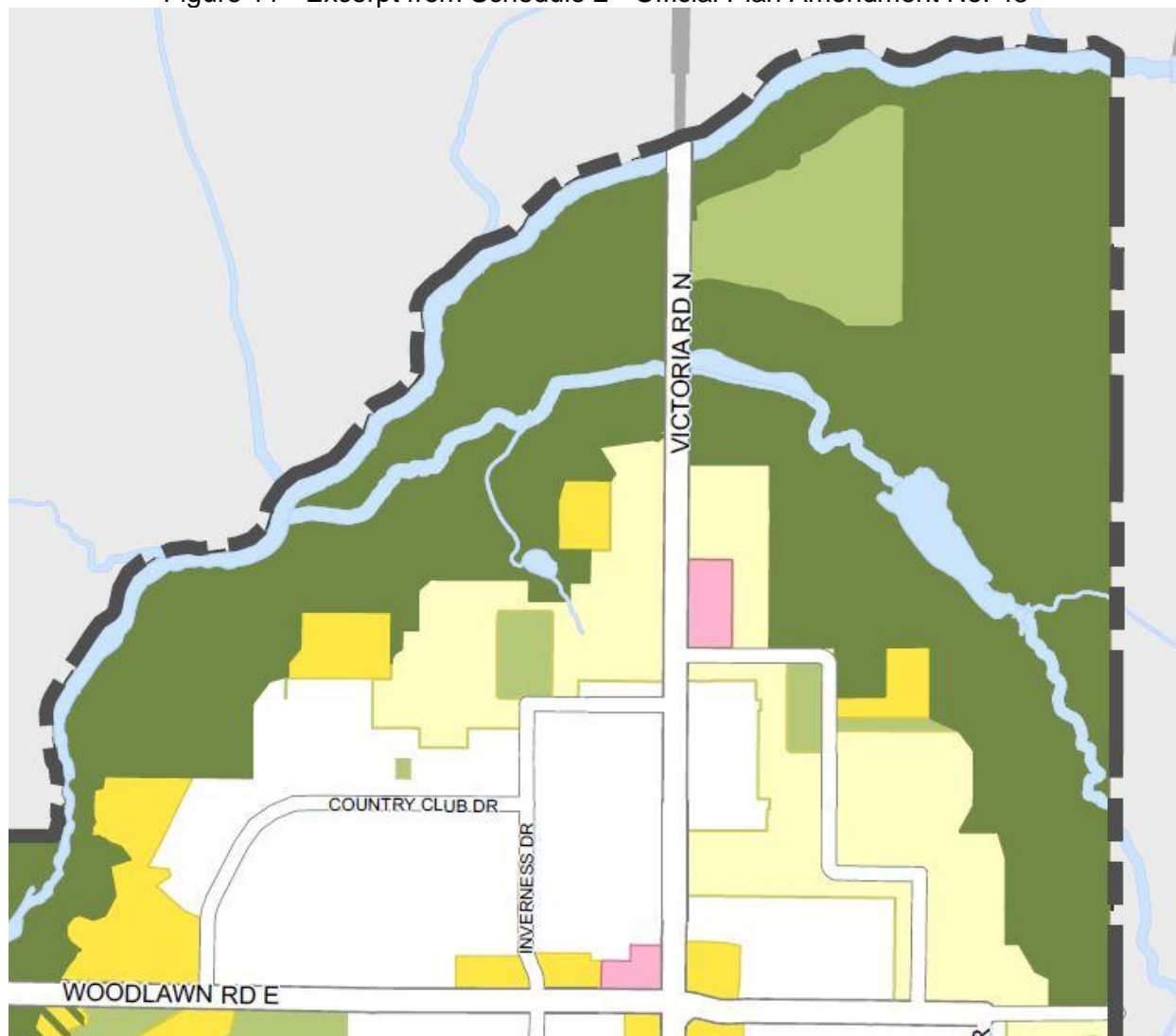
<i>7.2.7 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a development proposal for multiple unit housing:</i>	
Official Plan Policy	Policy Analysis
a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;	The proposed building form, massing, appearance and siting are compatible in design character and orientation with the existing on-street townhouse buildings on Mussen Street. The proposal has been revised from a 6 storey apartment proposal to three storey cluster townhouses. Enhanced setbacks have been provided by the revised proposal.
b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;	This proposal includes the provision of local convenience and neighbourhood shopping facilities. Recreation facilities are located nearby within walking distance at Northview Park and Wilson Farm Park. Public transit is expected to be extended in closer proximity to this area as development progresses.
c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and	An easement is proposed to be provided on the commercial site to allow residential traffic to access Wideman Boulevard. Right-in and right-out traffic access is provided from Victoria Road North to the proposed cluster townhouse site. There will be minimal impact to local residential streets and intersections from the proposal. The townhouse proposal provides parking spaces which exceed that required by the zoning by-law.
d) That adequate municipal infrastructure, services and amenity areas for the residents can be provided.	The Functional Servicing Report provided by GM Blue Plan reviews the adequacy of the municipal services and the capacity of the existing stormwater management facility. The Common Amenity Area provided exceeds the area required by the zoning by-law.

