

Staff Report



To **City Council**
Service Area Infrastructure, Development and Enterprise Services
Date Monday, July 8, 2019
Subject **Decision Report**
19-59 Lowes Road West
Draft Plan of Vacant Land Condominium and Zoning
By-law Amendment
File: 23CDM-17504 and ZC1615
Ward 6

Report Number IDE-2019-34

Recommendation

1. That the application from Reid’s Heritage Homes on behalf of Parry Schnick and Catriona Forbes for a Zoning By-law Amendment (ZC1615) to change the zoning from the current “Residential Single Detached” (R.1B) Zone to a “Specialized Single Detached” (R.1D-52) Zone to permit the development of 36 single detached dwellings on the properties municipally known as 19-59 Lowes Road West and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph, be approved in accordance with Attachment-3 of the Infrastructure, Development and Enterprise Report 2019-34 dated July 8, 2019.
 2. That the application from Reid’s Heritage Homes on behalf of Parry Schnick and Catriona Forbes for approval of a proposed Draft Plan of Vacant Land Condominium (23CDM-17504) consisting of 36 single detached dwelling units, as shown in Attachment-9, applying to the properties municipally known as 19-59 Lowes Road West and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph, be approved for a period of five (5) years in accordance with conditions noted in Attachment-3 of the Infrastructure, Development and Enterprise Report 2019-34 dated July 8, 2019.
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Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment and Draft Plan of Vacant Land Condominium to permit the development of 36 single detached residential units on the properties municipally known as 19-59 Lowes Road West.

Key Findings

Planning staff support the proposed Zoning By-law Amendment and Draft Plan of Vacant Land Condominium subject to the recommended regulations and conditions in Attachment-3.

Financial Implications

Estimated Development Charges: \$1,263,528 based on 2019 rates.

Estimated Annual Taxes: \$198,250 based on 2019 tax rate for 36 single detached dwelling units.

Report

Background

An application to amend the Zoning By-law was initially received for the properties municipally known as 19, 29, 35, 41, 51 and 59 (hereinafter described as 19-59) Lowes Road West on September 1, 2016 from Reid's Heritage Homes on behalf of the property owners, Parry Schnick and Catriona Forbes. The intent of this application was to change the zoning on the subject lands from the current R.1B (Residential Single Detached) Zone to a specialized R.3A (Cluster Townhouse) Zone to permit a 60-unit cluster townhouse development. The applicant's original cluster townhouse concept plan is included in Attachment-8. The Zoning By-law Amendment application was deemed to be complete on September 20, 2016.

A statutory Public Meeting to discuss this Zoning By-law Amendment was held before Council on November 14, 2016. At this Public Meeting, members of the public addressed Council, raising concerns primarily related to the area's high water table, drainage, tree loss and compatibility of the proposed townhouses to adjacent single detached residential dwellings.

Since the initial Public Meeting, in November 2016, the applicant revised their proposal, changing the development from 60 cluster townhouse units to 36 single detached dwellings now within a Vacant Land Condominium subdivision. On May 31, 2017, the applicant formally submitted a revised Zoning By-law Amendment application to the City to change the zoning from the current R.1B (Residential Single Detached) Zone to a specialized R.1D-52 (Residential Single Detached) Zone to permit 36 single detached dwellings. Of the proposed 36 single detached dwellings, 29 would front onto a private condominium road, and the remaining 7 would front directly onto Lowes Road West. With the revised Zoning By-law Amendment application, a 36 unit Vacant Land Condominium application was also submitted (File '23CDM-17504'). Each of the 36 proposed single detached dwellings will be built in a land unit (similar to a lot in a subdivision) within the Vacant Land Condominium. The proposed draft plan of Vacant Land Condominium is included in Attachment-9 to this report.

A second statutory Public Meeting was held before Council on July 10, 2017 to discuss the new Vacant Land Condominium application as well as to discuss the revised Zoning By-law Amendment. The revised submission of the Zoning By-law Amendment application and new Vacant Land Condominium application included

amended and updated technical reports to reflect the proposed changes as well as feedback and additional information requested by City staff.

The existing 6 single detached dwellings and associated accessory structures on the subject lands are all proposed to be demolished to accommodate the proposed development. To date, the City has not received demolition applications for any of the structures on the subject lands.

Location

The subject lands are located on the north side of Lowes Road West, between Gordon Street to the east and Dawn Avenue to the west (see Location Map and Orthophoto in Attachment-1 and Attachment-2, respectively). The six subject properties collectively have a site area of 1.65 hectares and a combined frontage (width) of 178.66 metres along Lowes Road West.

Surrounding land uses include:

- To the north, single detached dwellings on Revel Drive and Zess Court;
- To the east, a two-storey commercial building at the corner of Lowes Road West and Gordon Street;
- To the south, directly across Lowes Road West, single detached dwellings; and
- To the west, vacant and developed lots zoned for residential uses, in particular, single detached dwellings along Dawn Avenue.

Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "General Residential" (See Attachment-4). Within the "General Residential" land use designation, all forms of residential development are permitted up to a maximum density of 100 units per hectare. The "General Residential" land use designation permits a range of housing types, including single detached, semi-detached, townhouses and multiple unit residential buildings. The general character of development within land designated as "General Residential" shall be low-rise, ground oriented housing forms.

Further details of the "General Residential" land use designation is included in Attachment-4.

Official Plan Amendment #48 Land Use Designations and Policies

Official Plan Amendment 48 (OPA 48), a comprehensive five-year update to the City's Official Plan, designates the subject lands as "Low Density Residential" (See Attachment-5). This land use designation applies to residential areas within the built-up area of the City which are predominantly low-density in character. The predominant land use within the "Low Density Residential" designation is to be residential at a net density between 15 to 35 units per hectare. Such residential land uses within this designation can include single detached, semi-detached and duplex dwellings.

A Decision and Order from the Ontario Municipal Board (OMB) on October 5, 2017 has brought OPA 48 into force and effect, with the exception of site specific appeals that are not applicable to the subject lands. Although the applications were both received and deemed complete prior to OPA 48 coming into full force and effect,

they are being processed and reviewed under the 2001 Official Plan and staff must have regard to the policies and designations of OPA 48 as adopted by Council.

Further details of the "Low Density Residential" land use designation from OPA 48 is included in Attachment-5.

Existing Zoning

The subject property is currently zoned "Residential Single Detached" (R.1B) in the City of Guelph's Zoning By-Law (1995)-14865, as amended (See Map in Attachment-6). The R.1B Zone permits single detached dwellings along with several related accessory uses. Single detached dwellings can be a maximum height of three (3) storeys in the R.1B Zone.

Description of Proposed Zoning By-law Amendment

The applicant made modifications to their Zoning By-law Amendment application in a May 2017 resubmission. The original Zoning By-law Amendment application received by the City in September 2016 was requesting to change the zoning to a specialized R.3A (Specialized Residential Cluster Townhouse) Zone to permit a 60-unit cluster townhouse development.

In the revised May 2017 submission, the applicant changed their development proposal to rezone the subject lands from the current "Residential Single Detached" (R.1B) Zone to a "Specialized Single Detached" (R.1D-52) Zone to permit the development of thirty-six (36) single detached dwellings. In addition to the standard provisions for lands zoned R.1D, the applicant is requesting one site-specific zoning provision to permit the single detached dwellings to front onto a private roadway within a plan of condominium, in addition to some units within the condominium fronting onto a public road (Lowes Road West).

Through further review of the current submission, Planning staff are also recommending the following two site-specific zoning provisions be added and included in the Zoning By-law Amendment. Staff have reviewed these additional zoning provisions with the applicant and they are in agreement with them as proposed. This will ensure the proposed development within a Vacant Land Condominium functions similar to single detached dwellings that are located on freehold lots (i.e. in a conventional plan of subdivision), facing public roads. The additional two zoning provisions being recommended by staff are:

- **Definition of a Lot:** In addition to the definition of a Lot in Section 3 of By-law (1995)-14864, as amended, that for the purposes of this Zone, a vacant land condominium unit within a draft approved or registered plan of condominium shall be considered a Lot.
- **Severability Provision:** The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this Zone, despite any future severance, phase of registration, partition or division for any purpose.

The proposed zoning is shown in Attachment-7.

Proposed Development

The proposed development as revised by the applicant in May 2017 consists of 36 single detached dwelling units within a Vacant Land Condominium. 25 of the single detached dwellings would be located and front onto a private roadway that is maintained by the condominium corporation. The remaining 11 single detached dwellings would front directly onto Lowes Road West, but would still be units within the condominium. The proposed condominium draft plan also shows a 0.1 hectare stormwater management block, which in addition to the private roadway will form part of the condominium's common element areas. 10 surplus visitor parking spaces are located on the private condominium roadway.

The applicant's current draft plan of condominium is shown in Attachment-9.

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in Attachment-12. The analysis addresses all relevant planning considerations, including the issues and questions that were raised by Council and members of the public at the statutory Public Meetings held on November 14, 2016 and July 10, 2017 respectively. Final comments on the revised proposal from internal City departments and agencies are included in Attachment-15. The staff review and planning analysis addresses the following:

- Evaluation of the proposal in accordance with the policies of the 2014 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Evaluate how the applications conform to the September 2014 Consolidated Official Plan land use designations and policies including any related amendments;
- Evaluate how the applications conform to OPA 48 as adopted by Council;
- Review of the proposed zoning and specialized site-specific provisions;
- Review of the proposed unit layouts within the draft plan of Vacant Land Condominium;
- Review of the proposed stormwater management strategy, relationship to the area water table, the site's drainage and associated site water balance;
- Review of impacts to the City's Natural Heritage System;
- Review of site servicing capacity and design;
- Review of traffic impacts;
- Confirm support for the Community Energy Initiative (CEI); and
- Address all comments and issues raised during the public review of the applications.

Staff Recommendation

Planning staff are satisfied that the recommended Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and the specialized zoning provisions proposed are appropriate for the site. Planning staff recommend that Council approve the draft plan of Vacant Land Condominium

and approve the Zoning By-law Amendment subject to the draft zoning regulations and recommended draft plan conditions outlined in Attachment-3.

Financial Implications

Estimated Development Charges: \$1,263,528 based on rates in effect at the time of writing this report.

Estimated Annual Taxes: \$198,250 based on 2019 City tax rate for 36 single detached dwellings (at an estimated sale price range of \$400,000 to \$700,000).

Consultations

The Notice of Complete Application and Public Meeting for the original Zoning By-law Amendment was mailed on October 5, 2016 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised in the Guelph Mercury Tribune on October 20, 2016. Notice of the application has also been provided by signage on the property. The Public Meeting for the original Zoning By-law Amendment was held on November 14, 2016.

The Notice of Complete Application and Public Meeting for the new Vacant Land Condominium application and notice for the revised Zoning By-law amendment application was mailed on June 14, 2017 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting for the revised Zoning By-law amendment application and new Vacant Land Condominium application was also advertised in the Guelph Mercury Tribune on June 15, 2017. Notice of the revised Zoning By-law amendment and Vacant Land Condominium was also been provided by updated signage on the property. The Public Meeting for the revised Zoning By-law amendment and new Vacant Land Condominium application was held on July 10, 2017.

On June 13, 2019, the Notice of Decision Meeting was sent to members of the public and parties that provided comments on the applications or requested to receive further notice. See Attachment-16 for a full consultation summary.

Corporate Administrative Plan

This report supports the following goals and work plans of the Corporate Administrative Plan (2016-2018):

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our People - Building a great community together

Attachments

Attachment 1 - Location Map and 120 m Circulation

Attachment 2 – Aerial Photograph

Attachment 3 - Recommended Zoning Regulations and Conditions

- Attachment 4 - Official Plan Land Use Designations and Policies
- Attachment 5 - Official Plan Amendment #48 Land Use Designations and Policies
- Attachment 6 - Existing Zoning
- Attachment 7 - Proposed Zoning and Details
- Attachment 8 - Originally Proposed Townhouse Site Plan (September 2016)
- Attachment 9 - Proposed Draft Plan of Vacant Land Condominium (June 2018)
- Attachment 10 - Conceptual House Elevation (Front)
- Attachment 11 - Conceptual Stormwater Meadow Attenuation
- Attachment 12 - Staff Review and Planning Analysis
- Attachment 13 - Community Energy Initiative Commitment
- Attachment 14 - Hydrogeology Peer Review
- Attachment 15 - Departmental and Agency Comments
- Attachment 16 - Public Notification Summary

Departmental Approval

Not applicable

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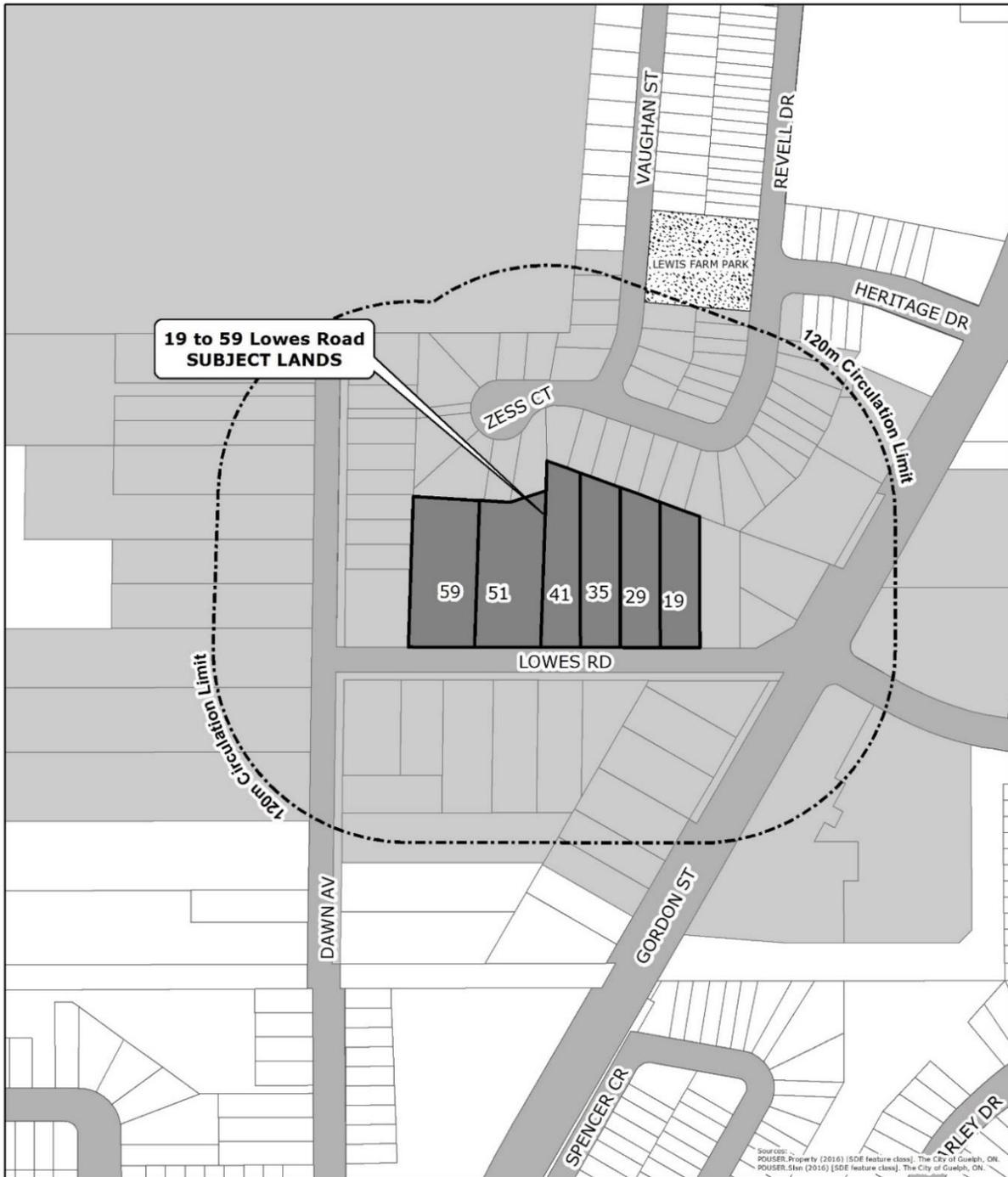
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Attachment-1: Location Map and 120 m Circulation



Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
September 2016

LOCATION MAP & 120m CIRCULATION 19 to 59 Lowes Road

Attachment-2: Aerial Photograph




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m

Produced by the City of Guelph
Planning and Building Services - Development Planning
May 2019

**2017 ORTHOPHOTO
19 to 59 Lowes Road**



Attachment-3:

Recommended Zoning Regulations and Conditions

3A - Zoning Regulations:

Zoning By-law Amendment

The following site-specific zoning is proposed:

Specialized R.1D-52 (Single Detached) Zone

Regulations:

In accordance with Section 4 (General Provisions) and Section 5.1 and Table 5.1.2 (Regulations Governing R.1 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

Buildings and Structures on Private Roadway

- To permit buildings and structures on lots or condominium units abutting a privately owned street whereas the Zoning By-law requires all buildings and structures to be on lots abutting a publicly owned street.

