

City Council - Planning Meeting Agenda



July 10, 2017 – 4:00 p.m.

Council Chambers, Guelph City Hall, 1 Carden Street

Please turn off or place on non-audible all electronic devices during the meeting.

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Open Meeting – 4:00 p.m.

O Canada

Silent Reflection

First Nations Acknowledgment

Disclosure of Pecuniary Interest and General Nature Thereof

CON-2017.29 Integrated Operational Review (IOR) – Program Completion Report (2013 – 2017)

Staff Presentation:

Scott Stewart, Deputy CAO, Infrastructure, Development and Enterprise

Todd Slater, General Manager, Planning, Urban Design and Building Services

Kealy Dedman, General Manager, City Engineer, Engineering and Capital
Infrastructure

Peter Cartwright, General Manager, Business Development and Enterprise

Recommendation:

That Report 17-75 from Infrastructure, Development and Enterprise Services, entitled the Integrated Operational Review (IOR) Program Completion Report (2013-2017), be received.

Council will recess and reconvene at 6:30 p.m. following this item.

Council Consent Agenda:

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.
(delegations permitted a maximum of 5 minutes)

CON-2017.30 745 Stone Road East and 58 Glenholm Drive Proposed Zoning By-law Amendment (File: ZC1608)

Recommendation:

1. That the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owners: John Drolc and Helen Drolc (745 Stone Road East) and Kenneth William Spira and Carol Spira (58 Glenholm Drive) for approval of a Zoning By-law Amendment application to change the zoning from the "Urban Reserve" (UR), "Agricultural" (A) and Hazard (H) zones to a "Specialized Residential Single Detached" (R.1A-?) Zone, "Conservation Land" (P.1) Zone, "Wetland" (WL) Zone and a "Specialized Urban Reserve" (UR-?) Zone, to permit the development of single detached residential dwellings on property municipally known as 745 Stone Road East and legally described as Part Eramosa Branch of the River Speed; Part Lot 1, E of Blind Line, Plan 131, as in MS115824; Guelph and on property municipally known as 58 Glenholm Drive legally described as Lot 3, Plan 820; Part Lot 1 E of Blind Line, Plan 131, Part 1, 61R10800 and Parts 1 & 2, 61R10340; Guelph; S/T Easement in favour of The Corporation of the City of Guelph as in LT59283 be approved in accordance with the regulations and conditions in ATT-3 of the Infrastructure, Development and Enterprise Report 17-78 dated July 10, 2017.
2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 745 Stone Road East and 58 Glenholm Drive.
3. That Council provide authorization for the Mayor and City Clerk to enter into a Development Agreement with the owners of 745 Stone Road East and 58 Glenholm Drive regarding future requirements to connect to full municipal services once available.

CON-2017.31**1131 Gordon Street Proposed Zoning By-law Amendment (File: ZC1609)****Correspondence:**

Mike Royston, Inspirah Property Management Ltd

Recommendation:

1. That the application from Astrid J. Clos Planning Consultants on behalf of 1876698 Ontario Inc. for approval of a Zoning By-law Amendment from the R.1B (Residential, Single Detached) Zone to an R.3A-?(H) (Specialized Cluster Townhouse with a Holding provision) Zone to permit the development of an 8 unit townhouse on the property municipally known as 1131 Gordon Street and legally described as Part of Lots 4 & 5, Concession 7 (Geographic Township of Puslinch), City of Guelph, be approved, in accordance with ATT-2 of the Infrastructure, Development and Enterprise Report IDE 17-55, dated July 10, 2017.
2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related

to the minor modifications to the proposed Zoning By-law Amendment affecting 1131 Gordon Street.

**Public Meeting to Hear Applications
Under Sections 17, 34 and 51 of The Planning Act**

(delegations permitted a maximum of 10 minutes)

**233-237 Janefield Avenue Proposed Official Plan and Zoning By-law
Amendment File: OP1702 & ZC1702**

Staff Presentation:

Katie Nasswetter, Senior Development Planner

Delegations:

Astrid Clos, on behalf of the applicant
John Mitter

Staff Summary (if required)

Recommendation:

That Report IDE 17-84 regarding a proposed Official Plan Amendment and Zoning By-law Amendment application (OP1702 & ZC1702) from Astrid J. Clos Planning Consultants on behalf of Benedetto Di Renzo and Mario Antonio Di Renzo to permit a high density residential development on the property municipally known as 233-237 Janefield Avenue and legally described as Part of Block L, Registered Plan 649; Geographic Township of Guelph, City of Guelph, from Infrastructure, Development and Enterprise dated July 10, 2017, be received.

**71 Wyndham Street South Proposed Official Plan and Zoning By-law
Amendment File: OP1703 & ZC1705**

Staff Presentation:

Katie Nasswetter, Senior Development Planner

Delegations:

Krista Walkey, Stantec, on behalf of the applicant

Correspondence:

Nadine and Gary Britton

Staff Summary (if required)

Recommendation:

That Report IDE 17-85 regarding a proposed Official Plan Amendment and Zoning By-law Amendment application (OP1703 & ZC1705) from Stantec Consulting Ltd. on behalf of The Tricar Group to permit a residential

development on the property municipally known as 71 Wyndham Street South and legally described as Part of Lots 171 and 172 Registered Plan 113 and portion of former bed of the River Speed lying in front of Broken Lot 3, Division F, City of Guelph, County of Wellington.

19-59 Lowes Road West Proposed Zoning By-law Amendment and Vacant Land Condominium Files: ZC1705 and 23CDM-17504

Staff Presentation:

Michael Witmer, Development Planner II

Delegations:

Astrid J. Clos, on behalf of the applicant

Staff Summary (if required)

Recommendation:

That Report IDE 17-89 regarding a proposed Zoning By-law Amendment and Vacant Land Condominium application (ZC1615 and 23CDM-17504) from Reid's Heritage Homes on behalf of Parry Schnick and Catriona Forbes to permit a 36 unit single detached residential development subdivision on the properties municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West, and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph from Infrastructure, Development and Enterprise dated July 10, 2017, be received.

Items for Discussion:

The following items have been extracted from the Committee of the Whole Consent Report and the Council Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.
(delegations permitted a maximum of 5 minutes)

CON-2017.32 Proposed Downtown Zoning By-law Amendment (ZC1612)

Staff Presentation:

David de Groot, Senior Urban Designer
Stacey Laughlin, Senior Policy Planner

Recommendation:

1. That the City-initiated Downtown Zoning By-law Amendment (ZC1612) be approved in accordance with the zoning regulations outlined in Attachment 1 of the Infrastructure, Development and Enterprise Report 17-77, dated July 10, 2017.

2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the changes to the proposed Zoning By-law Amendment affecting Downtown.
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Special Resolutions

By-laws

Resolution to adopt the By-laws (Councillor Wettstein).

By-law Number (2017)-20187	A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects Downtown Zones.
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Mayor's Announcements

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

Adjournment

Staff Report

To **City Council**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Integrated Operational Review (IOR) – Program Completion Report (2013 – 2017)**

Report Number 17-75

Recommendation

1. That Report 17-75 from Infrastructure, Development and Enterprise Services, entitled the Integrated Operational Review (IOR) Program Completion Report (2013-2017), be received.

Executive Summary

Purpose of the Report

The purpose of bringing forward IDE Report 17-75 is to inform Council that the Integrated Operational Review Implementation (IOR) program is now complete and to outline the plan for continuous improvement moving forward.

The Integrated Operational Review program was developed on the basis of the Phase 1 and Phase 2 IOR Consultant Reports that were commissioned in 2011/2012 to address recommendations provided by Prosperity 2020 relating to the need for the City of Guelph to improve its ability to respond to the needs of the business sector in a clear, concise and timely fashion, while maintaining the rights of the public to engage on planning and development matters.

The Integrated Operational Review Program was one of the most ambitious multi-year, multi-stakeholder programs this Corporation has undertaken in relation to the City's development approval process. The purpose of the program was to bring City staff and industry stakeholders together to implement the 23 IOR recommendations of the Phase 2 IOR Report and begin reporting on outcomes.

The report will also identify post IOR work that is already underway and outline an approach to deliver continuous improvement initiatives with a focus on customer service, continual improvement and communication and outreach.

To demonstrate the City's commitment to being more "businesslike", a Building Partnerships campaign has been undertaken focused on the local business and development community to promote the City's new way of doing business by "*building partnerships and making it easier to do business with City Hall*".

BUILDING PARTNERSHIPS

The campaign will also promote the City's competitive advantage of "service excellence" with clear, useful tools and agile staff teams with the ability to "build partnerships" to ensure businesses succeed when they "Invest with Guelph" and "Invest in Guelph".

Key Findings

Accomplishments

All original 23 recommendations of the Phase 2 IOR report have been implemented or addressed in another manner. Further improvement opportunities have been identified and implemented through on going stakeholder discussions. The following is a summary of these additional improvements completed to date:

Improvements	Benefits of the Improvements
General Inquiries Protocol and Tracking System	Initial meeting protocol established to provide applicants an initial meeting within 5 business days of the request. Counter/phone/email inquiries - Assigned schedule for Planner of the Day to assist with response times and tracking of inquiries.
Rapid Response Protocol for high impact Industrial, Commercial and Institutional (ICI) development and investment opportunities.	A "triage protocol" developed to respond to inquiries as quickly and efficiently as possible. Contributes to local business expansion and increased investment.
Streamlined processes and supporting manuals	Site Plan User Guide and Part Lot Control Exemption Manual developed.
Introduction to the pilot: Milieu Cities Platform application and new application notification ground signs	New tools to enhance public engagement in the planning process. Includes an interactive development application map and community engagement app.
New "Enquiry" and "Preconsultation" folders and a revised Site Plan folder implemented.	Completion of new or revised AMANDA folders that track application processes: 1. A new folder has been developed to track enquires - sharing information between service areas allowing more effective and efficient response times. 2. The new preconsultation and site plan AMANDA tracking folders align with corresponding manual and user guide.
Customer service training (over 70 staff)	Staff involved in the development process have completed customized customer service training.

User-friendly web content on guelph.ca showcasing development approval processes.	Website enhancements completed, resulting in clear and easy to navigate planning processes.
New on-street townhouse site plan review process	A refined expedited process for review of on street townhouse site plans to allow concurrent review processes.
Consolidated Engineering Manual	The updated Engineering Manual – contains all relevant policies and guidelines in one useful document
Guideline for contaminated sites	User guide complete.
New Guidelines for the Preparation of Environmental Impact Studies (EIS)	User guide complete.
Updated Site Alteration Bylaw	Updated bylaw to reflect best business practices.
Grow Guelph Business Retention & Expansion (BR&E)	Established a community driven BR&E and corporate visitation/survey program in partnership with 12 local business support and economic development agencies.

Post IOR – Continuous Improvement Initiatives

As the City's IOR program concludes, we are committed to a culture of continuous improvement; as our normal way of operating. As such, we're continuously looking for opportunities to make it easier for businesses to do business with City Hall. A focus on customer engagement and feedback with clearly defined Key Performance Indicators (KPIs) will allow us to continue to refine our processes, enhance communication and strive to provide excellent customer service.

Many initiatives that are underway involve several service areas and departments. The existing General Manager and Manager Level Committees will continue to provide oversight and guidance to the initiatives that will enhance and improve the development process work. Through the Committee's mandates, staff at all levels will be encouraged to identify continuous improvement initiatives. These actions items will be reviewed, prioritized and supported by the Committee's and the outcomes and performance metrics tracked.

Some of the key improvements for 2017 and 2018:

- Releasing the remaining development manuals and related materials;
- Upgrading the AMANDA software to align with newly mapped development processes and explore opportunities for public portal use, including digital drawing submissions;
- Integration of performance measurement systems and targets into the upgraded version of AMANDA software;
- Continued webpage improvements;
- Additional customer service training for staff;
- Monitoring the effectiveness of the new Milieu Cities platform and notification signage;
- Continual updates to the Development Engineering Manual;
- Updated Parkland Dedication Program;
- Ongoing promotion of Guelph's "Building Partnerships" mandate;
- A new Site Plan Control Bylaw to be brought forward for approval to Council this fall.

More than ever, all stakeholders need to stay committed to improving our processes and systems and to continue to work with the City as we move to a post-IOR continuous improvement environment, where we focus on an ongoing basis on customer service enhancements, communication and continuous improvement opportunities.

Financial Implications

The IOR Program has required significant and sustained multi-year commitment of existing staff and additional resources from all involved IOR service areas. Expenditures to date have been identified and approved through the City's budget.

Any additional investment to support continuous improvement initiatives will be identified by the service area leading the specific project or initiative.

Report

Background

In 2010 Guelph City Council adopted Prosperity 2020, the City of Guelph's Economic Development and Tourism Strategy. The strategy notes communities that are successful in retaining and attracting business investment are those that respond in a clear, concise and timely fashion.


In response to this the City commissioned a joint integrated review of Planning, Building and Engineering, and Enterprise programs. Two (2) separate reports were commissioned; the first in 2011 conducted interviews with staff and stakeholders identifying issues, and the second in 2012 provided recommendations to address the Phase 1 findings.

The resulting 23 recommendations were divided into four (4) theme areas:

1. *Building a More Adaptive Learning Environment*
2. *Improving Management Direction*
3. *Improving the Development Review Process*
4. *Improving Communications interdepartmentally and with external stakeholders*

In 2013/2014 a multi-year Implementation Plan was developed. The following chart illustrates the recommendations and the status of implementation:

Table 1: IOR Implementation Work Plan (2013-2017)

IOR Implementation Work Plan (2013 2017)		Status	Comments
Theme 1: Build a more adaptive	1.1 Re-establish Planner II positions and implement team organization		Implemented & Continuous
	1.2 Establish HR staffing and a Succession Plan (management/skills)		

REPORT

KEY INITIATIVES AND PROCESS IMPROVEMENTS

The following provides further details regarding the improvements and enhancements that have been made to the way the City works and does business.

NEW TOOLS

User Guides and Process Manuals

One of the most important tools for applicants are user guides that document detailed review process steps, requirements for technical submissions, and new target timeframes for City review of complete and acceptable quality applications.

These user guides provide:

- Process certainty and timeframe predictability for applicants.
- Transparency for Guelph residents about the City's due diligence process for reviewing and approving new developments in their neighborhoods, and
- A useful reference document to help City staff execute each development review file in a consistent and technically complete manner.

A new **Site Plan User Guide** and a **Part Lot Control Exemption Manual** have been developed and are currently available for use. These guides reflect process enhancements and streamlining. Accompanying these guides are online fillable application forms (as appropriate).

Beyond the specific development application process manuals, an overarching companion **Engineering Standards and Development Manual** has been developed and is currently in use by staff and stakeholders. The new manual consolidates and replaces existing engineering standards information that was found in multiple source documents and now provides applicants with helpful and transparent "one-stop" reference document. As a continuous improvement initiative the City engineering standards will be updated and continually improved to preserve its value as a "one-stop" source for engineering technical requirements for development applications.

New **Guidelines for the Preparation of Environmental Impact Study (EIS)** to assist consultants preparing EIS documents is now available online.

Environmental Impact Studies (EIS) are an important tool used through the development review process to help protect, maintain, enhance and restore the City's natural heritage system and water resources. The guide is a resource for the City and the development community to assist in the preparation, submission and review of Environmental Impact Studies.

PROCESS IMPROVEMENTS

Site Plan Control Process

A number of improvements to the site plan process have been adopted in order to create a more integrated and cohesive site plan process. Improvements include pre-consultation meetings which help scope application requirements and ensure applicants' time and money is spent on what is needed for complete site plans. To support the pre-consultation process, the Site Plan User Guide provides step-by-step flow charts and outlines of the standard and minor site plan processes. The City has introduced the minor site plan process to review smaller scale applications in an expedited manner.

A significant addition to the approval process was the adoption of the Source Water Protection Plan in July 2016. City staff collaborated with stakeholders and internal groups prior to adoption to fully integrate the Source Water Protection requirements into the existing site plan process. This ensures the requirements under the Clean Water Act, 2006 are brought to the attention of applicants at the pre-consultation stage and are well underway at the time of a formal application.

In addition to improving and documenting the approval process, staff have also revamped the AMANDA file management software to make better use of the existing technology. It will allow for greater automation and improved communications of key process milestones to applicants and stakeholders. Standardized Site Plan Review Committee (SPRC) comments and meeting summaries created in AMANDA will reinforce familiar and consistent written correspondence from the City.

The new user guide reflects these enhancements to streamline and make the Site Plan Review Process more efficient.

Exemption Request: On-Street Townhouses

Several industry stakeholders requested the City consider exempting on-street townhouses from site plan control. Although it was determined that an exemption from site plan approval could not be supported at this time, after detailed review, staff offered an alternative solution to scope initial application requirements to assist applicants. This new approach will enable an applicant to submit a site plan application concurrently with a Building Permit application which would substantially reduce the amount of approval time for an applicant.

Two applications are currently being reviewed under this condensed review process. The idea of an exemption process will be assessed further once the City's Comprehensive Zoning By-law has been updated to reflect the City's Official Plan Update (OPA 48), and further residential design guidelines have been developed.

TECHNOLOGY ENHANCEMENTS

Web Content Review

Over the last two years the City has been comprehensively updating web content and online services to better serve the users and the public navigating the City's development planning and related processes. As we aim to advance the City's web site to a level similar to other communities with sophisticated development application web portals, we have to review and audit all pages on guelph.ca that focus on the development process. Corporate Communications and Web Services have worked with staff in Planning, Zoning, Building, Economic Development, and Engineering to review and reorganize more than 100 pages of online content.

AMANDA – Digital Application Tracking System

A core IOR objective has been mapping and improving development approvals processes, and establishing "controllable business days" targets for City review. These targets will be compared to actual application "controllable business days" reported out from AMANDA. The City's AMANDA workflow software allows staff to simultaneously monitor and manage the review of numerous files. Using AMANDA, development files can be more proactively tracked and managed by staff in accordance with documented processes and processing timelines.

Three new AMANDA folders have been developed to align with the City's new processes and respective user guides:

Enquires: This enables staff to register all incoming phone, email, service counter or meeting inquiries into a database. This information is shared amongst City departments that are also using the same database for development related inquiries. Established in early 2017, to date more than 90 inquiries are being tracked in the new folder.

Mandatory Pre-consultation: A new folder to track all Mandatory Pre-consultation meetings and related materials from the Development Review Committee or the Site Plan Review Committee.

Site Plan Control: A newly rebuilt folder which addresses all the streamlined changes to the process and aligns with the new Site Plan User Guide.

It is planned that the other AMANDA folders will be rebuilt by the end of 2017.

These new application folders do more than just follow the business process of an application, they provide efficiencies to all users. Staff will be able to email directly from AMANDA to the applicant requesting missing information and can also send other communications to the applicant such as comment documents and approvals. Documents such as agendas, comments and securities documents that are generated in AMANDA for the applications are now AODA compliant. The new

AMANDA folders also send out emails to other City departments requesting comments on the application when the application folder is first created. When deadlines are coming up and the planner has not received all the required information from other departments the new application folders in AMANDA now automatically email reminders, saving the file manager's time tracking and monitoring. For the Site Plan AMANDA folder, the inactivity of an application is tracked and automatically notifies the file manager of the application that the application is going dormant. For the pre-consultation folders the application will monitor when the recommendations of the pre-consultation have expired.

