

# PLANNING JUSTIFICATION REPORT

78 EASTVIEW ROAD  
&  
82 EASTVIEW ROAD

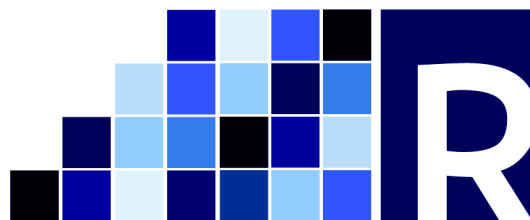
PROPOSAL FOR 57 CLUSTER TOWNHOUSES

2613598 Ontario Inc.  
2589618 Ontario Inc.

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## 1.0 Background

Robert Russell Planning Consultants Inc. has been retained by 2613598 Ontario Inc. (82 Eastview Road) and 2589618 Ontario Inc. (78 Eastview Road) to prepare a Planning Justification Report for 78 Eastview Road and 82 Eastview Road in the City of Guelph.

The property is situated on the north side of Eastview Road and backs onto a natural area. It is generally located halfway between Victoria Road North and Watson Parkway North. To the south, east, and west of the subject site is existing residential development. As noted above, to the north is natural area which extends into 78 Eastview Road.

The two properties combined measure 3.252 hectares, of which approximately 0.97 hectares are occupied by the staked wetland and woodland.

The site is generally rectangular with a combined frontage of 116 meters and a depth of 279 meters.

The recent residential developments to the east and west contain mostly townhouses. The development to the east also contains some semi-detached and single detached dwellings. The development to the south contains cluster townhouses. The remaining properties in the immediately vicinity are generally single detached dwellings.

The site contains a single detached dwelling and accessory structures on each of the two lots.

## 2.0 Development Concept

2613598 Ontario Inc. (82 Eastview Road) and 2589618 Ontario Inc. (78 Eastview Road) propose to develop the subject site with 30 cluster townhouses units in a standard condominium, and a 40 unit, 5 storey residential apartment building. The conceptual site plan includes common amenity space and natural areas. The proposed townhouse units will be accessed by a private road network.

As per the Site Plan prepared by BJC Architects and with a revision date of February 21, 2019 there are 4 townhouse buildings proposed containing between 6 and 10 units each. The private road network proposes an access on Eastview Road, aligned with existing Auden Road intersection. An emergency access is proposed aligned with the existing driveway east of Auden Road.

The wetland and woodland features have been reviewed on site with the City of Guelph and Grand River Conservation Authority, and the limits of these features have been surveyed and shown on the architectural and engineering plans submitted in support of this application.

The townhouse units will range in width between approximately 5.6 meters and 6.6 meters in width and between 11.8 meters and 13.9 meters deep. Parking will be provided at each unit comprised of 1 internal space within a garage and 1 external space on the driveway.

10 visitor parking spaces are provided associated with the townhouses, 2 of which will be barrier free. The

proposed apartment will have 11 visitor parking spaces, with an additional 3 barrier free spaces.

Each townhouse unit will have an exclusive use rear yard amenity area that is a minimum of 20 m<sup>2</sup> in area. A communal outdoor amenity is provided for the residents in the apartment building, to be located on the west side of the site between the parking area and the natural area.

## 3.0 Planning Policy

### 3.1 PROVINCIAL POLICY STATEMENT 2020

The current Provincial Policy Statement (PPS) was released in 2020 and applies to all Planning Act decisions subsequent May 1, 2020.

Several policies in the PPS support the proposed development.

- “1.1.1 Healthy, liveable and safe communities are sustained by:*
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
  - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;”*

The proposed development completes the redevelopment of a community that has recently transitioned from large lot residential uses to a more urban density in a neighbourhood that provides existing services with sufficient servicing capacity to accommodate the development. When compared with the current uses on the property, the proposed development provides a more efficient use of land, maximizes the efficiency of the existing services, and reduces the requirement for consumption of other greenfield development lands.

- “1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- a) efficiently use land and resources;*
  - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;...*
  - f) are transit-supportive, where transit is planned, exists or may be developed...”*

The proposed redevelopment increases density relative to the current uses and makes for a more efficient use of land. The site is approximately 1000 meters from both a public and a separate school, Eastview Road is an existing transit route for Guelph Transit routes 13, 17 and 18, and the Victoria Road Recreation Centre is approximately 750 metres away.

- “1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options*

*and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:...*

- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;...**
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations;...*

The surrounding neighbourhood contains a mix of single detached dwellings, semi-detached dwellings and townhouse dwellings on varying lot sizes. Generally, to the north, northwest of the property are single detached bungalow dwellings on relatively large suburban lots. To the south and east are more modern suburban lots with smaller frontages and depths along with the semi-detached and townhouse dwellings. The development of the subject site for townhouses and a 5 storey apartment will provide a density slightly higher than the surrounding neighbourhood. The proposed apartment units will increase the variety of housing options available in the neighbourhood in accordance with the above policies. The increased density resulting from the apartment units will be more efficient with respect to the use of existing infrastructure, use of land and public services as compared to the surrounding neighbourhood. Three different bus routes are located on Eastview Road directly in front of the subject property. It is anticipated that the residents of the proposed development will create a substantial number of new riders and help support the public transit system.

*“1.5.1 Healthy, active communities should be promoted by:...*

- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.”*

The subject property contains a portion of a Provincially Significant Wetland. These wetlands will be protected in form and function. The limits of these areas have been staked on site with the City of Guelph and Grand River Conservation Authority, and appropriate buffers are provided. The revised EIS provided with this submission addresses the water balance concerns raised by the City of Guelph.

*“1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.”*

As noted above, the additional density will provide substantial support for the existing transit routes located on Eastview Road. Furthermore the proximity of the subject property to existing schools and public amenities, as discussed in more detail below in response to the Growth Plan policies, will encourage active

modes of transportation.

