

Subject RE: HANLON CREEK BUSINESS PARK – (City Files 23T-03501, OP0301, ZC0301) – Ward 6.

Recommendations “THAT the recommendations on SCHEDULE 2 be approved.”

Background The subdivision application applies to 271.64 hectares (671.21 acres) of land. Four property owners are in partnership in submitting the applications for approval, including the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder.

The proposed plan of subdivision is bounded to the north by the fourth and final phase of the Kortright Hills Residential Subdivision, to the east by the Hanlon Expressway (Provincial Highway #6), to the south by Forestell Road and to the west by Downey Road. (See **SCHEDULE 1** - (Location Map).

The proposal has three (3) components:

1. Request for Draft Plan Approval of a Business Park/Industrial Subdivision and related Official Plan and Zoning By-law Amendments to implement the subdivision.
2. City-initiated rezoning of four adjacent residential properties being 165 McWilliams Road and 788, 881 and 902 Laird Road West.
3. Public Notice of an Environmental Assessment for the Re-alignment of Laird Road west of the Hanlon Expressway.

On January 31, 2005, Guelph City Council held the statutory Public Meeting pursuant to Sections 17, 34 and 51 of The Planning Act and passed the following resolution:

“THAT the application by the GSP Group In. on behalf of the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, owners of the subject lands proposed as the Hanlon Creek Business Park, for approval of an Official Plan Amendment, a Draft Plan of Subdivision and an associated Zoning By-law Amendment (City Files 23T-03501, OP0301, ZC0301) to permit a Business Park/Industrial Subdivision, including associated City-initiated applications, be placed on the agenda for the February 21, 2005 City Council meeting for a decision;

AND THAT staff provide additional information on the following:

- *proposed building heights in zone B-5 and all the lands north of Road “A”*
- *develop terms of reference for a Public Liaison*

February 21, 2005.

Report #

Planning and Building Services (05-25)

Prepared by:
Allan C. Hearne,
Senior
Development
Planner

Approved by:

R. Scott Hannah,
Manager of
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James N. Riddell,
Director of
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Committee which would be created for a two year period

- *information on a water monitoring system similar to the program in place at the Laurel Creek in Waterloo*
- *status of the 2003 Hanlon Creek Watershed recommendations*
- *the Cox Construction haul route on Laird Road and its implications*
- *implications of approving half of the plan (North Section)*
- *further clarification on Teal and Tanner Drive and emergency access*
- *clause 24 relating to location of sewers and resizing*
- *width of trees*
- *truck traffic on Downey Road*
- *whether Emergency Services would be locating in the business park."*

With respect to the main issues and concerns raised at the January 31, 2005 Public Meeting of City Council, the following is in response to the questions noted in the Council motion:

Proposed Building Heights in the Specialized B.5 Zones North of Road "A"

In response to the concerns expressed by residents at the Public Meeting, the applicant has agreed to reduce the maximum building heights on all Blocks north of Road A to 8 metres (26 feet or approximately 2 storeys). This maximum building height regulation of 8 metres will now apply to all of Blocks 2, 3, 9 and 10 and the portion of Block 11 located north of Road A following the zone line. Also, in response to concerns that there is no building height limit in the B.5 (Corporate Business Park) Zone, Staff is recommending the addition of a maximum building height regulation of 20 metres (66 feet or approximately 5 storeys) which is the height limit used in the B.1 and B.2 (Industrial) Zones in the City. Staff also recommend the exception of a 'Hotel' use in the B.5 Zone that could reasonably be a maximum of 32 metres (105 feet or approximately 8 storeys) in building height. This maximum height limit of 32 metres for a hotel use is consistent with the 8 storey maximum building height regulation of an apartment building in the R.4A (General Apartment) Zone, in the Zoning Bylaw. The map in **SCHEDULE 6** illustrates proposed maximum building heights recommended in the business park and **SCHEDULE 2, Section C** summarizes the proposed changes to the maximum building height regulations in the various zones.

Develop a Terms of Reference for a Public Liaison Committee which would be created for a Two Year

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Period.

Other municipalities are being contacted to see if they have experience with this type of committee. The GRCA has not had any experience with such a committee. The principle of such a committee, is supported provided the size of the committee is small and workable and the committee's role is strictly advisory to the approval authorities. The committee should focus on monitoring the implementation of conditions prior to registration and to assisting the applicant's environmental inspector in monitoring and trouble shooting on-site during the construction phase. The composition of the committee should include but not be limited to, representation from City Staff, the business park landowners, the KHNA and Puslinch Township residents. Staff could lead in the establishment of the committee and host regular quarterly meetings or on an as-needed basis. Should there be complications to the operation of this committee, Staff will report to Council for direction. Two separate resolutions related to the establishment of a Public Liaison Committee are offered at the end of **SCHEDULE 2** for Council's consideration.

Information on a Water Monitoring System similar to Laurel Creek in Waterloo.

Information regarding the Laurel Creek watershed study and monitoring program is provided on **SCHEDULE 4**. With respect to proposed monitoring within the Hanlon Creek Subdivision, Condition #12 of **SCHEDULE 2** requires the applicant to submit an Environmental Implementation Report (EIR), prior to any grading or site alteration. This condition specifically includes a "monitoring program to assess the performance of the storm water management facilities" and will further cover much of the detailed design of the particular phase of registration. The requirement for an EIR has worked well in other Guelph subdivisions in the past. It is standard practice for a Terms of Reference for the EIR to be submitted by the applicant to the GRCA and City including EAC for approval, prior to the submission of the final EIR document.

The Hanlon Creek State of the Watershed Study, March 2003 indicates that:

"A review of the state of the watershed reports and watershed report cards prepared over the past decade for some other watersheds in southern Ontario (including the Laurel Creek Watershed Monitoring Program) was used to develop a long list of potential indicators pertaining to the state of terrestrial resources and ecological functions." The Hanlon Creek State of the Watershed Study considered the Laurel Creek

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Watershed Monitoring Program as part of the recommended monitoring for the Hanlon Creek Watershed.

Status of the 2003 Hanlon Creek Watershed Report

The Hanlon Creek State-of-the-Watershed Report was completed and received by the City in the fall of 2004. The report contains:

- comparisons of various physical parameters to the Hanlon Creek Watershed Study data, completed in 1993.
- status of the implementation/completion of HCWS recommendations.
- recommendations for future monitoring.
- recommendations for future policies, development guidelines and initiatives.

Staff from the Engineering Department, Environmental Services Department and Planning Division will be meeting this month to review the report's conclusions and form a plan for their implementation. Discussions with other relevant departments and agencies will follow this meeting.

The Cox Construction Aggregate Haul Route on Laird Road and its Implications

Representatives of Cox Construction have expressed concerns with the design of the business park as it proposes to realign Laird Road. Cox Construction and other haulers currently use Laird Road as a principal haul route to transport aggregate from their licensed pit in the Township of Puslinch to the Hanlon Expressway. Cox maintains that it has the right to use Puslinch Road 5 and Laird Road in its present alignment and takes the position that an OMB decision from 1982 (related to the planning and license approvals needed for the pit), stipulates that this route should be the primary haul route for the extraction operation. Development agreements between Cox and the Township from 1983 and 1997 also stipulate this haul route, as does the current license from the Ministry of Natural Resources.

City Staff does not agree that a previous OMB decision or agreements bind the City and require us to maintain the road in its present alignment. This section of the road has been under the jurisdiction of the City since 1993. The City has the right to close, widen or realign any road under its jurisdiction provided that certain public processes are followed. The City has integrated the Environmental Assessment for realigning Laird Road as part of the current subdivision application process in accordance with the Class Environmental Assessment

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Guidelines for Municipal Road Projects. The Notice of Study Commencement was issued and a further notice indicating Study Completion and inviting public review will be issued after draft approval of the subdivision application. Cox Construction or any other interested party has the right to object to the OMB during the review period.

It remains the position of City staff that the proposed realigned Laird Road is the best design solution to facilitate the development of the business park. It adequately responds to the transportation issues raised with this subdivision. Developing the business park based on the existing Laird alignment will require its ultimate widening from two lanes to four lanes as well as building new north-south cross roads for internal circulation; neither of which is feasible given the natural environmental conditions of the area.

The realigned Laird Road is the most environmentally friendly since it respects the recommendations of the Hanlon Creek Watershed study to reconnect and strengthen the wetland features. The route provides for an appropriate design of a future interchange, which is needed to accommodate future traffic demands. The Ministry of Transportation (MTO) has supported this interchange design. The design also facilitates an appropriate local road network within the proposed subdivision. Related to the issue at hand, the realigned Laird Road continues the provision of an aggregate haul route through the subject lands just as it is currently being provided. Laird Road is a designated truck route regardless of its alignment between the Hanlon Expressway and Downey Road.

Even though this route would be available, Cox Construction has indicated that it would not use this route. The principal issue for Cox is lost time and opportunity costs. Cox believes that trucks traveling on the proposed route (realigned Laird) will take considerably longer (i.e. 7 minute delay) to go from the intersection of Downey Road to the Hanlon Expressway. Staff does not agree with this position. Any difference in travel time will be marginal, given that the increase in travel distance is only approximately 1 kilometre. Further, the current route has a stop sign at Downey Road and a traffic light at the Hanlon Expressway. In the future, the proposal is for lights at Downey and Laird Roads and at the intersection of the realigned Laird Road at Street A. When the lights are green at both new intersections, the future travel time may actually be less, since trucks must currently come to a complete stop at current intersection of Downey and Laird Roads.