Enhanced Citizen Engagement Tool – Milieu Cities Platform

The Milieu Cities platform pilot project was developed as part of the Civic Accelerator, a City project that pairs City departments with start-ups to build new, innovative products that help us deliver great public services. Starting July 10th, the City will test the Milieu Cities platform, to notify the public of planning applications and encourage public participation and feedback.

By using the Milieu Cities platform, the public can learn about new applications in their neighbourhood, be notified electronically of upcoming meetings and decisions for applications they are interested in, and ask questions and provide feedback directly to the City.

Staff has also updated the notification signs for planning applications. The new sign template is now in use and provides a simpler description of the proposal, clearer contact information, an image of the proposed development and information about when the public meeting will be held.

OUTREACH/TRAINING

Customer Service Training

In 2016, customer service training was delivered to staff that were involved in the development approval process. This session provided staff with additional skills and tools to enhance their communication and service delivery to stakeholders. Additional customer service training will be included as a component of the ongoing continuous improvement program.

Corporate initiatives such as the Citizen First Customer Service roundtable and the Citizen Relationship Management (CRM) solution will offer additional resources that can help improve the customer's experience as part of the commitment to continuous improvement.

All of these customer service initiatives will enhance the customer experience and provide new and accessible options that embed a customer centred culture in the development process.

Guelph and Wellington Development Association (GWDA) and Guelph & District Home Builders' Association Inc. (GDHBA), and Staff Technical Liaison Meetings

Technical liaison meetings with members of GWDA and GHDBA are held approximately three times a year to provide a forum for the development industry to bring forward technical issues, and discuss and share information related to the development industry. These meetings provide a critical forum for ongoing dialogue and identification of continuous improvement opportunities. The following summarizes the status of some of the key initiatives discussed at these meetings:

Table 2: GWDA/GHBDA Technical Liaison Meetings Initiatives Reviewed

CLARITY ON EXPECTATIONS	
✓ Development Engineering Manual	⌚ Noise Guidelines
✓ 0.3m Reserves Procedure	⌚ Parkland Dedication Program Review
✓ Review Local Service Guidelines	
✓ Site Plan Agreement - Template on line	
✓ Update on Phase 1 ESA Requirements	
✓ Guideline for Development of Contaminated Sites	
✓ Sourcewater Protection Guidance Documents	
✓ Site Plan Approval and Building Permit Release Timing	
FLEXIBILITY FOR DEVELOPMENT	
✓ Changes to Constructing Service Laterals	⌚ Subdivision Assumption
✓ Updated Site Alteration By-Law	
ENHANCEMENTS, OPPORTUNITES & STREAMLINING	
✓ Exemption of SPC for On-Street Towns	⌚ IOR
✓ MOECC Transfer of Review	⌚ Initiated Clair-Maltby MESP
✓ Sanitary Flow Monitoring	
✓ Done	⌚ Underway

Grow Guelph Business Retention and Expansion (BR+E) Program

Created in 2013 and led by the City of Guelph's Economic Development Department, Grow Guelph has existed as a community-wide effort to investigate and address issues, concerns and opportunities for local businesses to expand and thrive in Guelph. In 2014 and 2016 Grow Guelph conducted a survey program, meeting with 90 c-suite local business executives to gather information on business outlook, business climate, workforce development and community

development. Since 2012, there have been over 85 industrial, commercial and institutional building expansions to existing floor space. In the 2016 survey a number of businesses indicated their intent to expand in Guelph over the next 18 months. Collectively this will create over 590 jobs and over 240,000 square feet in building space. Additionally, 82 per cent of the businesses surveyed in 2016 rated Guelph's overall business climate as good to excellent.

Performance Targets

In 2015, the City presented a model for benchmarking the performance of its development review processes against Guelph's own baseline data and performance targets over time. Staff focused on developing standards for the types of development applications in areas that allowed staff to measure and develop more tangible metrics. The following highlights the performance model and reports the City of Guelph's key performance indicators (KPIs) for files received from June 2016 to June 2017.

Table 3: 2015-2016 KPI Model for Zone Changes, Official Plan Amendments and Plans of Subdivision (to draft plan approval)
(11 files in sample)

Key Steps (City Controllable Hours)	City of Guelph "As-Is" performance target	Sample Size # (completed) 2016/2017	Average Processing Time 2015/2016	Average Processing Time 2016/2017
Step 1 Mandatory (Pre-consultation) For formal pre-consultation (from formal request to formal pre-consultation meeting with Development Review Committee)	2 - 4 weeks	24	3 weeks	2.5 weeks
End of Step 2 (Formal Application Submission) to Step 5 (Statutory Public Meeting) From application deemed complete to statutory public meeting	8-10 weeks	11	9.5 weeks	9.0 weeks

End of Step 2 (Formal Application deemed complete) to Step 6 (Formal Application Review Period) • From application deemed complete to end of <u>1st Review Cycle</u>	OPA and/or Zone Change 16-20 weeks	2	23 weeks	21 weeks
	Draft Plan of Subdivision 20-24 weeks	1		Not completed
End of Step 6 to Step 8 From completion application (we have all the review complete) to decision report	8-12 weeks	3	7 weeks	Average 15 weeks (due to timing of meetings/applicant requests)

The above Table illustrates some sample metrics that we have monitored over the past two (2) years. Improvements in processing time is shown in the time it takes to hold a mandatory pre-consultation meeting (3 weeks now to 2.5 weeks on average) and the time it takes for the first Statutory Public Meeting to be held (9.5 weeks to 9 weeks). There were also improvements in the length of time to receive comments (23 weeks reduced to 21 weeks).

This review did not include Holding Removal and City Initiated Applications.

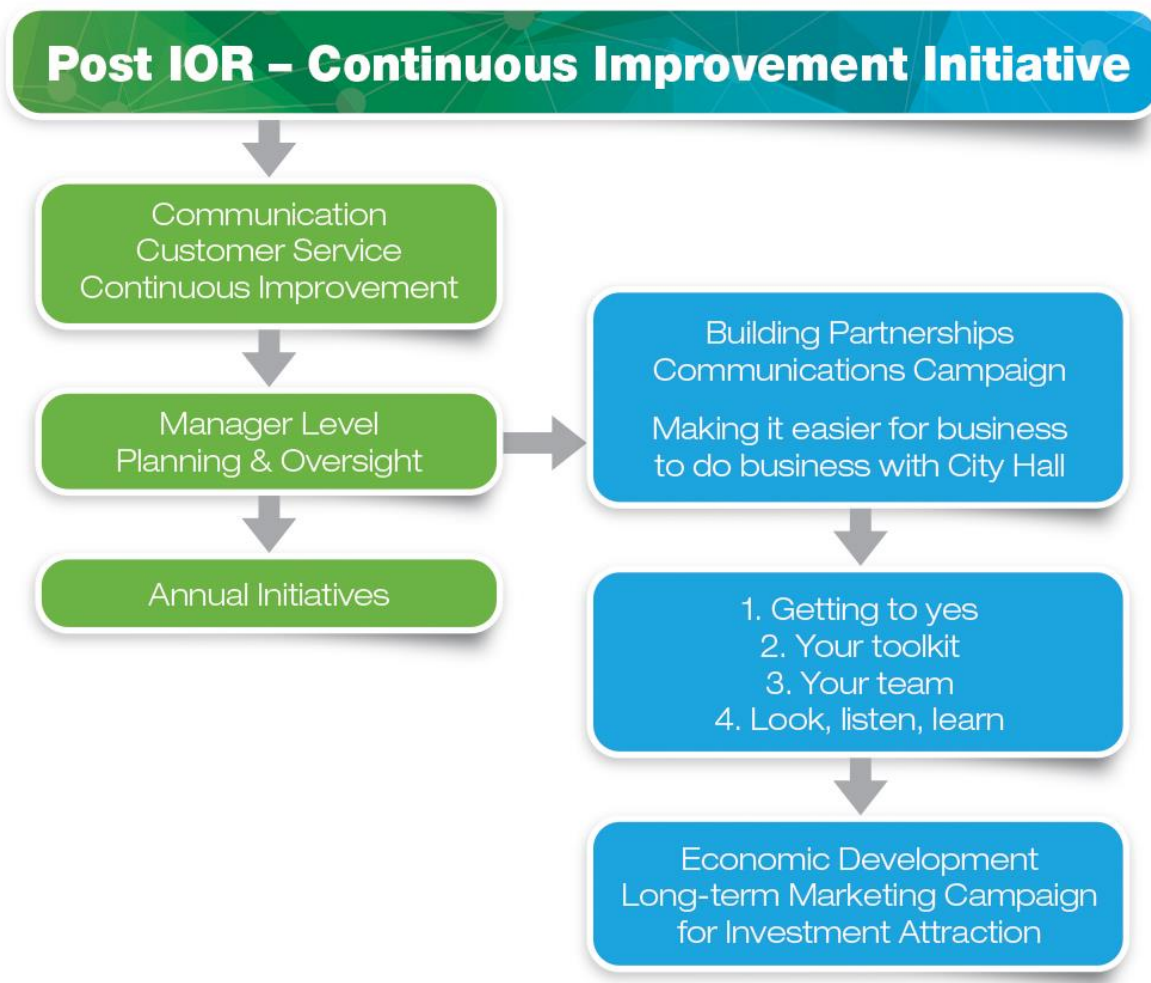
AMANDA performance improvements and related KPIs are scheduled to be in place once all AMANDA folders have been rebuilt by the end of 2017. This will enable staff to track efficiency and performance targets against timelines in processing applications.

Next Steps and Continuous Improvement: Listen, Learn, Lead

As the formal IOR Program is now finalized, the City is transitioning to a culture of continuous improvement. Under the oversight of the Manager Level Committee (MLC) the City will work with internal and external stakeholders to identify and implement improvements on an ongoing basis.

The following graphic provides an overview of the oversight model and key focus areas of this work:

Table 4: Post-IOR Oversight model



By working with stakeholders we can understand what tangible actions the City could take to make it easier to do business with the City and implement priority actions annually. ATT-1 identifies the Continuous Improvement Actions planned for the remainder of 2017/2018.

Post – IOR COMMUNICATIONS AND MARKETING CAMPAIGN

Effective communications with internal and external stakeholders has been critical throughout the IOR Implementation Program. As the City completes the formal IOR program and transitions into a culture of continuous improvement staff in Communications, Business Development & Enterprise and other IOR related departments with the support of an external marketing consultant have developed a Communications Campaign which will be launched on July 10, 2017.

Moving forward, the City is committed to:

- Creating awareness of the City's development planning process enhancements and culture of continuous improvement
- Setting expectations for easy, clear and reliable tools, teams and processes
- Bolstering confidence amongst local and regional developers, the building community and other stakeholders that Guelph is making it easier to do business with City Hall
- Attracting national and international investment in Guelph
- Being a reliable partner in our clients' success
- Listening, learning and leading

LONGER TERM ECONOMIC DEVELOPMENT MARKETING CAMPAIGN

The above commitment will set the foundation for a long term marketing campaign targeted to attract national and international investment. This campaign will distinguish Guelph from other investment locations by promoting the ease, clarity and certainty in our development approval processes, the City's service excellence and pro-business approach and being a reliable partner who will support their success when they *Invest in Guelph*.

Departmental Implementation

The following City departments have been involved in IOR Implementation activities:

- Planning, Urban Design and Building Services
- Engineering and Capital Infrastructure Services
- Business Development and Enterprise Services
- Office of the CAO
- Human Resources
- Information Technology
- Corporate Communications
- City Clerk's Office
- Finance
- Parks and Recreation
- City's Solicitor's Office

Financial Implications

The IOR Program has required significant and sustained multi-year commitment of existing staff and additional resources from all involved IOR service areas. Expenditures to date have been identified and approved through the City's Operating Budget.

Should there be a need for additional investment to support post-IOR continuous improvement initiatives these will be identified by the respective service area that is bringing forward that initiative.

Consultations

The following stakeholders were involved in IOR implementation activities:

External Stakeholders

IOR Business Stakeholder Working Group (BSWG)– This advisory group which is comprised of representatives from the business improvement area (BIA), as well as an Architect, Environmental Planner, Realtor, Professional Planners and Engineer worked collaboratively with City staff and provides feedback on all IOR initiatives

Guelph and Wellington Development Association

Guelph and District Homebuilders' Association Inc.

Internal Stakeholders

Over 90 staff in 11 departments and service areas, including:

Planning, Urban Design and Building Services
Engineering and Capital Infrastructure Services
Business Development and Enterprise Services
Office of the CAO
Human Resources
City Clerk's Office
Information Technology
Finance
Parks and Recreation
Corporate Communications
City Solicitor's Office

Communication

A detailed Communications Plan for the IOR was developed by the Communications and Customer Service Committee and was implemented throughout the process. The Plan supports the broad goals and specific objectives of the IOR implementation phase by drawing focus to process improvements.

Corporate Administrative Plan

Overarching Goals

Innovation
Service Excellence
Financial Stability

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our People- Building a great community together

Our Resources - A solid foundation for a growing city

Attachments

ATT-1 – Post-IOR Continuous Improvement Actions 2017/2018

ATT-2 – Post-IOR Communications and Marketing Campaign

Departmental Approval

Business Development and Enterprise

Engineering and Capital Infrastructure

Parks Planning

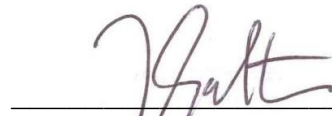
Planning, Urban Design and Building Services

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ATT-1
Post - IOR Continuous Improvement Actions 2017/2018

		Underway	Completed 2017	Completed 2018
Completion of Rebuild of AMANDA Folder OPA/Rezoning, Draft Plan of Condominium and Draft Plan of Subdivision and Part Lot Control		√		
Development of KPI's and Performance Metrics upon completion of all Amanda Folder Rebuilds		√		
Further Website Enhancements		√		
All Planning Act & Provincial Reform Changes – reporting and implementation		√		
Customer Service Training – customized program development/align with Corporate initiatives		√		
Implementation of the Assumption Model/Post Draft Plan Approval to Registration process improvements		√		
Development of a newly refined Parkland Dedication program and implementing bylaw		√		
Enactment of a new Site Plan Control Bylaw		√		
Development Engineering Manual Updates		√		
Communication Strategy to better inform internal and external stakeholders		√		
Roll out of the new Marketing Campaign targeted to development, business and foreign direct investment audiences		√		
Establish Continuous Client feedback opportunities to support annual review and update of the initiatives to Council		√		

ATT-2

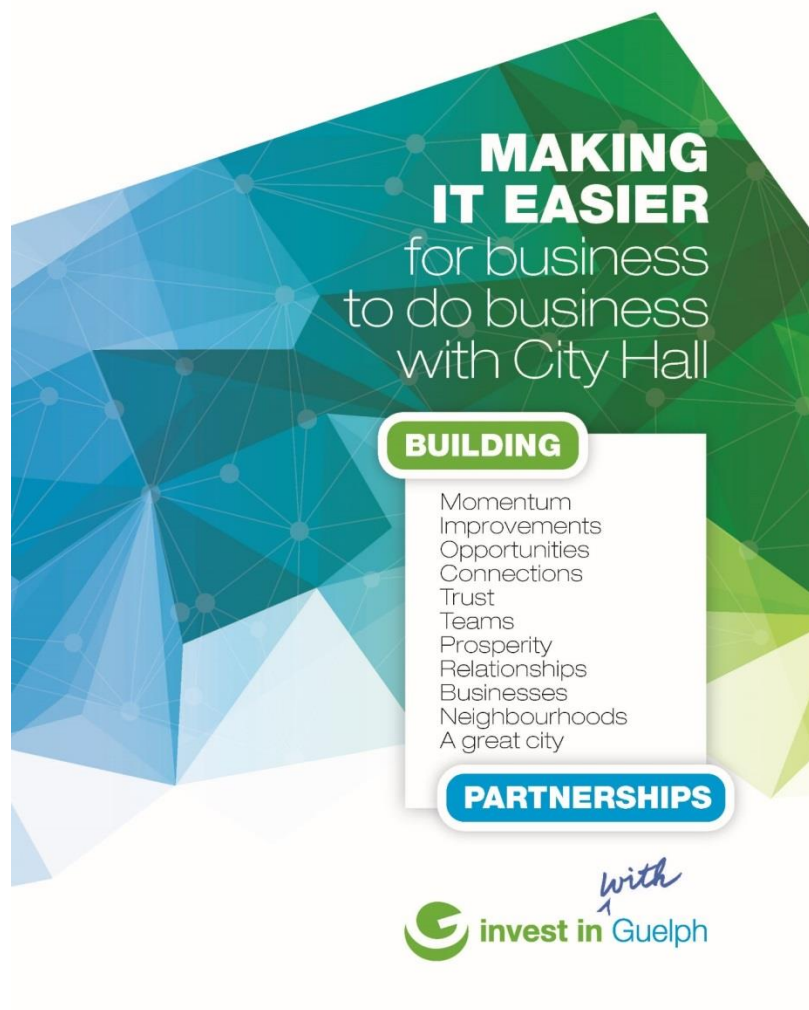
Post – IOR Communications and Marketing Campaign

Key messages:

The City of Guelph is **building partnerships** with investors, developers, builders and businesses.

We have adopted what we like to call a “get to yes” mandate. Our connected team pledges superior service, clear advice, and useful tools designed to keep your project moving. What this means is we’ll work with all stakeholders including the community, to facilitate well designed and desirable developments that implement our long term City-building vision.

Campaign identity:



Guelph's pledge to build partnerships includes the following four pillars:



Our "get to yes" mandate

Your success is our success. We're working together with you and our community to help make your plans a reality.

- A project kick-off meeting defines the project path and sets the stage for everyone's success.
- We will help you get the information and resources you need – quickly, efficiently and easily.
- We'll work closely with you to help you make the decisions you need to keep your project moving.

Your toolkit: setting a clear path for your success

New systems and tools make it easy to do business with City Hall.

- New user guides and checklists make your journey clear.
- New web pages make it easier to find what you need.
- Predictable processes and clear advice help your plans move ahead as quickly as possible.

Our team: the right people for your project

Whether your plan is big or small, simple or complex, we will build the team you need, and we'll help you every step of the way.

- Customer service training means we focus on your needs.
- Team meetings keep your project on the front burner.
- Better technology keeps everyone in the loop, and keeps your project on-track.

Our Culture: listen, learn, lead.

The best way for us to work together is to keep learning from each other. We're always listening and learning about your needs so we can keep improving how we do business.

- Grow Guelph Business Retention and Expansion programs keep us in tune with local businesses.
- Collaborating with local industry and business leaders strengthens our professional relationships.
- Professional development keeps our people, processes and practices ahead of the curve.
- Key performance measures based on your experience and feedback help us continue improving how we do business.

