

- ADDENDUM -
- GUELPH CITY COUNCIL MEETING -
- April 2, 2012 -

DELEGATIONS

a) Official Plan Update Phase 3 (OPA48): Statutory Public

- Hugh Whiteley
- Gloria Mason

CORRESPONDENCE

a) Official Plan Update Phase 3 (OPA48): Statutory Public

- Hugh Whiteley
- Jonathan Rodger, Zelinka Priamo Ltd for Loblaw Properties Limited
- Alfred Artinger, Guelph and Wellington Development Association
- Hugh Handy, GSP Group for:
 - Acorn Developments, 331 Clair Road
 - 2274237 Ontario Inc., 1291 Gordon Street
 - 2274237 Ontario Inc., five properties west side of Gordon between Arkell Road and Vaughan Street
 - 9 Valley Road & 1242 and 1250 Gordon Street
 - 6 & 7 Developments Ltd., 11 Woodlawn Road West
 - Estate of Valeriote, 1968-1992 Gordon Street
- Robert Mason, Nosam Properties Limited & Nasa Holdings Inc., 363-369 Gordon Street and 1 College Avenue
- Dwayne Evans, Ministry of Municipal Affairs & Housing
- Kate MacDonald, Mayfield Park Community Association
- Glenn Anderson, Guelph & District Home Builder's Association
- Laura Murr, Kortright Hills Community Association
- Shelley Kaufman, Turkstra Mazza for Garibaldi Holdings Limited
- Larry Kotseff, Fusion Homes
- Wendy Nott, Walker, Nott, Dragicevic Associates Limited for Armel Corporation
- Judy Martin, Sierra Club of Canada
- Keith MacKinnon, KLM Planning Partners Inc. for Guelph Watson-5-3 Inc.

Submission to City Council April 2 2012

Regarding Official Plan Update Phase 3 (OPA 48)

Submitted by Hugh Whiteley Requests

- (1) That the central focus on Guelph's rivers and river valleys as the "backbone" of Guelph's linked open space lands and a critical, integral component of Guelph's image be restored in the Official Plan.**
- (2) That the River System Management Plan be retained as a guide for the preparation of plans within river and tributary corridors.**
- (3) That the specific quantified protection for the comprehensively defined open space and environmental corridors along the rivers and tributaries be restored in the Official Plan. This includes retention of sections 3.6.18; 6.9.2 through 6.9.5; 7.3.11; and 7.3.15.**
- (4) That ravines be included in the Official plan listing of valued features to be safeguarded.**
- (5) That the Vision Statement for the Official Plan be rewritten as a guide to the long-term aims of the City.**
- (6) The background statement of the Official Plan should be rewritten to name the demographic and economic challenges to be overcome by the City.**

Explanation

Focus on river corridors

The current Official Plan gives high prominence to the Speed and Eramosa river valleys, and the tributary valleys in the city, as both the backbone of the city's linked open space system and as the vital linkage in the Natural Heritage System. The Official Plan incorporates the holistic approach of the River System Management Plan with a recognition of multi-faceted benefits and functions of the corridors. The Official Plan emphasizes naturalization of the riverland corridors as the preferred treatment subject to a feasibility criterion where intense development in the downtown area restricts this option.

The current draft of OPA 48 drastically reduces the emphasis on riverlands as an integral component of Guelph's image and character. The current OP references the Speed River at a frequency of 24 mentions per hundred pages of text. OPA 48 reduces the mention of the Speed River to 4 mentions per hundred pages. River corridors have been diminished to a minor feature of Guelph.

Abandonment of the River System Management Plan and its quantitative protection

Guelph has two distinctive planning initiatives that set it apart from other Canadian cities. One is the River System Management Plan and the other the Community Energy Initiative. The current version of OPA 48 retains a strong emphasis on the Community Energy Initiative but abandons, without notice or justification, the River System Management Plan.

The RSMP is distinctive because it correctly identifies that only a holistic approach that incorporates the perspectives of natural heritage system, cultural heritage, open space values including important spiritual aspects, recreational aspects, and urban design can properly establish the value and importance of rivers and riverlands to a community. The approach in OPA 48 is to reduce the role of rivers and riverlands to the single dimension of a technically-defined natural heritage system and then further diminishes the protection afforded to river systems by emphasizing a legalistic approach that preferentially seeks to minimize the protection afforded to river and riverlands to the minimum requirements set by the Provincial Policy Statement.

The effect of this change in approach is evident in OPA 42. The result of the OPA42 process was to reduce the overall Natural Heritage System of the city of Guelph by 10 % compared to the NHS of the 2001 OP. The appeal process currently underway will create a further loss of NHS.

Without the support provided by the current OP for a proper comprehensive view of the protective requirements for river corridors, and the resulting minimum 30 metre setback or top of steep slope 15 metre setback provision as a minimum protected corridor, there are at least two valuable corridor elements that are likely to be lost. One is the mature forest on the east side of the Speed River that provides the dramatic backdrop to the Speed River at Riverside Park. The other is the lovely viewscape along the Eramosa River in the York Road Innovation District.

The River System Management Plan should be reaffirmed as the basic document guiding development in the river and tributary corridors and the specific quantitative requirements for protection of river corridors restored to the text of the Official Plan.

Protection Of Ravines

The current OP and OPA 48 both ignore the special places that wooded ravines are and the high value placed on them in Guelph. There are at least three ravines that warrant protection (Silvercreek ravine at Howit Park, Watson Creek Ravine, and the Maple Street Ravine). The Official Plan should acknowledge the value of these features and provide the base for a Ravine By-law similar to the Toronto By-law.

Vision Statement

The vision statement in OPA 48 reads like a hypothesis to be used as a basis for technical evaluation of the implementation of the Official Plan.

Vision

The integration of energy, transportation and land use planning will make a difference in the environmental sustainability, cultural vibrancy, economic prosperity and social well-being of Guelph.

The vision statement of the Official Plan should be an inspiring and realistic encapsulation of the core values and intentions of the city. Other Official Plans, the OP for Oakville for example, are helpful examples.

I would suggest the following:

Guelph is a city that cares for all its citizens; a city progressing steadily toward a stable sustainable and perpetually-renewing equilibrium; an equilibrium that provides an innovative and prosperous economy, a rich and varied cultural enterprise, a built form that recognizes, and celebrates the lasting values of Guelph's built heritage, and a generous integrated greenland system of parkland, open spaces and natural areas that respects, protects and enhances Guelph's distinctive landscape of rivers, hills, ravines, forests, and meadows, and that nourishes the natural environment that sustains all life.

Realistic Background

The background to the Official Plan should include a brief summary of the demographic and economic trends that must be taken into account in the planning period. The Burlington Official Plan has an excellent presentation of this type of information. One example of the trends to be recognized is the advancing median age of the population. For example in the ten years from 2001 to 2011 the key age group in the workforce and in household formation (25 to 44) did not grow at all in Guelph. This is a major challenge in maintaining a prosperous and innovative community.



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VIA EMAIL AND REGULAR MAIL

March 29, 2012

Clerk's Department
City of Guelph
City Hall, 1 Carden Street
Guelph, ON
N1H 3A1

Attention: Mr. Blair Labelle, City Clerk

Dear Mr. Labelle:

**Re: City of Guelph Draft Official Plan Amendment Number No. 48
Preliminary Comments on Behalf of Loblaw Properties Limited
Guelph, Ontario
Our File: LPL/GPH/04-01**

We are the planning consultants for Loblaw Properties Limited (Loblaw) for City of Guelph draft Official Plan Amendment No. 48 (OPA 48). Loblaw is the owner or lease holder of the following lands within the City of Guelph, including lands that are currently subject to planning approvals:

- The vacant lands at 115 Watson Parkway North (formerly 72 Watson Road North), which are subject to a Zoning By-law Amendment Application (File No. ZC0512) and an application for Site Plan Approval (File No. SP05C051);
- The vacant lands at 1750 Gordon Street, which are subject to an application for Site Plan Approval (File No. SP07C013). Please note that GSP Group are the agents for the application and have been copied on this letter;
- The existing Zehrs store at 1045 Paisley Road;
- The existing Zehrs store at 297 Eramosa Road, which is subject to an application for Site Plan Approval (File No. SP11C027);
- The existing No Frills store at 191 Silvercreek Parkway North;
- The existing No Frills store at 35 Harvard Road; and
- The existing Zehrs store at 160 Kortright Road West.

On Thursday April 29, 2010 Loblaw was made aware of the draft Official Plan Amendment No. 42 (OPA 42). Originally, OPA 42 was a comprehensive new Official Plan document that would replace the current Official Plan. On behalf of Loblaw, we submitted preliminary comments dated May 20, 2010. The Statutory Public Meeting was held on May 20, 2010, at which time Staff were directed by Council to proceed with the natural heritage system components of the draft Official Plan for Council's consideration and adoption. On July 27, 2010 Council passed OPA 42 and OPA 42 was approved with

modifications on February 23, 2011. On March 14, 2011, Loblaw Properties Limited appealed OPA 42.

On October 5, 2011, we met with Staff to discuss our concerns with policies from the original OPA 42, which the exception of the natural heritage policies as approved under OPA 48.

In January 30, 2012, a Staff Report was released with draft OPA 48, representing Phase 3 of the Official Plan update. The Staff Report included Staff responses to our comments on behalf of Loblaw dated May 20, 2010. On February 29, 2012 Loblaw was made aware of the April 2, 2012 Public Meeting for Guelph OPA 48.

On behalf of Loblaw, we have the preliminary comments as outlined below, and will continue to review the draft OPA 48 policies in more detail, and may provide further comments as required. Please note that the references below to "former Section" refers to the policies under the April 2010 draft OPA 42.

At this time, our preliminary comments for OPA 48 are as follows:

- We reiterate our general comments from May 20, 2010:
 - The ongoing Zoning By-law Amendment and Site Plan Approval applications as described above should continue to be considered under the current, in force, Official Plan and policies;
 - We respectfully suggest that there should be wording to provide for flexibility or a recognition that policies will be implemented and transitioned over the long term as development and intensification comes to fruition;
 - It would be appropriate to include wording for implementation of the Official Plan Amendment whereby existing development approved under previous amendments is deemed to conform to the Official Plan, and that minor extensions or expansions of non-conforming development are permitted without amendment. From the January 30, 2012 Staff response, it is noted "Transitional wording is not required in the OP to recognize existing approvals as these would be subject to relevant provisions of the Planning Act and related regulations. Any new applications for site plan or other type of development would be required to meet the policies in place at the time of application"; and
 - The overall Built Form, Public Realm and other urban design policies may not be appropriate to individual sites, and may result in unforeseen, adverse conditions if not implemented and interpreted in a flexible manner.
- Section 3.11.3: The policy that "Commercial uses within the Nodes will be integrated more fully with surrounding land uses and will accommodate mixed-use buildings" raises concerns as to flexibility, if commercial retail uses are required to be accommodated only within mixed-use buildings featuring residential uses.
- Sections 3.11.4 to 3.11.6: We have a concern over the requirement for concept plans and how concept plans are intended to be implemented. We are concerned that the use of concept plans may reduce flexibility, as they may be prescriptive. At the same time, there is a lack of clarity as to their status, whether land owners can comment on the concept plans, how the concept plans will be approved and if the concept plans can be appealed. Lastly, the use of the "Main Street area" terminology is unclear, as there is no definition and main streets are not

designated under draft OPA 48. It is not clear how concept plans and the “Main Street area” terminology relate to the policies under Section 5.8.11 for Road design, which states “Main Streets may be identified on arterial or collector roads in Downtown or in areas of existing or planned high density including Intensification Corridors and Community Mixed-Use Nodes.”

- Section 3.21.1.3 (formerly Section 5.4.2.3): A definition of “municipal services” is still not provided, and it remains unclear whether roads would be included. Clarification is requested.
- Section 8.2.10 (formerly Section 7.4.9): We continue to be concerned that there is a lack of flexibility in the Public Realm policies related to locating built form and placing principal building entrances towards the street and maintaining or extending a continuous building façade or streetwall along the street. From the January 30, 2012 Staff response, it is noted “Concerns about how a policy would be applied would be addressed by staff at the time of a development application. Many policies will have site specific and development specific solutions to achieving the policy direction.” We continue to suggest that “New development shall be designed...” be changed to “New development is encouraged to be designed...” in order to reflect Staff’s confirmation that site specific and development specific solutions will be required.
- Section 8.3.6 (formerly Section 7.5.6): The wording “where possible” has been removed from the existing policy 7.4.46.2, while the “visual access” wording is new. From the January 30, 2012 Staff response, it is noted “Staff continue to support the appropriate siting of parking including avoiding areas adjacent to natural heritage features *where feasible* [emphasis added].” We continue to be concerned that the policy no longer provides for flexibility and respectfully suggest that the wording “where possible” be reinserted as per the Staff response, while the term “visual access” lacks clarity. In addition, we are concerned that the lack of flexibility will create a conflict with Section 8.2.10 where built form is required to be placed adjacent to the street edge.
- Section 8.6.2 (formerly part of Section 7.8.1): The policy related to blank facades will impact upon commercial buildings where exterior walls may not have consistent windows at ground level due to the requirements of internal operations.
- Sections 8.10.1, 8.10.2 and 8.10.3 related to vehicle-oriented uses: In general our concern is that the policies are not flexible in terms of locating drive-through lanes and the requirement for the employment of a liberal use of clear glazing and openings for service stations facing the street, while there is a lack of clarity as to which zoning categories may restrict permissions for drive-through facilities.
- Section 8.12.5 (formerly Section 7.14.7): For 115 Watson Parkway North, the avoidance of parking adjacent to the proposed buffer for the natural heritage feature is difficult at best for commercial uses. It is not clear whether there must be an intervening building, or whether a landscape strip qualifies as a separator. If not the latter, then it would be impossible, not difficult to accommodate, since long buildings cannot be placed at both the street edge as required under Section 8.2.10 and the back of the lands as required under Section 8.3.6.
- Section 8.20.1 through 8.20.4 (Formerly Sections 7.22.1 through 7.22.4): We continue to have a concern with the lack of flexibility whereby urban squares “shall generally be included”, while the lands for urban squares would only be

provided through easement or dedication and not through expropriation or purchase, while urban squares would not be considered as part of parkland dedication when held under private ownership (Section 7.3.5.4).