- “1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:*
- a) promote compact form...*
  - g) maximize vegetation within settlement areas, where feasible.”*

As stated above, the proposed development provides redevelopment and intensification on an underdeveloped site at a density that is relatively compact for the neighbourhood.

A significant area of the site, previously used as a manicured residential yard, that would otherwise be developable, is proposed to be re-naturalized and densely vegetated as one of the measures to address the City’s water balance concerns. Combined with the existing vegetation within the woodlot, this represents a substantial amount of vegetation within the existing settlement area of the City of Guelph.

- “2.1.1 Natural features and areas shall be protected for the long term.”*
- “2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved...”*
- “2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.”*
- “2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.”*

The Environmental Impact Study prepared by WSP and submitted in support of these applications has identified the presence of a PSW and Significant Woodland on and adjacent to the subject property. These features and their functions are being protected through the implementation of the recommendations in the EIS. As demonstrated through the EIS, there will be no negative impacts to these natural features.

- “2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:...*
- f) implementing necessary restrictions on development and site alteration to:*
    - 1) protect all municipal drinking water supplies and designated vulnerable areas;...”*

As noted in the Hydrogeological Study prepared by WSP, the subject property is within Well Head Protection

Area B (WHPA-B) and Intake Protection Zone 3 (IPZ3). In accordance with the Source Water Protection Plan certain land uses and activities are restricted within these designations, however, the proposed residential development is permitted within these municipal drinking water protection areas.

Given the above examples, and a review of the remaining policies within Part V Sections 1, 2 and 3 of the PPS, we are of the opinion that the proposed development is consistent with the policies related to Building Strong Communities, Wise Use and Management of Resources and Protecting Public Health and Safety.

### 3.2 GROWTH PLAN

The Province of Ontario released the Growth Plan for the Greater Golden Horseshoe in 2006. The Growth Plan was recently amended in May of 2019 and all Planning Decisions after May 16, 2019 must conform to the policies in the new Growth Plan.

The subject site currently contains an existing residential structure on each parcel, as such, it forms part of the urban fabric of the City of Guelph. Additionally, the property is the Designated Greenfield Area as per Schedule 2 – Places to Grow Concept, of the Growth Plan for the Greater Golden Horseshoe.

The Growth Plan contains the following policies:

- “2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:*
- a) the vast majority of growth will be directed to settlement areas that:
    - i. have a delineated built boundary;*
    - ii. have existing or planned municipal water and wastewater systems; and*
    - iii. can support the achievement of complete communities;...**
  - c) within settlement areas, growth will be focused in:
    - i. delineated built-up areas;*
    - ii. strategic growth areas;*
    - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
    - iv. areas with existing or planned public service facilities;**
  - d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
  - e) development will be generally directed away from hazardous lands;...”*

The proposed development is not within the built up area of the City of Guelph as per the Schedules in the Growth Plan 2019, however, subsection (a) of this policy indicates that the settlement area must have a delineated built boundary, not that the proposed development parcel must be within it. The subject property has access to adjacent municipal services, and although it is not within a delineated built-up area as per subsection (c), it will complete the redevelopment and intensification of the surrounding neighbourhood. Eastview Road, where adjacent to the subject property, contains 3 Guelph Transit bus routes. The Victoria Road Recreation Centre is within a 10 minute walk (750 meters). There are hazard lands on the property, consisting of a portion of a wetland and woodland. These features have been surveyed and will be protected from development with appropriately sized buffers.

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

The proposed development, within the designated greenfield area provides a density of over 100 persons per hectare within close proximity to existing schools and community facilities. Resident’s will be within a close walking or cycling distance of these facilities, and Eastview Road contains 3 transit routes.

- “2.2.7.2** *The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as follows:*
- a) The Cities of ... Guelph,... will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare;...”*

As calculated below through the review of the City of Guelph Official Plan, the density that will be achieved by this development is 100 persons per hectare. The Growth Plan states that the density target is an average for the entire Greenfield area of City of Guelph (policy 2.2.7.3), as such, the proposed development will assist the City in balancing out the existing lower density areas.

- “4.2.2.1** *The Province will map a Natural Heritage System for the GGH to support a comprehensive, integrated, and long-term approach to planning for the protection of the region’s natural heritage and biodiversity. The Natural Heritage System mapping will exclude lands within settlement area boundaries that were approved and in effect as of July 1, 2017.”*

The subject property was within the City of Guelph settlement area on July 1, 2017, as such, the Provincial NHS mapping does not apply.

- 4.2.2.6** *Beyond the Natural Heritage System for the Growth Plan, including within settlement areas, the municipality:*
- a) will continue to protect any other natural heritage features and areas in a manner that is consistent with the PPS; and*
  - b) may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS.”*

The limits of the natural heritage features will be confirmed through the application review process. However, it is expected that the ultimate and approved limits of development will meet the City of Guelph Official Plan policies and the PPS regarding the protection of the adjacent natural heritage system in accordance with the EIS prepared by WSP and dated November 6, 2020 and submitted in support of the applications. The limits proposed in this application were established during a site visit with the City of Guelph and Grand River Conservation Authority on July 26, 2018.

Most of the remaining polices within the Growth Plan are intended to guide municipalities with planning for growth, infrastructure, and transportation and are not directly applicable to a small infill redevelopment site.



However, in general, as the Growth Plan's focus is to increase density and use land more efficiently within the Greater Golden Horseshoe, the proposed development provides that additional density on an underdeveloped property and meets the general intent of the Growth Plan policies.

Given the above examples, and a review of the remaining policies within Sections 2, 3, 4, and 5 of the Growth Plan for the Greater Golden Horseshoe 2017, we are of the opinion that the proposed development is consistent with the policies related to growth, infrastructure and protection of natural systems.

### 3.3 OFFICIAL PLAN OF THE CITY OF GUELPH

The Official Plan of the City of Guelph was adopted by City Council November 1, 1994. Several amendments have been approved since that time. The March 2018 Consolidation was used in the following analysis.

Schedule 1: Growth Plan Elements of the Official Plan of the City of Guelph shows the subject site within the Greenfield Areas.