Staff Report



To **City Council**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Decision Report
745 Stone Road East and 58 Glenholm Drive
Proposed Zoning By-law Amendment
(File: ZC1608)
Ward 1**

Report Number IDE 17-78

Recommendation

1. That the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owners: John Drolc and Helen Drolc (745 Stone Road East) and Kenneth William Spira and Carol Spira (58 Glenholm Drive) for approval of a Zoning By-law Amendment application to change the zoning from the "Urban Reserve" (UR), "Agricultural" (A) and Hazard (H) zones to a "Specialized Residential Single Detached" (R.1A-?) Zone, "Conservation Land" (P.1) Zone, "Wetland" (WL) Zone and a "Specialized Urban Reserve" (UR-?) Zone, to permit the development of single detached residential dwellings on property municipally known as 745 Stone Road East and legally described as Part Eramosa Branch of the River Speed; Part Lot 1, E of Blind Line, Plan 131, as in MS115824; Guelph and on property municipally known as 58 Glenholm Drive legally described as Lot 3, Plan 820; Part Lot 1 E of Blind Line, Plan 131, Part 1, 61R10800 and Parts 1 & 2, 61R10340; Guelph; S/T Easement in favour of The Corporation of the City of Guelph as in LT59283 be approved in accordance with the regulations and conditions in ATT-3 of the Infrastructure, Development and Enterprise Report 17-78 dated July 10, 2017.
2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 745 Stone Road East and 58 Glenholm Drive.
3. That Council provide authorization for the Mayor and City Clerk to enter into a Development Agreement with the owners of 745 Stone Road East and 58

Glenholm Drive regarding future requirements to connect to full municipal services once available.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment application to permit the development of two (2) new residential lots on property municipally known as 745 Stone Road East and three (3) new residential lots on property municipally known as 58 Glenholm Drive.

Key Findings

Planning staff support the proposed Zoning By-law Amendment subject to the zoning regulations and recommended conditions in ATT-3.

Financial Implications

Estimated Development Charges: \$154,610 based on the 2017 residential rate of \$30,922 per single detached dwelling.

Estimated Annual Taxes: based on assumptions and information available at this time approximately \$30,048.70 based on approximately \$6,009.74 per residential dwelling (this number may differ significantly from the final assessment).

Report

Background

An application to amend the Zoning By-law has been submitted for the lands municipally known as 745 Stone Road East and 58 Glenholm Drive from Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owners: John Drolc and Helen Drolc (745 Stone Road East) and Kenneth William Spira and Carol Spira (58 Glenholm Drive). The application is a request to change the zoning on the subject lands to a "Specialized Residential Single Detached" (R.1A-?) Zone, "Conservation" (P.1) Zone and "Wetland" (WL) Zone to allow the development of single detached residential dwellings and to protect the significant natural areas on the subject lands. The portion of the subject lands that will provide driveway access and frontage to the Stone Road East lots is proposed to be zoned "Specialized Urban Reserve" (UR-?). Future Consent applications will be submitted to the Committee of Adjustment to create the additional residential lots.

Location

The subject lands are located on the south side of Stone Road East, west of Watson Road South and west of Glenholm Drive (see ATT-1 - Location Map and ATT-2 - Orthophoto). 745 Stone Road East is approximately 9.9 hectares (24.4 acres) in size and has frontage on Stone Road East. It is currently developed with a detached residential dwelling, detached garage and accessory building. A large portion of the property consists of environmental features. 58 Glenholm Drive is approximately 3.4 hectares (8.4 acres) and has frontage along Glenholm Drive. It is currently developed with a detached residential dwelling, a workshop, and two storage buildings. The property also contains remnants of an old horse race track and environmental features.

Surrounding land uses include:

- To the north: Stone Road East, beyond which are lands zoned "Institutional" (I.2) and currently contains facilities associated with the City's Waste Resource Innovation Centre;
- To the south: lands designated in the Official Plan as "Significant Natural Areas and Natural Areas" and zoned for "Agricultural" (A) and "Hazard" (H) uses in the Township of Puslinch Zoning By-law 19/85;
- To the east: existing detached residential dwellings, beyond which is Watson Road South;
- To the west: lands designated as "Significant Natural Areas and Natural Areas" in the Official Plan.

Official Plan Land Use Designation and Policies

The Official Plan designates the subject lands as "Special Study Area" and "Glenholme Estate Residential". The lands are subject to the Guelph Innovation District (GID) Secondary Plan. The GID Secondary Plan was approved by Council as Official Plan Amendment 54 (OPA 54) in May 2014, however, OPA 54 was appealed to the Ontario Municipal Board (OMB), in its entirety.

In March of 2015, the OMB delivered a decision to allow a motion brought forward by the City to approve certain sections of OPA 54 that were not intended to be included in the appeals. This included the "Glenholme Estate Residential" land use designation and its policies which apply to both 745 Stone Road East and 58 Glenholm Drive. The "Glenholme Estate Residential" land use designation permits limited additional low density estate residential infill development on private individual on-site water and wastewater services, subject to meeting certain size criteria and other applicable policies (see ATT-5).

The GID Secondary Plan proposes to designate the northern portion of 745 Stone Road East as "Employment Mixed-use 2", however, since this portion of the GID

Secondary Plan is currently under appeal at the Ontario Municipal Board, the land use designation that applies to the northern portion of 745 Stone Road East is the land use designation of the Official Plan, being "Special Study Area".

A portion of both 745 Stone Road East and 58 Glenholm Drive are also designated "Significant Natural Areas and Natural Areas" in the Official Plan. Development or site alteration is not be permitted within Significant Natural Areas including their established or minimum buffers as designated, except in accordance with the general policies in 6A.1.2 and the Significant Natural Areas policies in 6A.2 of the Official Plan. In accordance with the applicable policies of the Official Plan, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an Environmental Impact Study or Environmental Assessment that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.

In addition to the above Natural Heritage System policies, Policy 11.2.6.3.6.7 of the "Glenholme Estate Residential" land use designation of the GID Secondary Plan states that,

"Notwithstanding the policies of this plan pertaining to *woodlands*, for the properties at 745 Stone Road East and 58 Glenholm Drive, where a *woodland* has been identified through an EIS, the assessment of the potential to allow *development* shall be undertaken in accordance with the policies of Section 6.8, including any associated definitions, of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014."

Section 6.8 - 'Forestry Resources' policies of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014 are included in ATT-4 and are discussed further in the Staff Review and Planning Analysis in ATT-10.

The applicant has submitted an Environmental Impact Study and Addendum for both 745 Stone Road East and 58 Glenholm Drive. The EIS and Addenda for both properties have been reviewed by City staff, the Grand River Conservation Authority and the Environmental Advisory Committee (EAC). Further details and analysis of the EIS and Addendum for both properties are discussed in the Staff Review and Planning Analysis in ATT-10.

The relevant policies for the "Significant Natural Areas and Natural Areas" and "Special Study Area" land use designations are included in ATT-4. The relevant policies for the "Glenholme Estate Residential" and "Employment Mixed-use 2" land use designations are included in ATT-5.

An analysis of how this application conforms to Official Plan and Guelph Innovation District Secondary Plan policies can be found in ATT-10 Staff Review and Planning Analysis.

Official Plan Amendment 48 Land Use Designation and Policies

Official Plan Amendment 48 (OPA 48) (under appeal), a comprehensive update to the City's Official Plan, proposes to retain the "Special Study Area" and "Significant Natural Areas and Natural Areas" land use designations and policies of the Official Plan. Staff must have regard to the Council adopted policies and designations of OPA 48 even though it is currently under appeal. The relevant policies for the "Special Study Area" and "Significant Natural Areas and Natural Areas" land use designations of OPA 48 are included in ATT-6. It should be noted that the City will be seeking to have the OMB modify OPA 48 prior to its approval to incorporate any or all of the portions of OPA 54 that are in effect as of that date, including the "Glenholme Estate Residential" land use designation and associated policies.

Existing Zoning

The subject lands are zoned as follows:

745 Stone Road East is zoned, "Urban Reserve" (UR) according to the City of Guelph Zoning By-law (1995)-14864, as amended and "Agricultural" (A) and Hazard Zone (H) according to the Township of Puslinch Zoning By-law 19/85.

58 Glenholm Drive is zoned "Agricultural" (A) and Hazard Zone (H) according to the Township of Puslinch Zoning By-law 19/85. The existing zoning and details are included as ATT-7.

Description of Proposed Zoning By-law Amendment

The applicant is requesting to change the zoning on the subject lands from "Urban Reserve" (UR) in the City of Guelph's Zoning By-law (1995)-14864, as amended and "Agricultural" (A) and Hazard Zone (H) in the Township of Puslinch's Zoning By-law 19/85 to the following zones:

745 Stone Road East:

"Specialized Residential Single Detached" (R.1A-?) Zone, with the following additional specialized regulations:

- Minimum Lot Area of 0.4 hectares including any zoned natural heritage features located in the P.1 zone, whereas the Zoning By-law requires a minimum Lot Area of 555 square metres (0.0555 ha) in the R.1A zone.

- The Lot Frontage for the R1A-? zoned properties shall be located within the UR-? Zone.
- The maximum Lot Frontage shall be 10 metres, whereas the Zoning By-law requires a minimum Lot Frontage of 18 metres.
- The maximum driveway width shall be 6 metres, whereas the Zoning By-law permits a maximum driveway width of 7.5 metres in the R.1A Zone.
- The development of detached residential dwellings shall be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available, whereas the Zoning By-law prohibits development within the City that is not on full municipal services.
- Accessory buildings (garages) shall be permitted to exceed 55% of the lot width, whereas the Zoning By-law permits a maximum garage width of 55% where lots have less than 12 metres of frontage.

“Conservation Land” (P.1) Zone

“Specialized Urban Reserve” (UR-?) Zone, with the following additional specialized regulation:

- The UR-? Zone, shall provide access to the R.1A-? zoned lots and shall have a maximum lot frontage of 10 metres and a maximum driveway width of 6 metres.

“Wetland” (WL) Zone

58 Glenholm Drive:

“Specialized Residential Single Detached” (R.1A-?) Zone, with the following additional specialized regulations:

- Minimum Lot Area of 0.4 hectares including any zoned natural heritage features located in the P.1 zone, whereas the Zoning By-law requires a minimum Lot Area of 555 square metres (0.0555 ha) in the R.1A zone.
- Minimum Lot Frontage of 6.0 metres, whereas the Zoning By-law requires a minimum Lot Frontage of 18 metres.
- No Landscaped Open Space shall be required between the driveway and the lot line of the newly created lots at the westerly limit of Glenholm Drive, whereas the Zoning By-law requires a minimum area of 0.5 metres between the driveway and nearest lot line to be landscaped.
- The development of detached residential dwellings shall be permitted with private individual on-site water and wastewater services as an interim

measure until full municipal services are available, whereas the Zoning By-law prohibits development within the City that is not on full municipal services.

- Accessory buildings (garages) shall be permitted to exceed 55% of the lot width, whereas the Zoning By-law permits a maximum garage width of 55% where lots have less than 12 metres of frontage.

"Conservation Land" (P.1) Zone

A full review and analysis of the specialized zoning regulations can be found in ATT-10.

Proposed Development

The conceptual development plan for 745 Stone Road East can be found in ATT-8. The owners of 745 Stone Road East are proposing to create two (2) new residential lots with access and frontage along Stone Road. Each of the proposed lots will only have a portion of developable area due to environmental features. The environmental features and buffers are undevelopable and are proposed to be zoned "Conservation" (P.1). In addition to the P.1 zone, a Wetland has been identified and will be zoned "Wetland" (WL).

The conceptual development plan for 58 Glenholm Drive can be found in ATT-9. The owners of 58 Glenholm Drive are proposing to create three (3) new residential lots with access and frontage along Glenholm Drive. Each of the new lots created will only have a portion of developable area due to environmental features. The environmental features and buffers are undevelopable and these areas are proposed to be zoned "Conservation" (P.1).

Supporting Documents

The following reports and materials have been submitted in support of this application:

- Planning Justification Report, prepared by Black, Shoemaker, Robinson and Donaldson Limited, dated April 2016
- Development Concept Plan, prepared by Black, Shoemaker, Robinson and Donaldson Limited, dated May 30, 2016, updated May 31, 2017
- Environmental Impact Study for 745 Stone Road East, prepared by North-South Environmental Inc., dated April 2016
- Environmental Impact Study for 58 Glenholm Drive, prepared by North-South Environmental Inc., dated April 2016
- Environmental Impact Study Addendum for 745 Stone Road East, prepared by North-South Environmental Inc., dated March 7, 2017

- Environmental Impact Study Addendum for 58 Glenholm Drive, prepared by North-South Environmental Inc., dated March 7, 2017
- Archaeological Stage 1 and 2 Assessments for 745 Stone Road East, prepared by Fisher Archaeological Consulting, dated March 26, 2016
- Archaeological Stage 1 and 2 Assessments for 58 Glenholm Drive, prepared by Fisher Archaeological Consulting, dated March 26, 2016

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in ATT-10. The analysis addresses all relevant planning considerations, including the issues that were raised by Council at the statutory Public Meeting held on July 11, 2016. The staff review includes:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017);
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Evaluate how the application conforms to the 'Glenholme Estate Residential' land use designation and related policies of the Guelph Innovation District Secondary Plan;
- Consideration of the Planning Justification Report;
- Review of Environmental Impact Studies and Addenda;
- Review of Archaeological Assessments;
- Review of the proposed zoning, including the need for any specialized regulations;
- Confirm support for the Community Energy Initiative; and
- Address all comments and issues raised during the review of the application.

Staff Recommendation

Planning staff are satisfied that the recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan. In addition, the Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and 'Glenholme Estate Residential' land use designation and related policies of the Guelph Innovation District Secondary Plan. Additional specialized zoning regulations are recommended that were not identified at the Statutory Public meeting, however, the addition of these specialized regulations are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act. Planning staff are recommending that Council approve the Zoning By-law Amendment subject to the zoning regulations and conditions outlined in ATT-3.

Financial Implications

Estimated Development Charges: \$154,610 based on the 2017 residential rate of \$30,922 per single detached dwelling.

Estimated Annual Taxes: based on assumptions and information available at this time approximately \$30,048.70 based on approximately \$6,009.74 per residential dwelling (this number may differ significantly from the final assessment)

Consultations

The 'Notice of Complete Application and Public Meeting' was circulated on June 2, 2016 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The 'Notice of Public Meeting' was advertised in the Guelph Tribune on June 16, 2016. Notice of the Zoning By-law Amendment application has also been provided by signage on the properties. The Notice of Decision meeting was sent on June 28, 2017 to interested parties who provided comments on the application. A 'Notice of Passing' will be sent to all interested parties and advertised in the Guelph Tribune within 15 days of Council's decision on the application.

Corporate Administrative Plan

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

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our People- Building a great community together

Our Resources - A solid foundation for a growing city

Attachments

ATT-1	Location Map and 120m Circulation
ATT-2	Orthophoto
ATT-3	Proposed Zoning Regulations and Recommended Site Plan/Consent Conditions
ATT-4	Official Plan Land Use Designations and Policies
ATT-5	Official Plan Amendment No. 54 Land Use Designations and Policies
ATT-6	Official Plan Amendment No. 48 Land Use Designations and Policies
ATT-7	Existing Zoning and Details

ATT-8	Conceptual Development Plan and Proposed Zoning for 745 Stone Road East
ATT-9	Conceptual Development Plan and Proposed Zoning for 58 Glenholm Drive
ATT-10	Staff Review and Planning Analysis
ATT-11	Community Energy Initiative Commitment
ATT-12	Department and Agency Circulation Comments Summary
ATT-13	Public Notification Summary

Departmental Approval

Not applicable

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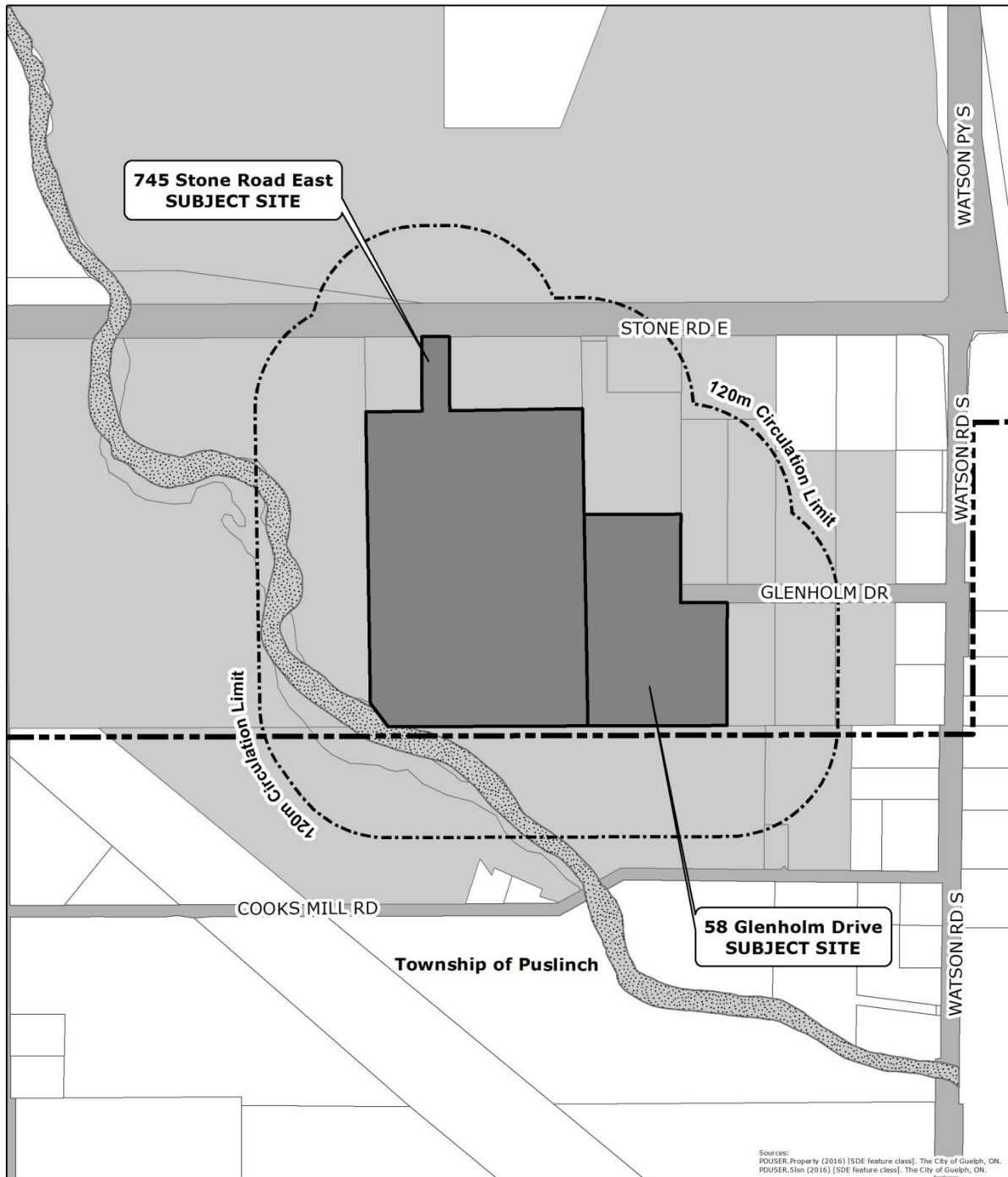
Sylvia Kirkwood
Manager of Development Planning



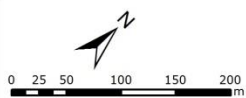
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ATT-1 Location Map and 120m Circulation



Sources:
POUSER, Property (2016) [SDE feature class]. The City of Guelph, ON.
POUSER, Site (2016) [SDE feature class]. The City of Guelph, ON.