- Community Mixed-Use Centre:
 - Section 9.4.2.b): It is unclear how the use of the term “main street” relates to Section 5.8.11 as noted above.
 - Section 9.4.2.1 (formerly Section 8.5.1.2.2): It would appear that “...with a node” should be “... within a node”.
 - Section 9.4.2.2 (formerly Section 8.5.1.2.3): We are concerned with the policy that “Implementing Zoning By-laws may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base” in the context of our comments below, including for Section 9.4.2.18.
 - Section 9.4.2.3: As outlined below, we are concerned with the policies related to concept plans as per the policies of Section 3.11.
 - Section 9.4.2.4: Within the context of Section 3.11.3, it is not clear whether residential uses are required to be incorporated into retail commercial buildings.
 - Section 9.4.2.6 (formerly Section 8.5.1.2.5): We are concerned with the general lack of flexibility. It is unclear how the use of the term “main street” relates to Section 5.8.11. We are unsure as to the reasoning for limiting store widths. As noted above, we are concerned with the requirement for multi-storey buildings as outlined below, and it is unclear whether medical office and dentist uses will be limited on the ground floor.
 - Section 9.4.2.9 (formerly Section 8.5.1.2.8): We are concerned with the limitations on length of frontage along arterial roads that may be used for surface parking as to how this may impact upon 1750 Gordon Street and the proposed parking field in front of the store.
 - Section 9.4.2.12 (formerly Section 8.5.1.3.1): We request clarification as to the removal of the reference to the permission that would include restaurants.
 - Section 9.4.2.16 (formerly Section 8.5.1.3.5): There is a lack of clarity as to the definition of “main street-type environment” and of “peripheral sites” and how the policy will be interpreted for lands such as 115 Watson Parkway North and 1750 Gordon Street. From the January 30, 2012 Staff response, it is noted “Peripheral site means that large buildings would be situated away from intersections and main streets to allow for improved building placements along street frontages.” With our concerns related to the main street terminology as outlined above, it is unclear how “peripheral site” will be interpreted for 115 Watson Road, where under the Staff illustration of the policies from the Open Houses a “main street” is shown running across the lands and for 1750 Gordon Street where the site is oriented parallel to Gordon Street.
 - Section 9.4.2.18 (formerly 8.5.1.4.5): It is not clear whether expansions to existing buildings would need to be a minimum of two (2) storeys of usable space. There is a lack of flexibility, for example, for the permitted freestanding individual retail uses exceeding 5,575 sq. m, while it is not clear whether a partial mezzanine would satisfy the 2 storey requirement for “usable space”. In addition, we note our concerns above over the “main street” terminology,

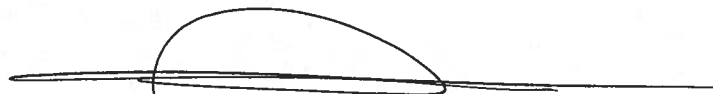
since for example for 115 Watson Road, under the Staff illustration of the policies from the Open Houses, a "main street" is shown running across the lands. From the January 30, 2012 Staff response, it is noted "Policy related to minimum building height of 2 storeys has been revised to indicate that the minimum height is required only along arterial and collector roads and identified 'main streets'." Clarification is requested.

- **Mixed-Use Corridor:**
 - Section 9.4.3.9 (formerly Section 8.5.2.4.4): For the minimum height of two (2) storeys buildings fronting onto arterial and collector roads, it is not clear whether the requirement would apply to expansions to existing buildings.
- **Neighbourhood Commercial Centre:**
 - Section 9.4.4.14 (formerly Section 8.5.3.3.4): Clarification is requested as to whether a second floor mezzanine within a commercial building would be considered an "upper floor".
 - Section 9.4.4.15 (formerly Section 8.5.3.4.2): For the minimum height of two (2) storeys for buildings fronting onto arterial and collector roads, it is not clear whether the requirement would apply to expansions to existing buildings.

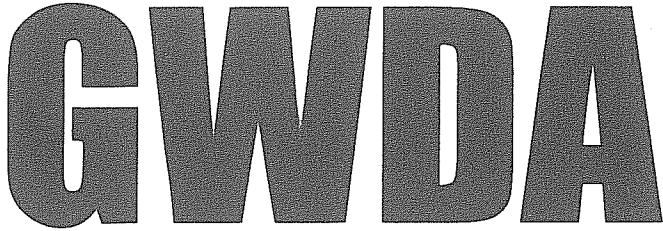
Should you have any questions, or require further information, please do not hesitate to call. In addition, we have previously requested notification of any further meetings with respect to this matter as well as notice of the Official Plan Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.


FOR: Jonathan Rodger, MScPI, MCIP, RPP
Senior Planner

- cc. Loblaw Properties Limited (Via Email)
Mr. Steven Zakem, Aird & Berlis LLP (Via Email)
Mr. Tom Halinski, Aird & Berlis LLP (Via Email)
Mr. Hugh Handy, GSP Group (Via Email)
Mr. Al Hearne, Acting Manager of Development, City of Guelph (Via Email)
Ms. Melissa Aldunate, Senior Policy Planner, City of Guelph (Via Email)



March 30, 2012

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Todd Salter, General Manager, Planning and Community Services

Re: **Envision Guelph – Released January 30, 2012**
Public Meeting April 2, 2012

The Guelph Wellington Development Association was founded in 1970. The mandate of our Association includes *"promoting the development of the City of Guelph in an orderly manner and upholding the use of sound planning principles."* Our industry creates jobs and prosperity. Our members are innovative and lead with sustainable and progressive projects.

The members of our Association have spent countless volunteer hours reviewing the draft Official Plan, attending meetings and providing comments, which for the most part, have been politely received by City staff and then dismissed. Guelph Council must provide the political leadership to empower City staff to dare to be business friendly while implementing the quadruple bottom line. (social, economic, environment, culture) As acknowledged by the City's Prosperity 2020 Report and the Operational Review, Guelph must work hard to stimulate prosperity and investment rather than drive it away.

The GWDA comments related to the Draft Official Plan are included in the attached chart. Our members sincerely require meaningful changes to the policies in the proposed Official Plan. Important issues are raised in these detailed comments including,

1. One of the most pressing needs is the completion of the **Secondary Plan for the Clair-Gordon Area**. The Official Plan must be revised to make this a high priority for the City. These lands are required to meet the Places to Grow targets for Guelph. The employment lands coming on stream will be negatively impacted by the lack of housing available for employees. The current constrained supply of land in Guelph will have a negative impact on the cost of housing throughout the City.
2. The **affordable housing** target should not be included into the Official Plan until the Affordable Housing Strategy has been approved by Council. The Affordable Housing Strategy must include the existing housing supply in the analysis in order to create a realistic affordable housing target for Guelph.
3. The **urban design** policies must be re-evaluated based on the timing of their implementation (ie. at site plan, not rezoning) and the ability to implement these policies in the context of market realities.
4. The **mixed use** policies must be revisited to ensure that a density of development will actually be constructed to support transit and walkability.

Please provide me with notice of any upcoming meetings and further drafts of the Official Plan being released. We would like to meet with you to review our position with respect to these proposed policies and our suggested policy changes.

Yours truly,

A handwritten signature in black ink, appearing to read 'Alfred Artinger', with a stylized, flowing script.

Alfred Artinger, P. Eng.
President

cc: Mayor Farbridge and Members of Council
Ann Pappert, CAO

(gwda Envision Guelph Comments.doc)

GWDA Envision Guelph Comments (March 30, 2012)

Section	Envision Guelph (January 30, 2012 OP Update Phase 3 OPA No. 48	GWDA AND GDHBA comments
3.2.2 ii)	i) planning for a population forecast of 175,000 people by the year 2031; ii) promoting a steady rate of growth equivalent to an average population growth rate of 1.5% annually , which will allow growth to keep pace with the planning of future physical <i>infrastructure</i> and <i>community infrastructure</i> ; and iii) ensuring the employment growth in the City is planned to keep pace with population growth by planning for a minimum of 92,000 jobs by the year 2031 .	Is an annual average population growth rate of 1.5% adequate to meet the population target of 175,000 people by 2031?
3.11	Community Mixed-use Nodes 2. The Community Mixed-Use Nodes will be planned and designed to: ii) provide a mix of commercial, offices and residential development in a higher density <i>compact urban form</i> that supports <i>walkable communities</i> and <i>live/work</i> opportunities; and	The City has presented the revised policies as not requiring residential development in the Community Mixed-Use Nodes. What will the implementing zoning be for the policy requiring a mix of commercial, offices and residential? Residential should not be required in the implementing zoning.
3.14.5	Regeneration areas are areas where a transition of use from industrial to another use is anticipated during the planning horizon of this Plan. Typically, these areas consist of isolated or fragmented sites outside of established or proposed industrial or business parks. The transition of use may be desirable to support improved land use compatibility or to promote reinvestment in underutilized areas of the City. The City may conduct planning studies to determine appropriate future uses for regeneration areas.	Where are these regeneration areas located? Are they shown on a schedule within the OP? The wording of the policy should specifically state that a comprehensive municipal review is not required to change these regeneration areas from industrial to residential for a site specific application.
3.16.2	Development will be prohibited within defined features in accordance with the <i>Natural Heritage System</i> provisions of this Plan.	OPA No. 48 should not preclude the OPA No. 42 appeals related to the natural heritage strategy.
3.21.2.1	Development Priorities Plan iii) sets an annual limit for the creation of potential dwelling units from registered <i>plans of subdivision</i> ;	Is this consistent with the PPS and Places to Grow and meeting the targets?
4.3.3.1	Source Protection i) protect wetlands and other areas that make significant contributions to <i>groundwater</i> recharge;	"Other Areas" that make significant contributions to <i>groundwater</i> recharge can continue to do so after they are developed. Development should be permitted in these

		“Other areas” when groundwater recharge targets can be met. “Steep slopes” should be a defined term in the Official Plan.
4.4.2.1	Erosion Hazards and Hazardous Sites <i>Development within erosion hazards, steep slopes or hazardous sites may only be permitted where...</i> viii) no adverse environmental effects will result.	
4.4.2.8	Areas within the built up portion of the City with slopes greater than 20% may also be required to prepare a Soils Stability and Geotechnical Analysis or engineering assessment by a qualified geotechnical engineer, that ensures slope stability, positive storm drainage and public safety are addressed, to the satisfaction of the City and the Grand River Conservation Authority.	What is the significance of 20% slopes?
4.4.3.1	Notwithstanding the designated land use identified on Schedule 2, future <i>development</i> may be restricted or controlled on lands on, or adjacent to lands identified as Landfill Constraint Areas.	What is the basis for restricting development on designated land?
4.4.4	Potentially Contaminated Properties Potentially contaminated sites are properties where the environmental condition may have potential to cause <i>adverse effects</i> on human health, ecological health or the natural environment.	The MOE definition should be used in the Official Plan.
4.4.5	Noise and Vibration	Vibration policies requiring studies have been added to the OP, however there are no MOE Guidelines related to vibration. What standards will these vibration studies be based on?
4.5	The City recognizes that mineral aggregates are valuable non-renewable resources that are required for most types of construction. Within the corporate boundaries of the City there are limited deposits of mineral aggregate resources remaining .	Is this accurate? Are there mineral aggregate deposits protected by the PPS located south of Clair Road within the corporate boundaries of the City? What does the MNR aggregate mapping show for this area?
4.5.6	<i>Wayside pits and quarries, portable asphalt plants and portable concrete plants</i> used on public authority contracts are allowed without the need for an Official Plan Amendment, rezoning or development permit in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.	Are significant landforms of “particular environmental sensitivity”?
4.6.1	Community Energy The City will establish policies...	The Official Plan must include policies which can