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Notwithstanding our disagreements, City staff and Cox Construction have continued to dialogue with each other in an attempt to reach a resolution on the issue. Another meeting was held on February 7, 2005 with staff from the City's Planning, Engineering, Legal and Economic Development Departments, in addition to representatives from the Grand River Conservation Authority, the Ministry of Natural Resources and Cox Construction. As a result of this meeting, City staff agreed to examine additional commitments and or conditions that could be provided so that the realigned Laird Road could be sufficiently workable for Cox Construction. A further meeting occurred on February 14, 2005. **The following are the additional commitments that have been added:**

- **An additional redline revision has been included in condition 1** to specifically require 0.3 metre reserves along selected portions of the realigned Laird Road to limit driveway access points.
- **Condition 54 has been reworded to require access to local streets from individual properties wherever possible**, rather than Street D (Laird Road) and the use of 0.3 metres reserves. The condition further requires access points to Street D (realigned Laird) from Blocks 34 and 35 to align with the roads C, E, F, and I, wherever possible. This condition still commits the City to leaving the current Laird Road open on its present alignment until the MTO grade separated interchange is constructed and new Street D (realigned Laird Road) has been constructed.
- **A new condition 55 has been added requiring that the developer will build the realigned Laird Road initially as a three-lane roadway** between Road A and Downey Road. The middle lane will be painted as a centre-turn lane to provide refuge for left-turning vehicles without impeding through traffic including aggregate haul trucks. This would be in place until the realigned Laird Road has been widened to four lanes.
- **Condition 26 has been altered allowing Street F construction without any connection to Forestell Road**, to allow the access to this local road rather than the realigned Laird Road.

The posted speed limit on the realigned Laird Road is planned to be 60km. All of these efforts have been made to help ensure that the realigned Laird Road will help to significantly reduce the impediments to traffic movement for the aggregate contractors on the haul route.

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In meetings with the MNR, it has also been clarified that the use of the realigned Laird Road would require an amendment to the existing license. Cox Construction would have to initiate this modification. This process would involve a circulation to the affected municipalities (i.e. City, County and Township) and the posting of a Notice on the Environmental Registry with a decision by the Minister of Natural Resources in as little as 30 days. Both the Township and County have already indicated that they support the plan for the Hanlon Creek Business Park.

Cox Construction, could also apply to amend the existing haul route to use another County or Township Road. This approval may not be as easy as the Township, County and Puslinch residents may object.

Implications of Approving Only the North Half of the Plan

There would be major financial and transportation implications if only the north half part of the plan is given draft plan approval at this time. Both halves of the proposed development are intricately woven together because of the significant natural environmental factors affecting the development of the lands. Further re-evaluation would have to be completed on the work done to date including further MTO review and approval of an updated traffic study. See **SCHEDULE 3** for comments from City Staff. The realignment of Laird Road has been a fundamental goal since the inception of the project in order to join and strengthen the wetland complex that is presently divided by Laird Road. Given the attributes of the subject site and the complexities of the many issues to be addressed, it is best to approve the plan comprehensively. Staff recommends that the draft plan be approved in its entirety, with appropriate phasing.

With respect to the timing of the Hanlon Expressway and Laird Road grade-separated interchange, MTO's official position is that the interchange should be in place before development in the business park exceeds 63,172 square metres (680,000 sq.ft.) of building area and this will be reviewed when the park reaches 500,000 square feet of build-out. The City will continue to dialogue with MTO on this issue. Depending on the market and the build-out of the business park, and traffic increases on the Hanlon Expressway, the Laird interchange could be needed in the next five to ten years. It is very difficult to predict a more definitive timeline.

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Further clarification on options for Teal and Tanner Drive and emergency access

The existing Tanner Drive stub road extension was partially built when the Kortright Hills Phase 4 subdivision was developed and it was decided that this road connection would be a permanent road connection. The Tanner Drive connection is supported by condition 31 which requires traffic calming and truck prohibition signage to lessen possible impacts on Teal Drive. City policy requires a minimum of two full road accesses into a plan of subdivision for safety purposes. The policy is meant to ensure that if one access is blocked (examples: traffic accident, watermain flooding, road repair) the alternate access is available, especially for emergency vehicles. One full access point and an emergency access point do not meet this requirement. Since the Teal Drive and Downey Road intersection is an existing access point for the Kortright Hills Phase 4 residential subdivision, the second access could be provided by either the indirect Teal Drive/McWilliams road connection on the applicant's plan or by the more direct Tanner Drive connection recommended by City Staff. The Tanner Drive connection is recommended and supported by condition 31 which requires traffic calming and truck traffic prohibition signage. The advantages and disadvantages of both routes are outlined in **SCHEDULE 3**.

Should Council choose Staff's recommendation, the first bullet point from condition 1 and condition 31 in **SCHEDULE 2** should be kept intact. Should Council prefer the indirect connection, the first bullet point from condition 1 and condition 31 should be deleted.

Condition 25 relating to location of sanitary sewers and resizing

Condition 25 of **SCHEDULE 2** requires the applicants to submit monitoring reports to the City for review as the phases of the business park develop. These reports would monitor actual sanitary sewer flows and would be used as a guide for determining the need to provide additional capacity. The E&T Group have suggested the monitoring of the capacity of the Downey Road sewer. In the event that the monitoring suggests that actual flows are approaching a critical point, options to provide additional trunk capacity are outlined in **SCHEDULE 3**. Depending on the types of uses that locate in the business park, additional sanitary sewer capacity may not be required. A map is included in **SCHEDULE 7** to illustrate options to provide additional sanitary capacity for the westerly part of the business park. The easterly part of the business park relies on a separate sanitary

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sewer system with no capacity issues.

Size of Landscaping on Berms (Planting Specifications)

It is reasonable to have a fairly mature nursery stock tree to be planted on the berms that are proposed in the subdivision. The berms are to be installed along the north property lines of Blocks 2, 3, 9 and 10 adjacent to the Kortright Hills subdivision and along the south property lines of Blocks 31, 32, 36 and 37 backing onto Forestell Road. The map in **SCHEDULE 6** illustrates the locations of the proposed berms in the business park. The primary function of the tree plantings is to provide a visual screen to soften the residents' views of the business park buildings and contribute to the compatibility of these land uses. A regulation is already proposed in the zoning of these Blocks requiring the planting of coniferous trees at 3 metre centre intervals along the top of berm. In order to address the residents' concern, the applicant has agreed to include a minimum 6 centimetre caliper requirement (deciduous trees) and a minimum 2 metre height requirement (coniferous trees) in the zoning regulation in each of the specialized B.5-_, *B.5-_ and B.2-_ Zones. See **SCHEDULE 2, Section C** for a summary of this change. These requirements are consistent with the landscaping specifications used by the City at the Transfer Station at the Wet Dry Facility. The 2 metre height of the berms is a minimum height and a higher berm could be constructed in certain areas if a need is determined at the detailed design stage and when final ground elevations and the new landuse are known. The berm height would be measured vertically in relation to its surrounding horizontal grade levels however, the height elevations of the resident's homes would also be taken into consideration at detailed design. It should not be expected that the landscaped berms will completely hide the business park from resident's properties but they are intended to act as a visual screen that softens the views of one land use towards another. A new condition 16 has also been added to **SCHEDULE 2** requiring the construction of the landscaped berms prior to registration of the applicable blocks in the plan. A revised MOE Separation Distance Guidelines Plan from the January 31, 2005 Planning report is attached as **SCHEDULE 9**, noting the original omission of the proposed expansion of the townhouse block, for clarification.

Truck traffic on Downey Road

Under the Permissive Truck Route By-law, trucks are allowed on City roads for local deliveries. However,

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trucks entering or leaving the proposed business park will be discouraged from entering Downey Road north of the intersection at Street A by the following measures:

- a) by continuing the current truck prohibition signage on Downey Road north of Street A;
- b) by including a condition of approval that the developer shall notify future landowners and tenants that trucks entering/leaving their properties shall use only Hanlon Expressway and/or Downey Road south of Road A (see condition 56).

Will Emergency Services be locating in the business park?

Fire and Emergency Services have confirmed that while they are not considering the placement of a substation on the subject lands, they have been investigating preferred locations for the south end station that will meet response time standards. Fire and Emergency Services has recently presented information to Council on the response times for various areas of the City. Fire and Emergency Services Staff will be in attendance at the February 21, 2005 Council meeting to answer any questions Council might have. The development of the South End Station is in the City's 5 year Capital budget for consideration.

In addition to the issues listed in Council's January 31, 2005 resolution, Staff offer additional information and clarification based on the minutes of the meeting, for Council's consideration:

Dust and treatment of parking lots.

Conditions 4 and 15 of **SCHEDULE 2** will both help to minimize the nuisance of dust from the project. Also, the specialized zones have a regulation requiring parking and driveway areas to be surfaced to prevent the raising of dust. This is consistent with the brief survey by the applicant's consultant of surface treatments required in other municipalities. See **SCHEDULE 5** for this survey. There has also been discussion focusing on the surface treatment of parking areas from an environmental and water quality perspective. This matter will be discussed by the GRCA, EAC and City Staff at the terms of reference stage of the applicant's EIR under conditions 12 and 22.

Truck/construction routes

Condition 5 has been recommended by Staff to be

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completed prior to any grading or site alteration. This condition requires the applicant to submit a construction traffic access and control plan to the City for approval. Planning Staff have recommended the exclusion of Teal Drive specifically from any construction traffic access plan as Teal Drive is designated a local neighbourhood street.