Definition of a Lot

- In addition to the definition of a Lot in Section 3 of By-law (1995)-14864, as amended, that for the purposes of this Zone, a vacant land condominium unit within a draft approved or registered plan of condominium shall be considered a Lot.

Severability Provision

- The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this Zone, despite any future severance, phase of registration, partition or division for any purpose.

3B - Proposed Conditions of Site Plan Approval:

The following conditions are provided as information to Council and will be imposed through site plan approval, pursuant to Section 41 of the Planning Act.

1. The Owner shall apply to the City for site plan approval in accordance with Section 41 of the Planning Act. The application shall include, but not be limited to submitting a detailed site plan, indicating such items as proposed servicing, grading and drainage, erosion and sediment control, access, parking and traffic circulation to the satisfaction of the General Manager/City Engineer. Such plans shall be certified by a Professional Engineer. Further, all applications for a building permit shall be accompanied by a plan that shows that the proposed building, grading and drainage is in conformance with the approved overall drainage and grading plan.
2. The Owner shall submit an Environmental Implementation Report (EIR) based on an approved Terms of Reference that provides details to inform site design related to the mitigation of impacts to the Natural Heritage System as recommended in the EIS and addenda prepared for the proposal, to the satisfaction of the General Manager of Planning and Building Services and the

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

General Manager/City Engineer. Items to be provided in the EIR include but are not limited to the preliminary design of the stormwater attenuation grading works in the wetland buffer informed by the groundwater data collected in the meadow at that time, an associated post-development monitoring program to assess the condition, composition, health and disturbances of the completed works and at the stormwater outlets generally, along with adaptive management responses, mitigation for potential bat maternity habitat, manhole design to prevent entry of salt/sediment into the infiltration trenches, and an assessment of the potential for impacts to the Natural Heritage System as a result of dewatering activities from both a quantity and quality perspective and recommendation of appropriate mitigation.

3. The Owner agrees to conduct a minimum of one year of groundwater monitoring in the vicinity of the proposed stormwater attenuation works in the meadow and use the results to undertake a groundwater mounding assessment. The results of the mounding assessment shall inform detailed design of the stormwater attenuation works to ensure no impacts on the groundwater table on properties along Dawn Avenue. The data collection, mounding assessment, detailed design of the stormwater attenuation works, and the construction of the works shall all be completed as soon as is reasonably possible.
4. The Owner shall submit an updated to the Tree Inventory and Preservation Plan including updated compensation calculations, to the satisfaction of the General Manager of Planning and Building Services.
5. The Owner shall submit a Detailed Landscape Plan that includes streetscape, landscaping and tree compensation with native and non-invasive species to the satisfaction of the General Manager of Planning and Building Services.
6. The Owner shall provide Cash-in-lieu compensation for any trees regulated under By-law (2010)-19058 in fair to excellent condition to be removed that cannot be compensated through proposed restoration plantings at a minimum 3:1 replacement ratio.
7. The Owner shall submit a during construction monitoring plan as detailed in the EIR focused on erosion and sediment control measures, installation of the infiltration trenches, tree preservation and establishment of landscaping/compensation plantings.
8. The Owner shall provide a letter of credit to cover the City approved cost estimate for the post-development monitoring program should the monitoring program extend beyond the registration of the Draft Plan of Condominium.
9. The Owner shall provide a one-time lump sump payment to the City to cover the cost of long-term maintenance of the stormwater attenuation grading works in the wetland buffer as recommended in the approved EIR.
10. The Owner shall submit a stormwater management report to the satisfaction of the General Manager/City Engineer. Such report is to be certified by a Professional Engineer and is to be prepared in accordance with the City's

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

Guidelines and the latest edition of the Ministry of the Environment's Stormwater Management Practices Planning and Design Manual.

11. The Owner shall submit a geotechnical report, certified by a Professional Engineer, to the satisfaction of the General Manager/City Engineer, which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
12. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097, or any successors thereof, to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
13. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the developer shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, 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 on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
14. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Developer.
15. The Owner shall 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).
16. The Owner shall design and construct the sidewalk on the north side of Lowes Road West across the frontage of the development. The developer shall pay to the City the estimated and actual cost of the construction of sidewalk on the north side of Lowes Road West across the frontage of the development including the cost of the anticipated relocation of any utilities and hydro poles required for the construction of sidewalk.
17. The Owner shall pay to the City the actual cost of the design and construction including the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to approval of the plans and prior to any construction or grading on the lands, the developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
18. The Owner shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary sewer,

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the developer shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.

19. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
20. The Owner shall make satisfactory arrangements with Guelph Hydro/Alectra Utilities and phone and cable (telecommunication) providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plant(s).
21. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
22. The Owner shall be responsible for the cost of design, development and implementation (including planting) of a Street Tree Planting Plan in accordance with City specifications. The developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the street tree plan to the satisfaction of the City. The developer shall warranty the trees for a minimum of two winter seasons. Replacement trees are to be warranted for (a) the remainder of the warranty period of the original tree or (b) an additional year, whichever is greater. Once the tree has been planted, the developer shall provide the City with a certificate that certifies that the tree stock quality meets Canadian Nursery Landscape Association standards and that the tree has been planted following the City's Linear Infrastructure Specifications. The certificate must be certified by a landscape architect, certified arborist or professional forester (who must be a qualified member of the Ontario Professional Foresters Association). At the end of the warranty period (after the second winter), the developer shall provide the City with a second certificate that certifies that the tree was cared for as per the approved watering and maintenance plan on the Street Tree Planting Plan and that the tree is free of defects and disease.
23. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
24. The Owner shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
25. The Owner shall confirm to the satisfaction of the General Manager/City Engineer that the basements will have a minimum 0.5 metre separation from the seasonal high groundwater elevation, in accordance with the City's Development Engineering Manual.

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

26. The Owner shall pay the estimated and the actual cost for decommissioning and removal of any services as determined by the General Manager/City Engineer.
27. Prior to demolition of the existing houses, the Owner shall locate the position of the existing sanitary sewer, storm sewer and water service laterals serving the existing house and be responsible for the entire cost of removing the existing service laterals from the said lands, satisfactory to the City's Plumbing Inspector.
28. The Owner shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
29. The Owner agrees and acknowledges that all electrical services to the site are to be underground and the developer shall make satisfactory arrangements with Guelph Hydro/Alectra Utilities for the servicing of the site as well as provisions for any easements and/or rights-of-way for their plant(s).
30. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. 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.
31. The Owner 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 in accordance with applicable provisions contained in the Ontario Building Code.
32. The Owner shall enter into all necessary agreements 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.
33. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
34. The Owner shall submit a Noise Impact Study report in accordance with Guelph Noise Control Guidelines to the satisfaction of the General Manager /City Engineer.
35. The Owner shall service, grade, develop and maintain the site in accordance with the plans that have been approved by the City through the site plan approval. The developer shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The developer shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

36. The Owner shall place, or agree to place, the following notifications in all offers of purchase and sale or lease agreements for all lots and/or dwelling units and agrees that these same notifications shall be placed in the agreement to be registered on title:
- a. "Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer."
 - b. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developer for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph's Property Standards By-law (2000)-16454, as amended."
 - c. "Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
 - d. "Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property."
 - e. "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school."
37. The Owner shall provide the City with a drainage certificate, signed and stamped from an Ontario Land Surveyor (OLS) or a Professional Engineer (P.Eng) certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
38. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

39. The Owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
40. The Owner shall provide assurance of permanent proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through a site plan agreement to be registered on title.
41. The Owner shall provide assurance of permanent proper operation and maintenance of the infiltration galleries through a site plan agreement to be registered on title.
42. The Owner agrees to maintain a log for perpetual cleaning/maintenance of oil-grit-separator (OGS) unit(s), stormwater management facility, and infiltration galleries and further, agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through a site plan to be registered on title.
43. All applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage is in conformance with the approved overall site drainage and grading plan.
44. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The developer shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The developer shall pay the engineering on-site works inspection fee to the satisfaction of the City.
45. The Owner shall pay cash in-lieu of parkland conveyance for the entire development, under City of Guelph By-law (2019)-20366 as amended and by By-law (2019)-20380 or any successor thereof, prior to the issuance of a building permit.
46. The Owner shall provide to the Deputy CAO of Public Services a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the payment of cash-in-lieu of parkland dedication, prior to the issuance of a building permit. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services.
47. The Owner shall demonstrate to the satisfaction of the General Manager of Planning and Building Services a commitment to incorporate features into the development that will implement recommendations of the City's Community Energy Initiative (CEI) and the overall goal of becoming a net zero carbon community by 2050.

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

48. The Owner and the Upper Grand District School Board shall reach an agreement regarding the supply and erection of a sign (at the developers expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents that students may be directed to schools outside the neighbourhood, prior to the issuance of site plan approval.

3C – Draft Plan of Vacant Land Condominium Conditions:

That the application by Astrid J. Clos Planning Consultants on behalf of Parry Schnick and Catriona Forbes for approval of a proposed Draft Plan of Vacant Land Condominium (23CDM-17504) applying to properties municipally known as 19-59 Lowes Road West and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph, as shown on Attachment-9, be approved, subject to the following conditions:

1. That this approval applies to a Draft Plan of Vacant Land Condominium known as '23CDM-17504', prepared by Astrid J. Clos Planning Consultants, Project No. 1322, dated June 13, 2018, indicated on Attachment-9 to Report Number 'IDE-19-34' for the lands municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West, illustrating a total of thirty-six (36) residential dwelling units and common elements areas consisting of, but not limited to a private roadway and stormwater management facility.
2. The Owner shall demonstrate to the satisfaction of the General Manager of Planning and Building Services that the common element areas of the site complies in all respects to any site plan(s) approved by the City in accordance with Section 41 of the Planning Act (inclusive of all associated drawings and reports), and the requirements of any Site Plan Agreement registered on title, prior to the registration of the Plan of Condominium.
3. That the Owner acknowledges and agrees that the City can and shall make detailed site inspection(s) at 19-59 Lowes Road West to ensure the common element areas of the site are completed and developed according to site plans approved by the City, prior to the registration of the Plan of Condominium.
4. That the Owner shall pay any outstanding debts owed to the City, prior to the registration of the Plan of Condominium.
5. That the Owner shall place, or agree to place, the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the condominium declaration to be registered on title:
 - a. "Fire Access Routes that are required to be constructed under the Ontario Building Code, the Ontario Fire Code or are required by Municipal By-law are

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

- specifically provided to facilitate access for firefighting operations and shall not be obstructed by gates, fences, building materials, vehicles or any other form of obstruction. The construction of a gate or fence within a fire route is not permitted and is a direct contravention of Division B, Sentence 2.5.1.2(1) of the Ontario Fire Code, as amended.”
- b. “That private sidewalks, driveways and parking areas are to be maintained in a snow free condition and void of any obstructions twelve (12) months of the year.”
 - c. “In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point.”
 - d. “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school.”
 - e. “Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer.”
 - f. “Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developer for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph’s Property Standards By-law (2000)-16454, as amended.”
 - g. “Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic.”
 - h. “Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property.”
6. That the Owner shall have a Professional Engineer and/or Ontario Land Surveyor identify all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

distribution system serving the site and also identify the locations where easements are required, prior to the registration of the Plan of Condominium.

7. That an independent lawyer shall certify that the proposed condominium has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium, which are located on private lands other than the lands being registered prior to the registration of the Plan of Condominium.
8. That the Owner shall provide assurance to the satisfaction of the General Manager/City Engineer of proper operation and maintenance of the stormwater management (SWM) facility, and oil-grit-separator (OGS) unit(s) by the Owner and/or any future condominium corporation in the condominium declaration, prior to the registration of the Plan of Condominium.
9. The Owner agrees to provide a commitment in the condominium declaration to the satisfaction of the General Manager/City Engineer to maintain a log for perpetual cleaning/maintenance of oil-grit-separator (OGS) unit(s) and the stormwater management (SWM) facility and further, agrees to submit the maintenance logs for audit purposes to the City and other agencies upon request, prior to the registration of the Plan of Condominium.
10. The Owner agrees to provide assurance to the satisfaction of the General Manager/City Engineer of proper operation and maintenance of the infiltration galleries by the Owner and/or any future condominium corporation in the condominium declaration, prior to the registration of the Plan of Condominium.
11. The Owner shall be responsible for the cost of design and implementation of the Open Space Works and Restoration as per the approved Environmental Implementation Report and Landscape Plans to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings for approval and the administration of the construction contract up to the end of the warranty period completed by a full member with seal of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services. The Owner shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
12. The Owner agrees to provide Park Planning with a digital file in CAD format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the trail corridor and open space blocks, prior to the registration of the Plan of Condominium.
13. That the Owner shall consult with Canada Post on the location(s) for any mail boxes and delivery equipment and further, shall provide written confirmation to the City from Canada Post that all mail delivery requirements for the development have been satisfied, prior to the registration of the Plan of Condominium.

Attachment-3 (continued):

Recommended Zoning Regulations and Conditions

14. That further to the requirements outlined in Condition 3, any works not completed as per the approved site plan(s) shall be completed prior to the registration of the Plan of Condominium, and/or the Owner shall pay to the City a financial security* amount representing 100 per cent (100%) of the value of the outstanding items therein as agreed to by the Manager of Development Planning, prior to the registration of the Plan of Condominium. The foregoing security provision may be accepted by the said Manager in lieu of one hundred per cent (100%) completion in the discretion of the said Manager as it is recognized that certain physical features of the development may not be completed at the time of registration as the case may and that site works for the proposed condominium plan may not be completed at the time of the registration thereof on account of seasonal or weather conditions.
15. The Owner shall enter into a condominium 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, prior to the registration of the Plan of Condominium.
16. The Condominium Declaration shall contain appropriate provisions setting out responsibility for maintaining, repairing and replacing services which serve:
 - a. More than one unit, whether or not those services are within the common elements or within a unit;
 - b. An owner's unit only, that are located within the owner's unit or another unit; and
 - c. The owner's unit only, that are located within the common elements.
17. Further to Condition 16, the Condominium Declaration shall contain appropriate provisions setting out proper operation and maintenance of all:
 - a. Infiltration galleries;
 - b. Stormwater management facilities; and
 - c. Oil-grit separator(s) unit(s).
18. Further to Condition 17, the Condominium Declaration shall contain a commitment for the Owner and/or condominium corporation to prepare and maintain logs at regular intervals for the perpetual cleaning/maintenance of the infiltration galleries, stormwater management facilities, and oil-grit separator units, and further, a commitment to submit such logs for audit purposes to the City and other regulatory agencies upon request.
19. That prior to the registration of the Plan of Condominium, the lawyer referred to in condition 7 shall also provide the City:
 - a. with a copy of the executed proposed condominium declaration and description that will be registered as the case may be and make reference to the same to the satisfaction of the City in the lawyer's certifications referred to in these Conditions;
 - b. with the Owner's unqualified undertaking to register the said declaration in the form as provided to the City by the said lawyer; and,

Attachment-3 (continued):