4.7.2.2	Local Renewable and Alternate Energy Generation The City will establish policies...	be reviewed and evaluated <u>not</u> direct the City to "establish" policies.
4.7.4.1	Building End-Use Energy Efficiency New residential, commercial and institutional development shall achieve an improvement of 1.5% per year over the 2012 Ontario Building Code energy efficiency requirements.	What is the legal basis for this policy? This policy should be deleted.
4.8	j) To identify, evaluate and <i>conserve</i> heritage trees which satisfy the criteria for determining <i>cultural heritage value or interest</i> as prescribed by regulation under the <i>Ontario Heritage Act</i> . (O Reg 9/06)	What are the criteria for heritage trees?
4.8.2.4	i) maintaining the original location and orientation to the street and lot pattern;	Add "where possible."
4.8.8.2	Where <i>heritage trees</i> have been identified by the City, they will be protected to the fullest extent possible while having regard to the health of the tree and public safety.	What does "protected to the fullest extent possible" mean?
5.1	Transportation System	Add a policy that, "The City will synchronize traffic signals on arterial roads to reduce idling at red lights, encourage the posted speed limit to be obeyed and lessen delays to transit vehicles.
5.6.3	Generally, private roads shall be discouraged . Where permitted they shall generally be designed to be publicly accessible .	Why are private condo roads discouraged? How can a private road be designed to be publicly accessible? Will private roads be required to have a 20m wide road allowance? Private roads are required to develop infill sites.
6.3.3	Wastewater Treatment The City will facilitate a reduction in energy consumption for the construction and servicing requirements of subdivisions and other <i>development</i> by requiring gravity feed sanitary sewers .	Should add "where possible".
6.6.1	Site Alteration The City will regulate site alteration prior to development, through the Site Alteration By-law, in an effort to: maintain significant landforms; preserve topsoil; minimize impacts on watercourses; minimize flooding or ponding; and preserve vegetation.	Backdoor protection of significant landforms. What makes a slope significant?
7.2.1.2	The annual <i>affordable housing</i> target requires 30% of all new residential development to constitute <i>affordable housing</i> . The target includes an annual target of 27% affordable ownership	Section 1.4.3 of the PPS requires planning authorities to provide for an appropriate range of housing types and densities as well establishing

	<p>units and an annual target of 3% affordable rental housing units.</p> <p>3. An additional separate annual target of 6% of all new residential development has been established for <i>social housing</i>.</p> <p>4. While not part of the annual <i>affordable housing</i> target, the creation of approximately 90 accessory apartment units annually will be encouraged.</p>	<p>minimum targets for affordable housing. The PPS does not dictate what this target should be.</p> <p>The proposed affordable housing target is too high for Guelph.</p> <p>The 3% affordable rental housing target should be removed from the policy since tenure cannot be regulated or implemented by the City.</p> <p>The target should consider how much of the current housing stock meets the affordable housing definition. This is important knowledge to assist the City in creating a target for the future.</p> <p>The affordable housing target should not be included in the Official Plan until the Affordable Housing Strategy has been approved.</p>
7.3.1.8	<p>To improve attractiveness, continuity, accessibility and utility the City will develop linkages between parks at different levels of the park hierarchy. Such linkages may consist of:</p> <p>i) an environmental corridor, ecological linkage or open space area;</p>	<p>Linkages between parks should be included in the required parkland dedication.</p>
8.23.2	<p>Where appropriate, the Zoning By-law will be used to implement the urban design polices of this Plan and include regulations that promote compatibility in built form and appropriate infill projects.</p>	<p>Site Plan Control is the appropriate planning approval to implement urban design. Too many projects are being delayed in the City by urban design details at the time of the zone change application. Zoning applications should be concerned with land use.</p>
7.3.2	<p>Urban Squares</p> <p>Urban Squares will primarily be developed in areas of significant <i>intensification</i> in the City to address increased demands for recreation, parks and cultural opportunities.</p>	<p>Urban squares should be included in the required parkland dedication.</p>
8.4.8	<p>However, entrance features to new subdivisions that create an</p>	<p>Requirements for noise walls due to traffic or</p>

	appearance of a walled community are strongly discouraged.	other noise sources can be a condition of approval for new subdivisions. This should be recognized in the policy.
8.4.9	New controlled access or gated neighbourhoods or subdivision shall not be permitted.	Infill and intensification sites can require private condominium roads to allow the development of these sites. The target for the Places to Grow density targets will require that condominium development be permitted in the City. This policy is too broad and should be revised. Cluster townhouse blocks with private condominium roads have controlled access and should be continue to be permitted.
	5 minute and 10 minute walking time graphic of the Clair Gordon Node.	This graphic is a helpful tool but is not part of the Official Plan. There should be wording in the Official Plan that recognizes that the higher residential densities surrounding the Mixed Use designations support the commercial uses permitted in this designation.
9.4	Commercial and Mixed-use Designations “live/work opportunities and medium to high density residential uses.”	The commercial developers had discussed a concept with the City that these areas be designated as “Commercial” surrounded by higher density residential outside the commercial designation. This would support the commercial uses and walkability and being transit supportive but would not result in people living in the middle of a commercial parking lot. Either the limits of the Mixed Use node should be made larger or the name of the designation should be changed of the commercial node for the existing land area.
9.4.2.2	Implementing Zoning By-laws may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base.	Proscriptive zoning can make a site unviable to develop. Much time is wasted during the rezoning process negotiating these controls requested by City staff at the last step in the process. Often sites that have been rezoned

		have to come back to revise the zoning again since the market cannot support the restrictions imposed on the zoning.
9.4.2.4	Residential uses are intended to be incorporated into Community Mixed-use Centres through the development of mixed-use buildings or medium or high density housing.	Residential uses should be directed to the lands surrounding the Commercial Node in the 5 and 10 minute walk time areas.
9.4.2.6	Community Mixed-use Centres are strongly encouraged to incorporate Main Street type development in strategic locations and will be planned and designed to reflect the following: i) multi-storey buildings fronting onto the main street ; ii) ground floor retail and service uses are strongly encouraged; iii) office uses at ground floor should be limited; iv) residential uses should be provided primarily above commercial uses in addition to some free-standing residential buildings ; v) the width of storefronts should be limited to encourage pedestrian activity along the street; vi) urban squares, where appropriate; and vii) on-street parking.	There seems to be a disconnect between the proposed Official Plan policies and the market realities. If it cannot be implemented is it good public policy and should it be included in the Official Plan?
9.4.2.8	New streets parallel and adjacent to arterial or collector roads are prohibited.	This policy is not clear.
9.4.2.11	Development will be comprehensively planned and integrated with the overall Community Mixed-Use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11 .	Section 3.11 should be clear that residential is not required in the implementing zoning.
9.4.2.12	Permitted Uses 12. The following uses may be permitted in Community Mixed-use Centres, subject to the applicable provisions of this Plan: i) commercial, retail and service uses; ii) live/work uses ; iii) small-scale professional and medically related offices; iv) entertainment and recreational commercial uses; v) community services and facilities; vi) cultural, educational and institutional uses;	Residential uses should be directed to areas surrounding the Commercial Node.

	<p>vii) hotels; viii) medium and high density multiple unit residential buildings; and ix) urban squares and open space.</p>	
9.4.2.18	<p>The minimum height is two (2) storeys for buildings fronting onto arterial and collector roads and identified main streets and the maximum height is ten (10) storeys.</p>	<p>The commercial nodes have not been sized to permit 2 to 10 storey buildings. Where are these “main streets” identified in the Official Plan? Usable 2 storey buildings should not be required in the policies. Guelph has not yet achieved the land values to support underground and structured parking. The most intensification will be achieved by single storey buildings with reduced parking requirements. When the Official Plan is reviewed every 5 years this could change over time. Requiring a usable second storey at this time will result in under leased second floors and smaller building coverage with more parking required. This will not support transit or walkability.</p>
9.4.2.19	<p>For freestanding residential <i>development</i>, the maximum <i>net density</i> is 150 units per hectare and the minimum net density is 100 units per hectare.</p>	<p>If medium density is permitted within the designation ie. townhouses, how will the minimum density of 100 units per hectare be achieved? What is the intent of this policy?</p>
9.4.2.21	<p>Underground or structured parking is encouraged.</p>	<p>Underground or structured parking is expensive to provide in this market and is not supported by the current land values.</p>
9.4.2.22	<p>Surface parking should generally be minimized, well landscaped and is subject to the Urban Design policies of this Plan.</p>	<p>What does “minimized” mean? Less than the parking required by the Zoning By-law?</p>
9.5.2.3	<p>Industrial Warehousing and indoor bulk storage of goods will primarily be directed to locate on industrially designated lands within the <i>built up</i> area where there is convenient access to the Hanlon Expressway or rail lines.</p>	<p>Warehousing should be primarily directed to the lands which are designated and zoned to permit Warehousing which includes the lands along the Hanlon Expressway with convenient access in the Greenfield Area.</p>
9.5.2.16	<p>A minimum height of 2 storeys is encouraged.</p>	<p>Warehouses are typically 28 to 40 feet clear height but are only single storey except potentially the office portion which may be 2</p>

		storeys. This should be clarified in the proposed Official Plan policy.
9.5.2.17	The City shall plan to achieve an average density of 36 jobs per hectare on lands designated Industrial in the <i>greenfield</i> area.	The only Provincially mandated target for Greenfield Areas is the overall density target of 50 persons and jobs per hectare. Other municipalities updating their Official Plans have been using the combined jobs and persons target provided by the Province. They have not included a jobs only target for their employment lands. Guelph should also use this approach and delete the jobs only target from the Official Plan. It is not achievable.
9.5.2.18	18. <i>Development</i> with densities of 36 jobs per hectare or more are highly encouraged to locate within the <i>greenfield</i> area.	
9.9	Special Study Areas The Special Study Areas designation applies to the following areas as identified on Schedule 2:	Reserve lands south of Clair Road should be included as a Special Study Area.
9.10.3	Clair-Maltby 1. The Reserve Lands designation is applied to lands in the south of Guelph generally located south of Clair Road and north of Maltby Road. These lands form part of the longer term urban land supply to 2031 and beyond . 3. The redesignation of Reserve Lands to other land use designations will be considered through a Secondary Plan. The Secondary Plan will address the issues outlined in Section 10.2 of this Plan and will consider: i) whether City population and household forecasts justify the need for incorporating such land as part of the City's unconstrained short to medium term land supply; and ii) whether additional residential and non-residential lands are required and the basis for the requirement.	<p>The need for these lands was established in 1993 when these lands were annexed into the City of Guelph.</p> <p>The Places to Grow population target be met by 2031 without these lands.</p> <p>The Secondary Plan should be initiated immediately for the Clair-Maltby lands.</p>

March 30, 2012

Project No. 12030

City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Attn: Mr. Blair Labelle, City Clerk

**Re: Envision Guelph – Official Plan Update, Phase 3
Official Plan Amendment No. 48
331 Clair Road – Acorn Developments**

PLANNERS
URBAN DESIGNERS
LANDSCAPE ARCHITECTS

We act for Acorn Developments on land use planning matters with respect to the above-noted property. The property is approximately 4 acres in size and contains an existing home, barn and two sheds. The property is located on the south side of Clair Road near the intersection of Tolton Drive.

The site is designated "Reserve Lands" in the existing Official Plan ("OP") as illustrated on Schedule 2. Section 7.16.3 of the OP provides consideration for new land use development based on the adoption of an Official Plan Amendment in conformity with the South Guelph Secondary Plan (SGSP) Area Map. The property is shown as "General Residential" and within the "Urban Reserve" area on the SGSP Area Land Use Plan. We would also note that the property is located within the "Built-Up Area" as illustrated on Schedule 1 (as the developed urban area existed on June 16, 2006) and in accordance with OPA 39 (Conformity with the Planning Framework of the Growth Plan for the Greater Golden Horseshoe) a minimum of 40% of the City's annual residential development must occur in this area.

Section 7.16.3 of the existing OP provides consideration for an Official Plan amendment provided specific criteria are satisfied. GSP Group has had ongoing discussions in recent months with City staff and have now submitted a formal pre-consultation request to consider a residential development proposal for the above-noted property.

Based on our review of the draft Official Plan ("Draft OP"), Section 9.10 (Reserve Lands policies) the property and surrounding area now required to complete a Secondary Plan before future redevelopment could be considered. This is significant policy change from the existing OP.

It is our opinion that based on the location and attributes of the property that residential is the most appropriate land use. The proposed future residential project would have direct access to Clair Road which is an arterial road. We also note that the property lies within Stage 4 of the Staging of Development which is illustrated on Schedule 6 (also relates to policies contained in Section 3.21.1 of the Draft OP); however preliminary servicing analysis indicates that the property can be serviced by municipal water and sewer and storm water management can be appropriately addressed.

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The General Residential designation in the existing OP allows a net density up to 100 units per hectare. At this time, the density of the proposed development for the property would meet the policies of the existing OP (i.e. under 100 units per hectare). However, the Draft OP now has four different residential designations including Low Density Residential, Low Density Greenfield Residential, Medium Density Residential and High Density Residential which each have individual minimum and maximum net density requirements. The Low Density Residential designation (which is to apply to the Built-Up Area) has a minimum net density requirement of 15 units per hectare and a maximum net density of 35 units per hectare. This is substantially lower than what has been historically permitted in the General Residential designation in the OP. We would further question the need to differentiate density requirements between Low Density Residential and Low Density Greenfield Residential. Based on the Draft OP and our preliminary concept plan, the proposed development would now be required to have a Medium Density Residential designation to permit a net density of between 35-100 units per hectare.