Monitoring and Spills

The reports prepared by the applicant require the preparation of Spill Prevention and Containment Plans for the uses within the business park. Monitoring water quality and quantity and spill containment are important topics in the EIR required in condition 12. Staff has mentioned specific submissions from the agencies that should be addressed as part of the EIR. The Hydrogeological Report by the applicant's consultant has been also included to ensure the recommendations of the report are incorporated into the EIR.

Definition of Cleaning Establishment

The Zoning Bylaw defines a '*cleaning establishment*' as "a place used for the cleaning, dyeing or pressing of clothing or other articles including rugs, carpets, linens and draperies." This use is permitted in most other industrial zones in the City. However, in response to the resident's concern, the applicant is willing to remove the use from this business park as there may not be much demand for this use in this location.

Fill

There is a need for imported fill to develop this site. There are many conditions in **SCHEDULE 2** that controls filling on the lands including condition 6, site grading and drainage in 8, erosion and sediment control in condition 9, the need for an environmental inspector in condition 10 and the need for approved storm water management and an approved EIR in conditions 11 and 12 respectively. This subdivision will require fill similar to the Kortright Hills residential subdivision Phase 4 that required much fill to be imported.

Summary of Changes for Council's consideration on February 21, 2005:

- Council should decide on the extension of Tanner Drive for a direct road connection or the extension of Teal Drive and McWilliams Road for an indirect connection. (Should Council choose Staff's recommendation, the first bullet point from condition 1 and condition 31 in

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SCHEDULE 2 should be kept intact. Should Council prefer the indirect connection, the first bullet point from condition 1 and condition 31 should be deleted.)

- Establish a maximum building height of 8 metres for all Blocks north of Road A and add maximum building height regulations in the B.5 Zone.
- Establish a public liaison committee (see SCHEDULE 2, Section D).
- Include a red line amendment requiring 0.3 metre reserves along the realigned Laird Road (Road D) to limit direct access to Laird Road in certain locations (See condition 1).
- Modify condition 54 to require access to local streets rather than the realigned Laird Road, wherever possible. This condition also requires access to Blocks 34 and 35 to align with Streets, C, E, F and I, wherever possible (see condition 54).
- Add a new condition requiring the realigned Laird Road to be built initially as a three-lane roadway with a centre turn lane (see condition 55) to maintain traffic flows.
- Modify conditions to allow the partial construction of Street F to allow local road access to Blocks 32 and 36 (see condition 26)
- Modify zoning requirements to include a minimum 6 centimetre caliper (deciduous) and a minimum 2 metre height (coniferous) requirement for trees on the berms in each of the specialized B.5-_, *B.5-_ and B.2-_ Zones (See SCHEDULE 2, Section C).
- Add a new condition requiring the construction of the landscaped berms prior to registration of the applicable blocks in the plan (see condition 16).
- Add a new condition requiring trucks from the development to use the Hanlon Expressway and Downey Road south of Street A (see condition 56)
- Remove cleaning establishment as a permitted use in all proposed zones.

The modifications and new conditions are **shown in bold** in **SCHEDULE 2** and where necessary conditions have been renumbered from the original report.

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This proposal represents an appropriate development scheme for the subject lands and the timing for consideration is consistent with the 2005 Development Priorities Plan.

The Plan of Subdivision, Official Plan Amendment and Rezoning including the City-initiated amendments, subject to the conditions outlined in **SCHEDULE 2**, conform to the goals and objectives of the Official Plan, are in the public interest and represent good planning.

Alternatives Council can defer application and ask for more information.

Implications

Funding

Budget

Account Number

Funding Schedule

Capital Budget or Operating Budget

Notice Requirements The Notice requirements of Section 17, 34 and Section 51 of The Planning Act have been fulfilled by the mailing of a Notice of Public Meeting to an expanded list of area residents and prescribed agencies on January 7, 2005 and by the posting of advertisements to the general public giving Notice of the Public Meeting in the local newspaper on January 7 and 14, 2005, by Planning Staff.

Schedules

- Schedule 1 – Location Map
- Schedule 2 – February 21, 2005 Staff Recommendation
- Schedule 3 – Staff Correspondence – various issues
- Schedule 4 – Clarification of issues for Council consideration
- Schedule 5 – Consultant’s Parking Surfaces Survey
- Schedule 6 – Maximum Building Heights and Berm Locations
- Schedule 7 – Sanitary Sewer Capacity Options – Western HCBP
- Schedule 8 – Proposed Laird Realignment 0.3 metre Reserves

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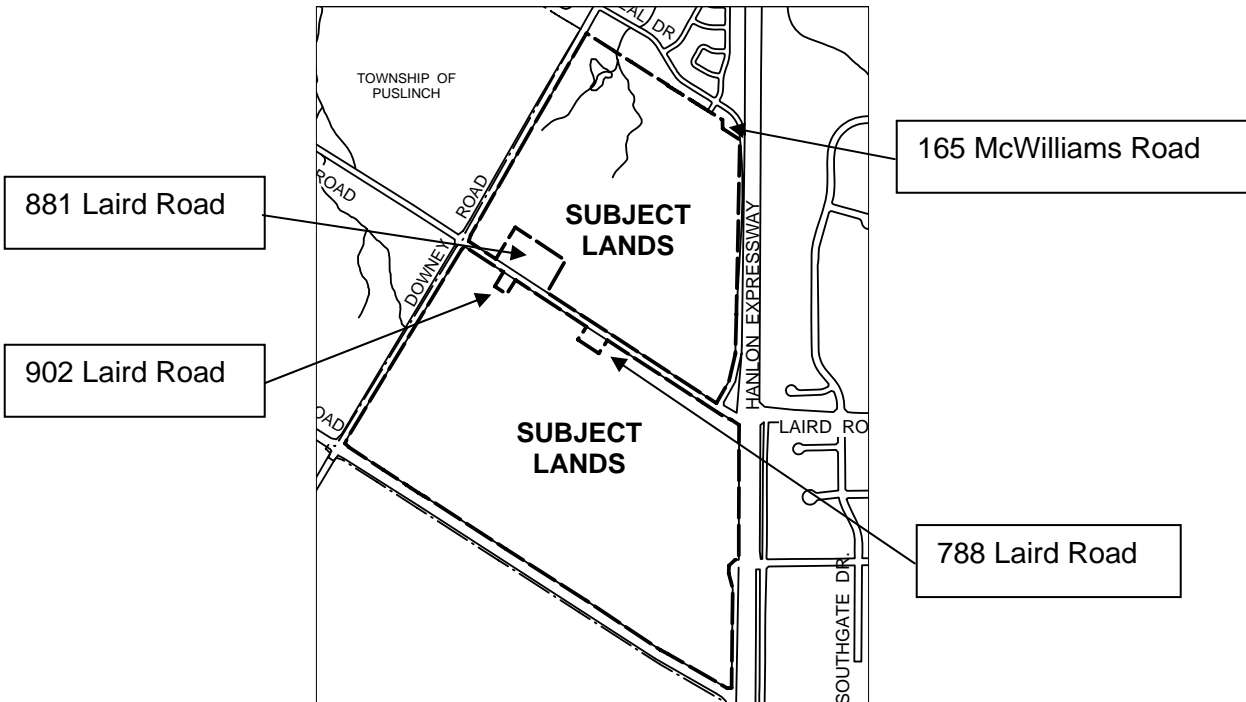
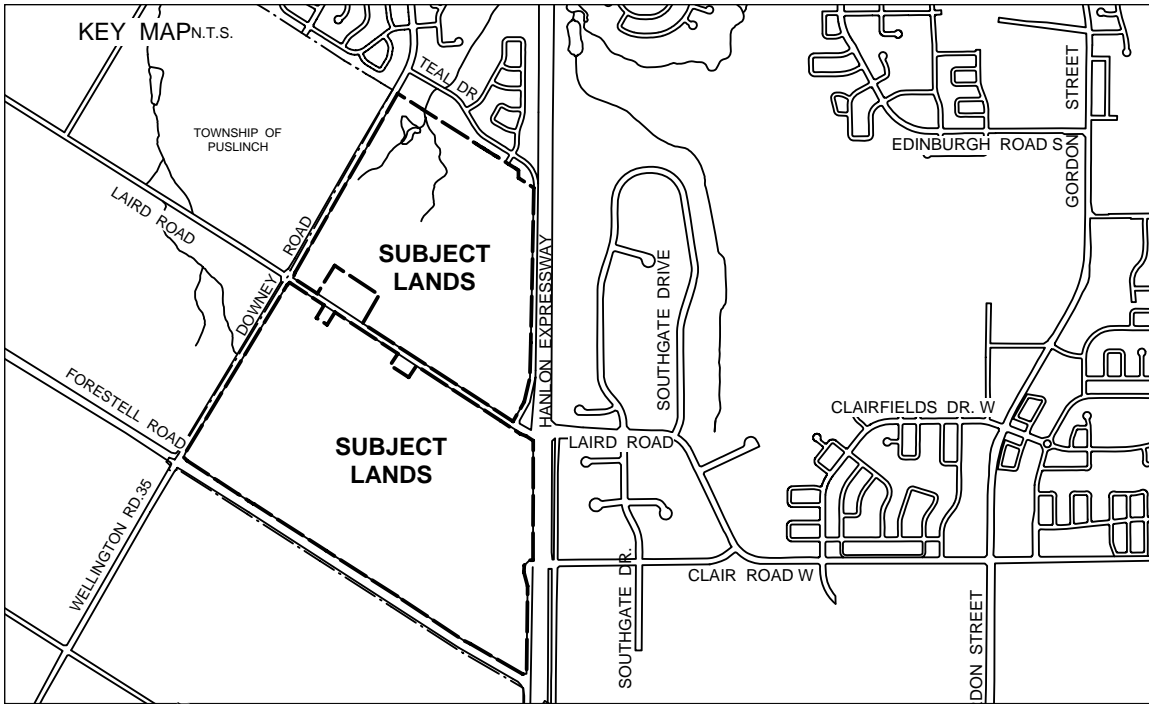
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SCHEDULE 1
LOCATION MAP