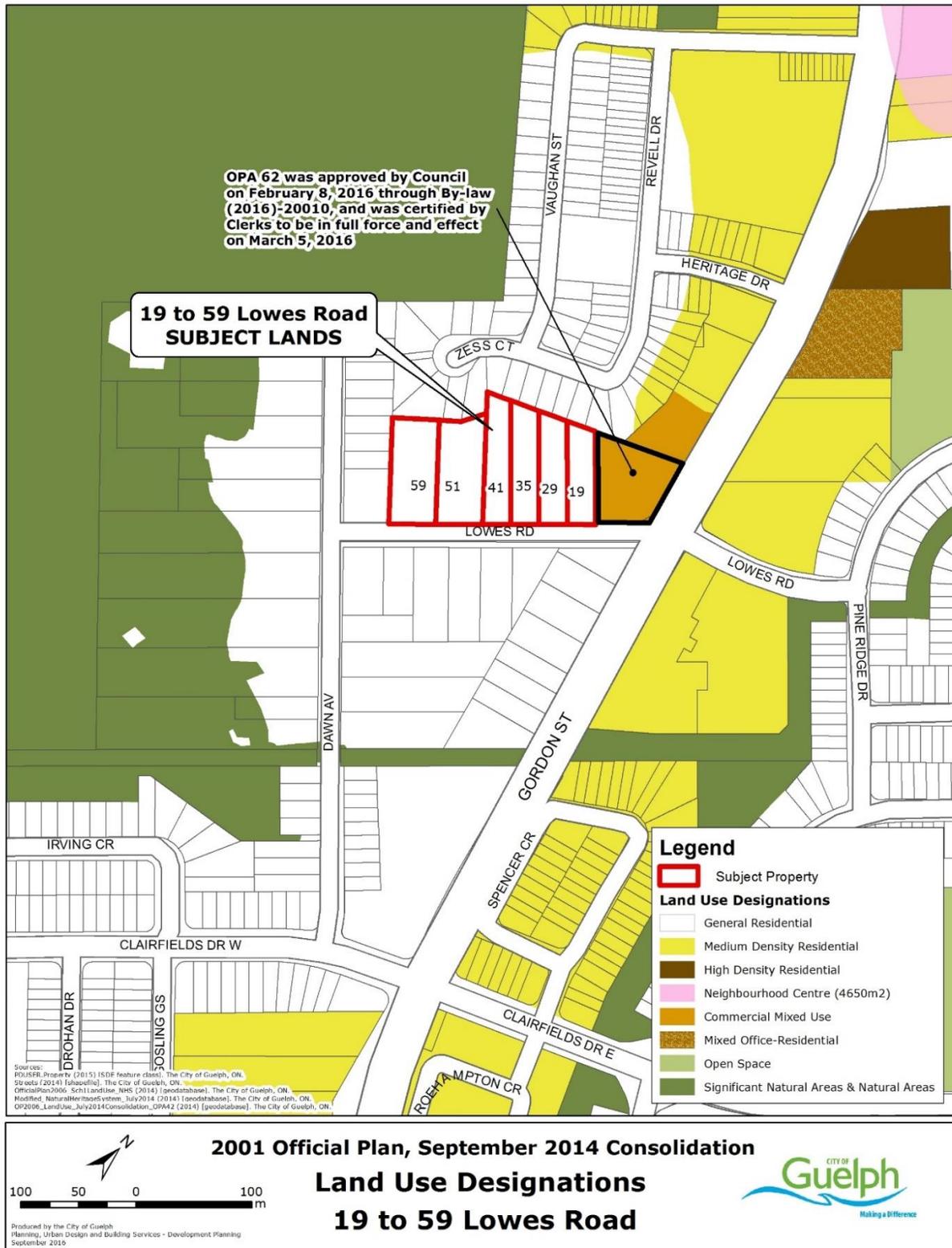
Recommended Zoning Regulations and Conditions

- c. with the said lawyer's unqualified undertaking not to register the said declaration other than in the form as provided to the City by the said lawyer.
20. That the Owner agrees to provide the City's Planning and Building Services staff with a digital file of the final draft Registered Condominium Plan(s) in an AutoCAD (*.dwg) format prior to the registration of the Plan of Condominium.
21. Prior to the City's final approval of the Plan of Condominium, the City shall be comprehensively advised in writing by the Owner how conditions 1 through 18 have been satisfied or acknowledged, whatever the case shall be.

Notes of Draft Plan Approval:

1. Draft Plan of Condominium approval will expire and lapse three (3) years from the date draft plan approval is issued. Any request made by the Owners to extend the lapsing date must be made in writing and be accompanied by any prescribed fee to the City no later than 60 calendar days prior to the lapsing date.
2. The final condominium plan for registration must be in conformity with Ontario Regulation 43/96 as amended, under the Registry Act.
3. *Any financial securities provided to the City in the form of a letter of credit must be done in accordance with the City's Letter of Credit Policy, as per By-law (2011)-19263. A template for letters of credit to be submitted to the City is available upon request through Planning staff.
4. Digital submissions to the City (i.e. AutoCad drawings) can be emailed directly to planning@guelph.ca and/or the Planner on file, referencing the file number (ie. 23CDM-) and municipal address, or submitted directly to Planning, Urban Design and Building Services on a CD/DVD.
5. The Owner is responsible for contacting respective telecommunications providers (Bell Canada, Rogers Cable, etc.) and making necessary arrangements to ensure that adequate wire-line communication/telecommunication infrastructure is sufficiently available to service the development.
6. If a the final plan of condominium subdivision is/are approved by the City pursuant to Subsection 51(58) of the Planning Act (i.e. City signs Certificate of Approval on mylars), it must be registered with the local Land Registry Office within 30 days of the date of the City's final approval and release or the City may withdraw its final approval and release pursuant to Subsection 51(59) of the Planning Act.

Attachment-4: Official Plan Land Use Designations and Policies



Attachment-4 (continued):

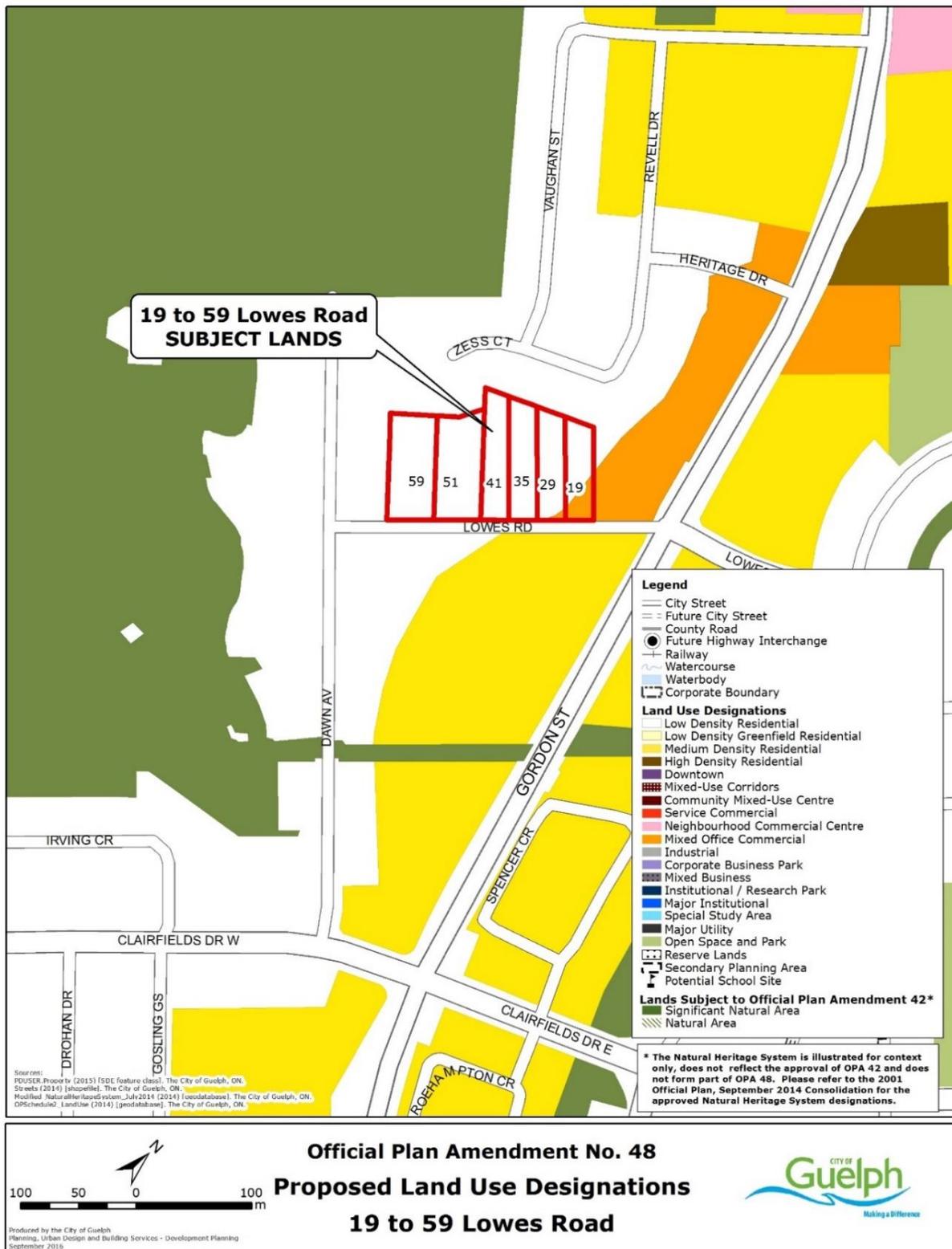
Official Plan Land Use Designations and Policies

'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. Residential care facilities, lodging houses, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the net density of development shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the net density of development on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.32 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot infill, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed development is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot infill shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse infill proposals shall be subject to the development criteria contained in policy 7.2.7

Attachment-5:

Official Plan Amendment #48 Land Use Designations and Policies



Attachment-5 (continued): Official Plan Amendment #48 Land Use Designations and Policies

9.3.2 Low Density Residential

This designation applies to residential areas within the built-up area of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i. detached, semi-detached and duplex dwellings; and
 - ii. multiple unit residential buildings, such as townhouses and apartments.

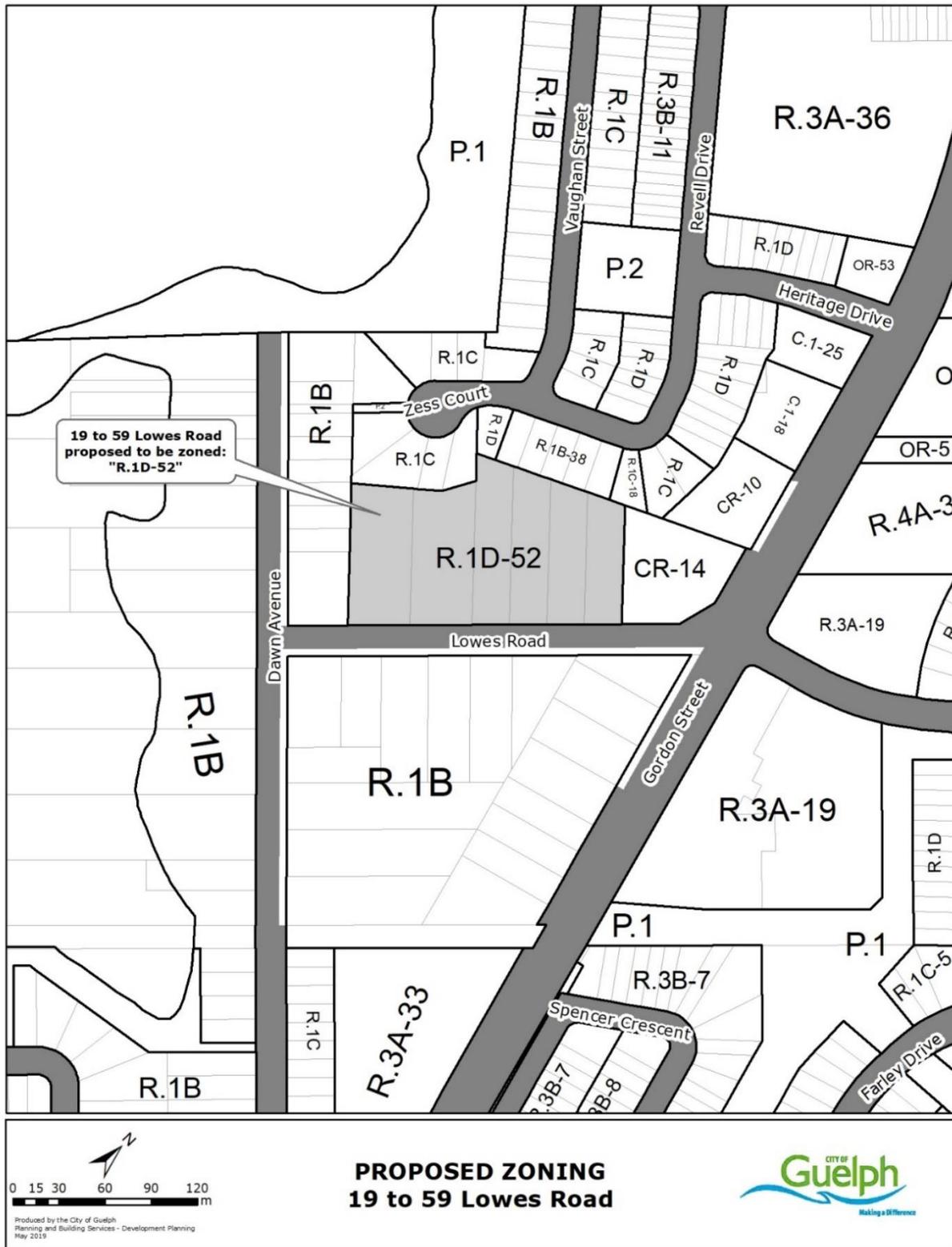
Height and Density

The built-up area is intended to provide for development that is compatible with existing neighbourhoods while also accommodating appropriate intensification to meet the overall intensification target for the built-up area as set out in Chapter 3.

The following height and density policies apply within this designation:

2. The maximum height shall be three (3) storeys.
3. The maximum net density is 35 units per hectare and not less than a minimum net density of 15 units per hectare.
4. Notwithstanding policies 9.3.2.2 and 9.3.2.3, increased height and density may be permitted for development proposals on arterial and collector roads without an amendment to this Plan up to a maximum height of six (6) storeys and a maximum net density of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

Attachment-7: Proposed Zoning and Details



Attachment-7 (continued):

Proposed Zoning and Details

Specialized R.1D-52 (Single Detached Residential) Zone

Regulations

In accordance with Section 4 (General Provisions) and Section 5.1 and Table 5.1.2 (Regulations Governing R.1 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

Buildings and Structures on Private Roadway

- To permit buildings and structures on lots or condominium units abutting a privately owned street whereas the Zoning By-law requires all buildings and structures to be on lots abutting a publicly owned street.

Definition of a Lot

- In addition to the definition of a Lot in Section 3 of By-law (1995)-14864, as amended, that for the purposes of this Zone, a vacant land condominium unit within a draft approved or registered plan of condominium shall be considered a Lot.

Severability Provision

- The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this Zone, despite any future severance, phase of registration, partition or division for any purpose.

Attachment-7 (continued):

Proposed Zoning and Details

5-1

SECTION 5 – RESIDENTIAL ZONES

5.1 RESIDENTIAL SINGLE DETACHED (R.1) ZONES

5.1.1 PERMITTED USES

The following are permitted **Uses** within the R.1A, R.1B, R.1C, and R.1D **Zones**:

- **Single Detached Dwelling**
- **Accessory Apartment** in accordance with Section 4.15.1
- **Bed and Breakfast** establishment in accordance with Section 4.27
- **Day Care Centre** in accordance with Section 4.26
- **Group Home** in accordance with Section 4.25
- **Home Occupation** in accordance with Section 4.19
- **Lodging House Type 1** in accordance with Section 4.25

18116

5.1.2 REGULATIONS

Within the Residential 1 (R.1) **Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations listed in Table 5.1.2, and the following:

- 15378 5.1.2.1 Despite Row 7 of Table 5.1.2, where a **Garage, Carport** or **Parking Space** is not provided in accordance with Section 4.13.2.1, one **Side Yard** shall have a minimum dimension of 3 metres.
- 15006 5.1.2.2 Despite any required **Side Yard** on a residential **Lot, Carports** shall be permitted provided that no part of such **Carport** is located closer than 0.6 metres to any **Side Lot Line**.
- 20134 5.1.2.3 In the event that there is a transformer easement on a particular **Lot**, portions of the **Single Detached Dwelling** may be required to be **Setback** further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 3 metres may be maintained between the transformer easement and any part of the dwelling.
- 5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.
- 5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum **Lot Frontage** for a **Corner Lot** in a R.1D **Zone** shall be 12 metres.
- 15006 5.1.2.6 Despite Row 4 of Table 5.1.2, the **Lots** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Lot Frontage** of the average **Lot Frontage** established by the existing

Attachment-7 (continued):

Proposed Zoning and Details

5-2

Lots within the same **City Block Face**, but in no case less than 9 metres. Nothing in this section shall require the minimum **Lot Frontage** to be greater than the minimum **Lot Frontage** established in Table 5.1.2. Where the average **Lot Frontage** of the existing **Lots** on the **Block Face** cannot be determined, the minimum **Lot Frontage** shall be as indicated in Table 5.1.2.

15008 5.1.2.7 Despite Row 6 of Table 5.1.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:

15008
15378
17187
19691

- i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres or the average of the **Setbacks** of the adjacent properties. Where the off-street **Parking Space** is located within a **Garage** or **Carpport**, the **Setback** for the **Garage** or **Carpport** shall be a minimum of 6 metres from the **Street Line**.
- ii) In accordance with Section 4.6 and 5.1.2.3; and
- iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.

Where a road widening is required in accordance with Section 4.24, the calculation of the required **Front** or **Exterior Side Yard** shall be as set out in Section 5.1.2.7, provided that the required **Front** or **Exterior Side Yard** is not less than the new **Street Line** established by the required road widening.

15008 5.1.2.8 Despite Row 7 of Table 5.1.2, properties **Zoned** R.1B or R.1C with **Buildings** over 2 **Storeys** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Side Yard** requirement of 1.5 metres.

15008 5.1.2.9 Deleted.