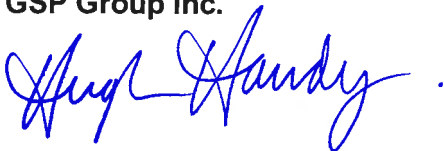
Accordingly, it is our opinion the requirement for a Secondary Plan is unwarranted. Policies similar to the existing OP should be included in the Draft OP to provide consideration of an Official Plan Amendment (and other related planning applications) for properties such as 331 Clair Road. Alternatively the property could be designated Medium Density Residential at this time as has been done in other areas of the City through OPA 48.

We would appreciate formal notification of any future meeting of Council related to this matter and notification of adoption of OPA 48.

Thank you for considering our comments. We would appreciate a formal response to our letter. We would also be happy to meet with City staff to further discuss the matter at their convenience.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate, Planner

cc Pete Graham, Acorn Developments
 Peter Fitzgerald, Stantec
 Al Hearne, City of Guelph
 Melissa Aldunate, City of Guelph



SHAPING GREAT COMMUNITIES

PLANNERS
URBAN DESIGNERS
LANDSCAPE ARCHITECTS

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March 30th, 2012

File No.: 10080.95

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attn: Blair Labelle, City Clerk

**Re: Envision Guelph – Official Plan Update Phase 3
Official Plan Amendment No. 48
1291 Gordon Street - 2274237 Ontario Inc.**

We act for 2274237 Ontario Inc. on land use planning matters with respect to 1291 Gordon Street (the "Site"). 2274237 Ontario Inc. has requested that GSP Group Inc. monitor and provide input on the City of Guelph's draft Official Plan (Envision Guelph).

The Site is designated as "General Residential" in the existing 2006 Official Plan. The General Residential designation permits a maximum of 100 units per hectare and does not include any policies on permitted height.

A Zoning By-law Amendment was approved on August 3rd, 2010 to permit multi-residential uses on a 1.61 hectare portion of the Site (R4.A-37-H). The approved zoning permits a maximum density of 100 units per hectare and a maximum height of 7 storeys.

The draft Official Plan (January 30, 2012) proposes that the Site be designated as "Medium Density Residential" and that a maximum density of 100 units per hectare apply. However, the draft Official Plan now includes a height restriction of six (6) storeys.

The intent of this letter is to ensure that City staff are aware that the Site has site-specific zoning that allows for a height of 7 storeys.

With respect to the schedules, based on our review, there appears to be a mapping error in the vicinity of the Subject Properties. Schedule 2 (Land Use Plan) illustrates a small triangular piece as "General Residential"; however this triangle does not reflect any property boundaries and is bordered by land that is designated "Medium Density Residential" and "Neighbourhood Commercial Centre".

We would request that GSP Group Inc. (c/o Hugh Handy) be added to the circulation list for all future information related to OPA 48. Should you have any questions in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.

A handwritten signature in blue ink that reads "Hugh Handy". The signature is fluid and cursive, with a period at the end.

Hugh Handy, MCIP, RPP
Associate, Planner

cc 2274237 Ontario Inc.
Melissa Aldunate, Senior Policy Planner

PLANNERS
URBAN DESIGNERS
LANDSCAPE ARCHITECTS

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March 30th, 2012

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario N1H 3A1

Attn: Blair Labelle, City Clerk

**Re: Envision Guelph – Official Plan Update Phase 3
Official Plan Amendment No. 48
2274237 Ontario Inc.**

We act for 2274237 Ontario Inc. on land use planning matters. 2274237 Ontario Inc. has requested that GSP Group Inc. monitor and provide input on the City of Guelph's draft Official Plan (Envision Guelph) as it relates to land located on the west side of Gordon Street, between Arkell Road and Vaughan Street (herein referred to as the "Subject Properties"). The Subject Properties consist of five (5) separate land holdings.

The Subject Properties are designated as "Neighbourhood Commercial Centre" and "Medium Density Residential" in the draft Official Plan (January 30, 2012). Within the Neighbourhood Commercial Centre policies, Section 9.4.4.3 states that:

This Plan intends that a Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650 square m (50,000 square feet) of gross floor area.

Section 9.4.4.12 (Permitted Uses) states that "medium density multiple unit residential within mixed-use buildings" are permitted within Neighbourhood Commercial Centres.

Based on our review of the policies for the Neighbourhood Commercial Centre it is unclear what the minimum and maximum permitted densities for the Subject Properties. Specifically:

1. There are three blocks of Neighbourhood Commercial Centre land in the vicinity of the Arkell Road and Gordon Street intersection. Is the maximum gross floor area, provided in Section 9.4.4.3, for the entire Neighbourhood Commercial Centre area, for each "block" or for each individual property?

2. If the maximum gross floor area is intended for the entire Neighbourhood Commercial Centre, how will the permitted density be distributed amongst the individual properties?
3. The minimum and maximum residential densities permitted are unclear. Is it assumed that because "medium density residential" uses are permitted, the permitted densities in the "Medium Density Residential" designation apply (i.e. maximum of 100 units per hectare)?
4. It is unclear in the policies if the maximum permitted gross floor area of 50,000 square feet includes residential uses. Is the gross floor area cap only for the commercial, retail and service uses, small-scale offices and community services and facilities uses?

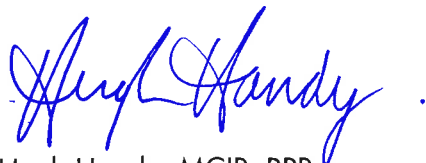
Section 9.4.4.15 limits the permitted height to six (6) storeys. As the land to the immediate north is permitted a maximum of 7 storeys, we would question why a lower height limitation has been placed on the Subject Properties.

With respect to the schedules, based on our review, there appears to be a mapping error in the vicinity of the Subject Properties. Schedule 2 (Land Use Plan) illustrates a small triangular piece as "General Residential"; however this triangle does not reflect any property boundaries and is bordered by land that is designated "Medium Density Residential" and "Neighbourhood Commercial Centre".

At your convenience, we would appreciate a response to the above-noted questions. We would also request that GSP Group Inc. (c/o Hugh Handy) be added to the circulation list for all future information related to OPA 48. Should you have any questions in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate, Planner

cc 2274237 Ontario Inc.
Melissa Aldunate, Senior Policy Planner

March 30, 2012

Project No. 10008

City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Attn: Mr. Blair Labelle, City Clerk

**Re: Envision Guelph – Official Plan Update, Phase 3
Official Plan Amendment No. 48
9 Valley Road and 1242 and 1250 Gordon Street, Guelph**

PLANNERS
URBAN DESIGNERS
LANDSCAPE ARCHITECTS

We act for the property owners on land use planning matters with respect to the above-noted properties (the "Site"). The Site is located on the east side of Gordon Street, at the intersection of Gordon Street and Edinburgh Road. The Site has a combined lot area of approximately 5 acres with frontage on Gordon Street and Valley Road. Each property currently contains a single detached home.

We submitted comments for the above-noted properties on May 20, 2010 in relation to the first draft of the OP update (April 2010 draft of Envision Guelph known at that time as OPA 42). To date the owners have not proceeded with formal planning applications or commenced with technical studies in support of the redevelopment of the properties.

The Site is within the "Built-Up Area" and within the "Intensification Corridor" as illustrated on Schedule 1: Growth Plan Elements. Based on policies implemented through OPA 39 (Conformity with the Planning Framework of the Growth Plan for the Greater Golden Horseshoe), a minimum of 40% of the City's annual residential development must occur in this area.

We note that the City is considering a High Density designation for a portion of 1242 and 1250 Gordon Street as illustrated on Schedule 2: Land Use Plan. In principle, the owners support that designation. However, at this time we have a few concerns related to the policies and designations applying to our Site.

Our first concern relates to the height and density requirements of the High Density designation. As proposed the height of buildings would be limited to 10 storeys and the net density cannot exceed 150 units per hectare. In general we would question the height and density limitations of the High Density designation in the Draft OP. Further, in relation to the Site, we would question whether additional height and density is warranted given it lies within the Intensification Corridor along Gordon Street.

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Our second concern relates to the Built Form policies for High-Rise Buildings contained in Section 8.9. As indicated above, we have not tested these policies on a development plans or architectural plans for the Site. We are concerned with the suggested limitation of floor plate sizes above 5 floors and that parking should be provided primarily below grade.

Our third concern relates to 9 Valley Road. It appears that the properties north of our Site fronting on to Gordon Street have been included in a Medium Density designation. It appears from our review of Schedule B that the 9 Valley Road property may be included with the Low Density Residential designation. We would appreciate confirmation of the designation of 9 Valley Road. If it is determined that the Medium Density Residential designation along Gordon Street is adjacent to 9 Valley Road it may be appropriate to put in the Medium Density designation in place for this property.

Thank you for considering our comments. We would be happy to discuss this matter further with City staff at their convenience and would appreciate a formal response to our comments.

We would also appreciate formal notification of any future meeting of Council related to this matter and notification of adoption of OPA 48.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate, Planner

cc Owners
John Valeriote/Rob Mullin, SmithValeriote LLP
Al Hearne, City of Guelph
Melissa Aldunate, City of Guelph

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March 30th, 2012

File No.: 10051

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attn: Blair Labelle, City Clerk

**Re: Envision Guelph – Official Plan Update Phase 3
Official Plan Amendment No. 48
11 Woodlawn Road West, City of Guelph**

As the authorized agent for 6 & 7 Developments Ltd., we are pleased to provide comments on the draft Official Plan (Envision Guelph) for the City of Guelph ("draft OP"), dated January 2012. By way of history, GSP Group provided comments on May 20, 2010 on the previous draft of the Official Plan, which was released in April 2010.

6 & 7 Developments Ltd. owns land known municipally as 11 Woodlawn Road West, which is located at the northwest corner of Woodlawn Road and Woolwich Street (the "Site"). The Site is approximately 40 acres in size and contains a Walmart store and a number of commercial buildings. The Site has Site Plan Approval in place for all buildings; however, there are a few remaining buildings to be constructed.

The proposed designation of the Site in the draft OP is "Community Mixed Use Area" and "Significant Natural Areas", which essentially brings forward the overall arching policy direction as a commercial node from the current Official Plan, as well as the protection of sensitive environmental features on the northern boundary of the Site. While the overall importance of the Site for commercial use has been recognized by the draft OP, after reviewing the document we have a number of concerns and issues that we would appreciate further clarification from City staff and are prepared to work with the City to resolve.

While this not an exhaustive list of issues and concerns, the following represents major areas that we would appreciate further consideration and review by City staff, including:

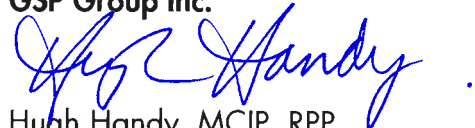
- Section 9.4.2 b) states that “to realize in the long term an urban village concept through a mix of uses, in a compact urban form with a main street experience and attractive private and public open spaces, such as urban squares.” The policies do not define “urban village” as such, there is little direction on the intended vision.
- Section 9.4.2.3 states that “development will be comprehensively planned and integrated with the overall Community Mixed-use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11.” As noted above, the Site has Site Plan Approval for the full build-out of the property. We have concerns that surrounding lands, which are located with the Node redevelops, a “concept plan” would be required for the entire node. We would appreciate confirmation that any “concept plan” would reflect the site layout provided in the Approved Site Plan.
- Section 9.4.2.4 states that “residential uses are intended to be incorporated into Community Mixed-use Centres through the development of mixed-use buildings or medium or high density housing.” The proposed wording of this policy continues to be prescriptive in requiring residential uses on the Site, as part of a mixed use development. Again, as noted, the Site has full Site Plan Approval for the build-out of the property; however, through the evolution of site design and tenant requirements, amendments to the approved plans are expected. The incorporation of residential uses will likely not be feasible for the foreseeable future and may in fact extend beyond the 20-year planning horizon.
- Section 9.4.2.6 states that “Community Mixed-Use Centres are strongly encouraged to incorporate Main Street type development in strategic locations....” We would request that the City confirm the intention of “Main Street” type development for this particular Site? We would also question the intent of minimizing the “width of storefronts”. If this Site is part of Node that is intended to incorporate larger floor space users, why is the width limited and controlled?
- Section 9.4.2.12 provides the permitted uses within the Community Mixed-use Node and includes “urban squares and open space”. We would note that there is no definition of this use in the draft OP to guide landowners and we would question the intention and purpose of including such uses.

- Section 9.4.2.18 states that "the minimum height is two (2) storeys for buildings fronting onto arterial and collector roads and identified main streets and the maximum height is ten (10) storeys". The draft policy is unclear on the meaning of two (2) storeys. Is the intention for two functioning storeys or the appearance of 2 storeys? It is our preference for the draft OP to require the appearance of 2 storeys.

We would appreciate a formal response to our letter. We would also request that GSP Group Inc. (c/o Hugh Handy) be added to the circulation list for all future information related to OPA 48. Should you have any questions in the meantime, do not hesitate to contact me.

Yours very truly,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Associate, Planner

cc Emily Edmunds, SmartCentres
Melissa Aldunate, Senior Policy Planner

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March 30, 2012

Project No. 8095

City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Attn: Mr. Blair Labelle, City Clerk

**Re: Envision Guelph – Official Plan Update, Phase 3
Official Plan Amendment No. 48
Estate of Valeriote 1968 Trust
1968-1992 Gordon Street, Guelph**

We act for the Estate of Valeriote 1968 Trust on land use planning matters with respect to the above-noted properties (the "Site"). The Site is located on the east side of Gordon Street, south of Clair Road. The Site is immediately north of the Springfield Golf and Country Club property. The Site contains two existing homes which access off of Gordon Street. The Site is comprised of two properties totaling approximately 80 acres.