Schedule 2: Land Use Plan of the Official Plan of the City of Guelph designates the subject property as Low Density Greenfield Residential and Significant Natural Areas & Natural Areas.

Schedule 3: Development Constraints of the Official Plan of the City of Guelph shows the natural features on the subject property as forming part of the Natural Heritage System.

Schedule 4: Natural Heritage System of the Official Plan of the City of Guelph identifies the Natural Heritage System on the subject property as a Significant Natural Area, inclusive of buffers.

Schedule 4A: Natural Heritage System, ANSIs and Wetlands shows the extent of the Provincially Significant Wetland and Ontario Ministry of Natural Resources defined Wetland on the subject property.

Schedule 4C: Natural Heritage System, Significant Woodlands shows the extend of the Significant Woodland on the subject property along with the Minimum or Established Buffer.

Schedule 6: Open Space System: Trail Network shows a Proposed City Trail within the natural feature on the subject property.

Schedule 7: Wellhead Protection Areas, indicates that the subject property is within Wellhead Protection Area B.

The following objectives and policies in the City of Guelph Official Plan apply to the subject site:

*"3(c) ...To plan the greenfield area to provide for a diverse mix of land uses at transit-supportive densities...."*

*"3(l) ...To support transit, walking and cycling for everyday activities...."*

The proposed development of 30 cluster townhouse units and 40 apartment units provides significantly more density than the current uses and is thus more transit supportive. Furthermore, the proposed mix of townhouses and apartments provides increased diversity of land uses.

*“3.12.1 ...Development within the greenfield area must be compact and occur at densities that support walkable communities, cycling and transit and promote live/work opportunities.”*

The subject property is within the greenfield area, and provides an appropriate amount of density given its location in an established community.

*“3.12.2 The greenfield area will be planned and designed to:*  
*i) achieve an overall minimum density target that is not less than 50 residents and jobs combined per hectare in accordance with the Growth Plan policies...*  
*iii) create street configurations, densities and an urban form that supports walking, cycling and the early integration and sustained viability of transit services;...”*

The Growth Plan definition of density excludes natural areas from the calculation. The conceptual site plan proposes 70 units with a developable area of 1.74 hectares. Proposed density is 40.23 units per net hectare. According to the 2016 Census, the average household size in Guelph was 2.5 persons. As such the proposed development would provide a density of 100.6 residents and jobs per hectare. Although the 2017 amendments to the Growth Plan have increased the density target, the transition policies state that the density target in established Official Plans in the outer ring will be in force until the next comprehensive review of the Official Plan. The density of the proposed development will support transit usage and the proposed pedestrian trails will provide additional opportunities for walking and cycling.

*“3.16.1 The City will define the Natural Heritage System to be maintained, restored and, where possible, improved and will recognize the linkages between natural heritage features and areas, surface water, and groundwater features. Development will be prohibited within defined features in accordance with the provisions of the Provincial Policy Statement and the Growth Plan.”*

The subject property contains a portion of the defined Natural Heritage System. The EIS prepared by WSP and submitted in support of the proposed development provides recommendations for the protection and enhancement of these features. No development is proposed within the limits of the features.

*“4.1.1.6 Development and site alteration on adjacent lands, within the minimum or established buffers are subject to the applicable Significant Natural Areas (Section 4.1.3)...”*

The developable area of the subject property is considered to be adjacent lands, as such, Section 4.1.3 is discussed in detail below.

*“4.1.1.7 The final width of established buffers may be greater than the minimum buffers identified on Table 4.1 and shall be established through an EIS or EA,...”*

**“4.1.1.8** *Adjacent lands and buffers, where applicable, shall be measured from the field-verified edge of an identified natural heritage feature and area (e.g. drip line of a woodland, boundary of a wetland)....”*

Please refer to the EIS prepared by WSP dated November 6, 2020 and submitted in support of the proposed development, which identifies a 30 metre buffer to the staked limit of the wetland and 10 metre buffer to the staked limit of the woodland. Staking of these features occurred July 16, 2018 with the City of Guelph and Grand River Conservation Authority.

**“4.1.1.9** *With the exception of the uses permitted by this Plan, established buffers shall be actively or passively restored to, or maintained in a natural state...”*

Please refer to the EIS prepared by WSP and submitted in support of the proposed development, which provides a planting plan for the buffers as part of Appendix J – Tree Management Plan. The planting plan has been designed to accommodate the pedestrian trail (required by the City of Guelph) and SWM facility.

Table 4.1 indicates that the minimum buffer for the Provincially Significant Wetland located on, and adjacent to, the subject property is 30 meters. Please refer to the maps and figures in the EIS prepared by WSP and submitted in support of the proposed development for a graphical representation of the buffer extents.

Table 4.1 indicates that the minimum buffer for the Significant Woodland located on, and adjacent to, the subject property is 10 meters. Please refer to the maps and figures in the EIS prepared by WSP and submitted in support of the proposed development for a graphical representation of the buffer extents.

**“4.1.1.17** *Boundaries of natural heritage features and areas that make up the Natural Heritage System shown on Schedules 2, 3, 4, and 4AE and shall be delineated using the criteria for designation and the most current information, and are required to be field verified and staked as part of an EIS or EA, to the satisfaction of the City, in consultation with the Ontario Ministry of Natural Resources (MNR) and/or the Grand River Conservation Authority (GRCA), as applicable. Once confirmed in the field, and approved by the City, boundaries of natural heritage features and areas and established buffers shall be required to be accurately surveyed and illustrated on all plans submitted in support of development and site alteration applications. Such boundary interpretations will not require an amendment to this Plan. Minor refinements to the boundaries may be made on the basis of the criteria for designation, without an amendment to this Plan.”*

**“4.1.2.1** *Development and site alteration shall not be permitted within the Natural Heritage System, including minimum or established buffers, except for the following uses:...*  
*ii) passive recreational activities...”*

The proposed walking trail, located within the wetland and woodland buffers on the subject property, is permitted in accordance with this policy.