LOCATION MAP & 120m CIRCULATION 745 Stone Road East & 58 Glenholm Drive




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

**ATT-2
Orthophoto**





Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
May 2017

**2016 Orthophoto
745 Stone Road East &
58 Glenholm Drive**



ATT-3
Proposed Zoning Regulations and Recommended Site Plan/Consent
Conditions

Part A:

The following zoning regulations are proposed:

Zoning Regulations – 745 Stone Road East

“Specialized Residential Single Detached” (R.1A-?) Zone, with the following additional specialized regulations:

- Minimum Lot Area of 0.4 hectares including any zoned natural heritage features located in the P.1 zone, whereas the Zoning By-law requires a minimum Lot Area of 555 square metres (0.0555 ha) in the R.1A zone.
- The Lot Frontage for the R1A-? zoned properties shall be located within the UR-? Zone.
- The maximum Lot Frontage shall be 10 metres, whereas the Zoning By-law requires a minimum Lot Frontage of 18 metres.
- The maximum driveway width shall be 6 metres, whereas the Zoning By-law permits a maximum driveway width of 7.5 metres in the R.1A Zone.
- The development of detached residential dwellings shall be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available, whereas the Zoning By-law prohibits development within the City that is not on full municipal services.
- Accessory buildings (garages) shall be permitted to exceed 55% of the lot width, whereas the Zoning By-law permits a maximum garage width of 55% where lots have less than 12 metres of frontage.

“Conservation Land” (P.1) Zone

Permitted Uses:

- Conservation Area
- Flood Control Facility
- Recreation Trail
- Wildlife Management Area

Regulations

Within a Conservation Land (P.1) Zone, lands are to remain in their natural condition.

No construction of Buildings or Structures, removal or placement of fill, or any other development shall be permitted which could disrupt the ecology or natural features

of a Wetland, and area of scientific and natural interest (ANSI's) or a significant woodlot and wildlife area.

Despite the above, Buildings or Structures existing at the time of the passing of this By-law within the P.1 Zone shall be recognized. However, any expansion, reconstruction, or extension of any existing Use shall be subject to the Floodproofing requirements of the Grand River Conservation Authority and shall require consultation with the Ministry of Natural Resources.

"Specialized Urban Reserve" (UR-?) Zone, with the following additional specialized regulations:

- The UR-? Zone, shall provide access to the R.1A-? zoned lots and shall have a maximum lot frontage of 10 metres and a maximum driveway width of 6 metres.

"Wetland" (WL) Zone

Zoning Regulations – 58 Glenholm Drive

"Specialized Residential Single Detached" (R.1A-?) Zone, with the following additional specialized regulations:

- Minimum Lot Area of 0.4 hectares including any zoned natural heritage features located in the P.1 zone, whereas the Zoning By-law requires a minimum Lot Area of 555 square metres (0.0555 ha) in the R.1A zone.
- Minimum Lot Frontage of 6.0 metres, whereas the Zoning By-law requires a minimum Lot Frontage of 18 metres.
- No Landscaped Open Space shall be required between the driveway and the lot line of the newly created lots at the westerly limit of Glenholm Drive, whereas the Zoning By-law requires a minimum area of 0.5 metres between the driveway and nearest lot line to be landscaped.
- The development of detached residential dwellings shall be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available, whereas the Zoning By-law prohibits development within the City that is not on full municipal services.
- Accessory buildings (garages) shall be permitted to exceed 55% of the lot width, whereas the Zoning By-law permits a maximum garage width of 55% where lots have less than 12 metres of frontage.

"Conservation Land" (P.1) Zone

Part B:

Recommended Site Plan/Consent Conditions – 745 Stone Road East

The following conditions are provided as information to Council and will be imposed through a future Site Plan application and/or future Consent applications:

1. That the Owner/Developer is required to connect to full municipal services, at their cost when the services are available.
2. That the Owner/Developer is required to share in the cost of the municipal services in accordance with the City's cost-sharing policies.
3. That the Owner/Developer is required to decommission all wells in accordance with O.Reg. 903 after they have connected to municipal services.
4. That the Owner/Developer shall notify all future owners/tenants in agreements of purchase and sale/lease that future residential dwellings are required to connect to full municipal services once available.
5. That the Owner/Developer shall deed a 5 metre wide road widening on Stone Road East, at no cost to the City, free of all encumbrances and at no risk to public health and safety and to the environment prior to the endorsement of the deeds.
6. That the Owner/Developer shall submit to the City, in accordance with Section 41 of the Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, driveway, parking, lighting, septic system, well, grading, drainage, groundwater recharge, drainage and erosion and sediment controls on the said lands to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the General Manager/City Engineer, prior to any construction or grading on the lands.
7. That the Owner/Developer shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, Development Charges and Education Development Charges, in accordance with the City of Guelph Development Charges By-law (2014)-19692, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
8. That the Owner/Developer shall submit a stormwater management report that is certified by a Professional Engineer and is prepared in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual." This stormwater management report is to demonstrate how each of the lots will achieve a post-development groundwater recharge that is equal to the pre-

development recharge. On-site permeameter testing is required to confirm that the recharge can be achieved.

9. That the Owner/Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective for the proposed use(s) is the responsibility of the Owner/Developer. The Owner/Developer shall submit a Phase One Environmental Site Assessment in accordance with O.Reg. 153/04 or CSA Z768-00 standard as per City Guidelines, describing the current conditions of the subject property to the satisfaction of the City. If contamination is found, the consultant will determine its nature and indicate any necessary measures to manage the contamination at the Owner/Developer's expense. The consultant shall also certify that all properties to be developed and/or conveyed to the City pose no risk to public health and safety and to the environment and can be developed for proposed uses.
10. That the Owner/Developer shall pay to the City the actual cost of the construction of the new driveways (including culverts). Furthermore, prior to site plan approval or severance and prior to any construction or grading on the lands, the Owner/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveways.
11. That the Owner/Developer shall grade, develop and maintain the site in accordance with the site plan that has been approved by the General Manager/City Engineer. The Owner/Developer shall have the Professional Engineer who designed the groundwater recharge certify to the City that they supervised the construction of the system and that the as-built system is functioning properly as designed. The Owner/Developer shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
12. That the Owner/Developer acknowledges that the City does not allow retaining walls higher than 1.0 metres abutting existing residential properties without the permission of the General Manager/City Engineer.
13. That the Owner/Developer shall make satisfactory arrangements with Guelph Hydro and phone and cable providers for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plant.
14. That the Owner/Developer shall prepare and implement an Environmental Implementation Report (EIR), to the satisfaction of the General Manager of Planning, Urban Design and Building Services, which includes, but is not limited to:
 - a) A summary characterization of the Natural Heritage System within the study area, including an assessment of historic vegetation removal;

- b) A description of the detailed development including lot configuration, building envelopes (house, driveway, garage, septic, well);
 - c) A detailed Tree Inventory and Preservation Plan by an Arborist with tree locations, removals and tree protection fencing;
 - d) A Landscape Plan depicting by a full member of the OALA compensation plantings as well as additional enhancement plantings (i.e. landscaping outside of buffers);
 - e) A restoration and management plan for the portions of Significant Woodland to be under planted. This restoration and management plan would provide details on which trees would be selective removed and where under-planting would occur as well as a management plan to ensure success of the restoration work;
 - f) A detailed Erosion and Sediment Control Plan;
 - g) A water management plan which includes site grading, drainage, stormwater LID measures, well and septic locations;
 - h) A lighting plan which depicts type and location of light fixtures and that there is no light spillage;
 - i) A monitoring program; and
 - j) Education and outreach material for future homeowner(s).
15. That the Owner/Developer shall make payment of money in-lieu of parkland conveyance to the satisfaction of the Deputy CAO of Public Services pursuant to s. 51.1 and s.53(13) of the *Planning Act* prior to the endorsement of the Transfer (deed).
 16. That prior to the endorsement of the Transfer (deed), the Owner/Developer shall provide to the Deputy CAO of Public Services a satisfactory short narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount of payment in-lieu of parkland conveyance pursuant to s.51.1 and s.53(13) of the Planning Act. The short narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services. Notwithstanding the foregoing, if the short narrative appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services, acting reasonably, the City reserves the right to obtain an independent short narrative appraisal for the purposes of calculating the amount of payment in-lieu of parkland conveyance.
 17. That the following warning clause shall be incorporated into a future site plan control agreement, offers of purchase and sale or lease/rent for all new residential dwellings:

"Purchasers/Tenants are advised that due to the proximity of the City's Waste Resource Innovation Centre, odours may on occasion interfere with some activities of the dwelling occupants and sound levels from the Centre may at times be audible."

Recommended Site Plan/Consent Conditions – 58 Glenholm Drive

The following conditions are provided as information to Council and will be imposed through a future Site Plan application and/or future Consent applications:

1. That the Owner/Developer is required to connect to full municipal services, at their cost when the services are available.
2. That the Owner/Developer is required to share in the cost of the municipal services in accordance with the City's cost-sharing policies.
3. That the Owner/Developer is required to decommission all wells in accordance with O.Reg. 903 after they have connected to municipal services.
4. That the Owner/Developer shall notify all future owners/tenants in agreements of purchase and sale/lease that future residential dwellings are required to connect to full municipal services once available.
5. That the Owner/Developer shall submit to the City, in accordance with Section 41 of the Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, driveway, parking, lighting, septic system, well, grading, drainage, groundwater recharge, drainage around the Glenholm cul-de-sac bulb and erosion and sediment controls on the said lands to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the General Manager/City Engineer, prior to any construction or grading on the lands.
6. That if the existing Glenholm cul-de-sac bulb does not have positive drainage to the satisfaction of the City Engineer, the Owner/Developer shall be responsible for the cost of design and constructions of bulb improvements to achieve positive drainage.
7. That the Owner/Developer shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, Development Charges and Education Development Charges, in accordance with the City of Guelph Development Charges By-law (2014)-19692, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
8. That the Owner/Developer shall submit a stormwater management report that is certified by a Professional Engineer and is prepared in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's

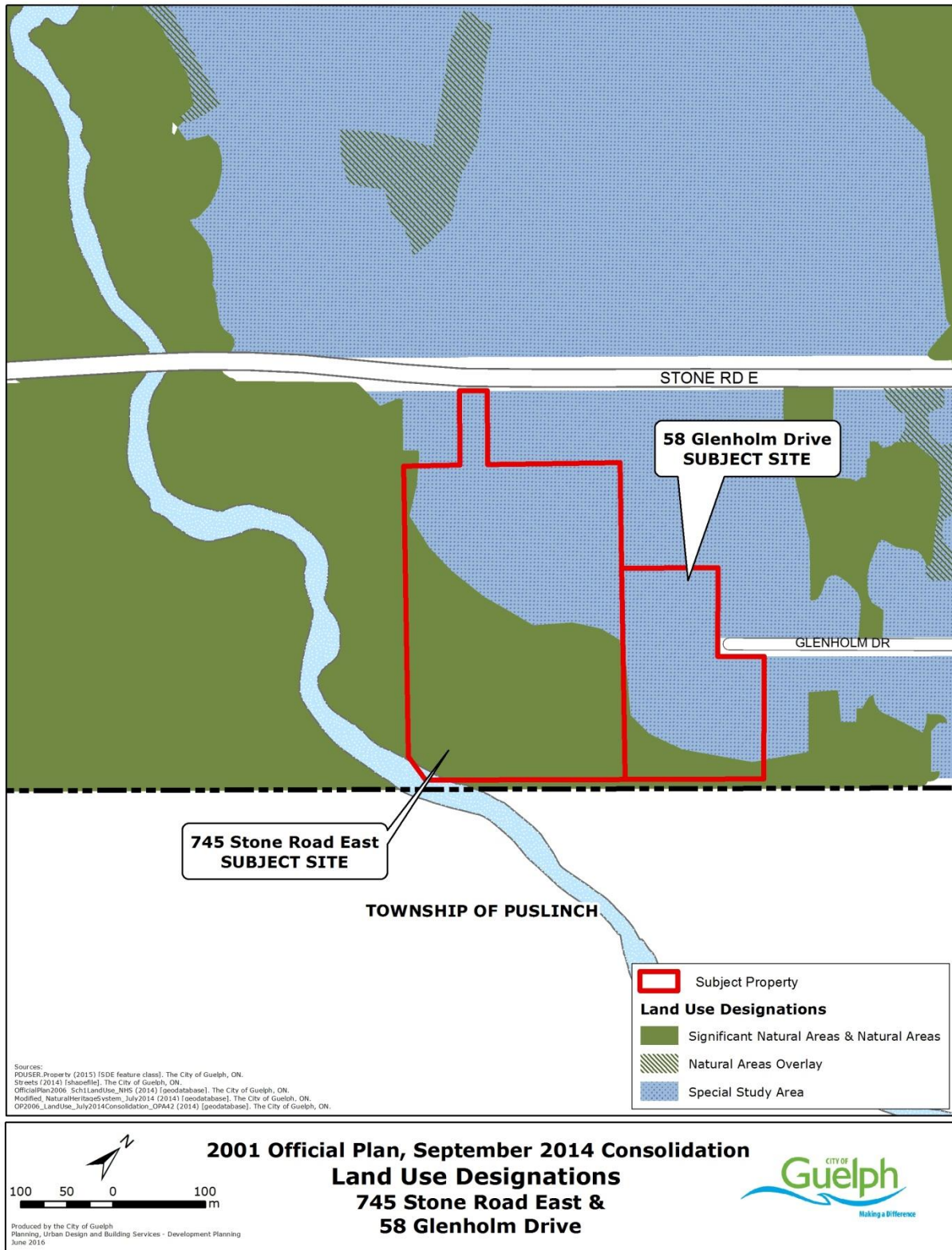
"Stormwater Management Practices Planning and Design Manual." This stormwater management report is to demonstrate how each of the lots will achieve a post-development groundwater recharge that is equal to the pre-development recharge. On-site permeameter testing is required to confirm that the recharge can be achieved.

9. That the Owner/Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective for the proposed use(s) is the responsibility of the Owner/Developer. The Owner/Developer shall submit a Phase One Environmental Site Assessment in accordance with O.Reg. 153/04 or CSA Z768-00 standard as per City Guidelines, describing the current conditions of the subject property to the satisfaction of the City. If contamination is found, the consultant will determine its nature and indicate any necessary measures to manage the contamination at the Owner/Developer's expense. The consultant shall also certify that all properties to be developed and/or conveyed to the City pose no risk to public health and safety and to the environment and can be developed for proposed uses.
10. That the Owner/Developer shall pay to the City the actual cost of the construction of the new driveways (including culverts). Furthermore, prior to site plan approval or severance and prior to any construction or grading on the lands, the Owner/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveways.
11. That the Owner/Developer shall grade, develop and maintain the site in accordance with the site plan that has been approved by the General Manager/City Engineer. The Owner/Developer shall have the Professional Engineer who designed the groundwater recharge certify to the City that they supervised the construction of the system and that the as-built system is functioning properly as designed. The Owner/Developer shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
12. That the Owner/Developer acknowledges that the City does not allow retaining walls higher than 1.0 metres abutting existing residential properties without the permission of the General Manager/City Engineer.
13. That the Owner/Developer shall make satisfactory arrangements with Guelph Hydro and phone and cable providers for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plant.
14. That the Owner/Developer shall prepare and implement an Environmental Implementation Report (EIR), to the satisfaction of the General Manager of Planning, Urban Design and Building Services, which includes, but is not limited to:

- a) A summary characterization of the Natural Heritage System within the study area, including an assessment of historic vegetation removal;
 - b) A description of the detailed development including lot configuration, building envelopes (house, driveway, garage, septic, well);
 - c) A detailed Tree Inventory and Preservation Plan by an Arborist with tree locations, removals and tree protection fencing;
 - d) A Landscape Plan depicting by a full member of the OALA compensation plantings as well as additional enhancement plantings (i.e. landscaping outside of buffers);
 - e) A restoration and management plan for the portions of Significant Woodland to be under planted. This restoration and management plan would provide details on which trees would be selective removed and where under-planting would occur as well as a management plan to ensure success of the restoration work;
 - f) A detailed Erosion and Sediment Control Plan;
 - g) A water management plan which includes site grading, drainage, stormwater LID measures, well and septic locations;
 - h) A lighting plan which depicts type and location of light fixtures and that there is no light spillage;
 - i) A monitoring program; and
 - j) Education and outreach material for future homeowner(s).
15. That the Owner/Developer shall make payment of money in-lieu of parkland conveyance to the satisfaction of the Deputy CAO of Public Services pursuant to s. 51.1 and s.53(13) of the *Planning Act* prior to the endorsement of the Transfer (deed).
16. That prior to the endorsement of the Transfer (deed), the Owner/Developer shall provide to the Deputy CAO of Public Services a satisfactory short narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount of payment in-lieu of parkland conveyance pursuant to s.51.1 and s.53(13) of the *Planning Act*. The short narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services. Notwithstanding the foregoing, if the short narrative appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services, acting reasonably, the City reserves the right to obtain an independent short narrative appraisal for the purposes of calculating the amount of payment in-lieu of parkland conveyance.
17. That the following warning clause shall be incorporated into a future site plan control agreement, offers of purchase and sale or lease/rent for all new residential dwellings:

"Purchasers/Tenants are advised that due to the proximity of the City's Waste Resource Innovation Centre, odours may on occasion interfere with some activities of the dwelling occupants and sound levels from the Centre may at times be audible."

ATT-4 **Official Plan Land Use Designations and Policies**



ATT-4 (continued)
Official Plan Land Use Designations and Policies

“Significant Natural Areas and Natural Areas” Land Use Designation

6A.2 Significant Natural Areas

This section outlines specific objectives, criteria for designation and policies for Significant Natural Areas and their *buffers*. Specific policies related to Natural Heritage System management and stewardship are provided in Section 6A.

6A.2.1 General Policies: Significant Natural Areas

1. Development or site alteration shall not be permitted within Significant Natural Areas including their established or minimum buffers as designated on Schedule 1, except in accordance with the general policies in 6A.1.2 and the Significant Natural Areas policies in 6A.2.
2. In accordance with the applicable policies in 6A.1.2 and 6A.2, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.

7.17 “Special Study Area” Land Use Designation

This designation applies to an area of the City that is experiencing pressure for significant land use change. A planning study will be completed, with public consultation involving landowners, government agencies and the general community to determine a future land use concept for these identified areas. These areas have a diversity of existing and potential land use activities and a holistic examination of land use, servicing, transportation and community needs is required.