The Site is currently subject of an appeal to the Ontario Municipal Board with respect to Official Plan Amendment 42 ("OPA 42").

We have reviewed the latest draft Official Plan ("2012 Draft OP") dated January 30, 2012 on behalf of our client and offer the following comments:

Loss of Residential Land

The Site is designated "General Residential" and "Core Greenlands" within the existing Official Plan ("OP"). In fact, we would estimate more than half the property is designated General Residential, with small pockets of isolated Core Greenlands. In complete contrast to the existing OP, the 2012 Draft OP designates the majority of the Site as "Significant Natural Area" (currently under appeal) and only a few pockets are designated "Low Density Residential".

Inclusion within Secondary Planning Area

The land use direction for the Site and the larger area was established under the South Guelph Secondary Plan ("SGSP") completed in August 1996. In terms of the Site, the Land Use Plan (Schedule A) contained in the SGSP reflects the designations on Schedule A in the existing OP. The previous April 2010 Draft OP update ("2010 Draft OP") had the Site within a "Special Study Area" designation, rather than a residential designation. The Special Study Area designation in the 2010 Draft OP (Section 8.14.2.2 – Clair and Maltby Special Study Area) placed the Site within the longer term urban supply and required a Secondary Plan to be completed to guide land use and phasing of

development. Similarly, the 2012 Draft OP includes the Site and much of the land between Clair Road and Maltby Road as part of a Secondary Planning Area.

While SGSP and existing OP indicated the need for extension of the sanitary sewer and improvements to the water pressure zone, there has never been a requirement for the Site to be within a secondary plan area or for the Site to be part of a longer term urban land supply. Based on our review of the 2012 Draft OP, this appears to be a major policy shift and impacts on the policy permissions currently afforded to the Site.

Greenfield Area, Residential Density and Proposed Designation

The Site is within the "Greenfield Area" noted on Schedule 1: Growth Plan. The Greenfield Area is planned to achieve an overall minimum density target of 50 persons and jobs per hectare. The General Residential designation in the existing OP permits up to 100 units per hectare. The proposed "Low Density Greenfield Residential" designation (Section 9.3.3) in the 2012 Draft OP only permits a maximum 60 units per hectare.

Given a large portion of the area between Clair Road and Maltby Road is part of the Greenfield Area, in our opinion the proposed designation of Low Density Greenfield Residential does not encourage the wise and efficient use of the Site in order to assist in achieving those targets.

In addition, given the difference in maximum density between the General Residential (existing OP) and Low Density Greenfield Residential (2012 Draft OP), it appears a down-designation has occurred. Accordingly, the Medium Residential designation (which allows up to 100 units per hectare) may be more appropriate for developable portions of the Site and aligns with the density permissions under the existing General Residential policies.

Proposed City Trail

Finally, we note a Proposed City Trail is shown on the Site as illustrated on Schedule 8: Proposed Trail Network. While in principle we do not object to trail connection through the Site, we would appreciate flexibility on the alignment of the trail system through the future planning approvals.

We note that Section 7.3.1.6 states that, "Amendments to the Trail Network as illustrated on Schedule 8 will not be required for route revisions provided that the continuity of the network can be maintained." Notwithstanding it appears there is flexibility for alignment of the trail, we note proposed trail alignment essentially bisects the property in an east-west direction and directly impacts on the developable portions of the Site, including the front residential area off of Gordon Street.

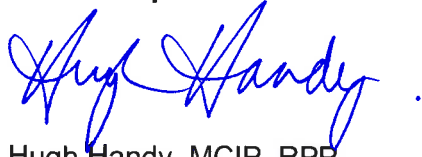
Summary and Future Notification

Thank you for considering our comments. We would be happy to discuss this matter further with City staff at their convenience and would appreciate a formal response to our letter.

We would appreciate formal notification of any future meeting of Council related to this matter and notification of adoption of OPA 48.

Yours very truly,

GSP Group Inc.

A handwritten signature in blue ink that reads "Hugh Handy". The signature is fluid and cursive, with a period at the end.

Hugh Handy, MCIP, RPP
Associate, Planner

cc Gene Valeriote (on behalf of the Estate of Valeriote 1968 Trust)
 John Valeriote/Rob Mullin, SmithValeriote LLP
 Melissa Aldunate, City of Guelph

Mayor Farbridge, Councillors & Planning Staff:

Re: Official Plan Update Phase 3 (OPA 48)
363-369 Gordon Street and 1 College Avenue

As noted in our correspondence of May 2010 (copy enclosed herein), we are the registered owners of the northwest commercial/residential corner at College & Gordon. We are pleased that the draft official plan has shown our two commercial properties as 'Neighbourhood Mixed Use Centre', but we object to staff not recommending the same being applied to our entire contiguous holdings at this corner, which includes 1 College Avenue immediately to the west.

The Old University CIP laid out several principals for redevelopment and envisioned an expansion of the corner to the north and west, which would include our property at 1 College Avenue. The CIP also recommended that this expanded designation should be linked to the Official Plan review. Accordingly, the draft OP should be specifically amended to reflect this designation. Redevelopment at this important gateway corner would not be feasible without the expansion of the 'Neighbourhood Mixed Use Centre' to our adjacent property.

In addition, it is critical to note that access to our commercial node is not in our ownership. At the present time, a lease has secured the two access points; however, there is no guarantee that this lease can be renewed in perpetuity. Without the two entry / egress points over the leased land to our site, the commercial node cannot survive, unless access is provided through our abutting property at 1 College Avenue. This is the appropriate time to ensure the continued viability of this long standing commercial node by extending the 'Neighbourhood Mixed Use Centre' designation onto this property too.

The attached sketch illustrates our ownership of the corner. The consolidation of our parcels, including 1 College Avenue under a single 'Neighbourhood Mixed Use Centre' designation will provide uninterrupted access to the site, and ensure the future viability of this site as intended by the CIP.

We would request that staff contact us to meet and discuss our issues in more detail.

Yours truly,

**NOSAM PROPERTIES LIMITED
& NASA HOLDINGS INC.**

Robert Mason

Robert Mason

From: "Robert Mason" <rmason@masonrealestate.ca>
To: <clerks@guelph.ca>
Cc: <greg.atkinson@guelph.ca>
Sent: Wednesday, May 12, 2010 2:15 PM
Subject: Comments on Official Plan Draft
Mayor Farbridge, Councillors and Planning Staff:

Further to our telephone and email discussions with Mr. Greg Atkinson, we are writing to comment on the draft official plan.

(a) We are the registered owners of the northwest commercial/residential corner at College & Gordon. We are pleased to note that the draft official plan has shown this area as 'neighbourhood mixed use centre'; however, we would like clarification that the boundary of this designation includes, our contiguous holdings at this corner (both 363-369 Gordon Street as well as our additional holding at 1 College Avenue, immediately to the west of the corner.) Furthermore, the Old University CIP recommended that the corner be expanded to the north and west and accordingly, the draft OP should be specifically amended to reflect this. Can you please confirm by return mail or by memo in the OP the inclusion of these two properties in the boundary of this 'neighbourhood mixed use centre' as well as the intent to expand the corner as directed in the CIP.

(b) Again with respect to the same property, we note that the draft OP contains provisions for road widening at this corner. We are strongly opposed to any such widening. Any widening on the west side of Gordon Street or the north side of College would cause a severe and permanent loss of value, use and functionality of this important small neighbourhood site. Furthermore, any widening would be at the expense of the existing sidewalk, making it dangerous for pedestrians. Any road widening contemplated at this corner must therefore be taken on the east side of Gordon or south side of College.

(c) There is a provision for road widening at Victoria approaching Eramosa Road and Eramosa approaching Victoria Road. We would respectfully submit that the city has just completed reconstruction at this intersection and that reference be made in the OP specifically excluding any contemplated road widening at this intersection, or alternatively be taken from the City park on the northwest corner.

Please give us written response to our queries herein. Thank you.

Yours truly,

Robert Mason

Mason Real Estate Limited
32 Douglas Street
Guelph, ON
N1H 2S9

(519)824-1811 phone
(519)824-1160 fax

GORDON

STREET

363-369 GORDON

LEASED
LAND

PARKING

OWNER: NOAM PROPERTIES LIMITED

1 COLLEGE

OWNER: NASA HOLDINGS INC.

COLLEGE AVENUE



Ministry of
Municipal Affairs
and Housing

Municipal Services Office -
Western

2nd Floor
659 Exeter Road
London ON N6E 1L3
Tel: 519 873-4020
Toll Free: 1 800-265-4736
Fax: 519 873-4018

Ministère des
Affaires municipales
et du Logement

Bureau des services aux municipalités -
région de l'Ouest

2^e étage
659 Exeter Road
London ON N6E 1L3
Tél. : 519 873-4020
Sans frais : 1 800 265-4736
Télééc. : 519 873-4018



March 21, 2012

Ms. Melissa Aldunate, M.P.I, MCIP, RPP
Senior Policy Planner
Planning & Building, Engineering and Environment, Policy Planning
City of Guelph
1 Carden Street
Guelph, ON N1H 3T9

Dear Ms. Aldunate,

**Re: Proposed Official Plan Amendment No. 48
Phase III of Official Plan 5 Year Review
City of Guelph**

Thank you for your recent circulation of the above-noted matter.

It is understood that the proposed Official Plan Amendment No. 48 is the third and final phase of the City's comprehensive Official Plan update. Phase one of the update was approved by the Ministry in 2009 (Official Plan Amendment No. 39) and established a growth management framework for the City to the year 2031. Official Plan Amendment No. 42 was approved by the Ministry in 2011 (Official Plan Amendment No. 42) and has been appealed to the Ontario Municipal Board. Official Plan Amendment No. 42 proposes to replace the existing Core and Non-Core Greenlands policies and mapping contained within the City's Official Plan with a Natural Heritage System (mapping and policies) in order to achieve consistency with the Provincial Policy Statement, 2005; maintain conformity with the Growth Plan for the Greater Golden Horseshoe; and have regard to matters of provincial interest. Official Plan Amendments No. 39 and 42 apply to all lands within the municipal boundaries of the City of Guelph.

Official Plan Amendment No. 48 proposes to amend, update or provide new policies with respect to:

- strategic directions and vision to guide growth to the year 2031;
- achievement of the City's growth management framework;
- urban design consistent with the Urban Design Action Plan;
- land use designations;
- the City's Community Energy Plan;
- transportation providing greater focus on transit, walking and cycling;
- implementation and the use of planning tools associated with height and density bonusing, the regulation of exterior building design through site plan control and the introduction of a development permit system; and
- the following additional topic areas: watershed planning and water resources; municipal services and infrastructure; mineral aggregate resources; public health and safety,

including natural and human-made hazards; cultural heritage resources; municipal services; affordable housing; and parks and trails.

Section 26 of the *Planning Act*, as amended, states that before the City of Guelph adopts the policies contained in Official Plan Amendment No. 48, the City needs to be satisfied that the policies are consistent with the 2005 Provincial Policy Statement and conforms with provincial plans. The City of Guelph falls within the jurisdiction of the Growth Plan for the Greater Golden Horseshoe.

The comments provided below are being offered for the City's consideration. If/when comments are received from the Ministry of Natural Resources, they will be provided under separate cover.

Ministry of Infrastructure (MOI)

MOI offers the following comments for the City's consideration.

The City's Official Plan Amendment 39 (OPA 39) for conformity with the Growth Plan was approved by MMAH in 2009 and is in effect. MOI notes that the policies in the draft official plan, as circulated, do not appear to have changed from those in OPA 39, save and except for some slight reorganization and minor wording changes.

MOI commends the City on a progressive draft official plan that captures the Growth Plan's vision for the Greater Golden Horseshoe. In particular, MOI is supportive of the following policies in the draft official plan:

- Preparing a development priorities plan to manage and monitor growth, and to define and prioritize the rate, timing and location of development in the City;
- Using a multi-modal approach to transportation planning with an emphasis on walking, cycling and transit;
- Planning to achieve greater energy conservation, identifying opportunities for alternative energy sources, and using land-use patterns and urban design standards to address climate change;
- Developing a suite of City-wide urban design policies that supports a pedestrian friendly urban environment and transit-supportive development.

Please find attached (Appendix A) suggestions and technical comments from MOI for the City's consideration. As MOI is supportive of the draft official plan, as circulated, the attached suggestions are meant to be helpful as the City develops and implements the plan.

Ministry of Transportation (MTO)

MTO notes one provincial highway lies within the City of Guelph boundary. Highway 6 (Hanlon Expressway) is classified as a freeway.

MTO is in the process of completing the detail design for an interchange at the Laird Road intersection in order to provide access to the South Guelph industrial lands on the east side of the highway and the Hanlon Creek Business Park on the west side of the highway. MTO and the City have partnered for the design and construction of this interchange and construction is expected to begin next month. MTO recommends this interchange be shown on all of the land use schedules.