SCHEDULE 2

February 21, 2005 Planning Recommendation Official Plan Amendment, Subdivision Conditions and Redline Amendments and Zoning Uses and Regulations including City-Initiated Applications

A)

OFFICIAL PLAN AMENDMENT

"THAT the application by the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, for approval of an **Official Plan Amendment** involving both text and map changes as outlined in Schedule 4 of the January 31, 2005 Planning and Building Services Council report in support of the Hanlon Creek Business Park proposal, (City Files 23T-03501, OP0301, ZC0301) to permit a Business Park/Industrial Subdivision, **BE APPROVED**, with the following changes and additions:

1. text changes (Section 7.7.7) of the proposed amendment will only apply to the Hanlon Creek Business Park lands and will not apply on a City-wide basis.
2. proposed cluster townhouse Block 1 and lands at 165 McWilliams Road shall be re-designated Medium Density Residential and General Residential, respectively.
3. lands located at 788 and 902 Laird Road West shall be re-designated Corporate Business Park."
4. that the changes to the tributary stream as approved by the GRCA be recognized through a re-designation to an Open Space designation on Schedule 1 and 2 of the Plan. "

AND

B)

SUBDIVISION

"That the application by the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, owners of the subject lands proposed as the Hanlon Creek Business Park, for approval of a **Draft Plan of Subdivision and an associated Zoning By-law Amendment** (City Files 23T-03501, OP0301, ZC0301) as outlined in Schedule 4 of the January 31, 2005 Planning and Building Services Council report to permit a Business Park/Industrial Subdivision on 271.64 hectares (671.21 acres) of land legally described as Part of Lots 16, 17, 18, 19 & 20, Concession 4, and Part of Lots 16, 17, 18, & 19, Concession 5 (former Geographic Township of Puslinch) City of Guelph, **BE APPROVED**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the draft plan of subdivision dated December 10, 2002, last revised on January 5, 2005, prepared by GSP Group Inc. (Project No. 1081.40), as modified in red to include:
 - The existing Tanner Drive stub-end roadway shall be extended southerly into the plan to connect to Road A, as shown on the former draft plan dated January 7, 2004, and the proposed Teal Drive/McWilliams Road connection to Road A shall be deleted from the plan.
 - Addition of a red-line Note on the plan recognizing that the small triangle of land on the west side of Downey Road at the southwest corner of the intersection of Laird

Rd. and Downey Rd. be dedicated as a road widening, prior to the registration of any phase that includes Road D being the realigned Laird Road.

- **The addition of 0.3 metre reserves along the realigned Laird Road (Road D) as shown on Schedule 8 to limit direct access to the road in certain locations.**

Conditions to be met prior to rezoning of specific Blocks

2. Prior to the development of Blocks 7, 12, 14, 15, 16, 19, 20, 22, 23, 25, 28, 31, 37, 38, the developers shall enter into a **Site Servicing Agreement and Subdivision Agreement and a Cost Sharing or Front-ending Agreement** with the City to the satisfaction of the City, and that an (H) Holding Provision be placed on the proposed zoning for these Blocks, in order to ensure that all benefiting lands to the draft plan are serviced with full municipal services and all associated costs are paid to the City, as calculated by the City and to the satisfaction of the City, prior to the development of these Blocks in the plan. (Planning)

Conditions to be met prior to grading and site alteration (and entered into subdivision agreement prior to registration)

3. That the Developer complete a **tree inventory and conservation plan**, satisfactory to the Commissioner of Environment and Transportation in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading or construction on the site. (Engineering)
4. That the Developer agrees to **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the subdivision agreement on the block/lot so disturbed.(Engineering)
5. That the Developer agrees to prepare a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the Commissioner of Environment and Transportation. Any costs related to the implementation of such a plan shall be borne by the Developer. Any repair of damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost. Also, the use of Teal Drive shall be specifically excluded in the approved construction traffic access and control plan.
6. That the Developer agrees that no work, including, but not limited to **tree cutting, grading or filling**, will occur on the lands until such time as the Developer has obtained written permission from the Commissioner of Environment and Transportation or has entered into a Subdivision Agreement with the City. (Engineering)
7. That prior to any grading or construction on the site, the Developer enters into an **Engineering Services Agreement** with the City, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise, to the satisfaction of the City of Guelph. (Engineering)
8. That the Developer prepare an overall **site drainage and grading plan**, satisfactory to the Commissioner of Environment and Transportation, for the entire subdivision, prior to any grading or construction on the site. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision. (Engineering)
9. That the Developer constructs, installs and maintains **erosion and sediment control** facilities, satisfactory to the Commissioner of Environment and Transportation, prior to any grading or construction on the subdivision lands in accordance with a plan that has been

submitted to and approved by the Commissioner of Environment and Transportation.
(Engineering)

10. That the Developer shall provide a qualified **environmental inspector**, satisfactory to the Director of Planning and Building Services, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, compliance with the Environmental Impact Study and the Environmental Implementation Report on a weekly or more frequent basis if required. The environmental inspector shall report on their findings to the City on a monthly or more frequent basis.
(Planning & Engineering)
11. That the Developer shall submit a **Storm Water Management Report and Plan** to the satisfaction of the Commissioner of Environment and Transportation which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines and the Storm Water Management Design Report for the Hanlon Creek Watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described in a format to be made available to the City of Guelph's Public Works Department (Engineering)
12. That the Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). Such a report will include a monitoring program to assess the performance of the storm water management facilities. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA. Further, the Developer shall address all items and recommendations expressed in the Hydrogeological Report, the Environmental Advisory Committee comments including the detailed comments from the City's former Environmental Planner and the Guelph Field Naturalists comments, to the satisfaction of the City and the GRCA, prior to the registration of the plan.
13. That any **domestic wells located within the lands be properly abandoned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the Commissioner of Environment and Transportation. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned. (Engineering)
14. That the developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
(Planning)
15. Prior to any development or grading of the site, the developer shall submit to the City, a report indicating how regular **dust suppression** will be accomplished during the construction phase of the subdivision.
16. **That the developer construct minimum 2 metre high landscaped berms abutting Blocks 2, 3, 9, 10, 31, 32, 36 and 37 to the satisfaction of the Director of Planning and Building Services, prior to the registration of any phase of the development including the blocks abutting the berm.**

Conditions to be met prior to execution of subdivision agreement

17. That the Developer is responsible for the **total cost of the design and construction** of all municipal services required to service the lands including sidewalks, boulevards and curbs within and external to the limits of the plan of subdivision including roadworks, and sanitary, storm and water facilities unless otherwise funded under the provisions of a legal and binding agreement with another party. The distance and alignment of such services will be determined by the City of Guelph. In addition, the Developer will be required to pay the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses. (Engineering)
18. That the Developer pay a share of the cost of all **existing municipal services** within and abutting the proposed subdivision, as determined by the Commissioner of Environment and Transportation. (Engineering)
19. That the Developer pays the cost of supplying and erecting **street name and traffic control signs and traffic signals** in the subdivision, to the satisfaction of the City. (Engineering)
20. That the Developer pays to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit. (Engineering)
21. The Developer shall have **engineering servicing drawings** and **final reports** prepared for the approval of the Commissioner of Environment and Transportation. These drawings must reflect the recommendations of all approved reports and studies prepared in support of this application. Such recommendations will be implemented at the cost of the Developer. (Engineering)
22. That the Developer shall submit a **Geotechnical Report** to the satisfaction of the Commissioner of Environment and Transportation which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding (Engineering).
23. That the Developer shall submit a **Traffic Impact Study** to the satisfaction of the Commissioner of Environment & Transportation addressing vehicular site access, the potential impact of the development on the existing road network, and the design of traffic calming measures within existing and proposed roads (Engineering).
24. That the Developer agrees to provide three second order, second level **Geodetic Benchmarks** in locations within the proposed subdivision to the satisfaction of the Commissioner of Environment and Transportation. (Engineering)
25. That the Developer shall submit a **Monitoring Plan** to the satisfaction of the Commissioner of Environment & Transportation for the existing sanitary sewer on Downey Road that will determine actual flows in this sewer as each phase of development is completed. At such time as actual flows reach a critical amount, as determined by the Commissioner, the Developer agrees to reconstruct the Downey Road sewer to provide additional capacity for subsequent phases of development. (Engineering)
26. That the Developer agrees that **Street 'F'** will not be constructed **to connect to Forestell Road** until such time as it is required to service development south of Forestell Road (Engineering). **This condition however, will not prevent Street 'F' from being partially constructed to allow local road access to Blocks 32 and 36.**