Objectives

- a) To define an area of the City which, is undergoing significant change and where the need for a co-coordinated future land use concept is required.
- b) To specify an area of the City where the application of the land use policy framework of this Plan does not provide sufficient clarity regarding future land use.
- c) To provide for a planning study mechanism whereby existing land uses are permitted to continue and expand while planning for the future is undertaken.
- d) To plan for future land uses while recognizing the need to minimize impacts on *significant natural heritage features and cultural heritage resources, where applicable*, in this area.

General Policies

7.17.1 A 'Special Study Area' designation applies to lands that are situated within the general area comprising the Guelph Correctional Centre and Wellington Detention Facility, the City's wet/dry waste management complex, the Eramosa River valley, and lands to the south of Stone Road, (east of Victoria Road).

7.17.1.1 The designated 'Special Study Area' is located within an area of the City where there are a number of future land use uncertainties. The matters creating uncertainty include:

- a) The closing of the Guelph Correctional Centre and the Wellington Detention Facility in the central area of this designation;
- b) Lands within the 'Special Study Area' are located within the "Arkell Springs Water Resource Protection Area" and special land use considerations are required to protect this major water source for the City;
- c) The majority of these lands - lands north of Stone Road - are within a Stage 3 servicing area of this Plan, (see subsection 4.2). This staging area requires the completion of a secondary plan prior to *development* occurring in the area;
- d) An aggregate operation to the south of Stone Road has ceased operation and a future land use for this area is required;
- e) Significant *natural* and *cultural heritage* features exist in the area, and careful land use planning is required to minimize impacts;
- f) A major industrial operation - an abattoir, meat packing and processing plant - is located centrally to this area and creates potential land use compatibility issues;
- g) The City's wet/dry waste management facility and associated Subbor waste processing operation, which is also centrally located in the area, is undergoing expansion and requires special consideration to fit into the surrounding area.

7.17.1.2 A planning study completed by the City shall examine future land uses, servicing, phasing of development, transportation and impact assessment on *natural heritage features* and *cultural heritage resources*. The overall intent is to derive a holistic land use plan for the area.

1. Existing uses of the area shall be permitted to continue in accordance with the provisions of the implementing *Zoning By-law* in effect on December 17, 2001.
2. Changes in land use, lot additions and expansions of existing non-residential uses may be permitted without amendment to this Plan provided that the *development* proposal does not compromise the potential outcomes or original rationale for undertaking the intended planning study.

7.17.1.3 The completion of the land use concept for this study area will be a prioritized planning action of the City.

NOTE: The “Special Study Area” policies have been fulfilled by the completion of OPA 54, however, due to the current OMB appeals to OPA 54, the proposed “Employment Mixed-use 2” area along Stone Road East is still subject to the “Special Study Area” land use designation.

Policy 6.8 of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014

6.8 Forestry Resources

The City places a high priority on protecting existing trees, hedgerows and wooded areas. In addition, the planting of new trees in all areas of the City is encouraged for environmental and aesthetic reasons.

Woodlands that are *significant*, as defined by the provisions of this Plan, are included within the Greenlands System of Schedule 1 and are delineated as a *natural heritage feature* on Schedule 2.

Objectives

- a) To promote the retention, maintenance and enhancement of natural forest systems in the urban environment.
- b) To recognize the important role that trees, hedgerows and wooded areas play in the functioning of our supporting ecosystem.
- c) To promote the retention, maintenance and enhancement of tree cover in all areas of the City.

General Policies

6.8.1 The City will encourage the protection of forest resources including trees, hedgerows, wooded areas and *significant woodlands*, and encourage the integration of these resources into the urban landscape.

- 1. Forest resources should be protected for their ecological, biological, hydrological, and micro-climatic moderation effects.
- 2. In the preparation of *development* proposals, *development* proponents will be encouraged to prepare a tree inventory. The tree inventory report should identify all individual trees (over 10 cm diameter breast height) as well as species composition. In addition, the report should address the feasibility of retaining desired trees, and the protection measures required for these trees during site development and building construction.
- 3. Whenever the City or another agency is undertaking an *infrastructure* work, the City will attempt, where feasible, to protect and preserve existing forest resources.
- 4. In order to enhance the urban environment, the City will promote the retention of existing street tree cover and provide for new tree planting on an on-going basis. Native tree species will be the preferred planting choice to protect the natural integrity of existing wooded areas.
- 5. In instances where forest resources need to be removed due to a *development* proposal, measures should be taken to ensure the orderly extraction of the

trees or their possible relocation, where practical, and the preservation of any remaining ones.

6. In an effort to protect forest resources and maintain existing tree cover, the City will enact by-laws to prohibit the removal or injury of trees.

- 6.8.2 The City will give consideration to developing a comprehensive ecological definition of woodland significance in the Municipality by conducting an assessment study of wooded areas within Guelph.

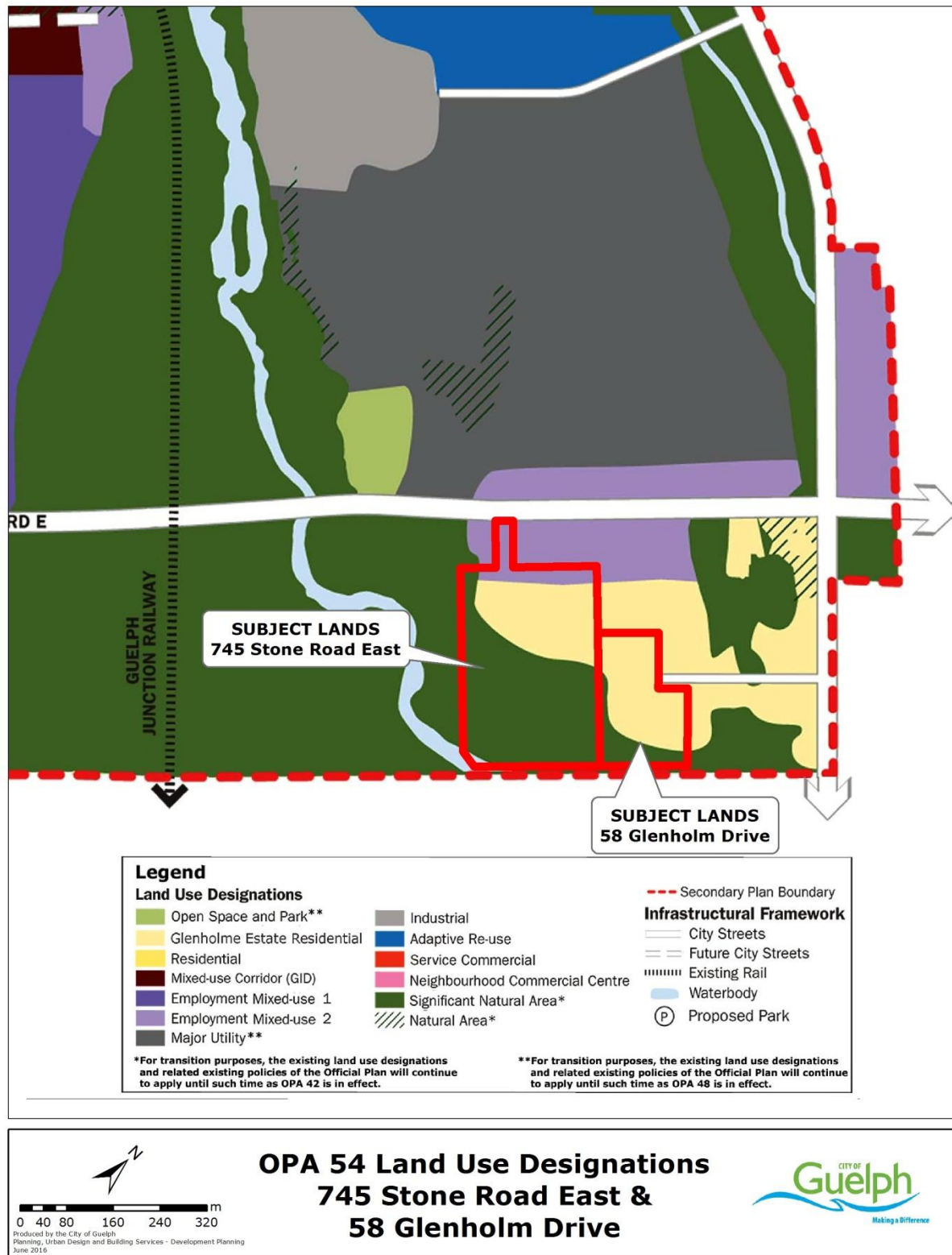
Significant Woodlands

- 6.8.3 The City has classified certain wooded areas in the Municipality as being *significant*. These *woodlands* have been classified as being *significant* due to their natural heritage *functions* as noted in policy 6.8.1, in addition to their contiguous size of at least 1 hectare and existence in a natural setting. *Significant woodlands* are included within the Greenlands System outlined on Schedule 1. They are also delineated as *natural heritage features* on Schedule 2.

- 6.8.4 *Development* proposals within or on *adjacent* lands to a *significant woodland* should not *negatively impact* the *feature* and its associated *ecological functions*.

1. The actions as specified in policy 6.8.1 will be used to protect and preserve *significant woodlands*. In addition, the forestry management of these *woodlands* should not include timber production as a primary activity.
2. In instances where a *development* proposal is within or *adjacent* to a *significant woodland*, the City will require that an environmental impact study be undertaken. Subsection 6.3 outlines the general requirements for this type of study; more particularly, the study shall:
 - a) Contain a detailed inventory of the *woodland* including size, age, composition, condition and *ecological functions* of the *feature*;
 - b) Indicate the *negative impacts* of the proposal on the *woodland*;
 - c) Indicate any measures that would reduce the *negative impacts* of the proposal;
 - d) Recommend provisions, in instances where trees need to be removed, for their replacement or any other enhancement opportunities.

ATT-5
Official Plan Amendment No. 54 Land Use Designations and Policies



ATT-5 (continued)
Official Plan Amendment No. 54 Land Use Designations and Policies

11.2.6.3.6 “Glenholme Estate Residential” Land Use Designation of Guelph Innovation District Secondary Plan (in full force and effect)

The Glenholme Estate Residential area is designated on Schedule B. This designation includes lands containing existing low density estate residential uses on large lots that are currently serviced by private individual on-site water and wastewater services. Due to the unique characteristics of the area, it is anticipated that the existing residential uses will continue in their current form during the Secondary Plan period, with opportunities for minor limited additional estate residential infill *development* which is consistent with the character of existing development. Existing and new *development* within this land use designation are subject to the following policies:

1. Notwithstanding any other provision of this Secondary Plan, only the following uses shall be permitted:
 - a) Single detached dwelling;
 - b) Accessory apartment; and
 - c) Home occupation.
2. Limited additional low density estate residential infill *development* may be permitted on existing lots that are 1.0 ha in size or greater, subject to meeting the following size criteria, and all other applicable policies of this Secondary Plan:
 - a) Minimum lot size of 0.4 ha for new and retained residential lots and an average lot size (of new lots and retained residential lots) of 0.7 ha.
3. New residential lots shall be configured and sized to maintain the character of the lot fabric of the area including frontage, setbacks, landscaped space and amenity areas and to ensure flexibility for the proper ongoing operation of private individual on-site services.
4. Notwithstanding the servicing policies of the Official Plan, new estate residential *development* within the Glenholme Estate Residential designation may be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available.

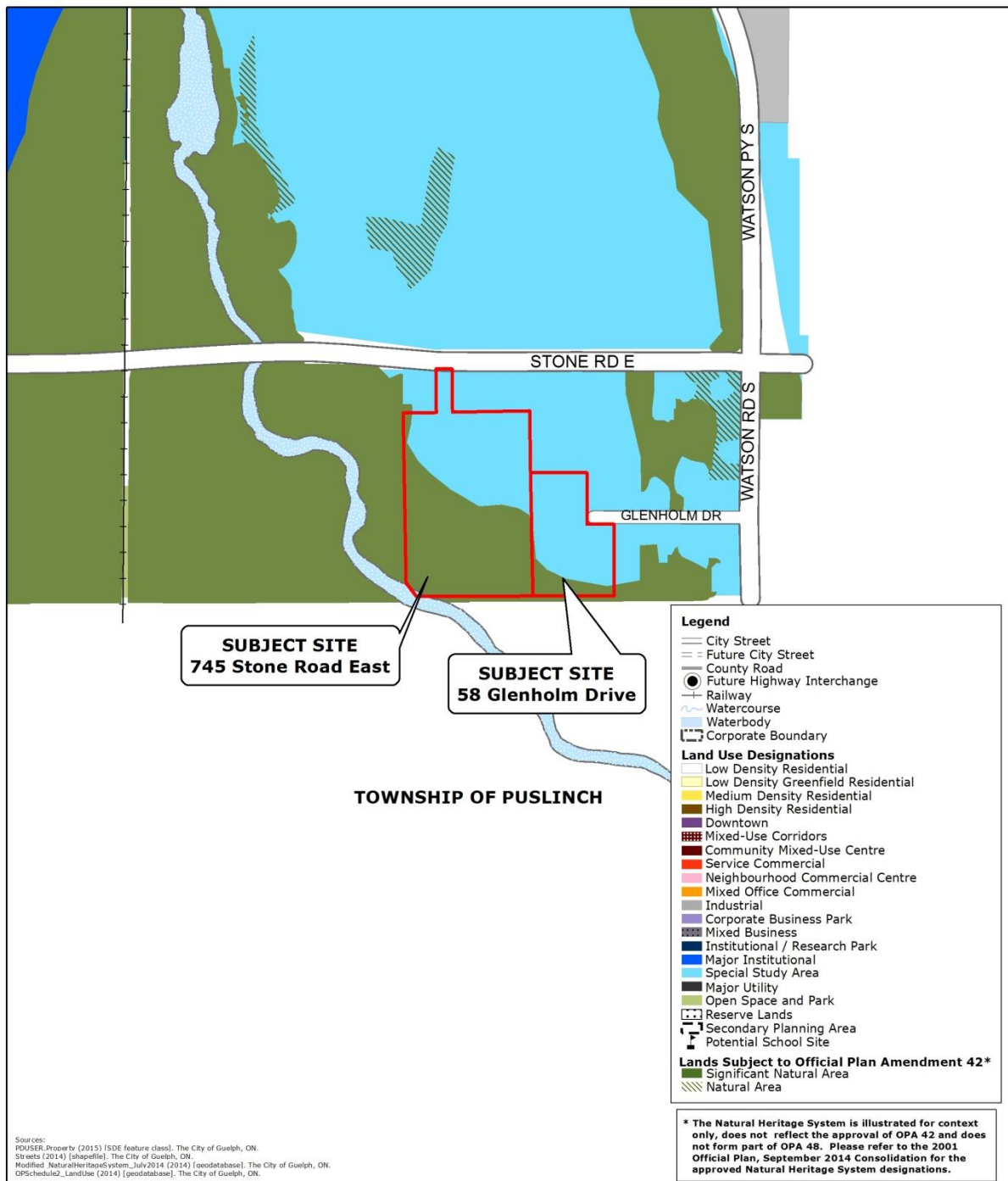
5. As part of a development application the City may impose such conditions as are deemed appropriate to protect City and public interest, particularly with respect to protecting City drinking water supplies. The City may require proponents to enter into an agreement related to the ongoing operation and maintenance of interim private services, the requirement for the property owner to connect to full municipal services when they become available at their own expense, and other relevant matters.
6. *Development* within the Glenholme Estate Residential designation will be regulated through a site specific *Zoning By-law* amendment and shall be subject to site plan control.
7. Notwithstanding the policies of this plan pertaining to *woodlands*, for the properties at 745 Stone Road East and 58 Glenholm Drive, where a *woodland* has been identified through an EIS, the assessment of the potential to allow *development* shall be undertaken in accordance with the policies of Section 6.8, including any associated definitions, of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014.

11.2.6.3.4 "Employment Mixed-use 2" Land Use Designation of Guelph Innovation District Secondary Plan (under appeal)

1. Employment Mixed-use 2 areas are designated on Schedule B. These areas will have a mix of uses including: office, commercial, educational and institutional, and, to a lesser extent, entertainment uses that will serve to support the role of the employment area as an important component of the *Guelph Agri-Innovation Cluster*.
2. The following uses may be permitted within the Employment Mixed-use 2 designation subject to the applicable provisions of this Secondary Plan:
 - a) Research and development facilities;
 - b) Office and administrative facilities;
 - c) Cultural and education uses;
 - d) Institutional uses;
 - e) Entertainment and recreational commercial uses;
 - f) Associated ancillary retail uses that are an integral component of the primary uses; and
 - g) Complementary or accessory uses may be permitted. Such uses may include convenience commercial uses and community facility uses.

3. The following uses are not permitted within the Employment Mixed-use 2 designation:
 - a) Residential;
 - b) *Live/work*; and
 - c) Logistics and warehousing.
4. The areas designated Employment Mixed-use 2 adjacent to Stone Road East between the Eramosa River and Watson Parkway South will serve as a transitional area to buffer the residential lands south of Stone Road East from the Major Utility and Industrial designated lands north of Stone Road East. Within the Employment Mixed-use 2 designation the following shall apply:
 - a) Buildings will be oriented towards Stone Road East with sufficient front setbacks with landscaped open space;
 - b) Heights that provide sufficient screening of industrial uses from residential development south of Stone Road East will be established within the implementing *Zoning By-law*; and
 - c) Parking, loading and access will comply with policies established in this Secondary Plan and the general urban design policies of the Official Plan.
5. Through the Block Plan process and/or the development approvals process, zoning categories and appropriate regulations will be established to permit and control uses within the Employment Mixed-use 2 designation.