In addition to the Laird Road interchange, please be advised MTO has received approval for an Environmental Assessment that was undertaken on the Hanlon corridor. This assessment evaluated existing and future requirements and determined appropriate locations for interchanges. MTO is beginning the process of identifying the required properties for future construction. The outcome of this process will have an impact on some of the lands located

along Highway 6 that are currently designated in the official plan for a number of land uses, including residential, commercial and industrial. The City may wish to consider identifying these lands on Schedule 5, Development Constraints. The City is also encouraged to show the proposed new interchanges locations on all the land use schedules.

Further, MTO notes there are no specific or general policies in the draft document relating to transportation. MTO recommends the following statement be included somewhere in the OP, preferably in Section 5, Movement of People and Goods and/or Section 9, Land Use:

"In addition to all the applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a provincial highway within MTO's permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any areas in the municipality identified for future development that are located adjacent to or in the vicinity of a provincial highway or interchange/intersection within MTO's permit control area will be subject to MTO's policies, standards and requirements. Direct access will be discouraged and often prohibited."

Finally, MTO notes the roads shown on Schedule 7 (Road and Rail) are not labelled. MTO suggests the roads on Schedule 7 be labelled, especially Provincial Highway 6 (Hanlon Expressway). Further, MTO notes the legend on Schedule 7 identifies Highway 6 (Hanlon Expressway) as "Expressway". MTO suggests this be changed to "Provincial Highway".

Ministry of Tourism, Culture and Sport (MTCS)

MTCS has reviewed the Cultural Heritage Resources policies and offers the following comments for the City's consideration.

Section 4.8 Cultural Heritage Resources

Section 2.6 of the Provincial Policy Statement requires municipalities to conserve significant built heritage resources and significant cultural landscapes. MTCS notes the objectives contained in Section 4.8 use the word 'encourage'. To be consistent with the PPS, MTCS recommends the word 'encourage' be replaced with stronger language.

Section 4.8.1 Cultural Heritage Policies

Subsection 4.8.1 (7) speaks to the ongoing maintenance and care of individual built heritage resources and cultural heritage landscapes. MTCS also notes this same policy contains the word 'encourage'. MTCS recommends this policy be revised to indicate/include that "harmful disruption or disturbance" of archaeological sites is illegal without an archaeological license to alter a known archaeological site(s) under the *Ontario Heritage Act*.

In addition, MTCS notes the last sentence subsection 4.8.1 (15) states the City may use or dispose of demolished cultural heritage resources as it deems appropriate. MTCS questions whether the City can dispose of demolished cultural heritage resources at its discretion. MTCS is of the view that the City's disposal or use of demolished cultural heritage resources needs to occur in accordance with the Ontario Heritage Act and/or its regulations/guidelines.

Further, subsection 4.8.1 (17) speaks to the disposal by sale, lease or otherwise of any real property or interest artifacts acquired under policy 4.7.2.17. In addition to the comment above, if disposal by sale, lease or otherwise was to occur, MTCS suggests such action should be undertaken with Heritage Guelph.

Section 4.8.2 Heritage Designation

Subsection 4.8.2 (6) speaks to the conservation of heritage attributes until such time as the heritage attributes or the designation of the property no longer meet the criteria for determining cultural heritage value or interest established provincial regulation. MTCS supports this policy and recommends it be revised to indicate that removal of the designation needs to occur in accordance with the Ontario Heritage Act and its regulations/guidelines.

Section 4.8.6 Archaeological Resources

MTCS recommends the word 'prehistoric' in subsection 4.8.6 (1) be deleted and replaced with 'precontact'.

In addition, subsection 4.8.6 (4) states that development and site alteration shall not commence on lands containing archaeological resources or areas of potential archaeological resources until an Archaeological Assessment, prepared to the satisfaction of the Province and the City, has been completed that: v) includes a completed archaeological site registry form in instances where archaeological sites are registered. MTCS recommends subsection v) be deleted because it may conflict with the archaeological licensing requirements.

Sections 5, 6 and 7 Transportation, Infrastructure and Urban Design, Respectively

MTCS suggests Sections 5, 6 and 7 of the City's Official Plan be re-visited to ensure transportation, infrastructure and urban design activities being undertaken are consistent with Section 2.6 of the Provincial Policy Statement. To avoid duplication, the City may wish to consider cross-reference the Cultural Heritage policies in Sections 5, 6 and 7.

Ministry of Northern Development and Mines (MNDM)

The Ministry of Northern Development, Mines and Forestry planning interests are related to the protection of long-term mineral resource supply (Section 2.4 PPS) and to the protection of human health and safety (Section 3.2 PPS). Based on their review, MNDM has no concerns with Phase III of the Official Plan Update.

It is also important to note that published reports and maps are available for viewing or free download through the Geology Ontario portal using the following link:

<http://www.geologyontario.mndmf.gov.on.ca/>.

Ministry of the Environment (MOE)

In addition to the proposed revisions, MOE also reviewed sections of the draft official plan that pertain to the mandate, legislation, guidelines and procedures of their Ministry. MOE offers the following comments for the City's consideration.

Section 4.4.3 Landfill Constraint Area

MOE recommends a minor modification to subsection 4.4.3 (2) so that it reads as follows:

- "2. Lands which were used for waste disposal within the last 25 years require an approval from the Minister of the Environment, pursuant to Section 46 of the *Environmental Protection Act* to enable the land to be used for another purpose. Adequate technical assessment must accompany a request for such approval to demonstrate that the future use will neither pose a health and safety hazard nor adversely effect the natural environment. Required approvals pursuant to the *Planning Act* will not be issued unless a Section 46 approval is granted."

Movement of People and Goods – An Integrated Transportation System (Chapter 5)

Chapter 5 contains policies designed to make the City's transportation system more efficient, environmentally sustainable and broaden the use of non-traditional means of transportation. MOE applauds the policies, as drafted, and suggests a reference to the environmental assessment requirements be included with respect to municipally-led projects that are either transit-related or involve the municipal road network. With respect to public transit, please be advised the operative legislation is Ontario Regulation 231/08 which outlines a streamlined environmental assessment process for eligible public transit related projects being undertaken by a municipality. Similarly, the MEA Class Environmental Assessment also addresses municipal transit projects. On this basis, MOE suggests it would be appropriate to include a reference these regulatory requirements in the official plan, noting there is a reference on page 119 which speaks to the coordination of the City's transportation network among various levels of government.

Section 6.7 Termite Control

MOE notes the reference to "Termite Control Officer" indicates that this individual will be providing instruction as to the methods that are to be used for the eradication of termites in soil and building refuse in order to control the spread of termites within the City. It is not clear to MOE whether the position of "Termite Control Officer" requires this individual to hold a valid Termite Exterminator License, pursuant to the Pesticides Act. Without a license, the Termite Control Officer is limited in his scope of authority and more specifically, cannot direct a licensed exterminator to undertake any actions which could be in contravention of applicable legislation. Please be advised extermination methods and all aspects of application (material used for extermination, method of application, rate of application etc.) can only be determined and executed by a licensed exterminator.

Ministry of Municipal Affairs and Housing (MAH)

Section 3.21.2 Development Priorities Plan

Section 3.21.2 (1) states the City will prepare a Development Priorities Plan on an annual basis to manager and monitor growth and to define and prioritize the rate, timing and location of development in the City. Subsection iii) states the Development Priorities Plan will set an annual limit for the creation of potential dwelling units from registered plans of subdivision. It is unclear how the City will ensure a limit for the creation of potential dwelling units is not exceeded without the potential for appeals to the Ontario Municipal Board.

Section 4.3.3 Source Protection

Section 4.3.3 contains draft policies regarding source water protection. The policies recognize a Source Protection Plan is being developed by the Lake Erie Source Protection Committee. Further, the draft policies states that once approved by the Ministry of the Environment, the Source Protection Plan policies will be incorporated in the City's Official Plan.

Section 4.3.3.1 states that the entire City area is considered to be a recharge area for municipal drinking water supply. To protect this resource the City proposed to introduce conditions of development approval that: "iii) prohibit the extraction of mineral aggregates in significant groundwater recharge areas".

It is important to note the extraction of mineral aggregates in source water protection areas has not been identified as a significant threat by the *Clean Water Act*. Further, the extraction of mineral aggregates within source water protection areas is currently a matter before the Ontario Municipal Board with respect to similar policies adopted by the Region of Waterloo. Before adopting any policies placing restrictions and/or limitations on mineral aggregate operations, the City is encouraged to consider the significant threats contained in the *Clean Water Act*.

In addition, subsection 4.3.3.1 (iv) speaks to the handling of liquid waste, petroleum, fuels, solvents, fertilizers and related chemicals. As stated in our comments dated December 15, 2011 on draft source water protection policies developed by the City, activities such as handling can not be regulated through the *Planning Act*. The Ministry suggests the City ensure the source protection policies can be implemented through the *Planning Act* which control the use of land.

Section 4.4.1 Floodplains

Section 4.4.1 of the draft official plan, as circulated, contains wording revisions and new policies. If the City has not already done so, it is recommended the proposed revisions be circulated to the Grand River Conservation Authority for review and comment.

Section 4.5 Mineral Aggregate Resources

Section 4.5.1 recognizes an existing licensed mineral aggregate operation partially within the City. Section 4.5.1.5 prohibits asphalt plants, concrete plants, aggregate transfer stations and similar related uses within the City of Guelph. It is questioned whether these two policies conflict with each other?

Section 7.2.1 (3) Affordable Housing Targets

MMAH notes Section 7.2.1 (3) states that an additional separate annual target of 6% of all new residential development has been established for social housing. Since the County of Wellington is the Consolidated Municipal Service Manager responsible for the provision of social housing services, it is unclear how the City will encourage the development of new social housing.

Section 10.4 Zoning By-laws

Section 10.4.2 states, "Zoning By-laws may impose one or more conditions related to the use of land or the erection, location or use of buildings or structures. The conditions shall relate to matters set out in the *Planning Act* and conform to the policies of this Plan".

It is understood the above noted policy is in reference to zoning with zoning. Please be advised regulations for zoning with conditions have not developed by the Province and as such, is currently not a *Planning Act* tool available for use.

Section 10.0 Implementation

During the Ministry's approval of Official Plan Amendment 42, it was discovered that the City's Official Plan does not contain a provision allowing City staff to undertake editorial corrections (numbering, spelling etc) without an amendment to the City's Official Plan. The lack of this policy provision resulted in the Province having to issue a decision on Official Plan Amendment No. 42 containing numerous editorial revisions. To avoid this situation in the future, the Ministry suggests the City consider including a provision allowing editorial amendments without an amendment to the City's Official Plan.

Economic Investment

One of the government's priorities is to encourage and stimulate private sector investment in local communities. The City is encouraged to ensure the City's Official Plan contains adequate policies and provisions to promote and encourage economic development.

First Nations

As you are aware, Phase I of the City of Guelph's 5 Year Review (OPA #39) resulted in the City's Official Plan being brought into with the Growth Plan for the Greater Golden Horseshoe. As part of the Ministry's approval process, MMAH staff spoke with representatives from the Six Nations of the Grand River and the Mississaugas of the New Credit who confirmed they had no issues with the proposed amendment. At that time there was a verbal commitment given by

City staff that they would undertake engagement and consultation with First Nation communities for all further amendments regarding the City's 5 Year Review.

Phase II of the City's 5 Year Review (OPA #42 which is currently under appeal) proposes to replace the existing core and non-core greenlands policies and mapping contained within the City's Official Plan with a Natural Heritage System (mapping and policies). Originally the City's intent was to complete their 5 Year Review as part of Phase II however, it was later decided to proceed with the natural heritage system and leave the remaining sections of the Official Plan to a subsequent phase.

It is understood a meeting was held between City staff and the Mississaugas of the New Credit on May 18, 2010. It is also understood a meeting was held between City staff and the Six Nations of the Grand River on May 19, 2010. According to letters dated May 5, 2010 the scope of these meetings were intended to be broad however, what was actually discussed at the meetings is unknown. The Ministry is receipt of an email from the Six Nations of the Grand River to the City of Guelph dated July 21, 2010. The email was written by Joanne Thomas, Land Use Officer, and states, "I talked with Lonny Bomberry the Director of Lands and Resources. It was decided that Six Nations has no comment on the City's Guelph's Official Plan at this time".

With respect to the Mississaugas of the New Credit, an exchange of emails between City of Guelph staff and the Mississaugas of the New Credit was shared with the Ministry. We received no written comments from the Mississaugas of the New Credit.

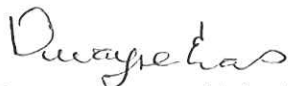
Further, it has come to the Ministry's attention that the Metis Nation of Ontario has recently expressed an interest in municipal initiatives. More specifically, we understand the Metis Nation of Ontario has sent letters to various municipalities across the Province advising they have an interest in municipal initiatives. In our view, the Metis Nation of Ontario should be treated like any other First Nation community.

To be in a position to issue a decision on Phase III of the City's 5 Year Review, the Ministry needs to be satisfied that adequate engagement and consultation has taken place with First Nation communities. In light of the time that has elapsed since the adoption of Official Plan Amendment No. 42 and subsequent staff changes both at the City level and with First Nation communities, it is recommended the City give consideration to undertaking consultation with the Six Nations of the Grand River, the Mississaugas of the New Credit, the Metis Nation of Ontario and any other First Nations in the area that you may be aware of and which may have an interest in City of Guelph planning matters. With respect to Six Nations of the Grand River, a follow-up phone call confirming their correspondence dated July 21, 2010 still stands may be appropriate.