4.4 Envision Guelph Draft Official Plan (OPA No. 48)

Official Plan Amendment No. 48 is the 5 year review of the Guelph Official Plan. “A *Decision and Order from the Ontario Municipal Board on October 5, 2017 has brought OPA No. 48 into full force and effect. Although the applications which were received prior to OPA No. 48 coming into full force and effect are being processed under the 2001 Official Plan, staff must have regard to the policies and designations of OPA No. 48.*” (page 3 of Guelph Report Number IDE-2017-131)

On November 27, 2017 I provided an email to Katie Nasswetter and Melissa Aldunate indicating that when Zone Change application ZC1606 was declared a complete application by the City on March 29, 2016 this property had both a "General Residential" and a "Neighbourhood Commercial Centre" designation on the property in the 2001 Official Plan. Within OPA No. 48 which was approved by the OMB on October 5, 2017, the property is entirely within the "Neighbourhood Commercial Centre" designation. I requested confirmation from City staff regarding how the application should proceed to implement the cluster townhouse proposal, ie. whether an Official Plan Amendment is required to permit cluster townhouses or whether the "clergy principle" is applied or another interpretation determining that these cluster townhouses would continue to be permitted. On December 21, 2017 I received an email from the City confirming that "an Official Plan amendment to implement the townhouses as proposed is not required, as long as they are rezoned together with the commercial component of the site". On this basis, an Official Plan Amendment has not been filed with the City to implement this proposal.

Figure 11 - Excerpt from Schedule 2 - Official Plan Amendment No. 48



OPA No. 48 designates the subject property as “Neighbourhood Commercial Centre”.

“9.4.4 Neighbourhood Commercial Centre

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

Objectives

- a) *To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.*
 - b) *To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is compatible with the surrounding residential neighbourhood.*
 - c) *To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.*
 - d) *To be connected to surrounding neighbourhoods through the City’s pedestrian trails, walkways and by transit.*
3. *This Plan intends that a Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650 square metres (50,000 square feet) of gross floor area.*
 7. *The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of Zoning By-laws and Site Plans to ensure conformity.*
 8. *Where new development occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems.*
 9. *Development within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.”*

Permitted Uses

11. *The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:*
 - i) *commercial, retail and service uses;*
 - ii) *small-scale offices;*
 - iii) *community services and facilities;*
 - iv) *live/work;*
 - v) *multiple unit residential within mixed-use buildings; and*
 - vi) *urban squares.*
12. *Vehicle sales and vehicle repair uses shall not be permitted.*
13. *Development will be planned and designed to maintain the principal commercial function. Residential uses are not permitted on the ground floor.”*

Figure 12 – Conformity with Urban Design Built Form Policies

8 Urban Design	
8.6 Built Form: All Built Forms other than Low Rise Residential Forms	
Official Plan Policy	Analysis
1. New buildings shall address the street. Buildings shall have front façades with entrances and windows that face the street and that reflect and, where appropriate, enhance the rhythm and frequency of the immediate vicinity.	The proposed commercial building has front façades with windows that face the street.
2. The principal entrances of commercial and mixed-use buildings shall be oriented toward the street and provide direct user entrances from adjacent streets and walkways. Blank facades facing a street, open space or park shall not be permitted.	The principal entrances of the proposed commercial building are oriented toward the street and provide direct user entrances from adjacent streets and from walkways internal to the site. No blank facades are proposed facing a street.
3. Commercial, employment and mixed-use buildings should be consistently located close to the street edge and sidewalk.	The proposed commercial building is located close to the street edge and sidewalk.
4. Corner buildings shall address both streets by providing two articulated façades facing the street.	The corner commercial building will be designed with two articulated façades facing both Victoria Road North and Wideman Boulevard to be reviewed at the time of Site plan approval.
5. Buildings adjacent to the street edge and at sites with high public visibility shall be designed to take into account their high public visibility by incorporating elements such as increased height, roof features, building articulation and high quality finishes and windows.	The design of the proposed commercial building adjacent to the street edge takes into account the high public visibility by incorporating elements such as building articulation. At the time of Site Plan approval, elements such as roof features, high quality finishes and windows will be evaluated and approved by the City.
6. Intersections of major streets shall be emphasized by placing buildings in close proximity to the intersection and ensuring that building entrances are visible from that intersection.	The proposed commercial building is placed in close proximity to the intersection.
7. Buildings will be designed to completely screen roof-top mechanical equipment from public view.	At the time of Site Plan approval, the City will evaluate whether the building design completely screens roof-top mechanical equipment from public view.
8. Long building facades that are visible along a public street will incorporate recesses, projections, windows or awnings, colonnades and/or landscaping along the length of the facade to reduce the mass of such facades.	The proposed commercial building has a length of 44.2 m along Wideman Boulevard. This is not considered a long building façade.