15692 5.1.2.10 Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a **Building** has a one **Storey** portion and a 1.5 to 2 **Storey** portion, the required **Side Yard** shall be 1.5m from the **Side Lot Line** to the foundation wall of the 1 **Storey** portion and 2.4m from the **Side Lot Line** to the wall of the 1.5 to 2 **Storey** portion.

17187 5.1.2.11 Where **Lots** have less than 12 metres of **Frontage**, the **Garage** is limited to a maximum of 55% of the **Lot** width (as measured at the **Front Yard Setback**).

Attachment-7 (continued):

Proposed Zoning and Details

5-3

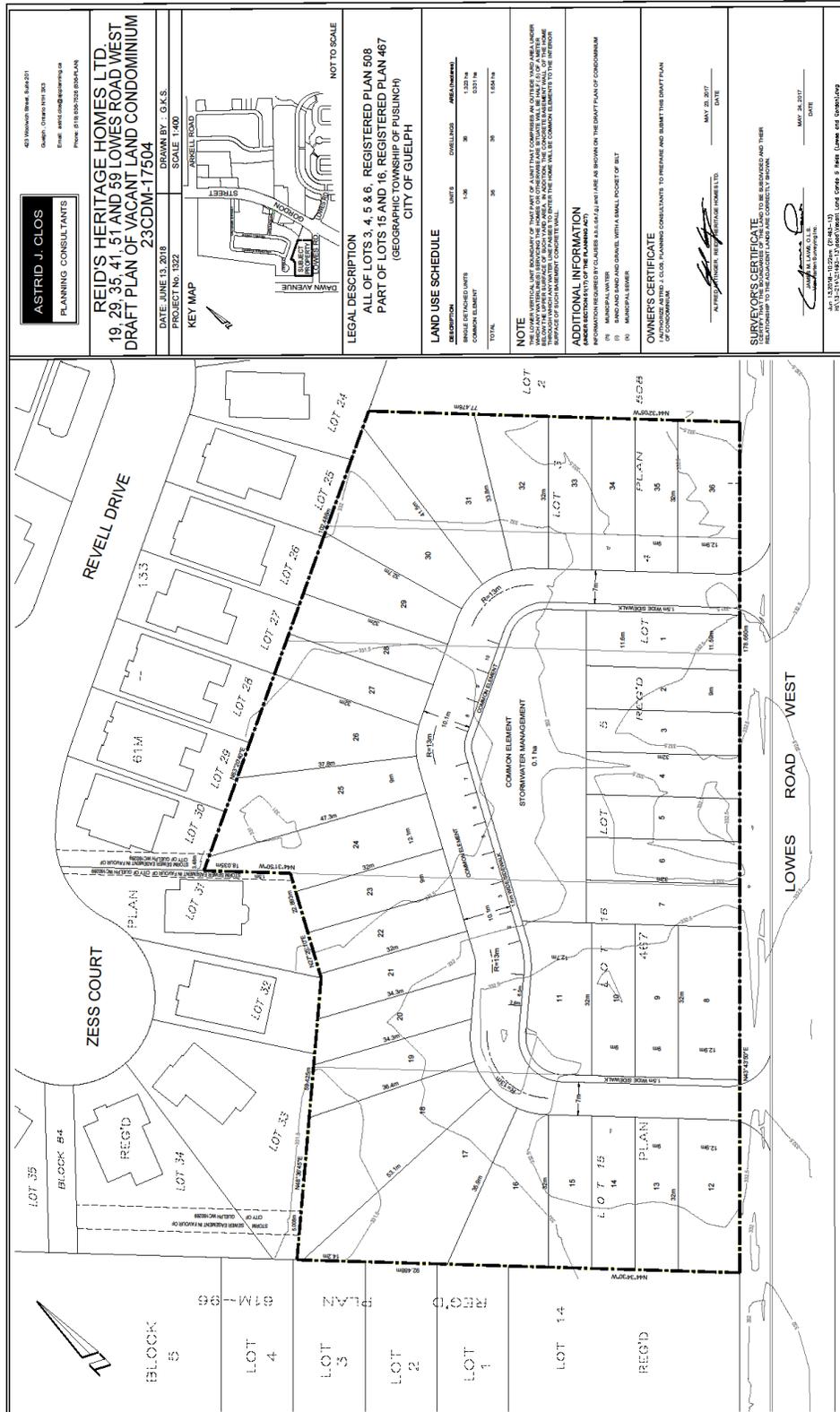
15006, 15378, 17187, 18116, 19063, 19691

TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

1	Residential Type	SINGLE-DETACHED DWELLINGS			
2	Zones	R.1A	R.1B	R.1C	R.1D
3	Minimum Lot Area	555 m ²	460 m ²	370 m ²	275 m ²
4	Minimum Lot Frontage	18 metres and in accordance with Section 5.1.2.6.	15 metres and in accordance with Section 5.1.2.6.	12 metres and in accordance with Section 5.1.2.6.	9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.
5	Maximum Building Height	3 Storeys and in accordance with Section 4.18.			
6	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
6a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
7	Minimum Side Yard 1 to 2 Storeys Over 2 Storeys	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	1.2 metres 1.2 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.
8	Minimum Rear Yard	7.5 metres or 20% of the Lot Depth , whichever is less and in accordance with Section 5.1.2.4.			
9	Accessory Buildings or Structures	In accordance with Section 4.5.			
10	Fences	In accordance with Section 4.20.			
11	Off-Street Parking	In accordance with Section 4.13.			
12	Minimum Landscaped Open Space	The Front Yard on any Lot , excepting the Driveway (Residential) shall be landscaped and no parking shall be permitted within this Landscaped Open Space . Despite the definition of Landscaped Open Space , a minimum area of 0.5 metres between the Driveway (Residential) and nearest Lot Line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.			
13	Garbage, Refuse and Storage	In accordance with Section 4.9.			
14	Garages	For those Lots located within the boundaries indicated on Defined Area Map Number 66, attached Garages shall not project beyond the main front wall of the Building . Where a roofed porch is provided, the Garage may be located ahead of the front wall of the dwelling (enclosing Habitable Floor Space on the first floor) equal to the projection of the porch to a maximum of 2 metres.			

Attachment-9:

Proposed Draft Plan of Vacant Land Condominium (June 2018)



ASTRID J. OLOS
PLANNING CONSULTANTS

407 Woodbine Road, Suite 201
Oshawa, Ontario M1H 3C3
Email: astros@astrosplanning.ca
Phone: 905.680.2888 (905) 614-1400

REIDS HERITAGE HOMES LTD
19, 29, 35, 41, 51 AND 59 LOWES ROAD WEST
DRAFT PLAN OF VACANT LAND CONDOMINIUM
23CDM-17504

DATE: JUNE 13, 2018
PROJECT NO. 1032
DRAWN BY: G.K.S.
SCALE: 1:400

KEY MAP

NOT TO SCALE

LEGAL DESCRIPTION
ALL OF LOTS 3, 4, 5 & 6, REGISTERED PLAN 508
PART OF LOTS 15 AND 16, REGISTERED PLAN 467
(GEOGRAPHIC TOWNSHIP OF PUSLINC)
CITY OF GUELPH

LAND USE SCHEDULE

DESCRIPTION	UNITS	DWELLINGS	AREA (SQ.METERS)
WHOLE DETACHED UNITS	106	36	1,329 TM
COMMON ELEMENT			6,537 TM
TOTAL	106	36	7,866 TM

NOTE
THIS PLAN IS THE PROPERTY OF REIDS HERITAGE HOMES LTD. IT IS THE PROPERTY OF REIDS HERITAGE HOMES LTD. AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF REIDS HERITAGE HOMES LTD. ANY REPRODUCTION OR TRANSMISSION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF REIDS HERITAGE HOMES LTD. IS STRICTLY PROHIBITED. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF REAL ESTATE. THE INFORMATION CONTAINED HEREIN IS SUBJECT TO CHANGE WITHOUT NOTICE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A BASIS FOR ANY INVESTMENT DECISIONS. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A BASIS FOR ANY INVESTMENT DECISIONS.

ADDITIONAL INFORMATION
INFORMATION REQUIRED BY CLASSES 4.3, 4.4, 4.5 AND 4.6 AS SHOWN ON THE DRAFT PLAN OF CONDOMINIUM

- (1) MANAGERIAL WATER
- (2) SAND AND GRAVEL WITH SMALL POCKET OF SILT
- (3) SAND AND GRAVEL
- (4) SAND AND GRAVEL

OWNER'S CERTIFICATE
I, THE UNDERSIGNED, CLERK OF PLANNING CONSULTANTS TO REIDS HERITAGE HOMES LTD. HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS DRAFT PLAN OF CONDOMINIUM IS TRUE AND CORRECT.

ASTRID J. OLOS
DATE: MAY 23, 2017

SURVEYOR'S CERTIFICATE
I, THE UNDERSIGNED, SURVEYOR, HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS DRAFT PLAN OF CONDOMINIUM IS TRUE AND CORRECT.

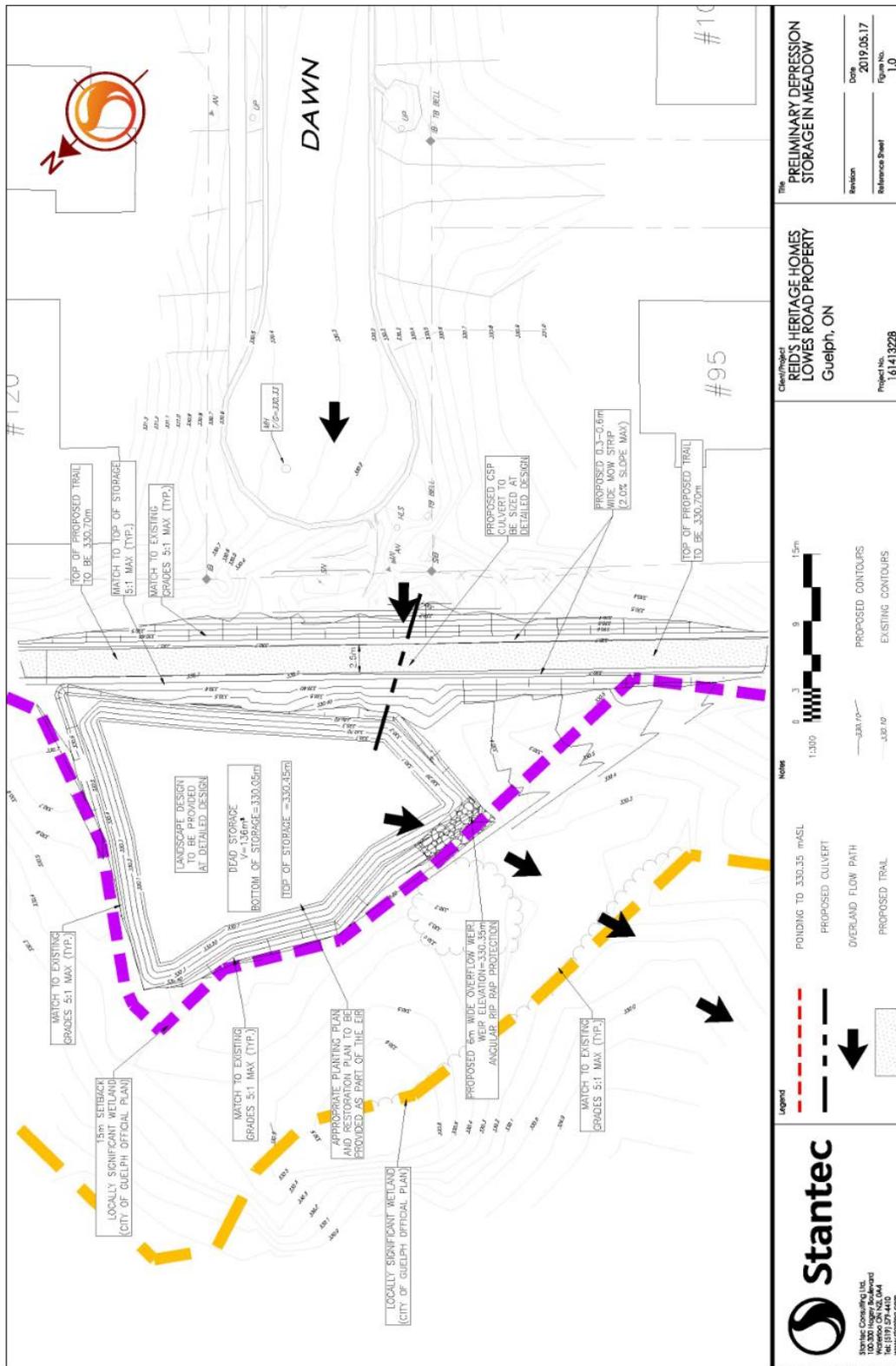
John A. Lane, S.L.S.
DATE: MAY 23, 2017

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MAY 23, 2017
MAY 23, 2017
MAY 23, 2017
MAY 23, 2017

**Attachment-10:
Conceptual House Front Elevation**



Attachment-11: Conceptual Stormwater Meadow Attenuation



Attachment-12:

Proposed Zoning Staff Review and Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and is issued under the authority of Section 3 of the Planning Act. As per section 4.2 of the PPS, all planning decisions shall be consistent with the PPS.

Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of residential, employment and other uses to meet long term needs [1.1.1 a), b)]. Also, development must avoid land use patterns that may cause environmental concerns, and be cost-effective, ensuring the necessary infrastructure is in place to meet the projected needs [1.1.1 c), e), g)]. Development and land use patterns that conserve biodiversity and considers the impacts of climate change is to be promoted [1.1.1 h)].

Policy 1.1.3 requires development in settlement areas such as the City of Guelph to use land and resources wisely, considering opportunities for intensification and redevelopment as well as overall regeneration. Specifically, densities are to be appropriate for and efficiently utilize the infrastructure and public service facilities that are planned or available. In addition, land use and development patterns in settlement areas are to be transit supportive and take into account existing building stock [1.1.3.1, 1.1.3.2 a), b), and 1.1.3.3]. Appropriate development standards are to be promoted that facilitate intensification and a compact built form, while mitigating risks to public health and safety [1.1.3.4]. For residential development, an appropriate range and mix of housing types and densities must be provided to meet projected requirements. This is to be achieved by promoting and facilitating intensification at appropriate densities, and directing new housing to locations where appropriate levels of infrastructure and public services are and will be available to support anticipated needs [1.4.3 b), c), d)].

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. The proposed development will be on full municipal services and Engineering staff have confirmed that adequate capacity is available to fully service the proposed development [1.6.6.2] (See Engineering staff comments in Attachment-15).

When planning for stormwater management relative to a development proposal, changes to existing water balances are to be minimized and not increase risks to human health and safety and property damage [1.6.6.7 b), c)]. Further, stormwater management best practises such as attenuation, re-use and low impact development are to be considered. Through the review of the application, staff have

worked with the applicant on an overall stormwater management strategy that achieves a water balance through matching pre-development conditions, accommodating a regulatory storm event, attenuating stormwater both on and off-site and avoiding safety impacts to surrounding private properties as a result of the proposed development. Further, low-impact development aspects will be incorporated into the site's stormwater management strategy. Additional details on stormwater management and groundwater levels will be outlined later in this analysis.

With regards to natural heritage, development that is adjacent to natural heritage features is not permitted unless the ecological function of the features have been evaluated and it can be demonstrated that the development will have no negative impact [2.1.8, 2.2.1 b), c), e), h)]. Planning staff have reviewed the proposed stormwater management strategy as well as an environmental impact study (EIS) prepared for the development. Through several stormwater attenuation measures both on and off-site, staff are satisfied that there will be no negative impact on the natural heritage system.

In Planning staff's opinion, the proposal to develop 36 single detached dwellings within a Vacant Land Condominium on the subject lands is consistent with the policies of the PPS. The proposal will redevelop lands within the City's settlement area from the existing six single detached dwellings on large lots to a higher density than what currently exists. The development will further add to the range and choice of housing options in an area that is well served by public transit along the Gordon Street intensification corridor. The residential development is compatible with the existing surrounding single detached dwellings and commercial land uses. Adequate water and sanitary sewer capacity is available to service the development, and overall the proposed development will efficiently use existing infrastructure. The development will incorporate a stormwater management strategy that will have no negative impact on the City's Natural Heritage System and will achieve the predevelopment water balance.

As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.7], a more detailed review on how the proposed Zoning By-law Amendment is consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined later in this analysis.

Provincial Growth Plan for the Greater Golden Horseshoe (A Place to Grow)

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. The current Growth Plan came into effect on May 16, 2019 and applies to any decisions on planning matters made on or after this date. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities. The policies of the Growth Plan focus on the key themes of building complete communities; directing a significant share of new growth to existing built-up areas; promoting the development of transit-supportive densities and the use of active

transportation methods; and creating a healthy mix of residential and employment land uses.