Finally, the opportunity to review a consolidated working copy of the draft official plan containing the revisions proposed Official Plan Amendment No. 48 (Phase III of the 5 Year Review) has been very helpful. As you are aware, Official Plan Amendment No. 42 is currently a matter before the Ontario Municipal Board, and the draft official plan circulated by the City for review and comment appropriately contained revisions proposed by Official Plan Amendment No. 42. It is understood the scope of the document submitted to the Ministry for approval will be limited to revisions proposed by Official Plan Amendment No. 48 and will in no way infringe on matters before the Ontario Municipal Board.

On behalf of our Ministry, and the other provincial Ministries, thank you for the opportunity to review and provide comments on the proposed Official Plan Amendment. If there are any questions or concerns on these comments, please contact me at (519) 873-4695 or by email at: Dwayne.Evans@ontario.ca

Yours truly,



Dwayne Evans, M.A., MCIP, RPP
Planner
Municipal Services Office – Western

c.c Barb Slattery, MOE (Hamilton)
 Heather Doyle, MTO (St.Catharines)
 Penny Young, MCL (Toronto)
 Tanzeel Merchant, MEI (Toronto)
 Mike Stone, MNR (Guelph)
 Debbie Laidlaw, MNDM (Tweed)
 Erick Boyd, MAH (London)

Appendix A:
MOI Suggestions and Technical Comments
for the City of Guelph Draft Official Plan

- Growth Plan policy 3.2.3.2 requires that all decisions on transit planning and investment will be made according to specific criteria such as facilitating improved linkages from nearby neighbourhoods to urban growth centres, major transit station areas, and other intensification areas. While this policy is included in policy 3.15.2 of the draft official plan, it may be helpful for the City to consider identifying the mode(s) of transportation that will serve as this linkage. Such modes could include, for example, transit and/or walking and cycling connections.
- Growth Plan policy 3.2.4.5 requires that municipalities will plan for land uses in settlement areas adjacent to, or in the vicinity of, transportation facilities that are compatible with, and supportive of, the primary goods movement function of these facilities. Similarly, Growth Plan policy 2.2.6.9 encourages municipalities to designate and preserve lands with settlement areas in the vicinity of existing highway interchanges, ports, rail yards, and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities. Draft official plan policy 5.12.2 directs that “development in proximity to these proposed improvements will be designed and integrated such that it does not preclude or negatively affect the proposed transportation network improvement”. While MOI is supportive of policy 5.12.2, the City may wish to consider providing further direction with respect to development in the vicinity of existing transportation facilities in keeping with Growth Plan policies 2.2.6.9 and 3.2.4.5.
- Although parking is not specifically addressed in the Growth Plan, MOI offers the following policy direction for the City’s consideration:
 - To investigate shared parking arrangements between multiple facilities to optimize the staggered nature of demand at different facilities on a time-of-day, weekday/weekend and monthly basis; and,
 - To design surface parking to: 1) support redevelopment and retrofitting, and 2) enable the transition to structured/underground parking as site development evolves.
- To further promote active transportation, the City may wish to include a policy to provide separate dedicated space for cyclists within the road right-of-way, particularly on roads with higher speeds.
- Policy 5.6.1 Road Network, the first line should be corrected from “Road right-of-ways” to “rights-of-way”.
- The definition of “affordable housing” should be in accordance with the definition in the Growth Plan.
- The definition of “built-up area” should reflect the new ministry name, the Ministry of Infrastructure.
- The definition of “settlement area” should be in accordance with the definition in the Growth Plan.
- The definition of “transportation demand management” should be corrected from “polices” to “policies”.

April 2, 2012

City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mayor Farbridge and Members of Council

Re: Envision Guelph – released January 30, 2012
Abode Varsity Living, 716 Gordon Street
Public Meeting April 2, 2012

Thank you for the opportunity to provide comments with respect to the Envision Guelph Official Plan Amendment No. 48. On behalf of our non-profit corporation, Mayfield Park Community Association, I can advise that we are in strong support of the proposed “Low Density Residential” designation proposed within the “Intensification Corridor” for the property located at 716 Gordon Street. This designation would permit a density of 35 units per hectare. This property is 1.7 hectares in area which would permit a total of 60 units to locate on this property. This is a Places to Grow density of 105 people per hectare assuming 3 people per unit. This exceeds the Places to Grow target of 50 people per hectare and is appropriate along the intensification corridor. A development proposal of 60 units would allow for the preservation of the heritage trees on the property, not overpower the Heritage designated house on the adjacent site, and meet the required zoning regulations (including parking) while still meeting intensification goals. Residential re-development of this property at this density would be transit supportive, encourage walkability and be compatible with the existing low-rise neighbourhood.

We commend the City staff regarding their preparation of Envision Guelph and encourage Council to support our neighbourhood and approve the “Low Density Residential” designation on 716 Gordon Street as proposed.

Thank you again for the opportunity to provide these comments.

Yours truly,

Original Signed by:

Kate MacDonald
President
Mayfield Park Community Association

cc: Todd Salter, City of Guelph

MPAC.doc



March 30, 2012

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Todd Salter, General Manager, Planning and Community Services

Re: **Envision Guelph – Released January 30, 2012**
Public Meeting April 2, 2012

The Guelph and District Home Builder's Association has reviewed the Draft Official Plan and provides the following comments.

Section 4.7.4.1 of the Draft Official Plan states that, "*New residential, commercial and institutional development shall achieve an **improvement of 1.5% per year over the 2012 Ontario Building Code energy efficiency requirements.***" This arbitrary 1.5% amount cannot be implemented or regulated by the Building Department. This section should be removed from the Official Plan.

Section 5.6.3 states that, "*Generally, **private roads shall be discouraged.** Where permitted they shall generally be **designed to be publicly accessible.***" Private roads are required for cluster townhouse sites, for example, and will help the City achieve its *Places to Grow* population targets. How or why would a private road be designed for public access? This section should be removed from the Official Plan.

Section 6.6.3 states that, "*The City will facilitate a reduction in energy consumption for the construction and servicing requirements of subdivisions and other development by **requiring gravity feed sanitary sewers.***" This section should be amended to include the words "where possible" since gravity sewers are not always physically possible to provide.

In section 7.2.1.2 the target of "**3% affordable rental housing units**" for new development should be removed from the Official Plan since the City cannot regulate or control the tenure of housing.

In Section 9.9 the completion of the **Secondary Plan for the Clair-Gordon Area** is discussed. The Official Plan must be revised to make this a high priority for the City. These lands are required to meet the *Places to Grow* targets for Guelph. The employment lands coming on stream will be negatively impacted by the lack of housing available for employees. The current constrained supply of land in Guelph will have a negative impact on the cost of housing throughout the City.

Please provide me with notice of any upcoming meetings and further drafts of the Official Plan being released. We would like to meet with you to review our position with respect to these proposed policies and our suggested policy changes.

Yours truly,

Glenn Anderson, President

cc: Mayor Farbridge and Members of Council

(gdhba Envision Guelph.doc)

April 2, 2012

TO: Mayor Farbridge and Council Members

RE: Official Plan Update 48 Phase 3

Madame Mayor and Councillors:

RE: Envision Guelph – City of Guelph Proposed Draft Official Plan OPA 48

We have reviewed the proposed OPA 48 and have the following comments:

We do not believe that our original comments and concerns in our letter of May, 10, 2010 have been addressed by planning staff in "Attachment 5 "Policy Specific Comments received since April 2010." Pg. 44.

Therefore we are resubmitting our concerns and comments re the proposed medium density:

General Comments about increased density:

- Potential negative impacts of increased density on quality of life of existing residents
- Increased density must be compatible with and not negatively impact adjacent residents and our community as a whole
- OPA policies should support compatible development in existing neighbourhoods
- More density will further exacerbate existing traffic problems
- Residents cannot support higher density in Kortright Hills as no comprehensive traffic management plan has been conducted.
- Concern about economic impacts of growth and increased property taxes
- This is a Greenfield area so why medium density?

Proposed medium density on Niska Rd.

On April 9th 2010 a request was made to planning staff for further information with respect to the maximum number units that could be allowed on Niska related to the number of hectares to be re-designated to medium density residential. In other words how many 5 storey apartments could potentially be built if the lands were rezoned? To date we have not received this information. Without this information there is insufficient information to evaluate what impacts higher density will have on residents on Ptarmigan and the community as a whole. In this new OPA 42 Draft the height has been increased to allow 6 storey apartment buildings. We believe that this proposed new increase in height will may affect our viewscapes, shading and only serve to further exacerbate traffic problems on Niska Rd.

Residents along Niska Rd. are already negatively impacted by regional traffic from Highway 24. Niska RD. was originally designed to discourage regional traffic. Niska was not designed to be an arterial road. Without a comprehensive traffic management plan the re-designation of lands on Niska to medium density will further aggravate existing health and safety problems related to traffic and is therefore inappropriate.

The one lane Bailey bridge is a courtesy bridge with history of fatalities and accidents. A one way traffic light at this bridge could potentially alleviate some of the safety issues at this bridge. Members did not support the upgrading of the bridge to a 2 lane structure as this would only increase regional traffic. The current road grades and elevations are not safe for the existing volume of traffic especially in winter. The intersection of Niska and Downey meets the warrants for traffic lights but may not be permitted related to the location of Woodland Glen and the Hanlon.

The Niska Rd. Environmental Assessment is needed before any changes in density are approved.

Medium density on Niska does not appear to support the OP principles of a walk able, compact community as this proposal is on the fringe of the city and there are few services in this area.

Higher density may impact the ecological integrity of the adjacent Speed River PSW.

The proposed minimum density does not allow flexibility in future zoning proposals.

After a long and extensive OMB mediation process (PL 050323) all parties signed the revised documents including Minutes of Settlement and Planning Approval Documents. The OMB decision #3143 was final on November 8, 2006. As part of this decision OPA 26 was approved by the OMB. Therefore we would appreciate assurances from both City of

Guelph Planning and Legal staff that this proposed OPA 42 does not in any way alter or negatively impact the OPA 26 approved by the OMB. If there are alterations please advise us in writing of where these changes are proposed.

KHCA recognizes that our position may not represent the neighbourhood and membership as whole and individual members and residents still have the right to express their support, concerns and objections for the proposed OPA changes in writing or at meetings.

Respectfully submitted on behalf of KHCA Inc. by:

Laura Murr
President KHCA Inc.



Hamilton London Toronto

Shelley Kaufman

Scott Snider

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Direct Line 519 434 3684

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skaufman@tmalaw.ca

ssnider@tmalaw.ca

April 2, 2012

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Todd Salter, General Manager, Planning and Community Services

Re: **Envision Guelph OPA No. 48 – Released January 30, 2012**
Part of Lot 11, Concession 7
(Geographic Township of Puslinch) City of Guelph
Reference Plan 61R-7440
Garibaldi Holdings Limited, Clair Road West

We are the solicitors for the owners of the above-referenced Garibaldi Holdings Limited ("Garibaldi") property. This property is approximately 27 acres in area. In 1997, Garibaldi previously sold a portion of their adjacent lands to Denso Sales Canada, Inc.. This automobile parts manufacturer continues to operate on the neighbouring property located on Southgate Drive and Clair Road West.

Current Official Plan

The current City of Guelph Official Plan (November 2006 Consolidation) Schedule 1 – LAND USE PLAN designates the 27 acres owned by Garibaldi as "Industrial" with a "Non-Core Greenland Overlay" on portions of the property. The Non-Core Greenland Overlay takes on the underlying land use designation with an accepted EIS and may be developed for industrial purposes.

TURKSTRA MAZZA ASSOCIATES, LAWYERS

Envision Guelph OPA No. 48 (Released January 30, 2012)

The Draft Envision Guelph document in Draft Schedule 2: Land Use Plan proposes to remove the existing "Industrial" designation from the Garibaldi Property and replace it with a "Significant Natural Area" and "Natural Area" designation. The remaining "Industrial" designation in OPA No. 48 on the Garibaldi Property is in an isolated location with no road frontage. This onerous change in designation is not acceptable to Garibaldi and it has a direct impact on the interests of our client.

We request that Council direct staff to reinstate the "Industrial" designation on the entire Garibaldi Property in the final version of OPA No. 48 which will be presented to Council for approval.

Please provide us with notice of any upcoming meetings and further drafts of the Official Plan being released. We would like to meet with you to review our position with respect to this issue.

Yours truly,

A handwritten signature in black ink, appearing to read 'Shelley Kaufman', with a stylized, flowing script.

Shelley Kaufman

cc: Mayor Farbridge and Members of Council
Peter Cartwright, Economic Development

(1204.Envision Guelph Comments.doc)

March 30th, 2012

Mr. Blair Labelle
City Clerk
City of Guelph
City Hall
1 Carden Street
Guelph ON N1H 3A1

Re: Official Plan Update (OPA 48)

Dear Mr. Labelle:

Thank you for the opportunity to provide comments regarding the City's proposed Official Plan update. We have been involved in the review process and attended a number of meetings with City staff to discuss same. In addition, we have participated in this initiative as part of the Guelph Wellington Development Association.