**“4.1.2.2** *Notwithstanding the provisions of Section 4.1.2, an EIS may be required for the construction of trails and walkways, fish and wildlife management, and habitat conservation, where the proposed work has the potential to result in negative impacts to the Natural Heritage System.”*

Please refer to the EIS prepared by WSP and submitted in support of the proposed development for a review of the proposed walkway location. The proposed walkway location may require some minor field adjustments as per discussion in the EIS.

**“4.1.2.5** *Where two or more components of the Natural Heritage System overlap, the policies that provide the most protection to the natural heritage feature or area shall apply.”*

The Provincially Significant Wetland and the Significant Woodland partially overlap on the subject property, and in most locations, the 30 metre buffer/setback to the PSW extends beyond the 10 metre buffer to the dripline of the Woodland. As such, the policies relevant to the PSW will generally be most applicable, with the exception of the southern extension of the Woodland and 10 m buffer which extends beyond the PSW buffer/setback.

**“4.1.2.6** *Permitted development and site alteration within and/or adjacent to natural heritage features and areas (as outlined in Sections 4.1.3 and 4.1.4) shall be required to demonstrate, through an EIS or EA to the satisfaction of the City, in consultation with the GRCA, the Province and Federal government, as applicable, that there will be no negative impacts on the natural heritage features and areas to be protected, or their ecological and hydrologic functions.”*

Please refer to the EIS prepared by WSP and submitted in accordance with this policy which has provided the following recommendations and will ensure that the natural heritage features and their functions are protected:

- Buffer management requirements
- Buffer enhancement areas and compensation plantings
- Erosion and sediment control measures
- Confirmation that the SWM strategy proposed by MTE will mitigate impacts to the wetland, vegetation and wildlife habitats
- Maintain existing hydrologic regime, including LID measures (infiltration galleries)
- Fencing of natural areas during construction and permanently post construction
- Recommended tree preservation, tree removal and pruning practices

**“4.1.2.7** *Where essential transportation infrastructure, essential linear infrastructure, stormwater management facilities and structures, and/or trails are permitted within minimum or established buffers under policies 4.1.3 and 4.1.4, the following shall apply:*

- works are to be located as far away from the feature boundary within the minimum or established buffer as possible;*
- the area of construction disturbance shall be kept to a minimum; and*
- disturbed areas of the minimum or established buffers shall be re-vegetated or*

*restored with site-appropriate indigenous plants wherever opportunities exist.”*

The conceptual site plan submitted in support of the Zoning By-law Amendment application proposes to locate a SWM facility within the 30 metre buffer to the PSW. The SWM facility will be a minimum of 15 meters from the staked limits of the PSW. The EIS prepared by WSP and submitted in support of the proposed development has confirmed that the SWM facility design is adequate to protect the Natural Heritage System.

*“4.1.3.1.1 Development or site alteration shall not be permitted within Significant Natural Areas including their established or minimum buffers as designated on Schedule 1, except in accordance with the general policies in 4.1.2 and the Significant Natural Areas policies in 4.1.3.”*

The immediately preceding discussion of policies in Section 4.1.2 and the discussion below of policies in Section 4.1.3 is provided in accordance with this policy and is intended to support the proposed pedestrian trail and SWM facility within the buffers.

*“4.1.3.1.2 In accordance with the applicable policies in 4.1.2 and 4.1.3, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.”*

The immediately preceding discussion of policies in 4.1.2 and the discussion below of policies 4.1.3 is provided, along with the EIS prepared by WSP, in accordance with this policy and is intended to support the proposed proposed development of 57 condominium townhouse units on lands adjacent to Significant Natural Areas.

*“4.1.3.4.3 Development and site alteration shall not be permitted within Significant Wetlands, or established buffers except for uses permitted by the General Permitted Uses of Section 4.1.2.”*

Please refer to the analysis of Section 4.1.2 above which has determined that the proposed pedestrian trail and proposed SWM facility should be permitted uses within the buffer to the Significant Wetland (PSW).

*“4.1.3.4.4 The established buffer will be determined through an EIS, and may be greater than the minimums identified on Table 4.1.”*

Buffers sizes have been determined in the EIS prepared by WSP and submitted in support of the proposed development. The EIS has determined that a 30 metre buffer is required to the staked limit of the wetland, and a 10 meter buffer to the staked limit of the dripline of the woodland.

*“4.1.3.4.6 In addition to the General Permitted Uses of Section 4.1.2, the following additional uses may be permitted within the established buffers to Significant Wetlands, subject to the requirements of 4.1.2.7, where it has been demonstrated through an EIS or EA,*

*to the satisfaction of the City, in consultation with the GRCA and/or the MNR, that there will be no negative impacts on the Significant Wetland or its ecological and hydrologic functions:....*

- ii) stormwater management facilities and structures and their normal maintenance, where low impact development measures have been implemented to the extent possible outside the buffer and provided they are located a minimum distance of 15 meters from a PSW and 7.5 metres from a LSW.”*

The Functional Servicing and Stormwater Management Report prepared by MTE has proposed that a dry SWM pond be located within the 30 metre buffer to the PSW, but outside of the 15 metre buffer as per the allowance in this policy. LID measures are proposed throughout the site where feasible, the principle measure being infiltration galleries designed to accept roof drainage. Due to the Source Water Protection policies, road drainage cannot be infiltrated and must be treated with an oil grit separator and SWM pond.