Sections 2.2.1 and 2.2.2 of the Growth Plan identify how population growth to the horizon year of 2041 will be accommodated within the 'Delineated Built-up Areas' of the City such as this site. These sections contain policies related to intensification, complete communities and efficient use of infrastructure and public service facilities. The proposed Zoning By-law Amendment and Vacant Land Condominium conforms to the policies of these sections by:

Directing redevelopment and intensification to lands within the existing delineated built-up area of the City;

- Promoting redevelopment that supports active and public transportation options, such as being within walking distance to the Gordon Street intensification corridor;
- Adding new housing units to the neighbourhood that contributes to enhancing and broadening the mix of housing types and options available;
- Further contributing to the mix of land uses in the surrounding area and encouraging redevelopment that is in close proximity to existing services, public transit and public open space; and,
- Making efficient use of existing infrastructure and public service facilities (e.g. roads, water and sewer, schools, etc.).

The subject lands are within the City of Guelph settlement area and are designated in the City's Official Plan for urban development. The subject lands are located within the City's "Built-Up Area" as shown on Schedule 1B: Growth Plan Elements of the Official Plan. As per Policy 2.2.2.2 of the Growth Plan (and by extension Policy 2.4.5.1 a) of the Official Plan), a minimum 40 per cent of annual new residential development in the City must occur within the Delineated Built-Up Area. Recently revised, the 2019 Growth Plan will eventually increase the required proportion of growth to occur within built up areas to 50 per cent of all development from the time of the City's next municipal comprehensive review.

Overall, the development proposal represents a more compact and efficient form of development that will be served by adequate infrastructure and public service facilities in the immediate built-up neighbourhood. The development will contribute to the overall intensification of the City's built-up area, increasing the density on the subject lands from the existing 3.6 units per hectare to 21.8 units per hectare.

Based on the above summary of policies, Planning staff are of the opinion that the proposed Zoning By-law Amendment and Vacant Land Condominium is consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are located within the delineated "Built-up Area" and are designated as "General Residential" within the Official Plan. All forms of residential development are permitted within the "General Residential" land use designation, including single, semi-detached, townhouses and multiple unit residential buildings.

The general character of development is to be predominantly low-rise housing forms [7.2.31].

The net density of development within the "General Residential" designation is not to exceed 100 units per hectare [7.2.32]. The proposed density of the 36-unit single detached houses is 21.8 units per hectare, while the current net density of the existing six single detached dwellings is approximately 3.6 units per hectare.

The proposed Zoning By-law Amendment and Vacant Land Condominium applications conform to the major goals of the Official Plan in Section 2.3, including the following:

- Directing development to an area where municipal services and related infrastructure are most readily or can be made available while giving consideration to existing land uses, natural heritage features, development constraints, development costs and other related factors [2.3.4];
- Providing for urban growth and land use patterns in a manner that ensures the efficient use of public expenditures and municipal financial sustainability over the long term [2.3.5];
- Ensuring that development in established areas of the City is sympathetic and compatible with the built form of existing and surrounding land uses [2.3.6];
- Protect and enhance the natural environment and associated ecological functions to support a healthy and diverse ecosystem [2.3.11]; and
- Contributes to ensuring that there is an adequate supply and range of housing types [2.3.16].

As indicated above under the Growth Plan policies, the subject land is located within the City's built-up area. By 2015 and for each year thereafter, a minimum of 40 per cent of new development must occur within the built-up area. The City will work to promote and facilitate intensification and infill development within the built-up area while ensuring it is compatible and achieves an appropriate transition of built form to adjacent areas [2.4.5.1].

Official Plan: Groundwater, Stormwater and Natural Heritage

The Official Plan recognizes that the entire area of the City is considered to be a recharge area for potable water supply. To protect groundwater resources, stormwater management systems for new development are to protect water quality and quantity. Further impact studies are required where proposed development has potential to affect groundwater resources [4.3.6 e)]. For the proposed development, the applicant has completed a stormwater management report, a hydrogeology study, a geotechnical study and an environmental impact study (EIS) to ensure groundwater resources and the Hanlon Creek Provincially Significant Wetland (PSW) complex are not negatively impacted.

The Hanlon Creek PSW complex forms part of the City's Natural Heritage System (NHS) as recognized by Section 6A of the Official Plan. It is an objective of the Official Plan to protect PSWs as well as their established buffers [6A.2.4 a)].

While the development's stormwater management design proposes to utilize the end of Dawn Avenue adjacent to the Hanlon Creek PSW and associated woodland

as a stormwater outlet, the applicant is proposing minor remedial work within the meadow area adjacent to the PSW by adding depressional storage to attenuate the additional stormwater flow. Staff have confirmed that this part of the proposal meets Policies 6A.2.4.6 and 6A.2.6.6 of the Official Plan which deal with stormwater within significant wetland and significant woodland buffers.

The applicant is proposing to incorporate several low impact development (LID) measures as part of the development to accommodate and manage stormwater. Further, the applicant has provided a preliminary concept of the proposed depressional storage within the buffer (see Attachment-11). This facility will be located at least 15 metres from the limit of the PSW, and will also allow for the future construction of a city trail at the end of Dawn Avenue, as identified in the Guelph Trail Master Plan. This approach has been reviewed by Engineering, Environmental Planning and Legal staff as well as the Grand River Conservation Authority (GRCA) and been considered acceptable.

Official Plan: Residential Policies

Section 7.2 of the Official Plan contains policies that apply to the residential land use designations. The proposed infill development satisfies the residential objectives. This includes:

- ensuring proper location and distribution of various housing types to meet a diversity of lifestyles and social needs;
- minimizing potential conflicts between various housing forms and between residential and non-residential uses;
- maintaining the general character and stability of built form in existing established residential neighbourhoods;
- directing new residential development to areas where necessary municipal services and infrastructure is available; and
- promoting housing initiatives to facilitate community revitalization, a more compact urban form and an increased variety of housing alternatives.

For residential lot infill where new low density residential lots within older established areas of the City are proposed, the development is to be compatible with the surrounding established residential environment. Section 7.2.34 of the Official Plan identifies six criteria to assess compatibility in this regard:

1. The form and scale of existing residential development

The subject lands currently contain six single detached dwellings on large, deep lots and are surrounded on all side but the east by additional single detached dwellings. To the east is a new, two-storey commercial-office development along Gordon Street. Across Lowes Road West are additional single detached dwellings. Recognizing the variability in size and age of surrounding single detached dwellings in the area, the proposed 36 infill single detached dwellings on the subject lands will complement and not appear out of scale with the existing residential built form.

2. Existing building design and height

New development within existing and established neighbourhoods shall complement the existing range of building mass, height and proportion

[3.6.17.1]. The subject lands are predominantly surrounded by single detached dwellings ranging in height between one and two stories. The 36 single detached dwellings proposed for the subject lands will be of a similar height and design to houses found in the surrounding neighbourhood.

3. Setbacks

The existing pattern of setbacks in established areas of the City is to be preserved [3.6.17.2]. The proposed single detached dwellings will have standard setbacks as set out in the standard R.1D single detached zoning in the Zoning By-law. This includes each dwelling having a minimum 6 metre front yard and a minimum rear yard of 7.5 metres or 20 per cent of the total lot/unit depth (whichever is less). These setbacks are similar to newer single detached dwellings in the area, including those immediately adjacent to the subject lands along Dawn Avenue, Zess Court and Revell Drive. In Planning staff's opinion, the proposed setbacks are compatible with the surrounding area.

4. Landscaping and amenity areas

To promote the retention and incorporate vegetation in front yards along residential streets [3.6.17.3]. Through detailed design, which is to be evaluated by staff through site plan control, a tree planting plan as well as landscaping plans will be required for the subject lands. It is expected that each dwelling will also have adequate soft landscaping in the private front yards within the standard 6 metre setback. Further, each dwelling will have adequate private amenity area, mainly in the rear yard.

5. Vehicular access, circulation and parking

Each dwelling will provide two parking spaces – one in an attached garage and an additional space in the driveway. Traffic circulation through the site will be by way of a crescent shaped private roadway, with two full movement access points to Lowes Road West. The private roadway will also have an additional ten on-street parking spaces. Engineering staff have reviewed the vehicular access, site circulation (including for fire and City garbage trucks) and parking and have no concerns.

6. Heritage considerations

The City's Senior Heritage Planner has reviewed the applications and did not identify any cultural heritage matters associated with the subject lands.

The proposed development will create additional single detached dwellings on small lots within a Vacant Land Condominium that are compatible with the surrounding single detached dwellings. It is noted that the surrounding single detached dwellings exist on a variety of lot sizes. The proposed lot sizes within the Vacant Land Condominium will provide for a more efficient and compact use of land within the built-up area of the City. The development is able to be fully serviced by existing water and sanitary sewer services available along Lowes Road West. The proposed development conforms to the strategic goals of the Official Plan by providing a more compact form of residential infill development in the existing Built-up Area of the City. The proposed single detached dwellings are at an appropriate density and scale for the site that is compatible with the surrounding area. Planning staff are of the opinion that the proposed Zoning By-law Amendment and Vacant Land Condominium conforms with the Official Plan.

Official Plan Amendment 48

On June 5, 2012, the City adopted Official Plan Amendment No. 48 (OPA 48), a comprehensive update to the Official Plan. The Minister of Municipal Affairs and Housing approved OPA 48 with modifications on December 13, 2013. At the time the Zoning By-law Amendment and Vacant Land Condominium applications were submitted to the City on September 1, 2016 and May 31, 2017 respectively, OPA 48 was under appeal to the Ontario Municipal Board (OMB) in its entirety and the policies not in effect. However, consideration must be given to the policies of OPA 48 since it was adopted by Council when the applications were submitted and it provides guidance for development within the City and within the context of the Growth Plan for the Greater Golden Horseshoe. As the applications were submitted prior to OPA 48 coming into effect, the policies from the September 2014 Consolidated Official Plan apply to the evaluation of these applications.

OPA 48 designates the subject lands as "Low Density Residential". This land use designation applies to residential areas within the built-up area of the City which are predominantly low-density in character. The predominant land use in the "Low Density Residential" designation is residential, such as single and semi-detached dwellings as well as townhouses at a net density range of 15 to 35 units per hectare. The maximum building height is three (3) stories.

A small portion of the subject lands were also designated "Mixed Office Commercial", however boundaries of the "Mixed Office Commercial" designation were further refined through an amendment to the Official Plan in 2016 (OPA 62) for the development of the adjacent property at 1515 Gordon Street.

The proposed development is consistent with the "Low Density Residential" designation in OPA 48 as it proposes to add single detached dwellings at a net density of 21.8 units per hectare.

The land use designations and relevant policies contained in OPA 48 are included in Attachment-5.

Draft Plan of Vacant Land Condominium

Registration of a Draft Plan of Vacant Land Condominium is required to establish condominium ownership of the 36 single detached lots that will front onto a private road as per the proposed draft plan shown in Attachment-9. Vacant Land Condominiums include condominium units (similar to a lot in a registered plan of subdivision) and common element areas. The common element areas are proposed to include the private roadway including on-street parking spaces and a stormwater management facility. The common elements will be owned and maintained by a future condominium corporation. As per the Condominium Act, the condominium corporation will be required to budget for and manage a capital reserve fund to cover the ongoing maintenance, operation and lifecycle replacement of the shared common element facilities.

For the proposed Vacant Land Condominium, the condominium units will function as the private, conveyable parcels of land on which the single detached dwellings will be constructed. All buildings, including the interior and exterior features on the units will be owned and maintained by the individual unit owners and do not form

part of the condominium. Once the current property owner/developer is ready and able to fulfill all of the draft plan conditions in Attachment-3 to the City's satisfaction, the condominium may be registered and each unit may be sold to individual owners. This can happen either before or after the single detached dwellings have been constructed on the units.

The proposed draft plan of Vacant Land Condominium will create conveyable single detached dwellings on smaller lots (condominium units) than what currently exists. The proposed unit sizes are compatible with surrounding single detached dwellings which exist on a variety of lot sizes and configurations. The proposed unit sizes will provide for a more intensive and efficient use of land. The Vacant Land Condominium will utilize existing services that are confirmed by Engineering staff to be available on Lowes Road West.

Planning staff recommend approval of the application for Draft Plan of Vacant Land Condominium, subject to the conditions outlined in Attachment-3. The proposed draft plan of condominium is consistent with the Official Plan and proposed Zoning By-law. The draft plan approval conditions recommended in Attachment-3 will ensure that site development is completed and maintained to the satisfaction of the City, prior to the registration of the plan of condominium.

Review of Proposed Zoning

The applicant made modifications to their Zoning By-law Amendment application in a May 2017 resubmission. The original Zoning By-law Amendment application received by the City in September 2016 was requesting to change the zoning to a specialized R.3A-? (Specialized Residential Cluster Townhouse) Zone to permit a 60-unit cluster townhouse development.

The applicant's current proposal is proposing to rezone the subject lands from the current "Residential Single Detached" (R.1B) Zone to a specialized "Specialized Single Detached" (R.1D-52) Zone to permit the development of thirty-six (36) single detached dwellings. A conceptual rendering of what the single detached dwellings may look like is included in Attachment-10. In addition to the standard provisions for lands zoned R.1D, the applicant is requesting the following site-specific provisions to the standard R.1D zone:

- To permit buildings and structures on lots abutting a privately owned street whereas the Zoning By-law requires all buildings and structures to be on lots abutting a publicly owned street.

Through further review of the current submission, Planning staff are also recommending the following two site-specific zoning provisions be added and included in the Zoning By-law Amendment. This will ensure the proposed development within a Vacant Land Condominium functions similar to single detached dwellings that are located on freehold lots (i.e. in a conventional plan of subdivision), facing public roads:

- Definition of a Lot: In addition to the definition of a Lot in Section 3 of By-law (1995)-14864, as amended, that for the purposes of this Zone, a vacant land condominium unit within a draft approved or registered plan of condominium shall be considered a Lot.

- **Severability Provision:** The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this Zone, despite any future severance, phase of registration, partition or division for any purpose.

Staff have reviewed the proposed zoning and are satisfied that the R.1D-52 (Specialized Single Detached) Zone is appropriate for the proposed development. The requested zone is appropriate to implement the proposed development for the subject property. The proposed zoning will allow for single detached dwellings to be developed on the subject property through a draft plan of Vacant Land Condominium with minimum lot frontages of 9 metres and each condominium unit having a minimum area of 275 square metres.

Staff are satisfied that the three specialized regulations are minor and supportable for the proposed development of this site.

The proposed zoning is shown in Attachment-7.

Community Energy Initiative and Climate Change

The applicant has indicated to Planning staff that they will be including a number of energy efficiency measures within the dwellings in the proposed development consistent with the City's Community Energy Initiative (CEI). These initiatives proposed by the applicant will contribute to the City meeting its goal to become a net zero community by 2050. The applicant has provided a letter summarizing how their proposal adheres to the CEI, and is included in Attachment-13.

Comments Received on the Original and Revised Applications

The initial Statutory Public Meeting for the Zoning By-law Amendment to permit 60 cluster townhouses was held on November 14, 2016. Following the revisions to the Zoning By-law Amendment by the applicant in May 2017 to permit 36 single detached dwellings within a Vacant Land Condominium instead of the cluster townhouses, a second Statutory Public Meeting for the revised Zoning By-law Amendment and Vacant Land Condominium application was held on July 10, 2017. Issues raised by Council and members of the public at both of the statutory public meetings, in response to the original Zoning By-law Amendment application and in response to the revised Zoning By-law Amendment application and the new Vacant Land Condominium are summarized and responded to below.

Stormwater Management, Drainage and Groundwater

Several concerns were raised by area neighbours regarding stormwater management, existing and proposed drainage and impacts of the development on the area's groundwater table.

The applicant's stormwater management strategy proposes to construct a new private stormwater management facility on the subject lands to maintain pre-development rates of accommodating 2 to 100 year and regional storm events in post development. The new stormwater management pond will have a liner to prevent infiltration. Stormwater from the site is proposed to outlet to the Natural Heritage System through three existing outlets. Two of these outlets are existing pipes to the north of the site that were constructed as part of the adjacent Conservation Estates subdivision. The third outlet is proposed through overland

flow towards Lowes Road West and then northerly to the end of Dawn Avenue. Due to the proximity of the three stormwater outlets to the Hanlon Creek PSW, the applicant was required to complete an Environmental Impact Study, primarily to provide a feature based water balance to demonstrate that there would be no negative impact from the stormwater on the features and functions of the PSW, part of the City's Natural Heritage System.