27. That the developer makes arrangements, satisfactory to the Commissioner of Environment and Transportation, concerning the **scheduling of the development and the developers payment of cost for services** for the subdivision. (Engineering)
28. That the developer pays to the City the flat rate charge established by the City per metre of road frontage, to be applied to **tree planting** within the proposed subdivision. (Planning)
29. That the developer shall be responsible for the design and development of the entire **Pedestrian Open Space Trail System** in-lieu of Parkland Dedication for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the issuance of any building permits and to the satisfaction of the Commissioner of Community Services. (Community Services)
30. Prior to the release of building permits, the developer shall **demarcate the boundary of all SWM Blocks and Open Space Blocks**, in accordance with the City of “Guelph Property Demarcation Policy”. This shall include submitting drawings for approval, identifying the living fence and/or chain link fence, to the satisfaction of the Commissioner of Community Services and the Commissioner of Environment and Transportation. The developer shall be responsible for the cost of design and development of the living fence and/or chain link fence for the SWM and Open Space Blocks. (Community Services)
31. The developer shall submit a **physical traffic calming plan for Tanner Drive** to the City for approval, that shall discourage north-bound traffic from entering the residential area and using Teal Drive as a short cut route to Downey Road and such measures in the plan shall include signs prohibiting truck traffic or construction traffic from using Tanner Drive during and after build-out of the business park. (Planning)

Conditions to be met prior to registration of the plan

32. That prior to the registration of the plan, or any part thereof, the approval of the City must be obtained with respect to the availability of **adequate water supply and sewage treatment capacity and capacity within the Downey Road sanitary sewer**. (Engineering)
33. The Developer agrees that, in the event that development of the property is to be phased, a **phasing plan** must be submitted prior to final approval and registration of the first phase. The phasing plan shall indicate the sequence of development, the land areas in hectares, the number of lots and blocks in each phase, the proposed use of each block, the specific lots to be developed, site access to each phase, grading and the construction of public services, all to the satisfaction of the City of Guelph. (Planning and Engineering)
34. That the Developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The owner of any lands to be conveyed to the City of Guelph shall retain a properly qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the landowner’s expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination. (Legal)
35. That prior to final approval of the plan, the Developer enters into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph. (Legal)

36. That the Developer **deeds** to the City all lands, or provides an **easement** over any lands required for Storm Water Management facilities. (Legal)
37. That all **easements, blocks, reserves and rights-of-way** required within or adjacent to the proposed subdivision be granted free and clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. (Legal)
38. That the Developer shall pay any **outstanding debts** owed to the City, prior to the registration of the proposed plan of subdivision. (Planning)
39. That the developer shall pay **development charges** to the City in accordance with By-law Number (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and The Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto. (Finance)
40. That **street lighting** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc. (Engineering)
41. That all **telephone service and Cable TV** service in the plan be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service, prior to the registration of the plan. (Engineering)
42. That the **road allowances included in the draft plan be shown and dedicated as public highway's** and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria-July 23, 1993", with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision. (Engineering)
43. That the developer shall erect signs at the entrances to the subdivision showing the **proposed land uses and zoning of all lots and blocks** within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to the Department of Planning and Building Services, Planning Division, City Hall". (Planning)
44. Prior to the registration of the subdivision plan or any part thereof, the owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future businesses within the plan, with such payment based on a cost of one handbook per business unit, as determined by the City. (Planning)
45. The Owner agrees to meet all the requirements of **Guelph Hydro Electric Systems Inc.** including the relocation of existing hydro services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro Electric Systems Inc. in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro Electric Systems Inc., prior to the registration of the plan. (Engineering & Planning)
46. The developer shall meet all **Canada Post requirements** to the satisfaction of Canada Post. (Planning)
47. That all non-developable lands ultimately rezoned to the **P.1 Zone and the WL Zone shall be dedicated to the City** free of any encumbrance and in a form that is satisfactory to the City Solicitor. (Planning & Legal)

48. That the **small triangle of land on the west side of Downey Road** at the southwest corner of the intersection of Laird Rd. and Downey Rd. that is currently outside of the subdivision plan be dedicated as a road widening, prior to the registration of any phase that includes Road D being the realigned Laird Road, in order to secure the complete road allowance for the realigned right-of way for Laird Road. (Planning)

Conditions to be met prior to granting of site plan approval

49. The developer shall submit to the City for approval, **noise and vibration assessment reports** for development on the northerly Blocks 2,3,9,10 and the portion of Block 11 north of Road A, and on the southerly Blocks 31,32,36 and 37 and the portion of Block 19 that is south of the watermain easement on the plan, in order to confirm that the proposed use, activity and development, in hand with the proposed zoning restrictions and regulations, meets the Ministry of Environment noise and separation distance guidelines, prior to the granting of site plan approval by the City. (Planning)

Conditions to be met prior to issuance of a building permit

50. The Developer shall **demarcate** and **fence** (living and/or chain link), the boundaries of all lands conveyed to the City in accordance with the policies of the City. (Parks)
51. That all existing **roads to be closed** and/or used for emergency access be constructed to a standard acceptable to the Commissioner of Environment & Transportation at the expense of the Developer. (Engineering)
52. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official **certifying all fill** placed below proposed building locations. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line. (Building)
53. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the **presence of soil gases** (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code. (Building)
54. That the subdivision agreement between the owners and the City contain provisions that **Laird Road shall remain** as an open and travelled road in its present location and alignment until both new Street D and the MTO grade-separated interchange is constructed and operating in order to directly accommodate the aggregate haul routes to the Hanlon Expressway. Further, the final engineering and design of Road D shall emphasize a thoroughfare route and efficiency of travel and Staff shall encourage businesses to locate driveways on to local streets rather than directly on to Street D, to accommodate the aggregate contractors operating haul routes along Laird Road to and from the Hanlon Expressway. **The City shall, require 0.3 metre (1 foot) reserves along Road D in certain locations to control the location of driveway entrances located on Road D. Further, access points to Street D (realigned Laird) from Blocks 34 and 35 shall be required to align with the roads C, E, F, and I, wherever possible.** (Planning and Engineering).
55. **That the subdivision agreement between the Owners and the City contain provisions requiring the developer to build the realigned Laird Road initially as a three lane**

roadway with a centre turn lane to provide refuge for left turning vehicles without impeding through traffic.

56. **That the subdivision agreement between the Owners and the City contain provisions that the developer shall notify future landowners and tenants that trucks entering/leaving their properties shall use only the Hanlon Expressway and/or Downey Road south of Road A.**

AGENCY CONDITIONS

57. Prior to registration, the City of Guelph shall submit to the Ministry of Transportation for their approval, a **final Traffic Impact Study** (TIS) indicating the anticipated traffic volumes generated by the subdivision development and their impact upon the intersection of Highway 6 and Laird Road. *MTO*
58. Prior to registration, the City of Guelph shall enter into a **legal agreement** with the ministry regarding responsibilities for the highway improvements identified in the TIS, including intersection improvements and a future interchange at Laird Road. *MTO*
59. Prior to registration, the City of Guelph shall submit to the Ministry of Transportation for their review and approval, a copy of a **Stormwater Management Report/Plan** indicating the intended treatment of the calculated stormwater runoff for the entire plan of subdivision. *MTO*
60. Prior to registration, the City of Guelph shall submit to the Ministry of Transportation for their review and approval a copy of the final plan identifying the **road and lot layouts** for the proposed subdivision. *MTO*
61. No development will be permitted until the **highway improvements** covered in the legal agreement have been constructed. *MTO*
62. Prior to permit approval for Blocks 10, 11, 12, 16, 17 and 19, arrangements shall be made to the satisfaction of the ministry for the **installation of a security fence** (chain link six feet high, or equivalent) along the Highway 6 boundary of the plan, should a noise barrier not be required. *MTO*
63. Prior to permit approval, each developer shall submit to the Ministry of Transportation for their review and approval, a copy of a **Stormwater Management Report/Plan** indicating how the intended treatment of the calculated stormwater runoff from their site complies with the overall stormwater plan for the subdivision. *MTO*
64. Prior to permit approval, each developer shall submit to the Ministry of Transportation for their review and approval, **Site Plans, Grading Plans and Site Servicing Plans**. *MTO*
65. Prior to permit approval on Blocks 10, 11, 12, 16, 17 and 19, each developer of lands adjacent to Highway 6 shall submit to the Ministry of Transportation for their review and approval an **illumination plan**, prepared by a qualified consultant, indicating the intended treatment of the site lighting glare. *MTO*
66. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents submit the following **plans and reports to the satisfaction of the Grand River Conservation Authority:**

- a. A detailed stormwater management report in accordance with the MOE Planning and Design Manual, 2003
 - b. A final Hydrogeological Assessment Report to show how infiltration will be maintained throughout all phases of the development.
 - c. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - d. Detailed lot grading and drainage plans.
67. Prior to any grading or construction on the site, that appropriate **Fill Construction Alteration to Waterways permits** be obtained. GRCA
68. That the subdivision agreement between the owners and the municipality contain provisions for the **completion and maintenance of the works** in accordance with the approved plans and reports. GRCA
69. Draft Plan Approval of the Hanlon Creek Business Park shall lapse at the expiration of **5 years** from the date of issuance of Draft Plan Approval.
70. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc.** shall advise the City in writing how condition 45 has been satisfied.
71. That prior to the registration of all or any portion of the plan, the **MTO** shall advise the City in writing how conditions 57 to 65 have been satisfied.
72. That prior to the registration of all or any portion of the plan, the **GRCA** shall advise the City in writing how conditions 66 to 68 have been satisfied.
73. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 46 has been satisfied.
74. That prior to the registration of all or any portion of the plan, **Bell Canada** shall advise the City in writing how condition 41 has been satisfied.”