*“4.1.3.4.7 Notwithstanding the General Permitted Uses of Section 4.1.2, trails within Significant Wetlands are subject to the following additional limitations and the requirements of 4.1.2.7 and 4.1.2.8. The formalization of existing ad hoc trails through formal trails and walkways may be permitted within Significant Wetlands and their established buffers where:*

- i) they are considered essential to the City’s trail system or integral to the scientific, educational or passive recreational use of the property;*
- ii) the environmental impacts of the proposed trails have been assessed and mitigated through design that minimize impacts to the natural heritage features and areas, and ecological functions; and*
- iii) where appropriate, they consist primarily of boardwalks and viewing platforms and are accompanied with educational signs.”*

The City of Guelph is aware of a number of existing trails within the wetland both on the property and external to the subject property. The City has requested that a walking trail be established on the subject property in an attempt to formalize the existing network of ad hoc trails. As such, it is assumed that the City considers these trails to be essential as required by the above policy. As per the recommendations in the EIS prepared by WSP in support of the proposed development, trail construction details will be determined through the Environmental Impact Report. It is anticipated that the trail construction will minimize the impact to the wetland.

Section 4.1.3.6.1 of the Official Plan indicates that Woodlands 1 hectare or larger, along with their 10 metre minimum buffer should be designated as Significant Woodlands, provided they are not identified as cultural woodlands. A determination was made by the City of Guelph that all of the woodland on the subject property, with the exception of a small area at the south end that was substantially impacted by human activities, should be considered Significant in accordance with this policy. The extent of the Significant Woodland was staked on site July 16, 2018.

*“4.1.3.6.4 Development and site alteration shall not be permitted within Significant Woodlands and established buffers except for uses permitted by the General Permitted Uses of*

*Section 4.1.2.”*

The proposed pedestrian trail discussed above will be located within the 10 metre buffer to the Significant Woodland in accordance with Policy 4.1.2.1 as discussed above. All site grading related to the proposed development, including the SWM facility, is outside of the 10 metre buffer.

*“4.1.3.6.5 All Significant Woodlands require a minimum buffer of 10 metres from the drip line of the trees at the woodland edge, except where existing development precludes it. The established buffer is to be determined through an EIS, and may be greater than the 10 metre minimum buffer.”*

A 10 metre buffer from the drip line has been provided in accordance with the recommendations of the EIS prepared by WSP and submitted in support of the proposed development.

*“4.1.3.6.6 In addition to the General Permitted Uses of Section 4.1.2, essential linear infrastructure and, stormwater management facilities and structures, and their normal maintenance, may be permitted in the established buffers to Significant Woodlands...”*

The Stormwater Management design for the proposed development, as prepared by MTE and submitted with this Zoning By-law, do not currently contemplate extending any of the SWM facilities into the 10 metre Significant Woodland buffer. However, if this should change, the EIS will be amended to assess the potential impact of such an encroachment, in accordance with this policy.

Policy 4.1.3.6.7 is similar to previously discussed policy 4.1.3.4.7 in that the proposed trail within the buffer to the Significant Woodland is only permitted under specific circumstances. The criteria applicable to this development are the same for both of these policies, and as such, please refer to the discussion of policy 4.1.3.4.7 for the analysis.

*“4.1.3.9.3 Development and site alteration shall not be permitted within Significant Wildlife Habitat (including Ecological Linkages) or the established buffers, where applicable, except for uses permitted by the General Permitted Uses of Section 4.1.2.*

*4.1.3.9.4 Development and site alteration may be permitted on adjacent lands to Significant Wildlife Habitat (including Ecological Linkages) where it has been demonstrated through an EIS or EA to the satisfaction of the City, and GRCA where applicable, that there will be no negative impacts to Significant Wildlife Habitat or its ecological functions.”*

The EIS prepared by WSP and dated November 6, 2020 has determined that there is significant wildlife habitat (SWH) located on the subject property. The SWH includes bat maternity colonies, reptile hibernaculum, and terrestrial crayfish. These species are present in the natural areas and the SWH will be protected through the preservation of those natural areas and the buffers that are proposed on the development concept. Monarch butterflies were recorded within the meadow portion of the subject property, however, the vegetation assessed on site was not suitable to support Monarch breeding, and as such removal of the meadow and construction of the proposed townhouses will not have an impact on this

species.

- “4.1.3.9.5 In addition to the General Permitted Uses of Section 4.1.2, the following additional uses may be permitted within Significant Wildlife Habitat (including Ecological Linkages) and its established buffers,...*
- ii) flood and erosion control facilities and their normal maintenance;...”*

The development concept proposes to locate a dry SWM pond within the buffer to the PSW. The EIS has determined that this will not have an impact on the SWH that has been identified on site.

- “4.1.3.9.8 Ecological Linkages may incorporate lands that do not otherwise meet the criteria for protection in accordance with Significant Natural Areas or Natural Areas policies.”*

The EIS prepared by WSP and dated November 6, 2020 has determined that there are no linkages present on the subject property.

- “4.1.3.10.9 New Restoration Areas may be added without an amendment to this Plan where new stormwater management facilities are approved in accordance with the provisions of this Plan and are located adjacent to the Natural Heritage System.”*

In accordance with this policy the proposed SWM facility may be considered to be a Restoration Area. A planting plan is provided in Appendix J to the EIS that includes restoration plantings.

- “4.1.4.1.1 Development or site alteration shall not be permitted within unmapped Natural Areas or Natural Areas included in the overlay designation shown on Schedules 2 and 4 until an EIS or EA that determines which Natural Heritage System policies, if any, apply and is approved as part of a complete development application to the satisfaction of the City.”*

During the site meeting and staking exercise on July 16, 2018 it was determined that the extreme southern lobe of the woodland on the subject property did not meet the criteria to be designated as a Significant Woodland, and the limits of the Significant Woodland were staked accordingly. This area of woodland was heavily impacted by anthropogenic disturbance, has frequent gaps in the canopy and is predominantly comprised of invasive species. The canopy and sub-canopy also contain many Ash trees which are expected to eventually succumb to the Emerald Ash Borer which already present elsewhere on site. The EIS prepared by WSP and dated November 6, 2020 provides additional detail on this Ecological Land Classification (ELC) Unit (Unit 6 of CUW1).

Section 4.1.4.4 provides objectives and policies for the protection of habitat for significant species that may extend beyond the limits of the protected natural area. The EIS prepared by WSP and dated November 6, 2020 has determined that the habitat for any significant species on the subject property is fully contained within the protected natural areas.