The water balance analysis indicated that pre-development infiltration rates on the subject lands will be matched in post development. However, a 3 per cent increase in annual runoff from the site is proposed in post development. To mitigate any negative impacts from the 3 per cent increase in runoff to the Hanlon Creek PSW, the applicant is proposing to attenuate increased runoff at the end of Dawn Avenue through grade alterations in the meadow that buffers the wetland. A conceptual plan of the proposed meadow grade alterations and attenuation measures is shown in Attachment-11. These grading works to attenuate runoff are proposed on lands that are owned by the GRCA. City Legal and Realty staff have been able to obtain an agreement in principle from the GRCA for the proposed grading works subject to a maintenance agreement and detail design. Through utilization of the three outlets and combined with on-site stormwater management and infiltration features, staff are satisfied that the water balance has been achieved and that there will be no negative impacts on the Hanlon Creek PSW. The applicant will be required to provide a cost estimate during detailed design and provide the City with sufficient funds to maintain the grading alterations off site on the GRCA's lands over the long-term.

Concern was raised at the Public Meetings that groundwater monitoring was not initially completed by the applicant outside of the subject lands and that the proposed development could impact shallow water table levels of houses along Dawn Avenue. In April 2018, the applicant's geotechnical and hydrogeological consultant installed groundwater monitoring devices in the meadow and the Hanlon Creek Provincially Significant Wetland located at the end of Dawn Avenue. Through a groundwater mounding assessment for the subject lands, it was determined that there would be no impacts to groundwater levels on nearby properties.

To further ensure that there will be no impacts to the groundwater table on properties along Dawn Avenue as a result of the proposed development, additional monitoring and analysis will be conducted through site plan approval. The additional monitoring will be located in the vicinity of the proposed stormwater attenuation works in the meadow (see Attachment-11). If the analysis identifies potential impacts, they will be addressed through the detailed design of the attenuation works.

The applicant has identified the seasonal high of area groundwater on the subject lands, and through the Functional Servicing Report they have confirmed that the underside of the basements of the houses will be designed to be a minimum 1.0 metre above the seasonally high groundwater level. Engineering staff have reviewed this and confirmed that this exceeds the City's standards of having a minimum 0.5 metre separation.

Erosion and Sediment Control

Concerns were raised by residents of sediment and excess water from nearby former construction sites being discharged to Lowes Road West and in turn, Dawn Avenue. As per standard practice and to address this during development, Environmental Planning and Engineering staff will be requiring the applicant's Engineer to prepare an Erosion and Sediment Control (ESC) plan as part of their site plan application. The ESC Plan will include a detailed monitoring plan to be implemented during construction.

Traffic and Parking

The proposed development has been designed to meet the minimum off-street parking requirements for single detached dwellings in the Zoning By-law. The minimum off-street parking requirements are being exceeded in this case, with each single detached dwelling having two parking spaces (one in attached garage and one in driveway). Further, 10 visitor parking spaces will be provided on the private roadway. The Zoning By-law does not require visitor parking to be provided for single detached dwellings.

The driveways and garages will meet the minimum size requirements for parking spaces in the Zoning By-law, including meeting the minimum prescribed lengths and widths. Further, additional space will be required aside from the parking area in the garages to accommodate the City's three stream waste cart system. This will be reviewed during site plan approval.

Transportation services staff have reviewed the proposed development, including traffic geometric plans and confirm that fire and garbage trucks can maneuver the private internal roadway.

Tree Management and Preservation

The applicant's most recent Tree Inventory and Preservation Plan (May 2017) identifies 123 trees for removal and 70 to be preserved. Most of the trees identified for preservation are along the property lines of the subject lands to the adjacent private properties along Dawn Avenue, Zess Court and Revell Drive. As per the City's private tree by-law, 106 of the 123 trees identified for removal qualify for compensation at a ratio of three trees for each single tree removed. The applicant will be expected to compensate as many trees as possible directly on the subject lands and as part of the proposed development. Compensation for the remaining trees that cannot be accommodated on the subject lands will be made in a cash-in-lieu payment to the City, with these trees eventually being planted off-site on public lands.

Following detailed design through site plan approval, the applicant will be required to update the Tree Inventory and Preservation Plan based on any required revisions and in accordance with the City's private tree by-law. This will be required to be completed prior to any tree removals.

Lighting

As part of site plan approval, the applicant will be required to provide a detailed photometric plan, prepared by a Professional Engineer. The photometric plan will be required to demonstrate that there will be no light spillage onto adjacent private

properties from exterior lighting fixtures located on the condominium's common element areas. On the photometric plan, the applicant will be required to demonstrate that there are negligible foot-candle lighting measurements along all private property lines.

Further, the condominium corporation and the unit owners will also be required to adhere to Section 4.8 of the Zoning By-law, where outdoor lights and other lighting sources are not to be installed in such a way as to shine directly into any window of any other property.

Attachment-13:

Community Energy Initiative Commitment



6783 Wellington Road 34, RR 22
Cambridge ON N3C 2V4
T: 519.658.6656
TF: 877.88.REIDS
F: 519.654.9746

June 17, 2019

City of Guelph
Planning and Building Services | Infrastructure, Development and Enterprise
1 Carden Street
Guelph, ON N1H3A1
Attention: Michael Witmer, Senior Development Planner

**RE: ZC1615 & Draft Plan of Condominium (Vacant Land)-23CDM-17504
19-59 Lowes Road West – Community Energy Initiative**

Please accept this letter outlining Reid's Heritage Homes Ltd. ("Reid's Heritage") commitment to the City's Community Energy Initiative and contributing to the goal of being a Net Zero Carbon Community by 2050.

Reid's Heritage has a long history of building energy efficient homes and advancing sustainable building practices. Notably, in 2012, Reid's Heritage was the first home builder in Canada to receive the ENERGY STAR® Participant Award from the federal Ministry of Natural Resources.

Reid's Heritage has also been a leader in championing the Blue Built Home program within the City of Guelph and received the City's 2013 Water Conservation and Efficiency Award. In addition to these recognitions, Reid's Heritage built the first LEED (and LEED Platinum) home in Canada, the first Built Green home in Ontario (also Built Green Platinum) and developed the first fully certified pilot LEED Neighbourhood Development in Canada.

Reid's Heritage was one of the five Canadian home builders selected to participate in the national Net Zero Energy (NZE) homes demonstration project which to build houses which produce as much energy as they consume on an annual basis. To date, we have constructed five (5) Net Zero and three (3) Net Zero Ready Homes and were awarded EnerQuality's 2015, 2016, 2017 Net Zero Builder of the Year Award.

The proposed development at 19-59 Lowes Road will continue to support the City's Community Energy Initiative through the implementation of the following conservation measures:

- All dwellings will be equipped with low flow faucets and showerheads and low volume flush toilets;
- All dwellings will incorporate Low VOC (volatile organic compounds) emitting and recycled materials wherever possible;
- All dwellings will be equipped with low emissivity windows to reduce heat loss and heat gain; thus reducing their energy bills and the loads on the grid during cooling season
- All dwellings will be equipped with a high efficiency gas furnace and air exchanger;

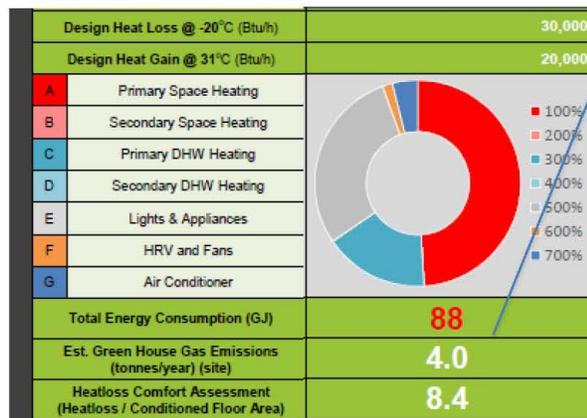
reidsheritagehomes.com

Attachment-13 (continued): Community Energy Initiative Commitment

- The project will incorporate light fixtures which utilize energy efficient bulbs with refractor and cut-off shields to reduce energy consumption and minimize light pollution;
- Advanced radon rough in measures;
- Blue built bronze or greater;
- Improve exterior air barrier to reduce air leakage to 1.5 ACH or less;
- Increased insulation values to make more efficient and comfortable for the buyer while ensuring affordability in the community;
- Street lights will include automated controls which will turn off when natural lighting is sufficient;
- Waste collection will comply with the City of Guelph's three stream system;
- Drought resistant soft landscape materials will be utilized wherever possible;
- Street trees will be planted to enhance tree canopy and eventually provide cooling to the surrounding dwellings as well as contribute to the overall urban forest canopy;
- A comprehensive erosion and sediment control plan will be implemented on the site for the duration of the construction.

Improved air tightness of the proposed homes results in significant energy reductions and reduced loads on the mechanical systems thus resulting in reduced carbon emissions.

Summary of Proposed Building Energy Consumption on Average



Compared to code this is a 20% reduction in energy at a minimum

60% reduction in GHG at a minimum on site

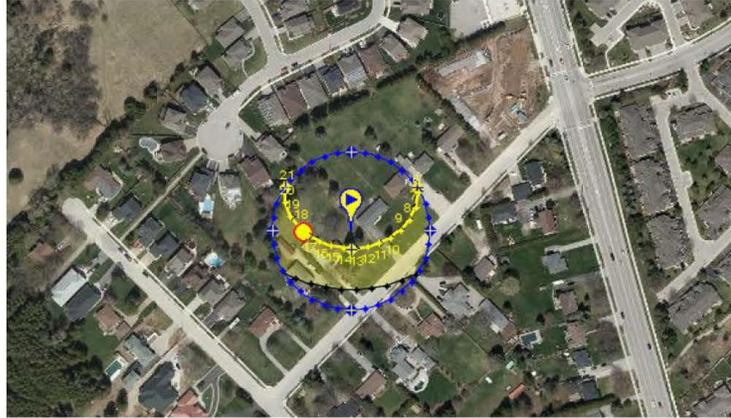
Based on current Building Code being 110GJ of Energy on a single family and 10 GHG on new homes

Building Code	110 GJ Dwelling	10 GHG Dwelling	3,960 GJ site	360 GHG site
Proposed	88 GJ Dwelling	4 GHG Dwelling	3,168 GJ site	144 GHG site
Totals	36 Lots		-20%	-60%

reidsheritagehomes.com

Attachment-13 (continued): Community Energy Initiative Commitment

While the site is not conducive to net zero ready based on the very limited solar exposure, due to the orientation of the back roofs of the proposed homes, greater than code performance metrics will be applied to achieve the tighter more efficient homes.



In addition, during construction, a construction waste management plan will be implemented and local materials will be sourced, where possible, in order to reduce the environmental impact on the transportation system. There are also a number of transit routes and multi-use trails serving the surrounding community which provide residents with alternative transportation options. We believe these measures will help contribute to the City's target to reduce transportation energy use by 25%.

With this in mind, we believe the proposed development continues to demonstrate Reid's Heritage commitment to building energy efficient homes and advancing sustainable building practices. We would be happy to discuss further if you have any questions.

Regards,
Reid's Heritage Homes Ltd.

Jennifer Mondell, MCIP, RPP
Land Development Planner

reidsheritagehomes.com

Attachment-14:

Hydrogeology Peer Review



June 10, 2019
Our Ref: 2017-0676

City of Guelph
Planning, Urban Design and Building Services
1 Carden Street
Guelph, Ontario N1H 3A1

Attention: Mr. Michael Witmer

Re: Peer Review of Scoped Hydrogeology Study
19-59 Lowes Road West, Guelph, Ontario
Final Comments – May 2018

1 Introduction

Cole Engineering Group Ltd. (COLE) was retained by the City of Guelph (City) to undertake a review of the Scoped Hydrogeology Study submitted for the proposed residential redevelopment at 19-59 Lowes Road West, Guelph, Ontario. A number of iterations of the report have been issued based on Peer Review comment from the City and COLE. The latest peer review comments were provided by COLE in December 2018. It is understood that there have been additional discussion between the City and the proponent's consultants since that time.

The objective for this latest review is to establish if the current Scoped Hydrogeology Study and the supporting studies meets the applicable current regulations, policies, guidelines, and industry practice and if the previous comments provided by COLE have been addressed in the reports.

Our detailed review comments are provided below:

2 Documentation Review

The following documents was reviewed in preparation of these latest review comments:

- Stantec, January 11, 2019 Memo – 19-59 Lowes Road West – Follow Up from December 20, 2019 Coordination Meeting – Dawn Avenue Analysis;
- Stantec Figure, May 17, 2019 – Preliminary Depression Storage in Meadow;
- Aboud & Associates Inc., April 25, 2019, 19-59 Lowes Road, City of Guelph Response Letter;
- Reid's Heritage Homes Comment Response Chart; and,
- Englobe, May 9, 2018, Revised Groundwater Mounding Assessment.

COLE ENGINEERING GROUP LTD.

HEAD OFFICE

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www.coleengineering.ca



Attachment-14 (continued):

Hydrogeology Peer Review

Mr. Michael Witmer
City of Guelph
June 10, 2019



Please note that the peer review comments provided below are not intended to represent a complete peer review of all the reports outlined above.

3 Review Comments

The following review of the last submission which had not yet been addressed. Previous comments that have been addressed are not provided here. Our new comments based on the revised submission are provided in red.

3.1 Hydrogeology Report (Scoped Hydrogeology Study, Englobe, June 21, 2018)

Figure 7 (shallow groundwater contours), Figure 8 (MOECC groundwater contour plan), and Figure 9 (minimum measured depth to groundwater) have been added to the report. However, the data from the mini-piezometers installed, specifically MW-04-18, could have been used to interpolate groundwater elevations in the Hanlon Creek PSW. Data from MP-04-18 suggests groundwater levels at or above ground surface in areas of the PSW.

The comment response log stated that groundwater contour mapping does not extend into the wetland because the mini-piezometers in the wetland / small creeks are surface water monitoring stations only. Due to the new depression storage proposed for the meadow area and the excessive pumping required at 120 Dawn Avenue, establishing the groundwater table elevation in this area will be needed but can be deferred until the detailed design.

Mini-Piezometer Installation

New comments related to the mini-piezometer installation are provided below.

1. Further to discussions with the proponent about providing a better understanding of potential impacts to the Hanlon Creek PSW, the report noted that Englobe installed five mini-piezometers (MP-01-18 through MP-05-18) in the wetland in April 2018. It is not clear how these instruments were constructed and whether they followed industry standards with the use of a MP tips (e.g., <https://www.solinst.com/products/general-brochure/drive-point-piezometers/615-drive-point-piezometer.php>). Additional information about piezometers is provided in the TRCA's Wetland Water Balance Monitoring Protocol (2016).

As described, the data collected from the mini-piezometers is unclear. For example, only two locations were intended to measure groundwater conditions (MP-02-18 and MP-04-18); however, MP-02-18 was not installed due to dry conditions and the results for MP-04-18 were not discussed. Figure 105 provides a hydrograph of this location; however, ground surface elevation is not provided so that vertical gradients and the potential for groundwater discharge could not be determined. Based on the ground surface elevation of the nearby MW-05-18 (~328.12 masl), groundwater levels in MW-04-18 appear to be above ground surface indicating groundwater discharge conditions. Further, it would have been preferred if MP-02-18 were installed to properly document the lack of groundwater at the installation depth with a datalogger.

Attachment-14 (continued):

Hydrogeology Peer Review

Mr. Michael Witmer
City of Guelph
June 10, 2019



The comment response log stated that Englobe's use of the term mini-piezometers was incorrect as they were meant to measure surface water and that the data should not have been presented with the groundwater elevation data. COLE acknowledges this clarification and reiterates that establishing the groundwater table with shallow wells will be required to properly design the depression storage in the meadow. Due to its coldwater classification, shallow groundwater table, and permeable soils, the tributary can be assumed to receive some groundwater discharge and have upward gradients. The installation of properly constructed mini-piezometers in that area could be considered as part of any ongoing monitoring program required.

3.2 Groundwater Mounding (Groundwater Mounding Assessment, Englobe, June 18, 2018), Revised May 9, 2019

4. As presented, the largest groundwater mounding was estimated to be 0.07 m occurred under Trench 1, which should be acceptable. Please clarify how the Total Volume from Table 1 and the Recharge Rate from Table 2 have been calculated.

This has been addressed.

5. It would be helpful if the zone of influence of groundwater mounding from all infiltration trenches be estimated to assess the potential interference with nearby properties.

The revised report provide details regarding the mound height at the nearest property boundaries and we concur that these are negligible. Note that a mounding assessment should be completed for the proposed depression storage area in the meadow to ensure that groundwater levels at 120 Dawn Ave. aren't impacted. It is understood that that property has two sump pumps that are required on a regular basis. This can be deferred to the detailed design.

3.3 Stormwater Management (Preliminary Stormwater Management Report, Stantec, June 20, 2018)

A revised SWM report was not provided. Responses to our previous comments were provided in the response and outstanding issues are summarized below.

New comments related to the revised SWM report are provided below.

6. The infiltration trench calculations require further notes to explain how they are performed. Why specifically is 1964 data used? The calculation appears to be a time series relationship between the water going into the trench, the water exfiltrating and the water required in the trench. Please provide a brief description of how the calculation is performed in Appendix C and why a time series method is being applied.