AND

C)

REZONING

“THAT City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1994)-14864, as amended, **to rezone the subject lands according to the proposed zoning map and schedules listing permitted uses and regulations as detailed in Schedule 4 ‘Proposal’, of the Planning and Building Services Planning Application report dated January 31, 2005, with the following changes and additions:**

- “Blocks 7, 12, 14, 15, 16, 19, 20, 22, 23, 25, 28, 31, 37 and 38, shall be zoned accordingly, as outlined in Schedule 4 of the report, (Specialized B.2 and B.5 Zones), with the addition of an (H) Holding provision to ensure that development does not occur until full municipal services are provided and all applicable costs associated with development are paid to the City, to the satisfaction of the City of Guelph.

Holding Condition: (Stradiotto, Phelan and Snyder lands)

Prior to the removal of the Holding designation “H”, the owner shall complete the following conditions to the satisfaction of the City:

The owners and any mortgagees shall enter into a Site Servicing Agreement and Subdivision Agreement and a Cost Sharing or Front-ending Agreement with the City, satisfactory to the City Solicitor and registered on the title of the individually-owned parcels of land, agreeing to all conditions related to the development of the lands including the provision of full municipal services and the payment to the City of all applicable costs associated with the Hanlon Creek Business Park development, to the satisfaction of the City of Guelph.”

- “THAT the rezoning of Block 1 of the subdivision plan to the R3A (Cluster Townhouse) Zone BE APPROVED.”
- “THAT the “religious establishment” use be removed and Manufacturing, Warehouse and Research Establishment be added in the *B.2-_ Zone, that Computer Establishment be added to the B.2 Zone, that Veterinary Service be removed from the B.5-_ Zone and the *B.5-_ Zone and that Laboratory be added to the **B.2-_ Zone.”
- “That the following definitions be revised or added to the Comprehensive Zoning Bylaw:

Computer Establishment (revised)

means a building, or part thereof, used for data processing, the design and distribution of computer programs, and computer training for persons.

Laboratory (new)

means a building, or part thereof, used for scientific, medical and/or dental testing, experimentation and/or research.

Post Secondary School (new)

means an institution for education or instruction as defined in the Ministry of Colleges and Universities Act, including a University and Community College.

Trade and Conventions Facilities (new)

means a building, or part thereof, which is not a hotel, and in which facilities are provided for a lecture auditorium or meeting room facility for the exclusive use of conference or convention participants.”

- “THAT the City-initiated rezoning for lands at 788, 881 and 902 Laird Road West (three existing residences) to a Specialized B.5 Business Park (H) Holding Zone, BE APPROVED, according to the following:

B.5 (H **) Holding Zone

(788, 881 and 902 Laird Road West)

As shown on Defined Area Map Numbers 69 & 70 of Schedule “A” of this Bylaw.

Permitted Interim Use:

One (1) single-detached dwelling, subject to the regulations outlined in Section 5.1.2 (R.1B Zone) of the Zoning Bylaw despite Section 4.10, only until such time as the City has lifted the Holding provision (H**) to allow the development of Corporate Business Park uses on the property in accordance with the permitted uses and regulations of the B.5 Zone.

Permitted Uses:

B.5 Zone Uses proposed in the HCBP.

Regulations:

B.5 Zone Regulations proposed in the HCBP, upon redevelopment of the lands for B.5 Zone uses.

Holding Provision for the B.5 (H **) Zone

Purpose:

To ensure that B.5 Zone corporate business park redevelopment on the lands at 788, 881 and 902 Laird Road West does not occur until the development potential of the lands are identified through the approval of an Environmental Impact Study approved by the City and the GRCA, full municipal services are provided and all applicable costs associated with development are paid to the City, all to the satisfaction of the City of Guelph.

Conditions:

Prior to the removal of the Holding designation “H”, the owner shall complete the following conditions to the satisfaction of the City:

The owners shall submit an Environmental Impact Study to the City and the Grand River Conservation Authority for approval. This study shall identify all developable and non-developable lands and the owner shall dedicate all non-developable lands to the City of Guelph, to the satisfaction of the City, prior to the redevelopment of the lands.

The owners and any mortgagees shall enter into a Site Plan Agreement with the City, satisfactory to the City Solicitor and registered on the title of the lands, agreeing to all City conditions related to the development of the lands including the payment of all costs associated with the provision of full municipal services to the lands.”

- “THAT the City-initiated rezoning for lands located at 165 McWilliams Road to the R.1B (Single-Detached Residential) Zone BE APPROVED.”
- Including the approval of the rezoning of all lands identified in the WL Wetland Zone and the P.1 Park/Conservation Land Zone.
- Including changes identified on Schedules 6a and 6b of the January 31, 2005 report, as determined by City Council.
- **As amended by the following recommendations dated February 21, 2005:**

Maximum Building Height
B.5 Zone

1. **Blocks 9S and 11N (to the zone line).**
Change “none” to “8 metres and in accordance with Section 4.18”
2. **All remaining Blocks**
(Blocks 4,5,6,7,8,11S,12,13,14,15,16,17,18,19,20,21,23,24)
Change “none” to “20 metres and in accordance with Section 4.18” with
the exception of a ‘Hotel’ which shall have a maximum building height of
“32 metres and in accordance with Section 4.18”

Landscaping along Berms

B.2 - , B.5- and *B.5- Zones (Forestell, Kortright East and Kortright West Zones)

Buffer Strips Regulation:

Add “Landscape material along the top of berm shall be planted with the following minimum size requirements:

6 centimetre caliper requirement for deciduous trees

2 metre height requirement for coniferous trees.”

Cleaning Establishment

remove this permitted use from all applicable zones in the business park.”

AND

D)

Additional Resolutions for February 21, 2005 Council’s Consideration

Public Liaison Committee

“That City Council request the Director of Economic Development to form a Public Liaison Committee (6-12 members) composed of representatives from City Staff, the Kortright Hills Neighbourhood Association, Puslinch Township residents and the land owners in the business park to monitor the implementation of conditions of approval and the development of the business park.”

and

“That the Director of Economic Development report back to Council on the status and operation of the Committee within 6 months of the approval of the business park.”

SCHEDULE 3

Environment and Transportation Group Comments received by email February 3/05.

Sanitary Trunk Capacity Issue

“Re: Draft Plan approval conditions #25 and 32 regarding capacity in the Downey Rd sanitary sewer.

The developable area within the proposed Hanlon Creek Business Park is divided into two sanitary catchment areas that outlet into two separate sanitary trunk sewer systems. The lands within the western half of the proposed Hanlon Creek Business Park will drain into the existing 375mm diameter sanitary sewer on Downey Rd. This sewer flows northerly along Downey Rd to Quail Creek Dr, easterly along Quail Creek Dr and then northerly along Hazelwood Dr where it connects to a 900mm diameter trunk sewer at Downey Rd and Woodland Glen. The remaining lands within the Business Park will drain into a 450mm diameter sewer on Milson Cres which eventually outlets into the same 900mm diameter truck sewer.

The lands draining into the Downey Rd sewer will include approximately 68.84ha of developable industrial land and 5.29ha of residential land. These proposed uses will generate a theoretical sanitary flow of 104 l/s. The available capacity in the Downey Rd sewer after deducting existing actual flows is 30 l/s. However, the actual flows that will be generated by the uses in the Business Park may vary from these theoretical calculations. In order to determine the actual flows as development proceeds, a monitoring program is recommended in draft approval conditions #25 and 32. In this way, actual flows can be determined before the available capacity in the Downey Rd sewer is exceeded. Additional trunk capacity can then be constructed, if required, to service further development. If the actual flows are determined to be similar to the theoretical flows, the following options to provide additional trunk capacity would be available;

Option 1

Install a 375mm diameter sewer parallel to and in close proximity to the existing Downey Rd sewer to the 900mm diameter trunk sewer at Woodland Glen. The cost of this option is approximately \$590,000 (2005 dollars)

Option 2

Install a sanitary pumping station at the north limit of the Business Park and a sanitary forcemain at the edge of the greenway through the Kortright subdivision to the trunk sewer at Woodland Glen. The cost of this option is approximately \$450,000 (2005 dollars)

Option 3

Install a sanitary pumping station at the north limit of the Business Park with a large storage facility to outlet to the Downey Rd sewer during non-peak times. The cost of this option is approximately \$500,000 (2005 dollars)

The timeframe for the construction of additional trunk capacity is difficult to determine. There is a possibility that additional capacity may not even be required based on the uses built in the Business Park. The rate of development will also impact this timeframe. However, if the actual flows closely reflect the theoretical flows and a 10 year build-out period is realized, the additional capacity may be required within four to five years.”

E&T Group comments on various issues received Feb.03/05 by email

1) Draft Approval of north half of subdivision only

Under this scenario, the north half of the subdivision, north of and including existing Laird Rd would be included in the plan to be approved. From a servicing perspective this can be accommodated without significant problems. The internal sanitary drainage system will flow northerly to connect with the existing system within the Kortright IV subdivision. Therefore, the internal system must be installed progressively from north to south logically accommodating development of the northern lands first. The storm drainage system for the lands north of Laird Rd is self contained. The water supply system could be looped between Downey Rd and Laird Rd entirely within this phase. Laird Rd would remain in its existing alignment and be connected directly to proposed Road A.

There are several considerations that must be addressed if this is how the plan were to be approved;

- The sanitary sewers within the northern phase must be sized to accommodate potential flows from future development south of Laird Rd
- I'm not sure how grading and the earth cut/fill balance would be impacted by the development of only the northern phase.
- The lands required for the future Laird Rd/Hanlon Expressway interchange would have to be changed on the plan to reflect an alignment for existing Laird Rd that accounts for the possibility that no development south of Laird Rd ever occurs. This would require sufficient lands south of Laird Rd at the interchange to accommodate an eastbound to southbound ramp.