- “4.1.6.1 Policies  
Plantations and hedgerows will be required to be identified through an Ecological*



*Land Classification (ELC) in conjunction with proposed development applications.*

1. *Healthy non-invasive trees within the urban forest shall be encouraged to be retained and integrated into proposed development. Where these trees cannot be retained, they will be subject to the Vegetation Compensation Plan addressed in Policy 4.1.6.4.”*

*“4.1.6.3.1 Development and site alteration may be permitted to impact hedgerows and individual trees provided it has been demonstrated, to the satisfaction of the City, that the hedgerows and trees cannot be protected or integrated into the urban landscape.”*

The EIS prepared by WSP and dated November 6, 2020 has identified that the east boundary of 82 Eastview Road contains a hedgerow. This hedgerow is composed of invasive species and dead and dying Ash trees and does not contain any trees worthy of preservation. Should any compensation planting be required, there is ample opportunity within the natural area buffers to accommodate any such plantings. The Vegetation Compensation Plan will be prepared as part of the Environmental Implementation Report.

*“4.2.1 Where development or site alteration, is proposed within or adjacent to natural heritage features and areas, surface water features and groundwater features or may negatively impact their related ecological or hydrologic functions, the proponent shall prepare an EIS in accordance with the provisions of this plan.”*

*“4.2.1.3 The scope of an EIS must be determined in consultation with the City, the GRCA and applicable provincial ministry, where one or more of the potentially impacted features or functions fall under their jurisdiction.”*

An EIS has been prepared by WSP and submitted in accordance with this policy. The terms of reference were circulated to GRCA and the City of Guelph for approval prior to commencing the EIS.

*“4.2.1.5 Consultation with the GRCA is required where any GRCA regulated lands or wetlands may be impacted by proposed development or site alteration.”*

GRCA was consulted to determine the scope of the EIS. GRCA was also present July 16, 2018 during the site visit to stake the limit of the PSW.

*“4.2.1.6 The City shall not permit development or site alteration within the Natural Heritage System or on adjacent lands to natural heritage features and areas, until the required EIS and Environmental Implementation Report (EIR) has been reviewed and approved by the City, in consultation with the Environmental Advisory Committee, and where applicable the GRCA and a provincial ministry or agency.”*

An EIS has been prepared by WSP and submitted in support of the proposed development. This EIS will be reviewed by the City, EAC and GRCA prior to development.

*“4.2.1.9 An EIS and EIR shall be carried out by professional(s) qualified in the field of environmental and hydrological sciences and shall be acceptable to the City, in*

*consultation with the City's Environmental Advisory Committee, the GRCA and provincial ministry or agency, as applicable."*

The EIS dated November 6, 2020 was prepared by Rebecca Hay, Steven Leslie, Leanne Wallis, and Chris Lorenz, who are qualified professionals at WSP. Through the review of this development application the City, EAC and GRCA will determine if it is acceptable.

*"4.2.1.10 Prior to commencement of the study, terms of reference, acceptable to the City, shall be prepared in consultation with the Environmental Advisory Committee, GRCA, and provincial ministry or agency, as applicable."*

As noted above, the terms of reference were prepared with input from the City, EAC and GRCA, and subsequently approved by them.

*"5.4.7 In new developments, including employment areas and where public transit service is intended, sidewalks shall be provided on both sides of all streets wherever feasible with the exception of the following situations:...*  
*iv) adjacent to the Natural Heritage System where a trail with a high level of service may be provided instead of a sidewalk."*

The private driveway proposed for this development is intended to provide access to all condominium units. There is a section of this driveway that does not contain sidewalks, however, the pedestrian trail in the Natural Heritage System is located adjacent to the private rear yard amenity space of the units that front onto this section of private road. The trail will provide the same functionality that the sidewalk would have provided, and access the same units.

*"5.6.3 Generally, private roads shall be discouraged. Where permitted they shall generally be designed to be publicly accessible."*

A public right of way cannot feasibly be provided for the subject property and still achieve the densities that are appropriate for the property and are encouraged by the Growth Plan and PPS. Furthermore, as only one access to Eastview Road will be permitted by the City of Guelph a scenario with a public right of way would result in a long road with no exit. The private condominium roads will be accessible to the general public to access the dwellings in this proposed development.

Table 5.1 indicates that Eastview Road is planned for a 30 metre right of way. The Eastview Road ROW adjacent to the subject property is already 30 meters and no additional widenings should be required.

*"7.3.1.1 The City will continue to pursue the development of a Trail Network as set out in Schedule 6 and in accordance with the Guelph Trail Master Plan."*

The proposed trail on the subject property conforms with the conceptual alignment identified on Schedule 6.

*"7.3.1.3 Under most circumstances, trail development should be restricted to public lands; private lands will not be considered until a mutually agreeable arrangement between*

*the City and the land owner has been prepared.”*

The proposed trail is located within the buffer to the Significant Woodland and the PSW. The proponent's intention is to dedicate the natural features, inclusive of their buffers, to the appropriate public authority prior to development of the subject property. The portion of the buffers utilized for stormwater management purposes would be retained in the ownership of the condominium corporation. As such, the lands the trails are to be constructed upon will be under public ownership.

- “7.3.5.1 The City will require parkland dedication as a condition of development, consent or subdivision proposals in an amount up to:...*
- ii) 5% of the land or one hectare for each 300 dwelling units for residential purposes;...”*

The City of Guelph's recently approved Zoning By-law (By-law Number 2019-20366) indicates in Section 10(c) that the parkland dedication for lands outside of the Downtown and with a density less than 100 units per hectare, be the greater of 5% of the land area or one hectare per 500 dwelling units. Using the method of 1 hectare per 500 dwelling units results in the greatest parkland dedication requirement of 0.114 hectares.