The response provided in the response log is considered adequate. It should be noted that greater clarity for the infiltration calculations will be required at detailed design.

Attachment-14 (continued): Hydrogeology Peer Review

Mr. Michael Witmer
City of Guelph
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7. If the dry pond storage is pursued, the SWM report should provide rationale and specifically reference from the EIS how the pond will not have thermal impacts to the cold water receiver downstream. As an enhanced swale in combination with an OGS is currently being proposed for quantity control an opportunity potentially exists to use underground storage for quantity control.

Noted infiltration trenches and other LID techniques will be used for thermal mitigation on-site. Details will be required at detailed design to show that the dry pond will not increase downstream thermal regime.

8. If the dry pond option is pursued, the dry pond does not meet several criteria outlined in the MOECC Stormwater Management Planning and Design Manual 2003. It is understood that the function of the dry pond is for water quantity only. Please provide a summary table of how the dry pond meets criteria from Table 4.8 of the MOECC Stormwater Management Planning and Design Manual 2003. If the criteria cannot be met then rationale should be provided.

The response provided in the response log is considered adequate. At detailed design, please provide the rationale within the body of the report.

3.4 Environmental Impact Study (EIS)

9. This was discussed in the June 2018 responses and in the Stantec SWM Report. A FBWB was completed that showed a 3% increase of runoff on an annual basis to Tributary E East catchment, as discussed above in #1. The FBWB was completed for the entire catchment and not the coldwater tributary and associated wetlands specifically. It should be demonstrated that any increase in post development be fully attenuated by the meadow downstream of the outlets before reaching these features.

The comment response indicated the quantitative demonstration that the meadow at the end of the Dawn Ave. by means of the additional depression storage area (discussed above) can attenuate volume required by the City, so a true FBWB is not required. We are in agreement with this, however, additional review and analysis will be necessary at detailed design.

10. The revised EIS stated that Tributary E can be classified as a cool-cold water stream and the report stated that the proposed development would not negatively impact its thermal regime due to extensive canopy coverage despite the input of additional surface water runoff. Quantification of this conclusion was not provided. The concern remains that additional cumulative stormwater inputs from this and other development and others may eventually negatively impact the thermal regime of the tributary.

This has been addressed through the additional depression storage area in the meadow proposed.

3.5 General Comments

At the detailed design stage, a mounding assessment of the depression storage area near Dawn Avenue, should be completed to assess whether groundwater levels at 120 Dawn Avenue may be negatively impacted. As part of this assessment, shallow groundwater levels in the meadow area will need to be

Attachment-14 (continued): Hydrogeology Peer Review

Mr. Michael Witmer
City of Guelph
June 10, 2019



determined. Modifications to the design of the proposed depression storage area may be required based on the findings of this additional assessment. Further, the final design of the depression storage area should be carefully reviewed to ensure that it doesn't exasperate ponding along Dawn Avenue.

I trust that this is sufficient for your present needs. Please do not hesitate to contact us if you have any questions.

Yours sincerely,
COLE ENGINEERING GROUP LTD.

Steve Davies, M.Sc., P.Geo.
Senior Hydrogeologist

Timothy Ng, P.Eng
Water Resources Designer

S:\2017 Projects\EE\2017-0676 Guelph_HydroGeo_LowesRd\300-Design-Engineering\303-Investigations\Internal\Reporting\December 2018 (revised after discussions with City)\2017-0676_20181212_Guelph_Lowes_Hydrogeology Peer Review_Final.docx

Attachment-15:

Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Development Planning		√	Site Plan Approval Required; Subject to conditions in Attachment-3
Engineering*		√	Site Plan Approval Required; Subject to conditions in Attachment-3
Environmental Planning*		√	Site Plan Approval Required; Subject to conditions in Attachment-3
Landscape Planning	√		
Urban Design	√		
Parks Planning*		√	Subject to conditions in Attachment-3; Cash-in-lieu of parkland dedication will be required
Zoning	√		
Source Water Protection	√		
Guelph Transit	√		
Guelph Hydro/Alectra*		√	Subject to conditions in Attachment-3
Upper Grand District School Board*		√	Subject to conditions in Attachment-3
Wellington Catholic District School Board	√		
Guelph Police Service	√		
Guelph Fire	√		
Grand River Conservation Authority*	√		
Guelph Wellington Development Association	√		
Union Gas Ltd.	√		
Canada Post	√		

**Attachment-15 (continued):
Departmental and Agency Comments**



MEMO

FILE: 16.131.001

TO: Michael Witmer
FROM: Development and Environmental Engineering
DEPARTMENT: Engineering Services
DATE: June 12, 2019
SUBJECT: 19-59 Lowes Road - Zoning By-law Amendment (ZC1615) & Draft Plan of Vacant Land of Condominium

The application is for a Zoning By-law Amendment and Draft Plan of Vacant Land of Condominium to permit the development of a thirty-six (36) unit vacant land of condominium development where there are currently six (6) single detached dwellings.

The subject property consists of a total area of 1.7 hectares (ha) and is bounded by residential buildings on two sides and an approved mixed use building to the east and Lowes Road West on the south side. The property is currently zoned R.1b.

The comments below are in response to the review of the following plans & reports:

- Report, Re: Lowes Road Property (19, 29, 35, 41, 51 and 59 Lowes Road), Guelph Functional Servicing Report; dated June 2, 2018; prepared by Stantec Consulting Ltd.;
- Report, Re: Lowes Road Property(19, 29, 35, 41, 51 and 59 Lowes Road), Guelph Preliminary Stormwater Management Report; dated June 20, 2018; prepared by Stantec Consulting Ltd.;
- Report, Re: Scoped Hydrogeology Study Lowes Road, Guelph, Ontario; dated June 21, 2018; prepared by Englobe Corp.;
- Report, Re: Groundwater Mounding Assessment, 19-59 Lowes Road, Guelph, Ontario; dated June 18, 2018; prepared by Englobe Corp.;
- Report, Re: Soil Infiltration Testing, 19-59 Lowes Road, Guelph, Ontario; dated June 20, 2018; prepared by Englobe Corp.; and
- Report, Re: 19-59 Lowes Road West – Follow Up from December 20, 2018 Coordination Meeting – Hydrologic and Hydraulic Analyses of Dawn Avenue; dated January 11, 2019; prepared by Stantec.

1. Source Water Protection

Source Water Protection staff have reviewed the application and have no comments.

2. Transportation/Traffic

Lowes Road West is designated as a two (2) lane local road that is asphalt finished with curb and gutter and sidewalk on the south side of the road, and with a ditch system to manage stormwater. A sidewalk on the north side of Lowes Road West across the frontage of the development is proposed to be constructed with

Engineering and Transportation Services
Infrastructure, Development & Enterprise

Attachment-15 (continued): Departmental and Agency Comments



MEMO

this development. In front of the subject lands, the road right-of-way width is 20 metres, which meets the ultimate width specified in the Official Plan. Therefore, a road widening is not required.

Transportation Services staff have reviewed the application and the developer's traffic geometric plan for the internal private road and have no concerns. Internal road details will be reviewed in further detail as part of the site plan application.

Sustainable transportation staff have no additional comments.

3. Municipal Services:

Lowes Road West

Currently within the Lowes Road West right-of-way, the municipal services available are a 150mm diameter watermain, and a 450mm concrete sanitary sewer.

Servicing Capacities:

It has been confirmed that adequate sanitary and water capacities are available to service the proposed development. However, the developer is advised that there is potential for marginal water supply pressure under certain conditions such as peak hour demand scenario at locations with elevation greater than 346 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 339 m height AMSL in the existing water system. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site, is the responsibility of the developer.

3. Storm Water Management:

The developer proposes a Stormwater management facility to control the site post-development flow rates of the 2-year to 100-year and Regional storm events at pre-development rates. An oil-grit separator (OGS) unit is proposed for enhanced level 1 water quality control (i.e. 80% TSS removal).

The front portion of the sites stormwater drains uncontrolled and overland to Lowes Road West. A hydrologic and hydraulic analysis of the Dawn Avenue storm drainage was conducted to show the current Dawn Avenue drainage conditions and the impact that this Lowes Road drainage might have on the Dawn Avenue drainage. The analysis shows that there is an increase in water level of only 0.01 metres for the minor rainfall events under proposed conditions and 0.32 metres under proposed conditions at 100-year storm event. This indicates that the Dawn Avenue stormwater continues to be maintained within the City's right-of-way and does not encroach onto privately owned lands.

The Functional Servicing Report (FSR) indicates that all underside of basements have been designed to be 1.0m above the seasonally high groundwater level, which exceeds City's standards.

Engineering and Transportation Services
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Attachment-15 (continued): Departmental and Agency Comments



MEMO

The FSR mentions the potential for on-site infiltration of clean roof runoff into infiltration galleries that are proposed on the SWM block and under private road. Permeameter testing of the soils has confirmed that the land and location of the proposed infiltration galleries will perform as advised.

The cost of all the storm water management works and quality controls will be the responsibility of the developer. A grading, erosion/sedimentation control and servicing plan will also have to be submitted for review and approval as part of the site plan application.

The FSR/SWM, grading/drainage and site servicing design will be reviewed in greater detail under site plan review and comments will be provided at that time.

4. Environmental:

The developer has submitted a Phase One and Phase Two Environmental Site Assessment (ESA) in accordance with City guidelines. City staff has reviewed the ESA and is satisfied that the report was conducted in manner consistent with all Acts, Regulations and Guidance documents. The Qualified Person has also provided us with a Letter of Reliance.

The developer is required to ensure that all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned prior to site grading and servicing in accordance with current MOE regulations (O. Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer.

5. Staff Recommendations:

ZONING BY-LAW AMENDMENT APPLICATION

Engineering supports approval of the zoning bylaw amendment application.

DRAFT PLAN OF VACANT LAND CONDOMINIUM CONDITIONS

We support the approval of the draft plan of vacant land of condominium application subject to the following draft plan conditions:

1. The developer shall have a Professional Engineer and/or Ontario Land Surveyor identify all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management

Attachment-15 (continued):

Departmental and Agency Comments



MEMO

system, watermains and water distribution system serving the site and also identify the locations where easements are required.

2. An independent lawyer shall certify that the proposed condominium has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium, which are located on private lands other than the lands being registered.

OTHER FUTURE PLANNING APPROVALS

The following conditions are provided as information to Council and will be imposed through site plan approval unless noted otherwise. Prior to site plan approval:

3. The Owner shall apply to the City for site plan approval in accordance with Section 41 of The Planning Act. The application shall include submitting detailed site plan, indicating such items as proposed servicing, grading and drainage, erosion and sediment control, access, parking and traffic circulation of the General Manager/City Engineer. Such plans shall be certified by a Professional Engineer. All applications for a building permit shall be accompanied by a plan that shows that the proposed building, grading and drainage is in conformance with the approved overall drainage and grading plan.
4. The Owner shall submit a stormwater management report to the satisfaction of the General Manager/City Engineer. Such report is to be certified by a Professional Engineer and is to be prepared in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's Stormwater Management Practices Planning and Design Manual.
5. The Owner shall submit a geotechnical report, certified by a Professional Engineer, to the satisfaction of the General Manager/City Engineer, which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
6. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
7. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, 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 on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
8. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.

**Attachment-15 (continued):
Departmental and Agency Comments**



MEMO

9. The Owner shall 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).
10. The Owner shall design and construct the sidewalk on the north side of Lowes Road West across the frontage of the development. The Owner shall pay to the City the estimated and actual cost of the construction of sidewalk on the north side of Lowes Road West across the frontage of the development including the cost of the anticipated relocation of utilities and hydro poles required for the construction of sidewalk.
11. The Owner shall pay to the City the actual cost of the design and construction including the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to approval of the plans and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
12. The Owner shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.
13. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
14. The Owner shall make satisfactory arrangements with Guelph Hydro/Alectra and phone and cable providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plant.
15. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
16. The Owner shall be responsible for the cost of design, development and implementation (including planting) of a Street Tree Planting Plan in accordance with City specifications. The Owner shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the street tree plan to the satisfaction of the City. The Owner shall warranty the trees for two winters. Replacement trees are to be warranted for (a) the remainder of the warranty period of the original tree or (b) an additional year, whichever is greater. Once the tree has been planted, the Owner shall provide the City with a certificate that certifies that the tree stock quality meets Canadian Nursery Landscape Association standards and that the tree has been planted following the City's Linear Infrastructure Specifications. The certificate must be certified by a landscape architect, certified arbourist or professional forester (who must be a qualified member of the Ontario Professional Foresters Association). At the end of the warranty period (after the second winter), the Owner shall provide the City with a second certificate that certifies that the tree was cared for as per the approved watering and maintenance plan on the Street Tree Planting Plan and that the tree is free of defects and disease.
17. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.

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Infrastructure, Development & Enterprise

Attachment-15 (continued):

Departmental and Agency Comments



MEMO

18. The Owner shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
19. The Owner shall confirm that the basements will have a minimum 0.5metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
20. The Owner shall pay the estimated and the actual cost for decommissioning and removal of any services as determined by the General Manager/City Engineer.
21. Prior to demolition of the existing houses, the owner shall locate the position of the existing sanitary sewer, storm sewer and water service laterals serving the existing house and be responsible for the entire cost of removing the existing service laterals from the said lands, satisfactory to the Plumbing Inspector.
22. The Owner shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
23. All electrical services to the site are to be underground and the Owner shall make satisfactory arrangements with Guelph Hydro/Alectra Electric Systems Inc. for the servicing of the site as well as provisions for any easements and/or rights-of-way for their plant.
24. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. 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.
25. The Owner 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 in accordance with applicable provisions contained in the Ontario Building Code.
26. The Owner shall enter into an 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.
27. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
28. The Owner shall submit a Noise impact study report in accordance with Guelph Noise Control Guidelines to the satisfaction of the General Manager /City Engineer.
29. The Owner shall service, grade, develop and maintain the site in accordance with the plans that have been approved by the City through the site plan approval. The Owner shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
30. The Owner shall place, or agree to place, the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the agreement to be registered on title:

Attachment-15 (continued): Departmental and Agency Comments



MEMO

“Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer.”

“Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Owner for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph’s Property Standards By-law (2000)-16454, as amended.”

“Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic.”

“Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property.”

31. The Owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
32. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
33. The Owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
34. The Owner to provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement and condominium declaration.
35. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
36. The Owner agrees to maintain log for perpetual cleaning / maintenance of oil-grit-separator (OGS)

Engineering and Transportation Services
Infrastructure, Development & Enterprise

**Attachment-15 (continued):
Departmental and Agency Comments**



MEMO

unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement and condominium declaration.

- 37. All applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage is in conformance with the approved overall site drainage and grading plan.
- 38. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.

Mohsin Talpur, M.Eng., P.Eng.
Development – Environmental Engineer

Terry Gayman, P. Eng.
Manager, Infrastructure,
Development & Environmental Engineering

Attachment-15 (continued): Departmental and Agency Comments

INTERNAL MEMO



DATE May 28, 2019
TO **Michael Witmer**
FROM Jason Elliott, Environmental Planner
DIVISION Infrastructure, Development and Enterprise
DEPARTMENT Planning and Building Services
SUBJECT Zoning By-law Amendment ZC1615 & Draft Plan of Vacant Land of Condominium Subdivision - 19-59 Lowes Road

Proposal

Re-zoning and vacant land of condominium application to create 36 single detached dwellings. A private road, sidewalks, and a SWM facility are proposed to be common element areas of the condominium. Infiltration galleries are proposed underneath the private road and within the SWM facility. The proposed SWM pond is to be a lined dry pond with no infiltration.

Material Reviewed

Fourth Formal Submission:

- Vacant Land Condominium Draft Plan (June 2018)
- Functional Servicing Report (June 2018)
- Groundwater Mounding Assessment (June 2018)
- Scoped EIS Addendum Report (June 2018)
- Stormwater Management Report (June 2018)
- Scoped Hydrogeology Study (June 2018)
- EAC Comments Response Matrix (June 2018)
- Environmental Planning Comments Response Matrix (May 2018)
- Hydrogeological Peer Review Response Matrix (May 2018)

Response to Fourth Formal Submission Comments:

- 19-59 Lowes Road West Response Chart June 2018 – May 2019
 - Stantec Memo #2: 19-59 Lowes Road West – Follow Up from December 20, 2018 Coordination Meeting – Meadow Attenuation Analysis
 - Additional Analysis Information provided to Jason Elliott from Trevor Fraser by email on February 6 & 8, 2019
 - Supplemental Information re: Stantec Memo #2
 - 19-59 Lowes Road, City of Guelph Response Letter re: March 2019 Comments (email from Mike Witmer) April 25, 2019
 - Preliminary Depressional Storage Figure
- Revised Preliminary Depressional Storage Figure (sent to Jason Elliott via email May 21, 2019)

Background

The site currently contains six single detached dwellings that would be demolished as part of the development. The Official Plan designates the site as general residential; the Natural Heritage System (NHS) is approximately 100 m away at its closest point. The site is currently zoned as R.1B (residential single detached). Several hedgerows and individual

Attachment-15 (continued):

Departmental and Agency Comments

Michael Witmer

May 28, 2019

RE: Zoning By-law Amendment ZC1615 & Draft Plan of Vacant Land of Condominium Subdivision - 19-59 Lowes Road

Page 2 of 5

trees are currently present on the site.