ATT-6 **Official Plan Amendment No. 48 Land Use Designations and Policies**



ATT-6 (continued)
Official Plan Amendment No. 48 Land Use Designations and Policies

9.9 “Special Study Areas” Land Use Designation

The Special Study Areas designation applies to the following areas:

- lands within the Guelph Innovation District
- Beverley Street (former IMICO site)

Objectives

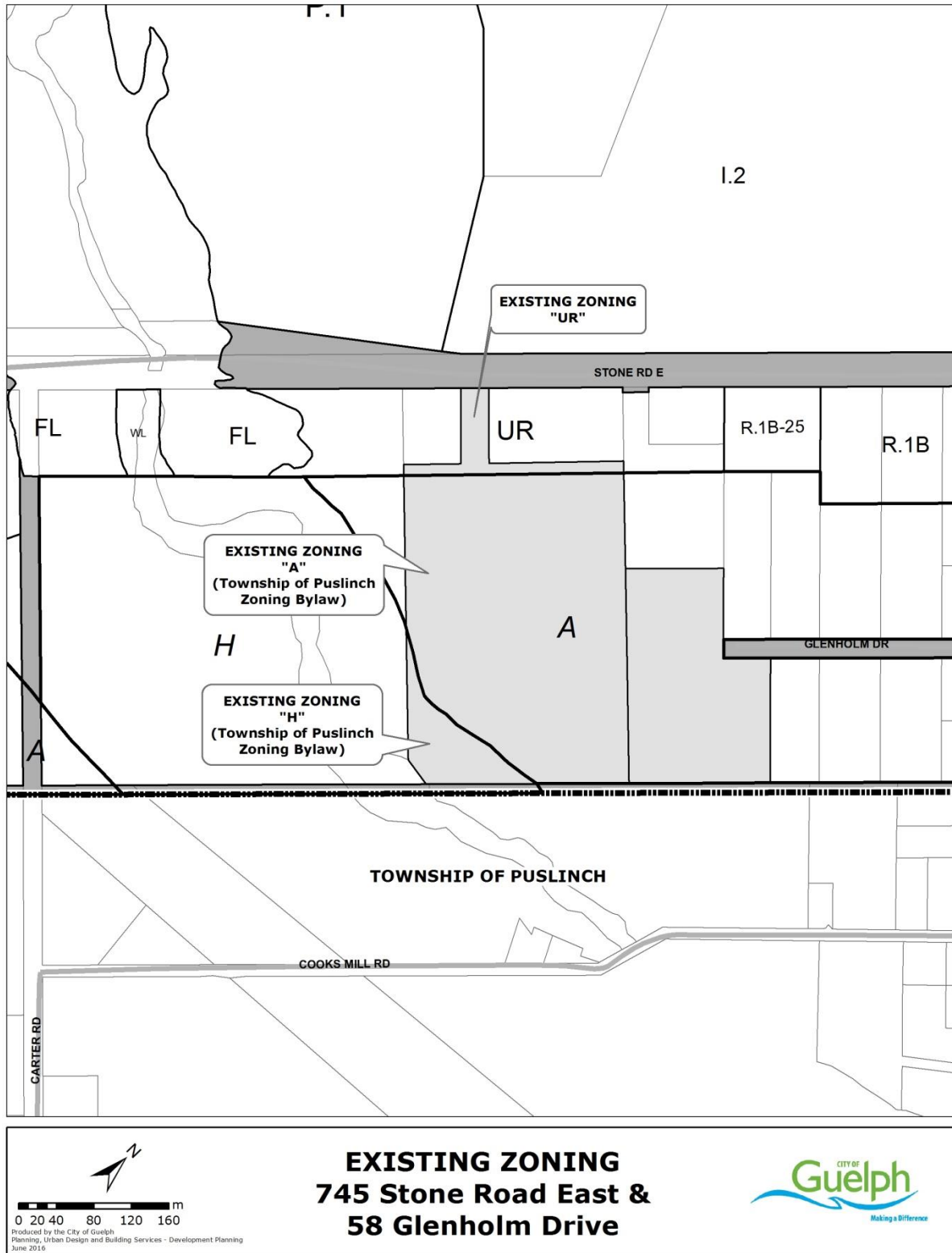
- a) To undertake appropriate studies to determine future land uses within lands designated Special Study Area.
- b) To plan for future *development* in a comprehensive, cohesive and integrated manner through the development of detailed secondary plans.
- c) To plan and implement urban village concepts in the *greenfield area* with a mix of residential, commercial, employment and community services in a *compact urban form* which include Main Street streetscapes and attractive private and public spaces.
- d) To ensure that *development* exhibits the highest standards in environmental and energy sustainability and urban design.
- e) To ensure lands within the *greenfield area* are planned to achieve a minimum *density target* of 50 persons and jobs per hectare by 2031.
- f) To ensure the areas are connected to developed areas of the City through all mobility modes including roads, transit and trails.

9.9.1 Guelph Innovation District Special Study Area

1. The Guelph Innovation District (GID) is located in eastern Guelph and is generally bounded to the north by York Road, to the east by Watson Parkway, extends south of Stone Road to the City boundary and west to Victoria Road. The GID special study area designation is located within the GID Secondary Plan Study Area as identified on Schedule 2.
2. A Secondary Plan will be completed by the City to plan for future land uses, servicing, phasing of development, transportation and impact assessment on natural heritage features and cultural heritage resources. The Secondary Plan will consider renewable and alternative energy, including the feasibility for *district energy* and will consider the potential use of the Guelph Junction Railway for passenger service and will be subject to the policies in Section 10.2 and all other relevant policies and provisions of this Plan.
3. Changes in land use, lot additions and expansions of existing non-residential uses may be *permitted* without amendment to this Plan provided that the *development* proposal does not compromise the potential outcomes or original rationale for undertaking the intended planning study.

4. The completion of the Guelph Innovation District Secondary Plan is a priority of the City.
5. A detailed Stormwater Management and Municipal Servicing Report is required prior to *development* in the Guelph Innovation District Secondary Plan area. These reports will be prepared on the following basis:
 - a. They will be subject to approval by the City and the Grand River Conservation Authority; and
 - b. The reports will be consistent with and implement the recommendations of the appropriate subwatershed studies as approved by relevant agencies and adopted by Council.
6. An EIS and EIR are required as per the policies of this Plan prior to new *development* occurring within the Guelph Innovation District Secondary Plan area.

ATT-7
Existing Zoning and Details



ATT-7 (continued)
Existing Zoning and Details

Urban Reserve (UR) (City of Guelph Zoning By-law (1995)-14864, as amended)

Permitted Uses

The following are permitted **Uses** within the Urban Reserve (UR) **Zone**:

- ***Agriculture, Livestock Based***
- ***Agriculture, Vegetation Based*** (mushroom farms shall not be permitted)
- ***Conservation Area***
- ***Flood Control Facility***
- ***Outdoor Sportsfield Facilities***
- ***Recreation Trail***
- ***Wildlife Management Area***
- ***Accessory Uses*** in accordance with Section 4.23

Agricultural Zone (A) (Township of Puslinch Zoning By-law 19/85)

Permitted Uses:

- ***An agricultural use***
- ***An intensive agricultural use***
- ***A single detached dwelling***
- ***A home occupation***
- ***A retail farm sales outlet accessory to an agricultural use***
- ***Existing churches, schools, community halls and nursing homes***
- ***A wayside pit***
- ***Forestry and woodlots***
- ***Open space and conservation areas***
- ***A fish and wildlife management area***
- ***A public use***

Hazard Zone (H) (Township of Puslinch Zoning By-law 19/85)

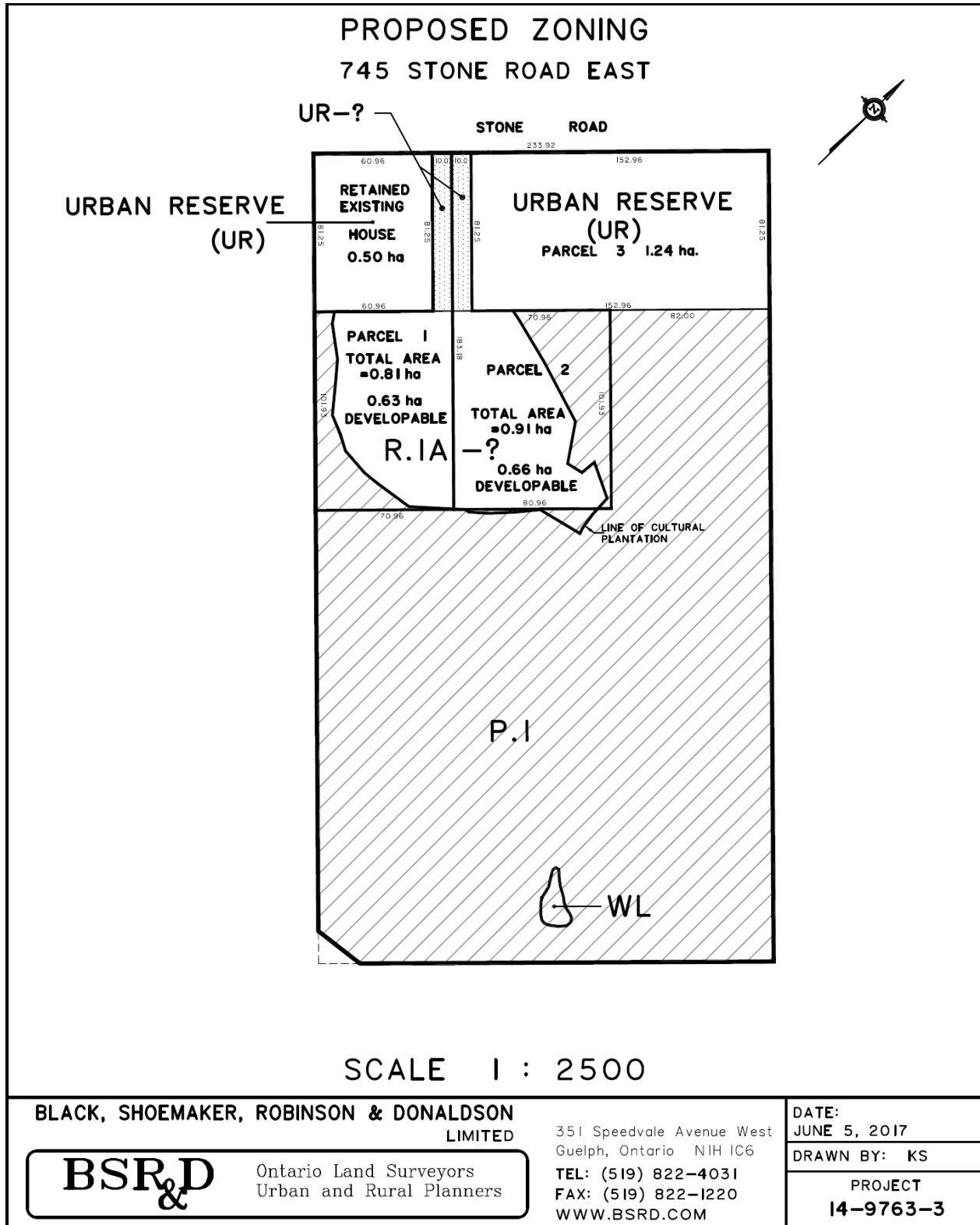
Permitted Uses:

- ***An agricultural use***
- ***Forestry***
- ***Fish and wildlife management***
- ***A boathouse or boat dock***
- ***A public use***

EXCERPT FROM TABLE 5.1.2 - REGULATIONS GOVERNING R.1A ZONES

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

ATT-8
Conceptual Development Plan and Proposed Zoning for 745 Stone Road East



ATT-10

Staff Review and Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives of the PPS include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" the policy statement.

Policy 1.1.3.1 directs that settlement areas are to be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 provides further direction on land use patterns within settlement areas. Criteria for the municipality to consider include: the efficient use of land and resources when establishing density and mix of land uses at an appropriate density for the capacity of the existing infrastructure.

Policy 1.6.6.2 states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible. However, Policy 1.6.6.3 states that where municipal sewage services and municipal water services are not provided, municipalities may allow the use of private communal sewage services and private communal water services. Policy 1.6.6.4 clarifies further that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development. The proposed Zoning By-law Amendment will allow development on private and individual on-site sewage and water services in accordance with these policies. A Development Agreement has been entered into that requires the landowners to connect to full municipal services if and when they do become available.

Section 2.1 provides policy direction to protect natural features for the long term. In accordance with PPS policies, the applicant has provided an EIS and Addendum for both properties which demonstrate that development on adjacent lands to the natural heritage features will not negatively impact the natural features or on their ecological functions. To minimize fragmentation and long term protection of the natural heritage system, the owner of 745 Stone Road East will enter into an environmental easement for the majority of the lands proposed to be zoned P.1. The proposed zoning for the properties places the natural heritage features into appropriate protective zones.

The proposed development is compatible with the scale of existing residential development in this area. The proposed Zoning By-law will establish lot sizes that are appropriate taking into account the need for private services and the desire to protect existing natural heritage features on the subject lands. The proposed Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement.

Provincial Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for managing growth in the Greater Golden Horseshoe, including:

- directing growth to built-up areas where capacity exists to best accommodate population and employment growth; and
- promoting transit supportive densities and a healthy mix of residential and employment uses.

The Growth Plan provides an overall general target for intensification. In addition, the Growth Plan encourages the development of compact, vibrant and complete communities with a mix of land uses and a range and mix of employment and housing types. Section 2.2.7 sets out policies for development occurring in designated “Greenfield Areas” such as the subject property. Density targets have been established for “greenfield areas” as a whole. This section also notes that density targets are not intended to provide policy direction for the protection of natural heritage features.

Section 4.2 establishes policies for protecting valuable resources and encourages municipalities to identify natural heritage features and where appropriate, develop properties for their protection.

The subject lands are located within a settlement area and contain and are adjacent to natural heritage features. The proposal will result in the development of additional residential units on underutilized land and provides protection of the identified natural heritage features on the subject lands. The proposed Zoning By-law conforms to the Growth Plan for the Greater Golden Horseshoe.

Official Plan Land Use Designation and Policies

The Official Plan designates the subject lands as “Special Study Area” and “Glenholme Estate Residential”. The lands are subject to the Guelph Innovation District (GID) Secondary Plan. The GID Secondary Plan was approved by Council as Official Plan Amendment 54 (OPA 54) in May 2014, however, it was appealed to the Ontario Municipal Board (OMB), in its entirety.

In March of 2015, the OMB delivered a decision to allow a motion brought forward by the City to approve certain sections of OPA 54 that were not intended to be

included in the appeals. This included the "Glenholme Estate Residential" land use designation and its policies which apply to both 745 Stone Road East and 58 Glenholm Drive. The "Glenholme Estate Residential" land use designation permits limited additional low density estate residential infill development, subject to meeting certain size criteria and other applicable policies. How this proposed Zoning By-law Amendment meets criteria of the "Glenholme Estate Residential" land use designation is further discussed below under policies of Official Plan Amendment No. 54 (OPA 54).

The GID Secondary Plan proposes to designate the northern portion of 745 Stone Road East as "Employment Mixed-use 2", however, since this portion of the GID Secondary Plan is currently under appeal at the Ontario Municipal Board, the land use designation that applies to the northern portion of 745 Stone Road East is the land use designation of the Official Plan, being "Special Study Area". The portion of the lands that are proposed to be designated "Employment-Mixed-use 2" will be used solely for lot frontage and to provide access to the two proposed residential lots. This portion of the subject lands will be zoned "Specialized Urban Reserve" (UR-?) which will only allow for driveway access. The implementing Zoning By-law will limit the lot frontage of the UR-? Zone to 10 metres per lot to limit the intrusion of the residential use on the "Employment Mixed-use 2" land use designation.

A portion of both 745 Stone Road East and 58 Glenholm Drive are also designated "Significant Natural Areas and Natural Areas" in the Official Plan. Development or site alteration is not to be permitted within Significant Natural Areas including their established or minimum buffers as designated, except in accordance with the general policies in 6A.1.2 and the Significant Natural Areas policies in 6A.2 of the Official Plan. In accordance with the applicable policies of the Official Plan, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an Environmental Impact Study or Environmental Assessment that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.

In addition to the above Natural Heritage System policies, Policy 11.2.6.3.6.7 of the "Glenholme Estate Residential" land use designation of the GID Secondary Plan states that,

"Notwithstanding the policies of this plan pertaining to woodlands, for the properties at 745 Stone Road East and 58 Glenholm Drive, where a woodland has been identified through an EIS, the assessment of the potential to allow development shall be undertaken in accordance with the

policies of Section 6.8, including any associated definitions, of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014."

Section 6.8 - 'Forestry Resources' policies of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014 are included in ATT-4 and are discussed further below.

The applicant has submitted an Environmental Impact Study for both 745 Stone Road East and 58 Glenholm Drive. The EIS and Addenda for both properties are discussed in more detail below.

Official Plan Amendment No. 54 Land Use Designations and Policies

The lands are subject to the Guelph Innovation District (GID) Secondary Plan. The GID Secondary Plan was approved by Council as Official Plan Amendment 54 (OPA 54) in May 2014, however, it was appealed to the Ontario Municipal Board (OMB), in its entirety.

The Glenholme Estate Residential area includes lands containing existing low density estate residential uses on large lots that are currently serviced by private individual on-site water and wastewater services. Due to the unique characteristics of the area, it is anticipated that the existing residential uses will continue in their current form during the Secondary Plan period, with opportunities for minor limited additional estate residential infill *development* which is consistent with the character of existing development. Existing and new *development* within this land use designation are subject to the following policies:

Below is an analysis of how the proposal conforms to the policies of the Glenholme Estate Residential land use designation:

1. Notwithstanding any other provision of this Secondary Plan, only the following uses shall be permitted:

- a) Single detached dwelling;***
- b) Accessory apartment; and***
- c) Home occupation.***

The proposal is to create additional residential lots.

2. Limited additional low density estate residential infill development may be permitted on existing lots that are 1.0 ha in size or greater, subject to meeting the following size criteria, and all other applicable policies of this Secondary Plan:

- a) Minimum lot size of 0.4 ha for new and retained residential lots and an average lot size (of new lots and retained residential lots) of 0.7 ha.***

All of the lots proposed (new and retained) as a result of the future Consent applications will create lots in excess of 0.4 ha in size. The average lot size for 745 Stone Road East is 0.74 ha and the average lot size for 58 Glenholm Drive is 0.803 ha.

- 3. New residential lots shall be configured and sized to maintain the character of the lot fabric of the area including frontage, setbacks, landscaped space and amenity areas and to ensure flexibility for the proper ongoing operation of private individual on-site services.***

The residential lots maintain the character of the lot fabric of the area and are of comparable size and frontage.

- 4. Notwithstanding the servicing policies of the Official Plan, new estate residential development within the Glenholme Estate Residential designation may be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available.***

Full municipal services are not available, therefore development will occur on private individual on-site water and wastewater services.

- 5. As part of a development application the City may impose such conditions as are deemed appropriate to protect City and public interest, particularly with respect to protecting City drinking water supplies. The City may require proponents to enter into an agreement related to the ongoing operation and maintenance of interim private services, the requirement for the property owner to connect to full municipal services when they become available at their own expense, and other relevant matters.***

The owners of both properties have entered into a Development Agreement to cover the above items.

- 6. Development within the Glenholme Estate Residential designation will be regulated through a site specific Zoning By-law amendment and shall be subject to site plan control.***

This application is the site-specific Zoning By-law Amendment to facilitate the development and the applicant will be submitting site plan applications for the new residential lots.

7. Notwithstanding the policies of this plan pertaining to woodlands, for the properties at 745 Stone Road East and 58 Glenholm Drive, where a woodland has been identified through an EIS, the assessment of the potential to allow development shall be undertaken in accordance with the policies of Section 6.8, including any associated definitions, of the 2001 City of Guelph Official Plan, in effect as of May 12, 2014.

Staff have evaluated the proposal against the policies of Section 6.8 of the 2001 Official Plan in effect as of May 12, 2014, as the creation of lots within the current Natural Heritage System policies would not be supportable.

Policy 6.8.4 of the 2001 Official Plan in effect as of May 12, 2014, states that:

"Development proposals within or adjacent lands to a significant woodland should not negatively impact the feature and its associated ecological functions.