Section 8 of the Official Plan provides the Urban Design objectives and policies of the City of Guelph. This Planning Justification Report is prepared in support of a zoning by-law amendment. The site plan is conceptual at this time and although a tentative theme has been selected for the development appearance, it has not yet been confirmed, nor designed in detail. As such, the following policy review of Section 8 will only address those policies that are relevant at this stage of the process; primarily those that speak to site layout and function.

- “8.1.1 The design of site and building development will support energy efficiency and water conservation through the use of alternative energy systems or renewable energy systems, building orientation, sustainable building design, low impact stormwater infiltration systems, drought-resistant landscaping and similar measures.”*

Low impact stormwater infiltration systems are proposed for this development in accordance with this policy. Landscaping and building design have not yet been established.

- “8.1.3 New residential neighbourhoods shall be designed to ensure that most residents live within a 5 to 10 minute walk of amenities and transit stops.”*

There is an existing transit stop in front of the subject property. The longest walk, from the northernmost units, to the transit stop would be less than 3 minutes at an average walking pace.

- “8.2.2 New residential developments shall be designed to be integrated and connected to surrounding existing neighbourhoods; providing full pedestrian and vehicular access including access to transit.”*

The recent developments to the east and west of the subject property did not provide an allowance for a future connection between the properties, and as such, the proposed development cannot be integrated

with the neighbourhoods to the east and west.

**“8.2.6** *Reverse lotting and ‘window roads’ (i.e. single loaded local roads flanking arterial and collector roads) should be avoided.”*

The townhouse lots adjacent to Eastview Road are oriented with their side yards facing Eastview Road, and the proposed apartment building fronts onto Eastview Road in accordance with this policy\

**“8.2.11** *New development shall be designed to contribute to a pedestrian-oriented streetscape. This may be achieved through the use of strategies that are appropriate for the proposed development and the site’s context such as:*

- i) locating built form adjacent to, and addressing, the street edge;*
- ii) placing principal building entrances towards the street and corner intersections;...”*

The proposed apartment building is adjacent to and addresses Eastview Road, however, the primary entrance faces the parking area to ensure that residents and visitors will have ease of access. Two second order building entries are provided facing Eastview Road.

**“8.3.5** *Reverse lotting onto Significant Natural Areas and other components of the public realm should be avoided.”*

Three of the townhouse blocks are oriented with their rear facade facing the Significant Natural Area. This is necessary due to grading, servicing and zoning requirements. However, the buffers to the Significant Natural Areas contain pedestrian trails, and a SWM pond and as such provide public space between the rear yards and the Significant Natural Area which help ensure it is part of the public realm and not isolated behind a row of dwellings.

Section 8.5 provides a number of urban design policies related to the built form of low-rise residential buildings. Conceptual renderings are provided with this Zoning By-law Amendment application, however, the final built form will not be determined until the Site Plan application is prepared. Generally, the Site Plan and building elevations are consistent with the policies in Section 8.5, the front yard area to the condominium road is consistent throughout the site, and the proposed height is only 2 stories in keeping with the surrounding developments. The contemporary style provides some variety in relation to the more traditional units that were recently constructed to the east and west of the subject property.

Surface visitor parking areas are located away from the public realm in the interior of the site, and provide landscaped areas adjacent to the closest dwellings in accordance with the policies of Section 8.12

**“8.6.1** *New buildings shall address the street. Buildings shall have front façades with entrances and windows that face the street and that reflect and, where appropriate, enhance the rhythm and frequency of the immediate vicinity.”*

The proposed apartment building addresses Eastview Road and contains 2 secondary entries on the ground floor, in addition to the windows and balconies for the units on the second through fifth storeys. The

streetscape along Eastview Road does not have a defined rhythm. To the west is a recently developed cluster townhouse site, and to the east is a recently developed residential subdivision with reverse frontage street townhouses along Eastview Road.. There one other development on Eastview with a larger built form, at the corner of Eastview Road and Summit Ridge Drive.

- “8.8.1**            *The following policies apply to mid-rise building forms, which generally means a building between four (4) and six (6) storeys:*
- i)            mid-rise buildings shall be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties;*
  - ii)           mid-rise buildings shall be designed to ensure that servicing and automobile parking are appropriately located and screened. Generally, this means that parking is provided underground or at the rear or side of the building;...*
  - iv)           where buildings front onto a public street and are greater than 30 metres in length, building entrances should be located at regular intervals;...”*

The proposed apartment, at 5 storeys, is considered a mid-rise building. It is located parallel to and 6 metres setback from Eastview Road and frames the street in accordance with the above policy. The building is flanked by the primary and emergency site access driveways and has substantial separation from the existing and proposed low rise residential considering its relative height. The parking area is proposed to be located within the footprint of the building on the ground level, with additional parking located behind the building and screened from public view. There are 2 entrances proposed along the Eastview Road facade.

- “8.12.2**            *Underground or structured parking is encouraged to reduce or eliminate the need for surface parking.”*

The proposed parking located on the ground floor, within the building structure has substantially reduced the amount of surface parking for the site.

- “8.12.6**            *Bicycle parking shall be provided and conveniently located in close proximity to building entrances....”*

Bicycle parking is provided at the east side entrance to the apartment building.

- “8.13.3**            *Private roads and internal driveways required for site circulation shall be designed to be comfortable for pedestrians, cyclists and vehicles. They should be physically defined by raised curbs and, where appropriate, landscaped where they intersect with a parking area or driveway....”*

In most locations the private condominium road provides a raised curb and sidewalk to allow for a comfortable separation between pedestrians, bicycles and vehicles. A section of the private road however did not have sufficient width to allow for a sidewalk, this section will continue to have raised curbs, however, pedestrians will utilize the parallel pedestrian trail within the natural area buffer, which will provide the same functionality and linkages that a sidewalk would otherwise provide.

The landscape policies of Section 8.17 will be addressed through the Site Plan application process.