Stormwater from the site is proposed to outlet to the NHS via two existing pipe outlets that were constructed as part of the Conservation Estates development as well as overland via Lowes Road and Dawn Ave. The Hanlon Creek PSW is located in close proximity of the outlets.

Several iterations of an EIS have been submitted and reviewed in support of the application including the original May 2017 study and associated addendums dated November 2017 and June 2018 and additional information included in the May 2019 Response Chart. Two iterations of a Tree Preservation Plan have also been reviewed. The Functional Servicing Report, Hydrogeological Study, Stormwater Management Report, Groundwater Mounding Assessment and related information provided in the various submissions were reviewed in conjunction with the materials outlined above. The Hydrogeological Study was peer reviewed by Cole Engineering. Their review and analysis was incorporated in Environmental Planning's review of the application.

While comments on other matters were also provided, Environmental Planning concerns focused on the need to provide a feature based water balance for the Hanlon Creek PSW and associated Tributary E that demonstrates no negative impacts to the features or their functions. Related items included proper function of the infiltration galleries and stormwater management pond. Comments have also been provided related to the consideration for the additional retention of trees on the site.

The May 2017 EIS was brought to EAC to obtain advice on August 9, 2018. The advice obtained from EAC was considered during subsequent staff reviews. A copy of the committee's formal motion is attached for reference.

The water balance analyses indicated that pre-development infiltration on the site will be matched post development. However, an increase in annual runoff from the site of about 3% is proposed. In order to mitigate negative impacts to the Hanlon Creek PSW and associated Tributary E, attenuation of the increased runoff through grade alterations in the meadow that buffers the wetland is proposed. A conceptual plan and supporting information has been provided for the grading works (calculations, policy assessment) and an agreement in principle from GRCA (landowners of the Hanlon Creek Conservation Area) has been obtained by the City. As such, the wetland water balance concerns have been resolved and staff hold the opinion that no negative impacts to the feature and its functions will result from the proposal.

GRCA previously indicated (July 2018) that they had no objections to the proposal. Given the proposed grading works to attenuate stormwater in the meadow that buffers the wetland, GRCA must be circulated for review and comment during detailed design at the Site Plan approval stage.

The 19-59 Lowes Road West Response Chart June 2018 – May 2019 was submitted to address City comments on the last formal submission including the wetland water balance resolution outlined above. On this basis, Environmental Planning supports the proposed Zoning By-law Amendment and Draft Plan of Vacant Land of Condominium Subdivision with

Attachment-15 (continued):

Departmental and Agency Comments

Michael Witmer
May 28, 2019

**RE: Zoning By-law Amendment ZC1615 & Draft Plan of Vacant Land of
Condominium Subdivision - 19-59 Lowes Road**

Page 3 of 5

the following conditions.

Recommended Conditions of Approval

Prior to Site Plan approval, site alteration or tree removal the developer shall provide the following to the satisfaction of the General Manager of Planning, Building and Urban Design:

- a) An **Environmental Implementation Report (EIR)** based on an approved Terms of Reference that provides details to inform site design related to the mitigation of impacts to the Natural Heritage System as recommended in the EIS and addenda prepared for the proposal. Items to be provided in the EIR include but are not limited to the detailed design of the stormwater attenuation grading works in the wetland buffer, an associated post-development monitoring program to assess the condition, composition, health and disturbances of the completed works and at the stormwater outlets generally along with adaptive management responses, mitigation for potential bat maternity habitat, manhole design to prevent entry of salt/sediment into the infiltration trenches, and an assessment of the potential for impacts to the Natural Heritage System as a result of dewatering activities from both a quantity and quality perspective and recommendation of appropriate mitigation.
- b) An updated to the **Tree Inventory and Preservation Plan** including updated compensation calculations.
- c) A Detailed **Landscape Plan** that includes streetscape, landscaping and tree compensation with native and non-invasive species.
- d) **Cash-in-lieu compensation** for any trees in fair to excellent condition to be removed that cannot be compensated through proposed restoration plantings at a 3:1 replacement ratio.
- e) A during **construction monitoring plan** as detailed in the EIR focused on erosion and sediment control measures, installation of the infiltration trenches, tree preservation and establishment of landscaping/compensation plantings.
- f) A **letter of credit** to cover the City approved cost estimate for the post-development monitoring program should the monitoring program extend beyond the registration of the Draft Plan of Condominium.
- g) A **one-time lump sump payment** to the City to cover the cost of long-term maintenance of the stormwater attenuation grading works in the wetland buffer.

Prior to the commencement of grading works in the meadow that buffers the Hanlon Creek Provincially Significant Wetland, the developer shall obtain a **permit from the GRCA** under Regulation 150/06.

Please do not hesitate to contact me should you have any questions,



Jason Elliott
Environmental Planner

Attachment-15 (continued): Departmental and Agency Comments

Michael Witmer
May 28, 2019

**RE: Zoning By-law Amendment ZC1615 & Draft Plan of Vacant Land of
Condominium Subdivision - 19-59 Lowes Road**

Page 3 of 5

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- f) A **letter of credit** to cover the City approved cost estimate for the post-development monitoring program should the monitoring program extend beyond the registration of the Draft Plan of Condominium.
- g) A **one-time lump sump payment** to the City to cover the cost of long-term maintenance of the stormwater attenuation grading works in the wetland buffer.

Prior to the commencement of grading works in the meadow that buffers the Hanlon Creek Provincially Significant Wetland, the developer shall obtain a **permit from the GRCA** under Regulation 150/06.

Please do not hesitate to contact me should you have any questions,



Jason Elliott
Environmental Planner

Attachment-15 (continued): Departmental and Agency Comments

Attachment 1 – EAC Motion (extracted from August 9, 2017 Meeting Minutes)

Moved by A. Miller and seconded by A. Mason

The Environmental Advisory Committee conditionally support the EIS for the 15-59 Lowes Rd application prepared by Aboud and Associates subject to the following:

THAT a revised EIS and supporting technical reports are provided that:

- Provide permeameter testing information; a clarified analysis regarding groundwater table elevations and the achievement of required separation from the highwater table; and, a monthly wetland water balance and revised impact analysis and adaptive management plan;
- That the revised EIS include an assessment of chimney crayfish habitat within areas adjacent to the wetland boundary and the SWM outlet;
- That the revised EIS include an assessment of the site trees and building for bat habitat both maternal and hibernation.
- A revised stormwater management approach that provides for a treatment train approach including lot level controls, while also achieving a water balance and not aggravating existing drainage and groundwater constraints in the area.
- That the restoration and enhancement of the area, below the SWM01 outlet and outside of the Hanlon Creek PSW, with additional plantings also incorporate dissipation control measures (including but not limited to consideration of habitat enhancement (e.g. wetland creation).
- Considers retention of notable trees on site which contribute to the City's urban forest.
- That the proposed infiltration based stormwater management features, including dry pond, be revisited considering high groundwater fluctuations that cover a representative winter and spring season.
- Include a comprehensive groundwater mounding assessment, considering the high groundwater table and proposed additional infiltration at stormwater management pond and infiltration trenches.
- Recommendations for design alterations should be included as necessary (e.g. contingency for SWM pond storage and slow release).
- Include additional continuous groundwater monitoring on site and compare to seasonal groundwater trends on a local and regional scale.

THAT an EIR be required as a condition of approval for the proposed development to ensure implementation of the recommendations of the EIS.

Motion Carried
-Unanimous-

Attachment-15 (continued): Departmental and Agency Comments

INTERNAL MEMO



DATE March 15, 2019
TO **Michael Witmer**
FROM Tiffany Hanna
DIVISION Parks and Recreation
DEPARTMENT Public Services
**SUBJECT 19-59 Lowes Road West
Proposed Zoning By-law Amendment (File No. ZC1615) &
Vacant Land Condominium Subdivision (23CDM-16510)**

Park Planning has reviewed the 4th submission documents in support of the above proposed Zoning By-law Amendment and Vacant Land Condominium Subdivision development and offers the following amended comments.

Parkland Dedication:

As of January 31st, 2019 The City of Guelph passed a new Parkland Dedication By-law, therefore Park Planning has amended our previous comments about parkland dedication. The purpose of the proposed Zoning By-law Amendment and Vacant Land Condominium is to permit the development of approximately 36 residential single detached units on the subject lands (1.654 hectares) at a net density of 22 residential units per hectare.

1. Cash-in-lieu (CIL) of Parkland will be required for this development in accordance with Section 17c) of the City of Guelph By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof.
 - Section 17c) states the rate of CIL will be the greater of:
 - i. The equivalent of Market Value of 1 hectare per 500 dwelling units; or
 - ii. 5% of the total Market Value of the Land.
2. A narrative appraisal report of the subject property will be required to determine the CIL amount. As per Section 21 of the By-law the appraisal is only considered valid for up to a period of one (1) year before CIL is collected (unless a lesser date is stated in the appraisal). CIL will be collected the day before the issuance of building permit. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada. The property owner is responsible for the cost and to arrange for the appraisal.

Site Drainage onto GRCA owned land:

Through meetings and correspondence with the applicant, it is understood that the applicant would like to increase storm water drainage down Dawn Avenue onto lands owned by the GRCA and managed through a maintenance agreement by the City of Guelph. Park Planning supports this approach provided that:

- The applicant consider the proposed trail (as shown on Schedule 6 of the Official Plan) and study this through an Environmental Implementation Report (EIR). The EIR should address the following issues and concerns:
 - What is the appropriate alignment of a trail through this area? Park Planning to provide guidance on how much should be studied at the EIR stage. The study should help map out the future trail alignment/location and ensure it will work with grades in the adjoining sections.
 - What impacts will the increased storm water have on a trail in this area? Will a culvert or other engineering measure be required in the future? How often will this area be flooded or wet?

Attachment-15 (continued):

Departmental and Agency Comments

Page 2 of 2

- The applicant complete construction to the satisfaction of Park Planning. This may include 'Basic Trail Development' if recommended through the EIR and that any mitigation measures outlined in the EIR be implemented.

Conditions of Development:

I recommend the following development approval conditions:

Conditions to be met prior to registration of the plan:

1. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** as per the approved 'Environmental Implementation Report' and 'Landscape Plans' to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings for approval and the administration of the construction contract up to the end of the warrantee period completed by a full member with seal of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
2. The Developer shall provide Park Planning with **a digital file** in CAD format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the trail corridor and open space blocks.

Conditions to be met prior to building permit:

3. The Developer shall pay **cash in-lieu of parkland conveyance** for the entire development, under City of Guelph By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to building permit.
4. The Owner shall provide to the Deputy CAO of Public Services **a satisfactory narrative appraisal report** prepared for The Corporation of the City of Guelph for the purposes of calculating the payment of cash-in-lieu of parkland dedication. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services.

Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, I would support the proposed development subject to the conditions outlined above. If you have any questions about these comments please contact me.

Regards,

Tiffany Hanna, OALA, CSLA

Park Planner
Parks and Recreation
Public Services
Location: City Hall

T 519-822-1260 x 3371

Attachment-15 (continued): Departmental and Agency Comments



UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers
Director of Education

July 19, 2018

PLN: 18-66
File Code: R14
Sent by: mail & email

Michael Witmer
Development Planner II
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

Dear Mr. Witmer;

**Re: RESUBMISSION - 23CDM17504 & ZC1615
19-59 Lowes Road West**

Planning staff at the Upper Grand District School Board has reviewed the Notice of Resubmission for the above noted development. Be advised that the Planning Department has **no concerns** with the revised documentation. The board's original conditions submitted June 27, 2017 and February 22, 2018 (listed below) remain applicable.

- Education Development Charges shall be collected prior to the issuance of a building permit
- Adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point
- The developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developers expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents that students may be directed to schools outside the neighbourhood
- The developer agrees to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:

"Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school."

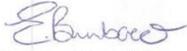
- The developer agrees to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

"In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."

Attachment-15 (continued): Departmental and Agency Comments

Should you require additional information, please feel free to contact me.

Sincerely,



Planning Technician
emily.bumbaco@ugdsb.on.ca

Attachment-15 (continued): Departmental and Agency Comments



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

PLAN REVIEW REPORT: City of Guelph
Michael Witmer, Development Planner II

DATE: July 5, 2018

YOUR FILE: ZC1615 & 23CDM-16510

RE: Resubmission for Zoning By-Law Amendment and
Draft Plan of Vacant Land Condominium Subdivision
ZC1615 & 23CDM-16510
19-59 Lowes Road West, City of Guelph, Ontario

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the above noted zoning by-law amendment and Draft Plan of Condominium Subdivision.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates there are no natural heritage or natural hazard features on or immediately adjacent the subject site.

2. Legislative/Policy Requirements and Implications:

The property is not regulated by the GRCA under Ontario Regulation 150/06. Information provided by Stantec indicates that the stormwater runoff from 19-59 Lowes Road West can be accommodated by the existing Stormwater Management Facility. We defer final stormwater management approval to the City of Guelph.

3. Additional Information/Suggestions provided in an advisory capacity:

None.

Yours truly,

A handwritten signature in black ink, appearing to read "Fred Natolochny".

Fred Natolochny
Supervisor of Resource Planning

- *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*

cc. Astrid Clos, Planning Consultant (via email)
Reid's Heritage Homes – Attn: Alfred Artinger, 6783 Wellington Road 34, Cambridge, ON N3C 2V4

Attachment-15 (continued): Departmental and Agency Comments



395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4716
Fax: 519-822-4963
Email: akappheim@guelphhydro.com
www.guelphhydro.com

June 26, 2017

Michael Witmer
Planning, Urban Design and Building Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. Witmer:

Re: 19-59 Lowes Road West (File No. 23CDM-17504 & ZC1615)

We would like to submit the following comments concerning this application:

Given the notice of revised Zoning By-law amendment application, dated June 14, 2017:

1. Hydro supply for this development will be from an existing overhead pole line on the north side of Lowes Road West.
2. The hydro services for this development should be underground except for pad-mounted transformers.
3. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
4. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and distribution poles, or pad-mounted transformers. Any relocations required would be done at the owner's expense.
5. Areas of 4.2 metres by 4.2 metres are required at, or adjacent to, a number of units for transformers. Locations to be confirmed with Guelph Hydro Electric Systems Inc.'s engineering department.
6. A blanket easement will be required for the development in favour of Guelph Hydro Electric Systems Inc. to allow for the installation, repair and maintenance of an underground electrical distribution system within the private development.

395 Southgate Drive, Guelph ON N1G 4Y1 www.guelphhydro.com

**Attachment-15 (continued):
Departmental and Agency Comments**

-2-

7. Street lighting for this development will be private and will be the responsibility of the developer. Guelph Hydro Electric Systems Inc. will arrange for a single point of supply for streetlighting and common elements, with the location to be confirmed with the developer and Guelph Hydro Electric Systems Inc.'s engineering department.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

A handwritten signature in blue ink, appearing to read "Adam Kappheim, P.Eng.", written over a horizontal line.

Adam Kappheim, P.Eng.
Distribution Engineer

AK/gc

Attachment-16: Public Notification Summary

September 1, 2016	Zoning By-law Amendment Application received by the City of Guelph
September 20, 2016	Zoning By-law Amendment Application deemed complete
September 28, 2016	Notice sign for Zoning By-law Amendment placed on property
October 5, 2016	Notice of Complete Application for Zoning By-law Amendment mailed to prescribed Agencies, City departments and surrounding property owners within 120 metres
October 20, 2016	Notice of Public Meeting for Zoning By-law Amendment advertised in the Guelph Mercury Tribune
November 14, 2016	Statutory Public Meeting of Council for Zoning By-law Amendment
May 31, 2017	Revised Zoning By-law Amendment and New Vacant Land Condominium Applications received by the City of Guelph
June 15, 2017	Notice of Public Meeting for Zoning By-law Amendment and Vacant Land Condominium advertised in the Guelph Mercury Tribune
June 16, 2017	Vacant Land Condominium Application deemed complete
June 19, 2017	Notice of Complete Application for Vacant Land Condominium and Revised Zoning By-law Amendment mailed to prescribed Agencies, City departments and surrounding property owners within 120 metres
June 26, 2017	New notice sign for revised Zoning By-law Amendment and Vacant Land Condominium placed on property
July 10, 2017	Second Statutory Public Meeting of Council
June 13, 2019	Notice of Decision Meeting sent to parties that commented or requested notice
July 8, 2019	City Council Meeting to consider staff recommendation