1. The actions as specified in policy 6.8.1 will be used to protect and preserve significant woodlands. In addition, the forestry management of these woodlands should not include timber production as a primary activity.
2. In instances where a development proposal is within or adjacent to a significant woodland, the City will require that an environmental impact study be undertaken. Subsection 6.3 outlines the general requirements for this type of study; more particularly, the study shall:
 - a. Contain a detailed inventory of the woodland including size, age, composition, condition and ecological functions of the feature;
 - b. Indicate the negative impacts of the proposal on the woodland;
 - c. Indicate any measures that would reduce the negative impacts of the proposal;
 - d. Recommend provisions, in instances where trees need to be removed, for their replacement or any other enhancement opportunities."

As per the policies noted above, development may occur within a significant woodland where it has been demonstrated that development will not result in a negative impact to the feature and its associated ecological functions. Negative impacts in regard to natural heritage features are defined as "the loss of the natural heritage features or ecological functions for which an area is identified". The proposed development will not result in a loss of the natural heritage features (i.e.

woodlands) or ecological functions (SWH, habitat for urban adapted wildlife species), as such would not be considered a negative impact in the context of that policy framework. There is some tree removal proposed, mainly consisting of Scots Pine. This will be mitigated through planting of native trees and shrubs that will result in net gain of native woodland cover.

The proposed Zoning By-law Amendment is consistent with the "Glenholme Estate Residential" land use designation.

The GID Secondary Plan proposes to designate the northern portion of 745 Stone Road East as "Employment Mixed-use 2", however, since this portion of the GID Secondary Plan is currently under appeal at the Ontario Municipal Board, the land use designation that applies to the northern portion of 745 Stone Road East is the land use designation of the Official Plan, being "Special Study Area".

The portion of the lands that are proposed to be designated "Employment-Mixed-use 2" will be used solely for lot frontage and to provide access to the two proposed residential lots. This portion of the subject lands will be zoned "Specialized Urban Reserve" (UR-?) which will only allow for driveway access. The implementing Zoning By-law will limit the lot frontage of the UR-? Zone to 10 metres per lot to limit the intrusion of the residential use on the "Employment Mixed-use 2" land use designation. The proposed Zoning By-law Amendment is consistent with the proposed "Employment Mixed use 2" land use designation.

A portion of both 745 Stone Road East and 58 Glenholm Drive are also designated "Significant Natural Areas" in the Secondary Plan. The policies for the Significant Natural Areas are found under the Official Plan. To address these policies, the applicant has submitted an Environmental Impact Study and Addendum for both 745 Stone Road East and 58 Glenholm Drive, which demonstrate that the development will not result in a negative impact to the features and its associated ecological functions.

Official Plan Amendment 48 Land Use Designation and Policies

Official Plan Amendment 48 (OPA 48) (under appeal), a comprehensive update to the City's Official Plan, proposes to retain the "Special Study Area" and "Significant Natural Areas and Natural Areas" land use designations and policies of the Official Plan. Staff must have regard to the Council adopted policies and designations of OPA 48 even though it is currently under appeal. The "Special Study Area" policies of OPA 48 have been fulfilled by the completion of OPA 54, however, due to the current OMB appeals to OPA 54, the "Glenholme Estate Residential" land use designation is in full force and effect and the proposed "Employment Mixed-use 2" area along Stone Road East is still subject to the "Special Study Area" land use

designation. The City will be seeking to have the OMB modify OPA 48 prior to its approval to incorporate any or all of the portions of OPA 54 that are in effect as of that date, including the "Glenholme Estate Residential" land use designation and associated policies. The proposed Zoning By-law Amendment has regard for the policies of OPA 48.

Proposed Zoning By-law Amendment

Zoning Regulations – 745 Stone Road East (see Concept Plan in ATT-8 for proposed zoning)

The applicant is proposing to zone the subject property into a "Specialized Residential Single Detached" (R.1A-?) Zone to facilitate two new residential lots. Specialized regulations have been requested to the standard R.1A zone to facilitate the development in accordance with the minimum lot size requirements as well as servicing requirements as noted in the "Glenholme Estate Residential" land use designation of the Secondary Plan.

Staff are supportive of the requested specialized regulations to implement the policies of the Secondary Plan. The specialized regulations will allow the proposed new lots to be configured and sized to maintain the character of the lot fabric of the existing low density residential area and also allow for the proper ongoing operation of private individual on-site services, as well as protect adjacent natural heritage features. The specialized regulations are as follows:

- Minimum Lot Area of 0.4 hectares including any zoned natural heritage features located in the P.1 zone, whereas the Zoning By-law requires a minimum Lot Area of 555 square metres (0.0555 ha) in the R.1A zone.
- The Lot Frontage for the R1A-? zoned properties shall be located within the UR-? Zone.
- The maximum Lot Frontage shall be 10 metres, whereas the Zoning By-law requires a minimum Lot Frontage of 18 metres.
- The maximum driveway width shall be 6 metres, whereas the Zoning By-law permits a maximum driveway width of 7.5 metres in the R.1A Zone.
- The development of detached residential dwellings shall be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available, whereas the Zoning By-law prohibits development within the City that is not on full municipal services.

- Accessory buildings (garages) shall be permitted to exceed 55% of the lot width, whereas the Zoning By-law permits a maximum garage width of 55% where lots have less than 12 metres of frontage.

A small portion of the proposed new lots will be zoned "Conservation Land" (P.1) Zone. The lands within the P.1 zone reflect the identified natural heritage features and will not be developable as per the standard regulations of the P.1 Zone in the City of Guelph Zoning By-law.

The larger, undevelopable portion of 745 Stone Road East will be zoned "Conservation Land "P.1" and a small portion "Wetland" (WL) (as identified through the EIS). This portion will not form part of the newly created developable lots.

Driveway access to the proposed residential lots will be through a "Specialized Urban Reserve" (UR-?) Zone, which will only be used to access to the R.1A-? zoned lots and shall have a maximum lot frontage of 10 metres and a maximum driveway width of 6 metres.

Zoning Regulations – 58 Glenholm Drive (see Concept Plan in ATT-9 for proposed zoning)

The applicant is proposing to zone the subject property into a "Specialized Residential Single Detached" (R.1A-?) Zone and "Conservation" (P.1) Zone to facilitate three new residential lots. Specialized regulations have been requested to the standard R.1A zone to facilitate the development in accordance with the minimum lot size requirements as well as servicing requirements as noted in the "Glenholme Estate Residential" land use designation of the Secondary Plan.

Staff are supportive of the requested specialized regulations to implement the policies of the Secondary Plan. The specialized regulations will allow the proposed new lots to be configured and sized to maintain the character of the lot fabric of the existing low density residential area and also allow for the proper ongoing operation of private individual on-site services, as well as protect adjacent natural heritage features. The specialized regulations are as follows:

- Minimum Lot Area of 0.4 hectares including any zoned natural heritage features located in the P.1 zone, whereas the Zoning By-law requires a minimum Lot Area of 555 square metres (0.0555 ha) in the R.1A zone.
- Minimum Lot Frontage of 6.0 metres, whereas the Zoning By-law requires a minimum Lot Frontage of 18 metres.

- No Landscaped Open Space shall be required between the driveway and the lot line of the newly created lots at the westerly limit of Glenholm Drive, whereas the Zoning By-law requires a minimum area of 0.5 metres between the driveway and nearest lot line to be landscaped.
- The development of detached residential dwellings shall be permitted with private individual on-site water and wastewater services as an interim measure until full municipal services are available, whereas the Zoning By-law prohibits development within the City that is not on full municipal services.
- Accessory buildings (garages) shall be permitted to exceed 55% of the lot width, whereas the Zoning By-law permits a maximum garage width of 55% where lots have less than 12 metres of frontage.

Environmental Planning

Environmental Impact Studies and Addenda were prepared and submitted by North-South Environmental Inc. The EIS and Addenda have been reviewed and accepted by City staff, the Grand River Conservation Authority (GRCA) and the Environmental Advisory Committee (EAC).

At its meeting on May 10, 2017, EAC conditionally supported the two Environmental Impact Study Addenda prepared by North-South Environmental Inc. with the following conditions (which have been incorporated into conditions recommended in ATT-3):

1. That an Environmental Implementation Report is prepared and will include:
 - a. A description of the detailed development including lot configuration, building envelopes (house, driveway, garage, septic, well).
 - b. A detailed Tree Inventory and Preservation Plan by an arborist with tree locations, removals and tree protection fencing;
 - c. An assessment of historic vegetation removal and provides a strategy for mitigation/compensation;
 - d. A Landscape Plan depicting by a full member of the OALA compensation plantings as well as additional enhancement plantings (i.e. landscaping outside of buffers);
 - e. A forest management plan for the portions of plantation to be under planted;
 - f. A detailed Erosion and Sediment Control Plan;
 - g. A water management plan which includes site grading, drainage, stormwater LID measures, well and septic locations;
 - h. A lighting plan which depicts type and location of light fixtures and that there is no light spillage;
 - i. A monitoring program; and

- j. Education and outreach material for future homeowner(s).

The EIS Addenda addresses previous comments provided by City staff, the GRCA and EAC and as such Environmental Planning has provided conditions to be imposed through future site plan and Consent applications for both properties.

Conservation Easement

The Official Plan identifies a conservation easement as an alternative means to protecting and managing the Natural Heritage System. Property owners would voluntarily enter into a conservation easement to provide the City access to their lands for the purpose of maintenance, preservation, protection, restoration and enhancement of the environmental interests on the lands. Features on the subject lands which make up the Natural Heritage System will be zoned "Conservation Land" (P.1), which does provide a general level of protection of environmental features and does not permit any buildings or structures within these areas. Additionally, the Private Tree Protection By-law does apply to the subject lands and is also an effective tool for providing protection of trees. Conservation Easements may be explored at a later stage in the approval process.

Grand River Conservation Authority

The Grand River Conservation Authority (GRCA) was circulated the application and supporting documents and has provided comments on the application. The EIS Addenda addressed GRCA comments. Therefore, the GRCA has no objection to the proposed Zoning By-law Amendment application.

Servicing

Engineering Services have reviewed the application and supporting documents. Secondary Plan policies for the Glenholme Estate Residential land use designation allow for private on-site water and wastewater services for these lands, until full municipal services are available.

Engineering has recommended that the Owner/Developer enter into a Development Agreement to be registered on title and executed prior to the passing of the Zoning By-law. The Development Agreement includes conditions regarding the property owner's future requirement to connect to municipal services once they become available. The Owner/Developer for each property has entered into a Development Agreement and staff are satisfied with its form and content and have included recommendations for Council to authorize the Mayor and City Clerk to execute the Development Agreements with the Owners.

Transportation/Traffic

The Owner/Developer has hired a Professional Engineer to examine the sightlines along Stone Road East at the proposed lot locations. The consulting Engineer found the sightlines acceptable and recommended that the lots have driveways that are designed to allow for vehicles to have forward egress from the driveways, rather than backing out onto Stone Road East. The driveway location will be further reviewed as part of the site plan approval process.

Source Water Protection

The City's Risk Management Official has reviewed the application from a source water protection perspective and will review the proposal further at the site plan approval stage.

Parkland Dedication

Parks Planning has reviewed the application and supporting documents and has advised that payment of money in-lieu of parkland conveyance shall be required pursuant to s. 51.1 and s. 53(13) of the *Planning Act*, and in accordance with the policies of the City of Guelph Official Plan, at a rate of five per cent of the value of the developable lands on both of the properties. Conditions are included in ATT-3 to reflect this requirement.

Archaeological Assessment

Archaeological Stage 1 and 2 Assessments for both properties, prepared by Fisher Archaeological Consulting, dated March 26, 2016 have been submitted in support of the applications. The City's Senior Heritage Planner has advised that there is no concern for archaeological resources within the subject lands.

Community Energy Initiative Considerations

The proposed development will contribute towards implementing the Community Energy Initiative in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The applicant has submitted information outlining energy efficiency initiatives that are proposed in association with the new dwellings (see ATT-11).

Summary

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement, conforms to the Growth Plan, conforms to the policies of the Official Plan and Secondary Plan, requests appropriate specialized zoning regulations, and therefore staff recommend approval of the application.

Statutory Public Meeting Comments

The Statutory Public Meeting was held on July 11, 2016. Issues raised by Council at the public meeting are summarized and addressed below. No members of the public spoke at the public meeting or signed in.

What is the timing for full municipal services being available for the subject lands?

The timing of when full municipal services will be available to service the subject lands is unknown. Specific policies within the Secondary Plan allow for private individual on-site water and wastewater services as an interim measure until full municipal services are available. The owners of both properties have entered into a Development Agreement regarding future connection requirements once they are available.

ATT-11
Community Energy Initiative Commitment

RECEIVED
MAY 31 2017
IDES

BLACK, SHOEMAKER, ROBINSON & DONALDSON
LIMITED

BSR&D Ontario Land Surveyors
Urban and Rural Planners
351 Speedvale Avenue West
Guelph, Ontario N1H 1C6
TEL: 519-822-4031
FAX: 519-822-1220

May 30, 2017

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

Attention: Lindsay Sulatycki
Senior Development Planner

Re: **745 Stone Road East and 58 Glenholm Drive**
Proposed Zoning Bylaw Amendment
City File ZC1608
Community Energy Initiative Letter

In response to the City's request to illustrate how this development will achieve the objectives of the Guelph Community Energy Plan, the proposed zone change incorporates the following measures and the owners have agreed to implement the following initiatives:

- Development involves an efficient use of land and increases the density of the site in accordance with the City's Zoning By-law, PPS and Growth Plan while respecting the existing adjacent residential development;
- Is an infill development on currently underutilized land;
- Utilizes existing road and services that are currently available;
- Employs existing topography and preserves the majority of the existing landscape features of the property
- Provides opportunities for passive solar due to size and orientation of the lots;
- Integrates well with the surrounding community and does not impact privacy of adjacent properties;
- Does not require extension of existing municipal infrastructure;
- While the majority of the existing tree cover will be protected, compensation for any tree loss will be provided;
- Will achieve a green energy stand by building to Energy Star specifications;
- No irrigation systems will be used within the development;
- Controlled roof drains provided to control flow rate of storm water;
- Low flow faucets and showerheads and low volume flush toilets (HET high efficiency toilets) where possible;
- The vast majority of materials utilized are available locally (800km radius as defined in the LEED standard) limiting environmental impact on source supply transportation;
- High recycled content material to be specified wherever possible;
- A construction waste management plan will be implemented;
- Individual waste collection will be in compliance with City's new recycling system and will be addressed through building design;
- Each resident will have access to individual controls for the Heating, Cooling, Lighting and Ventilation;

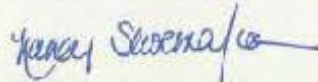
A. B. DONALDSON, O.L.S., O.L.I.P. I. D. ROBINSON, B.Sc., O.L.S., O.L.I.P. K. F. HILLIS, B.Sc., O.L.S., O.L.I.P. N. C. SHOEMAKER, B.A.A., M.C.I.P., R.P.P.
R. J. SIBTHORP, B.Sc., O.L.S., O.L.I.P. S. W. BLACK, O.L.S. (1917 - 2007) R. L. SHOEMAKER, O.L.S. (1923-2008) W. F. ROBINSON, O.L.S. (Retired)
BRIAN BEATTY, B.A.A., M.U.R.P.L.

- All occupied spaces have access to an operable window;
- The buildings will provide natural light to 100% of regularly occupied spaces;
- Downward lighting is to be used on buildings and as landscape elements to reduce impacts on natural features; and
- Education materials to be provided to future residents regarding sensitivity of natural heritage features.

Should you have any questions regarding these commitments, please do not hesitate to call me.

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED



Nancy Shoemaker, B.A.A., M.C.I.P., R.P.P.

Copy: Alex Dreik (745 Stone Road East)
Ken Spira (58 Glenholm Drive)



ATT-12
Department and Agency Circulation Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues / Concerns
Planning		√	Subject to conditions in Attachment 3.
Engineering*		√	Subject to conditions in Attachment 3.
Environmental Planning*		√	Subject to conditions in Attachment 3.
Parks Planning		√	Subject to conditions in Attachment 3.
Guelph Hydro		√	Subject to conditions in Attachment 3.
Upper Grand District School Board	√		
Guelph Police Service	√		
Heritage Planning	√		
Union Gas Limited	√		
GWDA	√		
Grand River Conservation Authority	√		
Zoning Services	√		

*Comments Attached

ATT-12

Department and Agency Circulation Comments Summary (continued)

MEMO



FILE: 16.131.001

TO: Lindsay Sulatycki, Senior Development Planner
FROM: Infrastructure, Development and Environmental Engineering
DEPARTMENT: Engineering and Capital Infrastructure Services
DATE: November 9, 2016
SUBJECT: 58 Glenholm Dr. & 745 Stone Rd. E. - Zoning By-law Amendment (ZC1608)

The application is for a zoning by-law amendment to change the zoning on the properties from Urban Reserve to Specialized Residential Single Detached. The developer is amending the zoning so that he can apply to create two lots on Stone Road East and three lots on Glenholm Drive.

The policies of Official Plan Amendment 54 for the Glenholm Residential Area allow for private individual on-site water and wastewater services for these lands, as an interim measure, until full municipal services are available.

Stone Road East is an existing rural cross section and has an existing 400mm diameter watermain. There is an existing 25mm diameter water service from the Stone Road East watermain to the property line in front of the existing 745 Stone Road East.

Glenholm Drive is an existing rural cross section and has no existing watermain or sewer.

Prior to the zone change being approved, the developer is required to enter into an agreement with the City to cover the following:

The developer is required to connect to full municipal services, at their cost, when the services are available.

The developer is required to share in the cost of the municipal services in accordance with the City's cost-sharing policies.

The developer is required to decommission all wells in accordance with O.Reg. 903 after they have connected to the municipal services.

The agreement will contain notice to purchasers clauses regarding the servicing.

The agreement will need to be registered on title of the lands.

The developer is required to provide the City with a 5metre road widening required for Stone Road East.

The length of the existing Glenholm Drive is approximately 300metres and is a cul-de-sac with 10 existing houses on it. The developer is asking for the rezoning to permit 3 new houses on the end of the existing cul-de-sac bulb.

While our Geometric Design Criteria requires roads that are greater than 150 metres to have an emergency access and roads that are greater than 300metres to have a second access, we acknowledge that the woodland and natural heritage policies in our Official Plan make any extension of Glenholm Drive for either emergency access or second access impossible.

Prior to severance or site plan approval, the developer is required to submit a plan (certified by a Professional Engineer) for our review and acceptance that shows the following:

lot grading and drainage designed to meet City criteria.

driveway location and culvert sizing and locations that meet City criteria including maintaining a minimum 1.5metre clearance from existing hydro poles.

Confirm positive drainage around the Glenholm Drive cul-de-sac bulb.

Proposed erosion and sediment control measures.