2) Parking lots within development blocks

The recommendations contained in the Hanlon Creek Business Park Servicing Report dated November 2004 prepared by TSH require that runoff from parking lots and roads be directed to the minor storm drainage system and then to the stormwater management facilities. Infiltration of the runoff from parking areas is not recommended. Therefore all parking areas should have an impervious surface. Runoff from rooftops and landscaped areas will be infiltrated. These recommendations will be brought forward as requirements for site plan approval.

3) Dust control during construction

Draft Plan approval conditions #4 and 15 address dust control during construction. All disturbed soil must be stabilized (i.e. hydroseeded) within 90 days of being disturbed.

Other measures such as regular cleaning and application of water/calcium to roads will also be implemented.

4) **Tanner Dr extension vs. Teal Dr extension**

I have already provided information on this issue in several emails. Two points should be re-iterated. Firstly, neither the Tanner Dr extension nor the Teal Rd extension will create an appreciable difference in the number of vehicles traveling through the Kortright IV subdivision. We expect that the vast majority of traffic that would use either of these roads would originate in or be destined for the Kortright subdivision. Therefore these drivers would be using either of the proposed roads in any event. Through traffic from or destined for external sources outside of the Kortright IV subdivision would be more likely to use Downey Rd and Street A in the proposed Business Park. Both of these roads have higher capacities and relative speeds compared to the local roads within the Kortright subdivision making travel on them quicker and more direct.

The second point is that, if either of the road extensions is constructed, an emergency access at this location is not required.

The following is a listing of the relative advantages and disadvantages of extending either Tanner Dr or Teal Dr;

Tanner Dr extension

Advantages

- Meets the original intent of the council approved Kortright IV subdivision design and supporting studies.
- Estimated cost of construction is \$182,300. This is at least \$66,300 less than the Teal Dr extension
- Construction will not require removal of or directly impact existing trees
- Emergency only access not required
- May result in less traffic on Teal Dr as local internal residential traffic will have an alternative means of access
- Meets the City standard of limiting the number of lots with a single point of access to 60 lots
- Through road will result in fewer concerns about parked/abandoned vehicles and illegal dumping than two cul-de-sacs

Disadvantages

- Will directly impact two existing residential properties (frontage)
- Will result in the loss of approximately 5,400 square meters of developable land within the Business Park

Teal Dr Extension

Advantages

- Emergency only access not required
- May result in less traffic on Teal Dr as local internal residential traffic will have an alternative means of access
- Meets the City standard of limiting the number of lots with a single point of access to 60 lots

Disadvantages

- Will result in the loss of approximately 6,390 square meters of developable land within the Business Park (net loss of approximately \$40,000 in land sales compared to the Tanner Dr extension)
- Construction cost estimated at \$500,200 if existing section of McWilliams is upgraded to an urban standard. Cost would be \$248,600 if McWilliams were left as a rural standard.
- Will directly impact three existing residential properties (1 frontage, 2 flankage)
- If McWilliams Rd is left as a rural standard, the increased costs of grading, ditching and brushing compared to an urban standard will result in higher annual operating expenditures.
- Possible adverse impacts on abutting woodlot.
- Construction requires removal of approximately 100 square meters of existing vegetation.

SCHEDULE 4

Clarification of issues for Council consideration

Information regarding the Laurel Creek watershed Study and Monitoring Program (City of Waterloo)

The City of Waterloo completed the Laurel Creek Watershed Study in 1993. The Study provided a comprehensive strategy for the future management of this 7,400 hectare watershed which falls for the most part within the limits of the City. The study recommended that a long-term environmental monitoring program including system, development and post-development monitoring be implemented. The intent of the monitoring program was to maintain and improve the health of the watershed by ensuring that the carrying capacity of the watershed was not exceeded by approved development.

The Monitoring Program was developed and is administered by a number of inter-agency staff teams under the direction of Waterloo staff. System monitoring is done throughout the watershed on a frequent basis to determine long-term baseline levels for environmental indicators. Development and post-development monitoring is done at a smaller scale in proximity to each new development. System monitoring and post-development monitoring is funded by the City at an annual cost of approximately \$100,000. Development monitoring is funded by the development industry. A full-time Waterloo employee is responsible for administering the program.

SCHEDULE 5

Parking Area Surfacing Survey of Other Municipalities



MEMORANDUM

To: Astrid Clos

Date: February 4, 2005

From: Kristen Barisdale

Project No.: 1081.40

**Re: Hanlon Creek Business Park – Parking Surface Treatment
City of Guelph**

Further to your request, the following summarizes regulations from various zoning by-laws in southwestern Ontario with regards to surface treatment of parking areas.

City of Brantford

- 6.18.6.1 All parking spaces and driveways shall be provided with a stable surface treated to prevent the raising of dust or loose particles and consist of crushed stone, gravel, asphalt, concrete, or other hard-surfaced material, or combination thereof.

City of Burlington

- 2.26 (3) Every parking lot, which includes parking spaces and driveways, shall be graded and drained and the surface treated so as to provide a permanent, durable and dustless surface.

City of Cambridge

- 2.2.2.4 a) A parking lot or access driveway provided in any of the following yards shall be paved with asphalt or concrete or other all-weather durable surface:
- i) in any yard of an apartment house;
 - ii) in any yard of a non-residential use adjacent to a residential use class zone;
 - iii) in the front yard or exterior side yard of a non-residential uses which is not adjacent to a residential use class zone.
- b) A parking lot or access driveway provided in the interior side yard or rear yard of a non-residential use which is not adjacent to a residential use class zone shall be constructed with gravel or stable surface and treated so as to prevent the raising of dust and/or loose particles.

City of Kitchener

- 6.1.1 f) Parking spaces, driveways and any widenings thereof shall be provided and maintained with stable surfaces, such as asphalt, concrete or other hard-surfaced material, or crushed stone or gravel, maintained in a dust free condition.

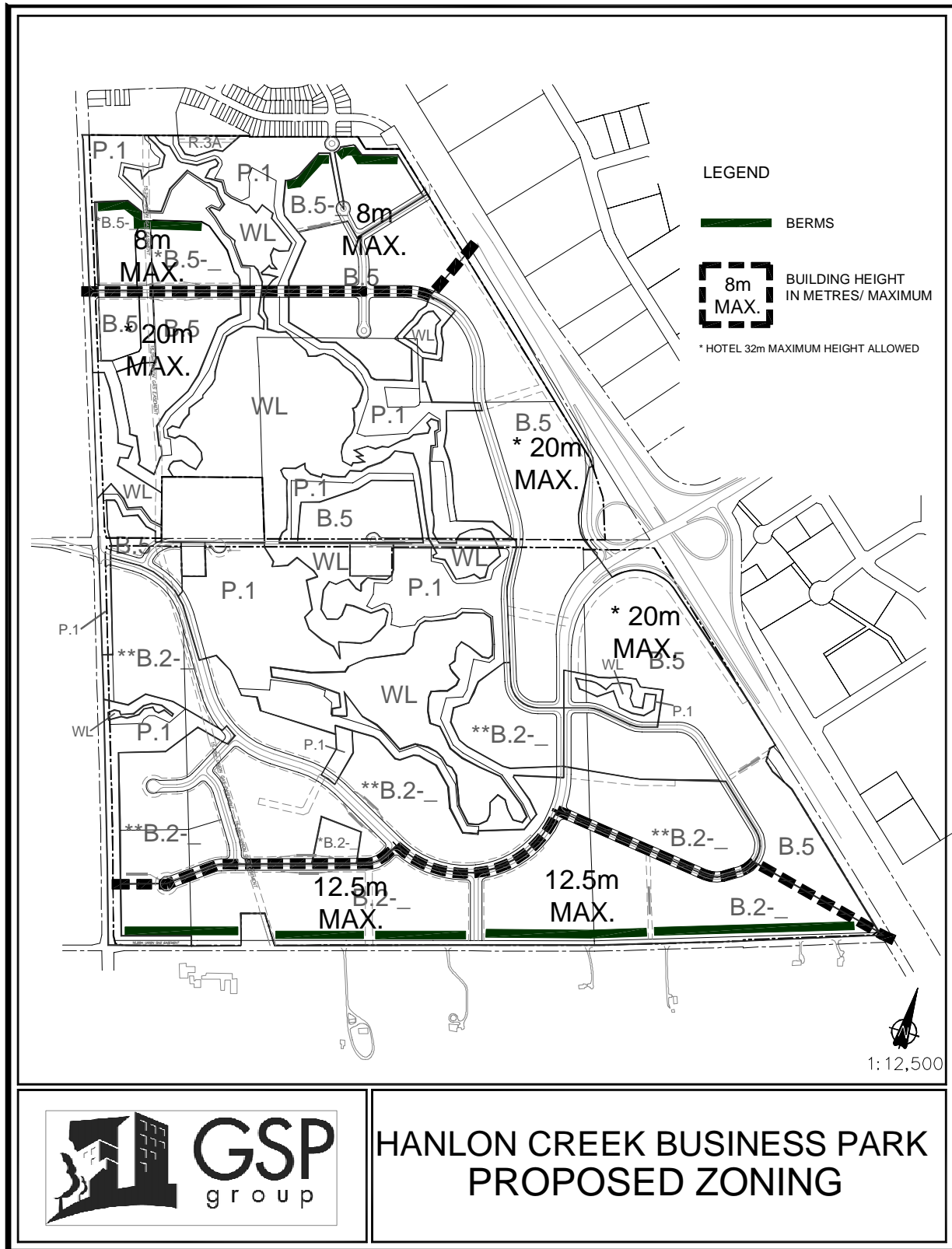
Town of Milton

- Section 3, (12) (b) Each parking area and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles...In the case of industrial zones, such parking areas and ingress/egress points shall be paved with asphalt or concrete surface within the front yard or exterior side yard. The remainder of the parking area, and in all other zones, shall be constructed of crushed stone, slag, gravel, crushed brick, cinders, asphalt concrete, Portland cement cinder or like materials, for a combined depth of at least 0.15 metres and with provisions for drainage.