8 Urban Design	
8.6 Built Form: All Built Forms other than Low Rise Residential Forms (con't)	
Official Plan Policy	Analysis
9. The design of all commercial buildings and storefronts shall be in keeping with the character and identity of the community and its immediate context. This may require alternative or enhanced standard of corporate or franchise design. Buildings shall reflect the community and immediate context through features such as facade articulation, massing, architectural style, vertical windows, appropriate signage, building materials and exterior finishes.	<p>The design of the proposed buildings will be in keeping with the character and identity of the community and its immediate context.</p> <p>The City will review and approve the facade articulation, massing, architectural style, vertical windows, appropriate signage, building materials and exterior finishes at the time of Site Plan approval.</p>
10. Where appropriate, a building's first storey shall generally be taller in height to accommodate a range of non-residential uses.	The City will review and approve the building's first storey height at the time of Site Plan approval.
11. Large buildings will incorporate architectural elements which will reduce the visual effects of flat roof lines.	The proposed building with an area of approximately 884 m ² is not considered a large building.
12. Industrial buildings which incorporate an office component should be designed to locate the office at the street front of the building and are encouraged to have a minimum height of 2 storeys.	Not applicable.
13. Generally, a minimum building height of 2 storeys will be encouraged to provide definition to streets and open spaces. Regulations for minimum building heights may be incorporated into the Zoning By-law for non-residential uses at key locations such as sites fronting onto arterial or collector roads, identified Main Streets and at intersections.	Regulations for minimum building height have been incorporated into the existing NC-9 Zoning of the property.
14. Site and building design should support and facilitate future intensification and redevelopment including strategies for building expansions such as ensuring that upper storey volumes can be infilled to create additional floor area.	The site and building design may be able to support and facilitate future intensification and redevelopment.