We would like to commend City staff for undertaking this significant initiative which will assist in shaping future growth in the City to the year 2031. We are generally supportive of the principles to guide the community into the future and in particular intensification efforts and opportunities related to the downtown area. In addition, we believe that an appropriate mix of housing types is necessary to accommodate the needs of residents across the City including the lands outside the built up area identified on Schedule 1.

In our review of the draft document, we have concerns about and feel that a number of policy areas require further consideration and review by staff. These include the following:

- Need to ensure that population and employment targets can be accommodated within the urban area boundary identified in Schedule 2 (Sections 3.2 and 3.3)

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- Affordable housing target levels place onus exclusively on new development to accommodate such needs yet should rely on opportunities within existing housing stock as well (Section 7.2.1)
- Urban design details in particular those that would limit the ability to brand and therefore market new communities need to be reconsidered and eliminated (Sections 8.4.7 and 8.4.8)
- Approval of secondary plans as outlined in the general provisions of the new official plan could raise conformity issues (Section 9.12.1)
- Density provisions may limit the consideration of development in subsequent secondary plans in particular the proposed Downtown Secondary Plan (Section 9.3.5)
- Proposed policies related to 'Protecting What is Valuable' (Section 4) seem overly onerous on the proponent of development when Provincial legislation and Conservation Authority regulations and provisions already prevail (Sections 4.4.1 and 4.4.4)
- Built form provisions in high rise buildings related to underground parking need to be practical due to cost implications (Section 8.9)
- Private roads are generally discouraged yet will continue to form important components of condominium developments on a go forward basis (Section 5.6.3)
- Open space area, linkage and urban square requirements should form part of the five percent parkland dedication requirements of any development (Sections 7.3.1.8 and 7.3.2)
- Lands identified as 'Special Study Area' within the southeast quadrant of Stone Rd East and Victoria Rd South should be designated as 'Mixed Use' to accommodate retail, office and a variety of residential uses (Schedule 2)

In our view, the proposed official plan document needs to provide guidance regarding the future development of the City. At the same time, it is respectfully submitted that the proposed plan should provide a level of flexibility to accommodate market shifts and other changing circumstances over the planning period. In general, we suggest that the prescriptive nature of many of the policies proposed in the draft official plan be left to the zoning and site planning stages.

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We look forward to continuing our discussions with City staff in addressing the above matters and concerns in greater detail.

Yours truly,



Larry Kotseff
Vice-President, Planning & Development

Cc Lee Piccoli, Fusion Homes
 Todd Salter, City of Guelph
 Melissa Aldunate, City of Guelph

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April 2, 2012

City of Guelph
Community and Development Services
1 Carden Street
Guelph, ON
N1H 3A1

Attention: Mr. Todd Salter, MCIP, RPP
Acting General Manager, Planning Services

Dear Sir:

**Re: Guelph Official Plan Review
Draft Official Plan Amendment No.48
Our File 10-529**

90 Eglinton Avenue East
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Toronto, Ontario
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e-mail: admin@wndplan.com
web: www.wndplan.com

As you are aware, we act as planning consultants to Armel Corporation with regards to several of their land holdings in the westerly area of Guelph. Further to our recent meeting with City staff, we are taking this opportunity to provide some preliminary comments with respect to the most recent draft Official Plan ('OPA 48').

Mixed Use Nodes and Community Mixed Use Centre Designation

As discussed at our meeting, Armel has a number of concerns regarding the policies related the 'Mixed Use Node' (which is an urban structure component of the Official Plan) and the Community Mixed Use Centre designation (which is a land use designation).

The intent of the 'Mixed Use Nodes' ('MUN') is to identify areas of the City wherein a more diverse and compact arrangement of land uses are intended to provide a focal points for intensified, mixed use development within the City. As such, the 'Mixed Use Nodes' encompass a number of properties and most importantly, a number of different, specific land use designations within a 5 - 10 minute walking distance of the Node's centre.

In contrast, the 'Community Mixed Use Centre' ('CMUC') is a specific land use designation applied to individual properties. This designation primarily arose from the City's earlier commercial policy review (OPA 29) and subsequent OMB decision regarding the Silver Creek lands. We understand that CMUC's form an integral (primarily commercial) component of the larger MUN's, with the intention than MUN's also generally capture surrounding multi-residential, community and other land use designations.

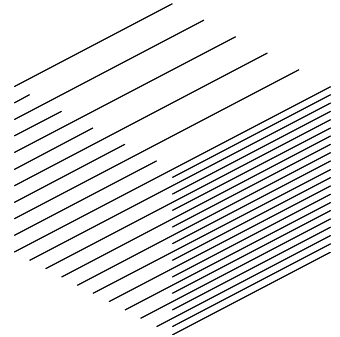
Peter R. Walker, FCIP, RPP
Wendy Nott, FCIP, RPP
Robert A. Dragicevic, MCIP, RPP
Senior Principals

Andrew Ferancik, MCIP, RPP
Senior Associate

Martha Coffey
Controller

In this regard, the 'Community Mixed Use Centre' designation forms one of a number of land use designations that may be found within the 'Mixed Use Node'.

Accordingly, in order to clarify the purpose and intent of the MUN, additional policy should be considered in order to clarify to policy intent of the larger areas considered as MUN's relative to the more concise boundaries of the CMUC's. At present, due in part to the cross-referencing of Section 3.11 (MUN) within Section 9.4.2 (CMUC), there is the potential for a conclusion to be reached that the CMUC designation represents the MUN. Our discussion regarding 'urban squares' under the CMUC policies as opposed to the MUN policies is an example of where such clarification would be of assistance in the implementation of these policies.



Further, there should be some policy flexibility to recognize that some MUN's are already nearly fully developed, while others have not yet developed, or are only partially developed. The policy should positively encourage and enable undeveloped MUN's to mature. Policies which are prescriptively regulatory should be eliminated or adjusted to provide the flexibility necessary to encourage and enable build out of MUN's in all parts of the city, on an equal footing. Building height and usability, parking fields and assignments, store front widths, and building massing are examples of prescriptive policy that can be problematic if contained within an official plan, such that what should be guidelines in effect become regulation.

We also discussed the need to clarify the floorspace assignments in CMUC's (in particular, the Paisley/Imperial CMUC) in order to ensure consistency with intent of OPA 29.

Other Commercial Designations

In addition to the Paisley/Imperial node, Armel owns many other commercial properties around the city identified as Service or Neighbourhood Commercial, or Mixed Use Corridor, and many of the comments listed above apply equally to these other land use designations.

Schedules

As discussed, we would request that the following matters relating to the OPA 48 schedules also be considered:

- Schedule 8: the existing pedestrian trail linkage should be shown leading to the Hanlon corridor from Silvercreek Parkway near Greengate.
- Schedule 2: the Natural Heritage System denotation at the westerly edge of the city, just south of Paisley Road, should be clarified.

- Various Schedules: a number of schedules indicate a re-aligned Whitelaw Road and/or the closure of the northerly portion of the existing Whitelaw Road (Schedule 7); as no formal approval of this road re-location/closure has occurred, these matters should not be included on the various schedules.

Concluding Remarks

Armel will continue to work collaboratively with the City staff with respect to draft OPA 48 and will provide more detailed comments. We would be happy to meet with you to discuss these comments and please do not hesitate to contact the undersigned with respect to any of the comments raised herein.

Yours very truly,

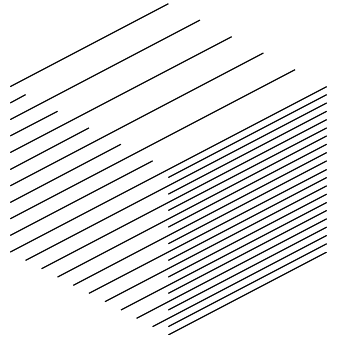
WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED

Planning · Urban Design



Wendy Nott, FCIP, RPP
Senior Principal

cc. C. Corosky, Armel
City Clerk for Members of Council





April 2, 2012

Dear Mayor Farbridge and Councillors,

Sierra Club Canada provides the following comments with respect to Official Plan Amendment 48:

The Official Plan is a complex, lengthy, and technical document. The proposed amendment essentially rewrites much of it. In the interest of transparency it is important for Council and the public to be able to review the amendment and to understand how it relates to the current OP that guides the City.

To comprehend the official plan amendment as proposed, one needs to be a full-time professional with detailed knowledge of the current OP. This is a lot to ask of our councillors and far beyond the reach of most residents of Guelph.

To put the OP amendment into a context that can be thoughtfully considered, staff should be asked to provide a single document that 1) indicates with strikeouts the provisions in the current OP that are to be deleted 2) indicates with underlines or some other method the proposed changes/additions. It would also be helpful to have a companion document that explains the intent behind each major change.

Thank you for your consideration of these comments.

Judy Martin, Regional Representative



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File: P-1865

April 2, 2012

City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mr. Blair Labelle
City Clerk

Re: City of Guelph Official Plan Update (OPA 48)
Guelph Watson 5-3 Inc.
c/o Metrus Development Inc.
Part of Lot 5, Concession 3
City of Guelph

Dear Mr. Labelle:

KLM Planning Partners Inc. acts on behalf of Guelph Watson 5-3 Inc. in relation to their lands located on the north and south side of Starwood Drive, immediately west of Watson Parkway North along with a small parcel of land on the east side of Watson Parkway.

On behalf of Guelph Watson 5-3 Inc. we submitted an Official Plan Amendment application, Zoning By-law Amendment application and a Draft Plan of Subdivision application to the City of Guelph on August 31, 2011. Coincidentally, our public meeting is also scheduled for the same evening as the draft City of Guelph Official Plan. The submitted applications are to permit the following:

1. Redesignate the subject land from "Industrial" to "Mixed Use Node";
2. Rezone the subject land from "B.1 Industrial" Zone to a mix of zones that reflects the Draft Plan of Subdivision; and,
3. To permit a mix of street related townhouses, stacked townhouses, a commercial block, a parkette and recognize the existing library.

Further to our application submission and comments provided in writing to Ms. Marion Plaunt and dated March 31, 2010 as it relates to the City of Guelph Official Plan Amendment (then noted as OPA No. 42 and now OPA 48), our concerns continue to be as follows:

1. The draft land use schedule continues to propose three different land use designations for the Guelph Watson 5-3 Inc. lands on the north side of Starwood Drive, including High Density Residential, Medium Density Residential and Community Mixed Use Centre.

It continues to be our opinion that given the size (approx. 5.5 hectares excluding the library), configuration and the recently constructed library, it is our opinion the City is continuing to try and “shoe horn” too many land uses onto a small parcel of land.

The draft Official Plan sets out a maximum retail floor space for the “Watson Community Mixed Use Node Area” at 28,000 square metres. This is a continuation of the policy in the existing City of Guelph Official Plan. As noted in our earlier correspondence, we understand that Loblaws is planning on utilizing approximately 11,800 square metres which continues to leave a residual of 16,200 square metres of commercial floor area.

If the Guelph Watson 5-3 Inc. lands were to be developed exclusively with retail uses, at approximately 20% coverage it would only yield an estimated 11,000 square metres of retail floor space. It would seem as though the retail targets set for this node cannot be achieved and continue to be in direct conflict with the higher density residential development that is noted in the draft land use schedule.

2. The draft Official Plan continues to include a High Density Residential designation on the Guelph Watson 5-3 Inc. land. It continues to be our opinion this is not an appropriate location given that it is not adjacent to a major intersection, has limited transit opportunities in the area and is not compatible with the surrounding community which consists largely of single detached dwellings.
3. Based on the submission of our applications, it is our opinion the Guelph Watson 5-3 Inc. lands are better suited to be designated solely as Community Mixed Use Centre. However, the minimum density provision for the Community Mixed Use Centre designation for freestanding residential development is much too high which is set at a minimum of 100 units per net hectare.

Given that the Medium Density designation has a minimum density range of 35 units per hectare (minimum) to 100 units per net hectare (maximum) we feel the more appropriate range for the Community Mixed Use Centre designation is a minimum of 50 units per net hectare and a maximum of 150 units per net hectare. This density range will allow greater flexibility in the variety of housing forms that can be constructed in the Community Mixed Use Centre designation.

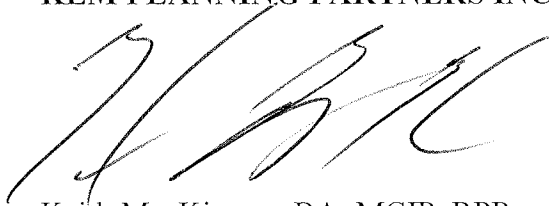
4. As a general comment, the draft Official Plan continues to set height limitations. In our opinion the height limitations should be removed, given this is typically and more appropriately dealt with through an implementing Zoning By-law.

Based on the above, it remains our opinion the Guelph Watson 5-3 Inc. land is better suited to develop with only the Community Mixed Use Centre designation and the remainder of the land which is proposed to be designated as Medium Density Residential and High Density Residential should be removed.

We trust our comments will be addressed in the subsequent draft of the Official Plan and we request to be notified of any decision Council makes on this matter.

Yours very truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in black ink, appearing to read 'K MacKinnon', is written over the company name.

Keith MacKinnon, BA, MCIP, RPP
Partner

cc. Mr. Fraser Nelson – Metrus Development Inc.
cc. Mr. Peter Murphy – Metrus Development Inc.