- “9.3.1.1 The following criteria will be used to assess development proposals for multi-unit residential development...*
- 1. Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity....*
  - 3. The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.*
  - 4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.*
  - 5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.*
  - 6. That adequate municipal infrastructure, services and amenity areas for residents can be provided....*
  - 9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing....”*

The adjacent development to the west is comprised of townhouse units and blocks with similar massing, height, scale and setbacks. The development to the east is a mix of townhouse blocks with similar scale and massing and single and semi-detached units. The proposed development is similar to and compatible with the massing, height, scale and setbacks. The proposed contemporary appearance is unlike the traditional designs of the adjacent developments, however it provides variety within the neighbourhood in accordance the urban design policies of the Official Plan.

As noted previously in this report, there are a number of schools and parks within close proximity of the subject property, and new connections will be provided to an existing ad-hoc trail system in the adjacent natural areas.

The Traffic Impact Study prepared by Paradigm Transportation Solutions Limited and dated February 2019 has determined that there will be no issues with vehicular access to and from the site. The additional traffic generated by the proposed development will require an eastbound left turn land on Eastview Road at the Auden Road intersection.

The conceptual site plan indicates that the proposed private and common amenity areas are in excess of that required by the Zoning By-law. The Functional Servicing and Stormwater Management Report prepared by MTE Consultants Inc. and dated February 20, 2019 has determined that there is existing municipal infrastructure along Eastview Road with sufficient capacity to accommodate the proposed development. The Functional Servicing and Stormwater Management Report has also determined that grading and drainage can be designed to eliminate any impacts on adjacent properties.

- “9.3.3            *Permitted Uses...*
1.            *The following uses may be permitted subject to the applicable provisions of this Plan:...*
    - ii)            *multiple unit residential buildings, such as townhouses and apartments.”*

The proposed block townhouses and apartments are a permitted use as per this policy.

- “9.3.3            *Height and Density...*
2.            *The maximum height shall be six (6) storeys.*
  3.            *The maximum net density is 60 units per hectare and not less than a minimum net density of 20 units per hectare....”*

As calculated previously in this report, the density of the proposed development is 40.23 units per net hectare in accordance with the above policy. The proposed height is 2 storeys for the townhouses and 5 storeys for the apartment building, also in accordance with the above policy.

The proposed development will be subject to Site Plan Control as per the policies in Section 10.11.2 and 10.11.3. The Site Plan application will be submitted subsequent to submission of this Zoning By-law Amendment application.

A pre-application consultation meeting occurred July 26, 2017. Subsequent to that meeting 2613598 Ontario Inc. (82 Eastview Road) and 2589618 Ontario Inc. (78 Eastview Road) have retained a consultant team to prepare the necessary studies as identified in the correspondence from the City of Guelph dated August 15, 2017. This includes the securing the approval of EAC and GRCA for the Environmental Impact Study terms of reference and the necessary four season natural heritage survey. The Zoning By-law application package includes all documents and studies requested by the City of Guelph

Given the above examples, and after a review of the remaining policies within the City of Guelph Official Plan, we are of the opinion that the proposed development is consistent with the policies in Chapters 2, 3, 4, 5, 6, 7, 8, and 9 of the City of Guelph Official Plan.

### **3.4      CITY OF GUELPH ZONING BY-LAW 1995 – 14864**

The City of Guelph Zoning By-law 1995 – 14864 was approved by Council in 1995 and has been amended several times since then. The version available on the City of Guelph’s website contained sections updated as recently as November 2017 was utilized for the analysis below.

Defined Area Map 50 of Schedule “A” of City of Guelph Zoning By-law 1995 – 14864, as last amended by By-law 2014 – 19741, zones 78 Eastview Road as Urban Reserve (UR) and Residential Single Detached (Specialized) with a Holding Provision (R.1B-39(H)) and zones 82 Eastview Road as Urban Reserve (UR).

The UR zones only permits agricultural, conservation and limited recreational uses. It does not permit any form of residential use or structure. The R.1B zone allows singled detached dwellings and accessory uses with 15 metre lot frontages. The specialized zone requirements provide the conditions to be satisfied prior

to the removal of the Holding provision, which appears to have been instituted as part of a previous consent application. The proposed development of condominium townhouses is not permitted in either of the current zones. Therefore a Zoning By-law Amendment will be required.

The proposed Zoning By-law Amendment seeks to change the zoning of the subject property from “UR” - Urban Reserve and “R.1B-39(H)” - Residential Single Detached to “R.3A” - Residential Townhouse, “R.4A” - Residential Apartment, and “WL” - Natural Heritage Features.

The “WL” Natural Heritage Features zone will be implemented on the lands in the north west area of the property that have been identified through the EIS as Provincially Significant Wetlands and Significant Woodlands, inclusive of the necessary buffers.

Zoning By-law Section 5.3.2 contains the lot performance standards for the townhouses in the R.3A Zone. Zoning By-law Section 5.4.2 contains the lot performance standards for the apartment building in the R.4A Zone. As the property is to be split zoned, the site area required for the apartment, access road, parking and outdoor amenity area was considered to be the “lot” area of the R.4A zone when calculating density and FSI in accordance with table 5.4.2. The proposed development meets all performance standards.

We are of the opinion that the proposed development will be in conformance with Zoning By-law 1784 upon implementation of the proposed Zoning By-law Amendment. Furthermore, the proposed Zoning By-law Amendment is consistent with the City of Guelph Official Plan and will facilitate the construction of a development that is compatible with the existing neighbourhood context.

## 4.0 Summary

The proposed applications for a Zoning By-law Amendment to permit the development of 30 condominium townhouse units and a 5 storey residential apartment building with 40 apartment units, along with the protection of natural heritage areas meets the policies and objectives of the Province of Ontario and City of Guelph, by providing infill redevelopment on a lot that is centrally located and well serviced with the necessary physical and community infrastructure.

It is our opinion that the proposed Zoning By-law Amendment represents good and sound planning and is appropriate for this property.

Yours Truly,

**ROBERT RUSSELL PLANNING CONSULTANTS INC.**



Rob Russell, MCIP, RPP  
President