Figure 13 - Conformity with Urban Design Compatibility Policies

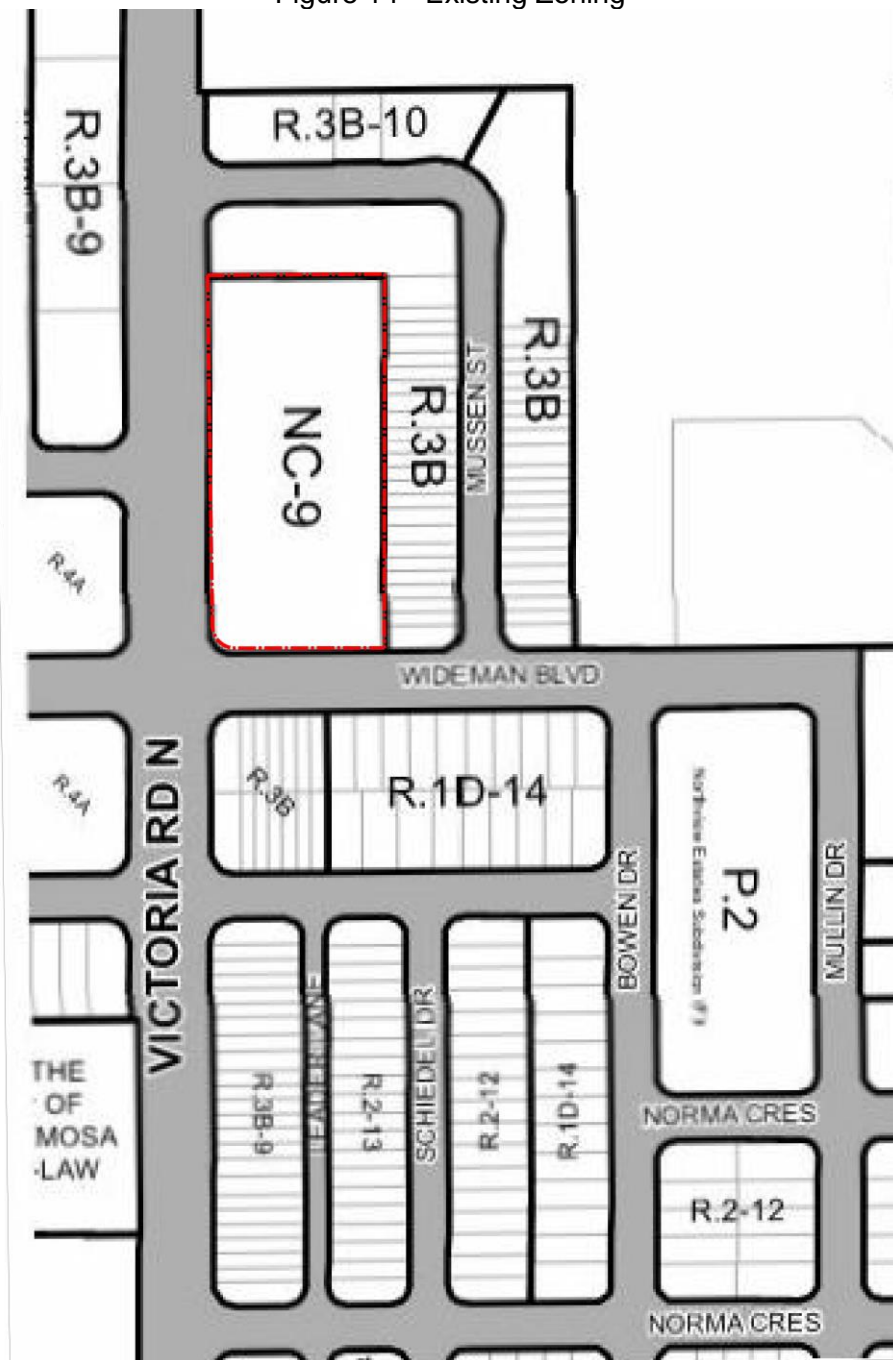
8 Urban Design 8.7 Built Form: Buildings in Proximity to Residential and Institutional Uses 1. Where commercial , employment or mixed-use development is located in proximity to residential and institutional uses the following urban design strategies will be employed to ensure <i>compatibility</i> .	
i) using building massing and placement to reduce the visual effects of flat roof lines, blank facades or building height by means such as appropriately stepping back, terracing or setting back buildings;	The proposed Concept Plan implements the approved zoning on the corner parcel. The 6m landscape buffer as required by the existing zoning has been incorporated into the proposal.
ii) appropriately locating noise-generating activities within a building or structure and away from sensitive receptors;	The Noise Study prepared by Paradigm addresses any noise issues related to the proposal.
iii) incorporating screening and noise attenuation for roof-top mechanical equipment and other noise generating activities situated in proximity to sensitive receptors;	The provision of screening and noise attenuation for roof-top mechanical equipment and other noise generating activities situated in proximity to sensitive receptors will be provided at the time of Site Plan approval.
iv) providing perimeter landscape <i>buffering</i> incorporating a generously planted landscape strip, berming and/or fencing to delineate property boundaries and to screen the commercial or employment use from the adjacent use; and	The typical landscaped buffer width is 3m. An enhanced buffer width of 6m is providing perimeter landscape <i>buffering</i> incorporating a generously planted landscape strip and fencing to delineate property boundaries and to screen the commercial from the adjacent on-street townhouses dwellings.
v) designing exterior lighting and signage to prevent light spillage onto the adjacent property.	At the time of Site Plan approval the exterior lighting and signage will be designed to prevent light spillage onto the adjacent residential properties.

In conclusion, while this zone change application is being processed under the 2001 Official Plan, the proposal has had regard to the policies and designations of OPA No. 48.

4.5 Zoning By-law

The existing zoning of the subject property is the Specialized Neighbourhood Shopping Centre NC-9 Zone shown on Figure 14. The zoning proposal is described further in section 2 of this report.

Figure 14 - Existing Zoning



5. **Conclusion**

This Planning Report has been prepared in support of a Zoning Amendment Application for a portion of the property municipally addressed as 671 Victoria Road North. The proposed zone change is consistent with the Provincial Policy Statement and the Growth Plan, is in conformity with both the in effect and adopted Official Plan and in my professional opinion represents good planning.

This report has been prepared and respectfully submitted by,

Astrid Clos, MCIP, RPP

January 4, 2018

Date

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