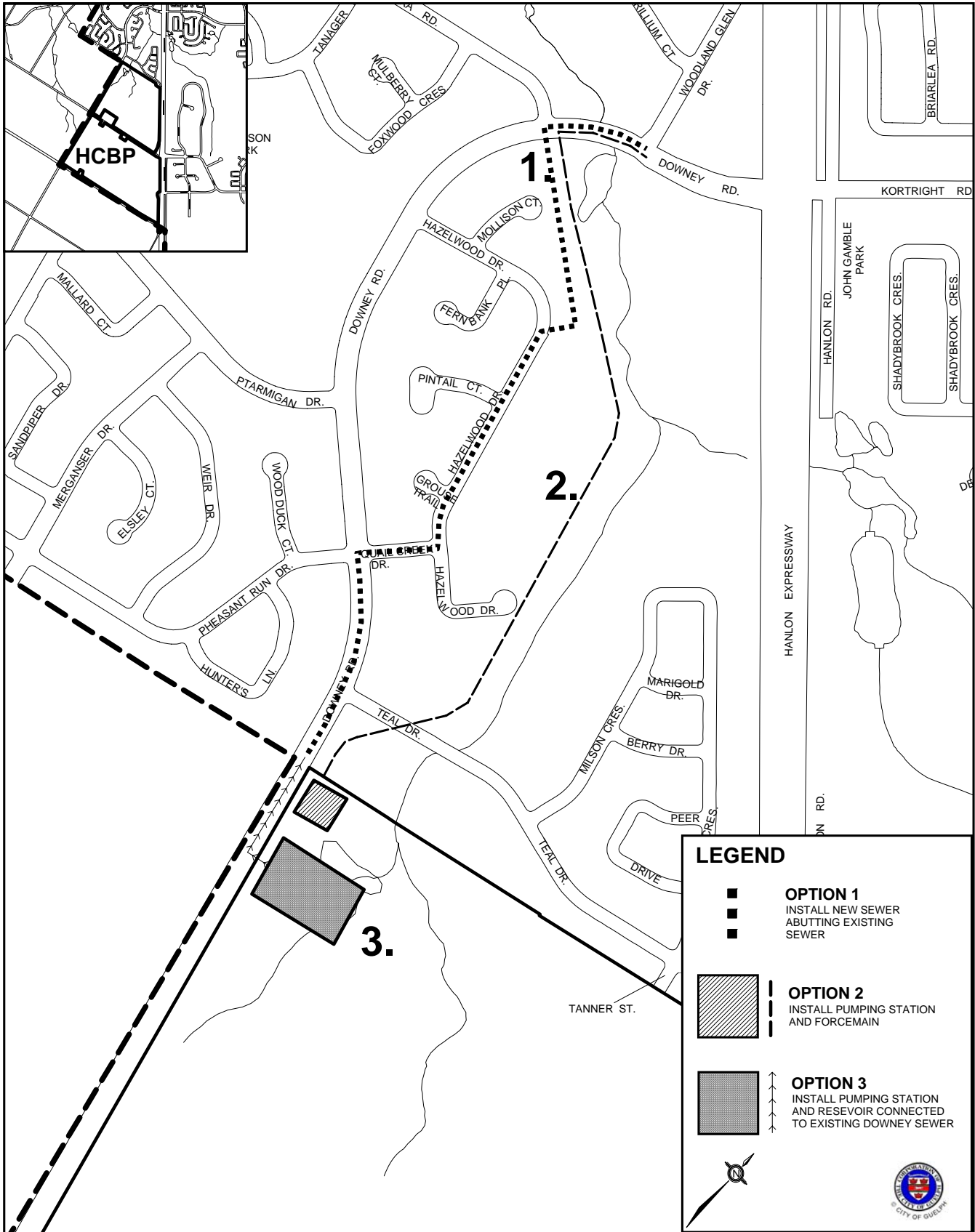
City of Waterloo

- 8.11.1 Except otherwise provided there shall be, for every building erected, structurally altered, or enlarged, permanent automobile parking spaces with adequate provision for direct ingress and egress to the street from the same lot on which the parking is situated.




SCHEDULE 6
Maximum Building Heights and Locations of Proposed Berms in the Business Park





**Schedule 7
 OPTIONS TO PROVIDE SANITARY CAPACITY TO THE
 WESTERN LANDS WITHIN THE HCBP**

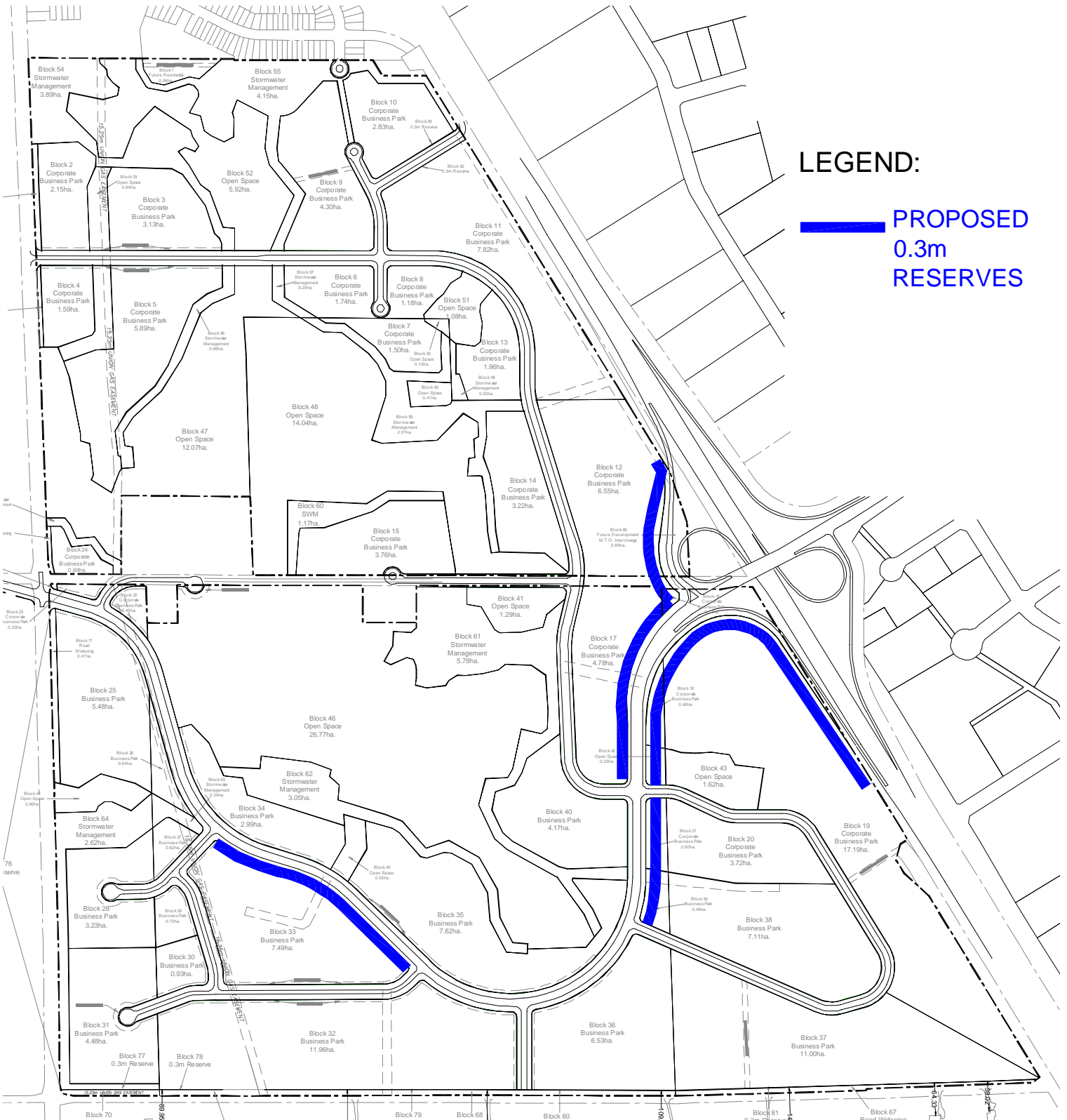



LEGEND

- 
OPTION 1
 INSTALL NEW SEWER
 ABUTTING EXISTING
 SEWER
- 
OPTION 2
 INSTALL PUMPING STATION
 AND FORCEMAIN
- 
OPTION 3
 INSTALL PUMPING STATION
 AND RESEVOIR CONNECTED
 TO EXISTING DOWNEY SEWER

Schedule 8 PROPOSED additional 0.3m RESERVES



LEGEND:
 **PROPOSED 0.3m RESERVES**

**Schedule 9
MOE Separation Guidelines**