Infrastructure, Development and Environmental Engineering
Engineering and Capital Infrastructure Services

MEMO

The development will involve the incremental use of the lands. Prior to submission of the plan approval, the developer is required to submit a groundwater management report and plan that demonstrates how each of the following objectives will be achieved: **development groundwater recharge that is equal to the net development recharge. On site permeability testing is required to confirm that the proposed recharge can be achieved.**

Source Water Protection

Our Risk Management Office (RMO) has reviewed the application from a source water protection perspective and offers the following comments:

The subject property is located in a Well Head Protection Area (WHPA) B with a vulnerability score of 2 and is located in an Active Contributing Area (ACA).

The subject property will be subject to Ontario Non-Hazardous Waste (ONNAPL) policies (as well as any other programs in the City within a WHPA A through WHPA C). As such, it would be helpful if the proponent could indicate what ONNAPL products (if any) or other potentially significant drinking water threats will be stored or handled on the property. If ONNAPL products will be installed or stored, a risk management plan would have to be developed with the proponent engaged in the activity to ensure that such products are handled and stored in a safe and environmentally secure manner.

It is anticipated that the proponent would consider implementing a variety of best available technology and management practices for the proposed and use(s) to minimize potential impacts to the environment (i.e. application of road salt and storage of salt and storage of snow). There will be opportunities for the RMO to comment on the proposed designs at a later stage in the Planning process.

The developer shall ensure that any private water supply wells that are no longer in use are abandoned in accordance with O. Reg. 205 and ensure that all new wells are installed using a licensed Ontario Well Driller.

The property shall be designed, maintained and operated based on best management practices regarding snow storage, including the provision of designated snow storage areas and the management of excess of melt water and handling and storage of salt.

Our RMO can provide the developer with information from the [1-800-USE-SOURCE](http://www.1-800-USE-SOURCE) website that contains relevant information for the developer to consider.

New sign systems will be subject to the ongoing inspection program and should be added to the City of Guelph's current list of properties requiring such inspection under the Clean Water Act.

Environment

The developer shall submit a Phase One Environmental Site Assessment in accordance with O. Reg. 150/01 or CSA Z709-00 standard as per City Guelph, describing the current condition of the subject property to the satisfaction of the City. If contamination is found, the consultant will determine the nature and indicate any necessary measures to manage the contamination at the developer's expense.

Infrastructure, Development and Environmental Engineering
Engineering and Capital Infrastructure Services

MEMO

The Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective for the proposed use, is the responsibility of the Developer/Landowner. Prior to the site plan approval or prior to any construction or grading on the lands, the developer shall verify that all properties on the developed and/or converted on the City pose no risks to public health and safety and to the environment and can be developed for proposed uses.

Transportation/Traffic

The developer hired a Professional Engineer to examine the right-of-way along Stone Road East at the proposed lot locations. The Engineer found the right-of-way suitable but recommended that the lots have driveways that are designed to allow for vehicles to have forward access from the driveways, rather than backing out, onto Stone Road East.

Transportation Demand Management (TDM) staff seek opportunities to reduce trips, length, and support active transportation including walking and cycling. While the potential would be to provide such connectivity through this site between Stone Road and Glenholme Drive, we acknowledge that prior Zoning and Official Plan decisions have created constraints to achieving the efficient right-of-way to provide such a facility.

Staff Recommendations

The following conditions are recommended to be included in a development agreement that is registered on title and executed prior to presentation of the Zoning Bylaw to City Council. Should the time associated with the execution of the agreement be a burden to the developer, Engineering staff are amenable to instead recommend that the following conditions be provisions of a Holding Zone (H) until such time as the development agreement can be finalized and executed:

1. The developer is required to connect to all municipal services, at their cost, when the services are available.
2. The developer is required to share the cost of the municipal services in accordance with the City's cost-sharing policies.
3. The developer is required to decommission all wells in accordance with O.Reg. 500 after they have connected to the municipal services.
4. The agreement will contain terms to protect owners' choice regarding the servicing.
5. The developer shall do this in a manner which complies with the City's Official Plan, all applicable laws, and no risk to public health and safety and to the environment.

The following items are presented as information to Council and will be required through site plan approval, construction or grading of the lands:

1. The developer shall submit to the City a fully detailed site plan indicating the location of the building, driveway, septic system, well, grading, drainage, groundwater recharge, drainage around the Glenholme cul-de-sac bulb and station and other structures on the lands as the construction of the General Manager/City Engineer.
2. If the existing Glenholme cul-de-sac bulb does not have positive drainage to the satisfaction of the City Engineer, the developer shall be responsible for the cost of design and construction of bulb improvements to achieve positive drainage.
3. The developer shall submit a groundwater management report that is verified by a Professional Engineer and is prepared in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's

Infrastructure, Development and Environmental Engineering
Engineering and Capital Infrastructure Services

MEMO

"Stormwater Management Practice Planning and Design Manual". This stormwater management manual is to demonstrate how each of the lots will achieve a post-development groundwater recharge that is equal to the pre-development recharge. On-site groundwater recharge is required to ensure that the recharge can be achieved.

4. The developer acknowledges and agrees that ensuring the usability of the land from an environmental engineering perspective for the proposed use(s) is the responsibility of the developer/landowner. The developer shall submit a Phase One Environmental Site Assessment in accordance with O. Reg. 153/04 or CSA Z768-00 standard as per City Guideline, describing the current conditions of the subject property to the satisfaction of the City. If contamination is found, the consultant will determine its nature and indicate any necessary measures to manage the contamination at the developer's expense. The consultant shall also verify that all properties to be developed and/or conveyed to the City present no risk to public health and safety and are fit for intended use and can be developed for proposed uses.
5. The developer shall pay to the City the actual cost of the construction of the new dewatering (including contracts). Furthermore, prior to site plan approval or acceptance and prior to any works such as grading on the lot(s), the developer shall pay to the City the estimated cost as determined by the General Manager/City Engineer of the construction of the new dewatering.
6. The developer shall grade, develop and maintain the site in accordance with the site plan that has been approved by the General Manager/City Engineer. The developer shall have the Professional Engineer who designed the groundwater recharge certify to the City that they supervised the construction of the system and that the as-built system is functioning properly as designed. The developer shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
7. The developer acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential property without the permission of the General Manager/City Engineer.
8. The developer shall make satisfactory arrangements with Guelph Hydro and phone and cable providers for the servicing of the lands, as well as provisions for any easements and/or rights of way for their plan.

Please do not hesitate to contact us if you have any questions.

Mary Angela Brown
Supervisor, Development Engineering

Levy Geyman, P.Eng.
Manager, Infrastructure, Development and Environmental Engineering

Allister McIlveen
Manager, Transportation Services

Infrastructure, Development and Environmental Engineering
Engineering and Capital Infrastructure Services

INTERNAL MEMO



DATE May 26, 2017
TO Lindsay Sulatycki
FROM Adèle Labbé
DIVISION Planning, Urban Design and Building Services
DEPARTMENT Infrastructure, Development and Enterprise
SUBJECT 745 Stone Road and 58 Glenholm Drive ZC1608

Lindsay,

I have had opportunity to review the proposed Zoning By-law Amendment for 58 Glenholm and 745 Stone Road and provide the following comments and conditions.

Comments:

1. Environmental Planning staff's support is based on the zoning for Significant Woodlands and Wetlands being P.1 (Conservation Land) and WL (Wetland) respectively.
2. Staff believe that the 58 Glenholm Dr. plan would be improved from an ecological perspective with the removal and restoration of the looped driveway as this would reinstate a contiguous Significant Woodland. However the EIS Addenda provides rationale supporting retention of the existing driveway with no negative impact to the significant woodlands. The driveway is a legally existing use and as such staff have no further comment on this matter.
3. Staff are supportive of the recommendations for ecological landscaping in buffers and under-planting the significant woodland unit at 58 Glenholm Drive. Additional landscaping outside of the buffers is a welcomed enhancement to the plan and should be incorporated at the Site Plan stage.
4. The EIS Addenda addresses impacts associated with ecological fragmentation by ensuring gaps between wooded units are minimized and by recommending landscaping and management of the Significant woodland unit through under-planting. The outstanding concern with respect to fragmentation of the significant woodland is that of fragmented ownership. Staff suggest that fragmentation should be minimized through lot configuration and long-term preservation supported by means of land dedication or conservation easements.
5. A Scoped Environmental Implementation Report is to be prepared prior to Site Plan approval and shall include:
 - a. A description of the detailed development including building envelopes (house, driveway, garage, septic, well);
 - b. A detailed Tree Inventory and Preservation Plan by an arborist with tree locations, removals and tree protection fencing;
 - c. A Landscape Plan depicting by a full member of the OALA compensation plantings as well as additional enhancement plantings (i.e. landscaping outside of buffers);
 - d. A forest management plan for the portions of plantation to be under planted and to form a basis for a conservation easement;
 - e. A detailed Erosion and Sediment Control Plan;
 - f. A water management plan which includes site grading, drainage, stormwater LID measures, well and septic locations;
 - g. A lighting plan which depicts type and location of light fixtures and that there is no light spillage into the NHS;
 - h. A monitoring program;

- i. Education and outreach material for future homeowner(s).
6. The Environmental Advisory Committee has provide conditional support for the Zoning By-law Amendment with the following motion which was passed unanimously (see Attachment below).

The following Conditions of Approval are recommended by Environmental Planning staff to support the application:

THAT prior to Consent and Site Plan Approval:

1. The owners develop conservation easements to be registered on title in consultation with the City to address fragmented ownership and long-term preservation of the Natural Heritage System.
2. The developer shall develop and implement an Environmental Implementation Report which includes, but is not limited to:
 - a) A summary characterization of the Natural Heritage System within the study area, including an assessment of historic vegetation removal to form a basis for the conservation easement;
 - b) A description of the detailed development including lot configuration, building envelopes (house, driveway, garage, septic, well).
 - c) A detailed Tree Inventory and Preservation Plan by an arborist with tree locations, removals and tree protection fencing;
 - d) A Landscape Plan depicting by a full member of the OALA compensation plantings as well as additional enhancement plantings (i.e. landscaping outside of buffers);
 - e) A restoration and management plan for the portions of Significant Woodland to be under planted. This restoration and management plan would provide details on which trees would be selective removed and where under planting would occur as well as a management plan to ensure success of the restoration work;
 - f) A detailed Erosion and Sediment Control Plan;
 - g) A water management plan which includes site grading, drainage, stormwater LID measures, well and septic locations;
 - h) A lighting plan which depicts type and location of light fixtures and that there is no light spillage;
 - i) A monitoring program; and
 - j) Education and outreach material for future homeowner(s).

Adèle Labbé
Environmental Planner

Planning, Urban Design and Building Services
Infrastructure, Development and Enterprise
Location: City Hall

T 519-822-1250 x 2563
E adele.labb@queph.ca

Lindsay Sulatycki
May 26, 2017
RE: 745 Stone Road and 58 Glenholm Drive ZC1608
Page 3 of 3

Attachment 1: DRAFT motion from May 10, 2017 FAC Meeting:

*note that this motion will remain draft until such time that the meeting minutes are voted upon

The Environmental Advisory Committee conditionally support the two Environmental Impact Study Addenda prepared by North-South Environmental Inc. in support of rezoning 745 Stone Road E and 58 Glenholm Drive with the following conditions:

THAT dedication of land and/or conservation easements are pursued to address fragmented ownership and long-term preservation of the Natural Heritage System; and

THAT an Environmental Implementation Report is prepared and will include:

- k) A description of the detailed development including lot configuration, building envelopes (house, driveway, garage, septic, well).
- l) A detailed Tree Inventory and Preservation Plan by an arborist with tree locations, removals and tree protection fencing;
- m) An assessment of historic vegetation removal and provides a strategy for mitigation/compensation;
- n) A Landscape Plan depicting by a full member of the OALA compensation plantings as well as additional enhancement plantings (i.e. landscaping outside of buffers);
- o) A forest management plan for the portions of plantation to be under planted and to form a basis for the conservation easement;
- p) A detailed Erosion and Sediment Control Plan;
- q) A water management plan which includes site grading, drainage, stormwater LID measures, well and septic locations;
- r) A lighting plan which depicts type and location of light fixtures and that there is no light spillage;
- s) A monitoring program; and
- t) Education and outreach material for future homeowner(s).

ATT-13
Public Notification Summary

April 18, 2016	Application received by the City of Guelph
May 18, 2016	Application deemed "complete"
June 2, 2016	Notice of Complete Application and Public Meeting mailed to prescribed Agencies and surrounding property owners within 120 metres
June 16, 2016	Public Meeting Notice advertised in the Guelph Tribune
July 11, 2016	Statutory Public Meeting of City Council
June 28, 2017	Notice of Decision meeting sent to those who requested to be notified
July 10, 2017	City Council Meeting to consider staff recommendation

Staff Report

To **City Council**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Decision Report
1131 Gordon Street
Proposed Zoning By-law Amendment
(File: ZC1609)
Ward 6**

Report Number IDE 17-55

Recommendations

1. That the application from Astrid J. Clos Planning Consultants on behalf of 1876698 Ontario Inc. for approval of a Zoning By-law Amendment from the R.1B (Residential, Single Detached) Zone to an R.3A-?(H) (Specialized Cluster Townhouse with a Holding provision) Zone to permit the development of an 8 unit townhouse on the property municipally known as 1131 Gordon Street and legally described as Part of Lots 4 & 5, Concession 7 (Geographic Township of Puslinch), City of Guelph, be approved, in accordance with ATT-2 of the Infrastructure, Development and Enterprise Report IDE 17-55, dated July 10, 2017.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1131 Gordon Street.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment with a holding provision to permit the development of an 8 unit cluster townhouse on the property municipally known as 1131 Gordon Street.

Key Findings

Planning staff support the proposed Zoning By-law Amendment subject to the regulations and conditions in ATT-2.

Financial Implications

Estimated Development Charges: \$174,968
Estimated Annual Taxes Once Developed: \$24,550

Report

Background

On March 29, 2016, an application to amend the Zoning By-law was submitted by Astrid J. Clos Planning Consultants on behalf of 1876698 Ontario Inc. for the subject property at 1131 Gordon Street. The application was a request to amend the zoning from the current R.1B (Residential Single Detached) Zone to a specialized R.3A-?? (Specialized Cluster Townhouse) Zone to permit the development of 16 stacked townhouse units. The application was deemed complete on April 28, 2016. The statutory public meeting was held on June 13, 2016. Staff Report 16-45 provided background information related to the proposed application.

Following the statutory public meeting and receiving comments, the applicant revised the proposal from 16 stacked townhouse units to eight standard townhouse units. The applicant worked with City staff to refine the eight unit proposal and submitted the revised supporting materials to the City for review in February 2017. The revised concept plan and proposed elevations can be found in ATT-7. The property currently has a single detached dwelling on it which is proposed to be demolished to permit the townhouse development.

Location

The subject property is approximately 0.184 hectares in size and located on the west side of Gordon Street, just south of the intersection of Gordon Street and Hart's Lane (see ATT-1). Surrounding land uses include:

- Single detached dwellings to the north and west along Hart's Lane West and across Gordon Street to the east.
- Cluster townhouses to the south along Gordon Street.

The site contains a single detached dwelling that is proposed to be demolished. The demolition of this dwelling is subject to staff-delegated authority and will be processed once the zoning amendment has been finalized.

Official Plan Land Use Designations

The Official Plan land use designation for the site is "General Residential" as illustrated in ATT-3. Lands designated 'General Residential' are meant to accommodate all forms of residential development, though the general character of development is meant to be low-rise forms of housing. Multiple unit residential buildings, including stacked townhouses as proposed here, may be permitted subject to meeting the specific criteria outlined in Policy 7.2.7. The 'General Residential' designation policies are included in ATT-3.

Official Plan Amendment 48 is a comprehensive five-year update to the City's Official Plan that is currently under appeal to the Ontario Municipal Board (OMB). In OPA 48, as shown in ATT-4, the property is designated as Medium Density Residential, which permits multiple unit residential buildings, including townhouses and has a density range of 35 to 100 units per hectare.

Existing Zoning

The subject property is zoned R.1B (Residential Single Detached) Zone, as illustrated in ATT-5. This zone permits single detached dwellings along with other residential and accessory uses such as an accessory apartment, bed and breakfast establishment, day care centre and group home. Details of the current zoning regulations are also included in ATT-5.

Description of Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law amendment is to rezone the subject site from the current R.1B (Residential Single Detached) Zone to a specialized R.3A-?(H) (Specialized Cluster Townhouse) Zone with a holding provision, to permit the development of 8 cluster townhouse units. The following specialized regulations are being requested through the proposed Zoning By-law amendment application:

- To permit a minimum front yard of 4.5 metres where 6 metres is required;
- To permit at grade minimum private amenity area to be setback 1.5 metres from the property line, where 3 metres is required;
- To permit the maximum density of the site to be 44 units per hectare where a maximum of 35 units per hectare is required;
- To permit a minimum lot area per dwelling unit of 230 square metres where 270 square metres is required.

A holding provision (H) has been requested to be added to the zoning by Engineering staff to ensure that costs can be recovered for the development's proportionate share of street improvements and the sewage pumping station required to service development in this area.

Proposed Development

The proposed development would create 8 cluster townhouse units in a three storey high building facing a private driveway on the north side of the site, with one access onto Gordon Street. Each unit is proposed to have two garage parking spaces and 3 visitor parking spaces are provided at the rear of the building. The proposed site plan and building elevations are shown in ATT-7.

The current proposal incorporates revisions to the initial proposal that was presented at the June 13, 2016 Public Meeting in response to the issues raised and through the review of the application.

Staff Recommendation

Planning staff are satisfied that the Zoning By-law Amendment application is consistent with the Provincial Policy Statement and conforms to the Growth Plan. The proposed zoning conforms to the objectives and policies of the Official Plan, and the policies within OPA #48 that is awaiting approval (see ATT-8 for further planning analysis detail). The proposed zoning as revised is compatible with the neighbourhood and resolves concerns raised by the public about traffic and parking. The revisions made to the application are considered minor, and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act. The applicant has provided a Letter of Commitment to the Community Energy Initiative that is included in ATT-9.

Planning staff are recommending that Council approve the Zoning By-law Amendment as revised subject to the conditions and regulations outlined in ATT-2.

Financial Implications

Estimated Development Charges: \$174,968

Estimated Annual Taxes Once Developed: \$24,550

Consultations

The Notice of Complete Application and Public Meeting was circulated on May 12, 2016 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. The Notice of Public Meeting was advertised in the Guelph Tribune on May 12, 2016. Notice of the application has also been provided by signage on the site. A Notice of Decision will be sent to all interested parties and advertised in the Guelph Tribune within 15 days of Council's decision on the application.

The public agency and comments received from City departments during the review of the application are summarized in ATT-10. Key dates for the public process regarding the planning application are included in ATT-11.

Corporate Administrative Plan

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

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our People- Building a great community together

Our Resources - A solid foundation for a growing city

Attachments

ATT-1	Location Map and Orthophoto
ATT-2	Staff Recommendation – Zoning By-law Amendment
ATT-3	Existing Official Plan Land Use Designations and Policies
ATT-4	Official Plan Amendment 48 Land Use Designations

ATT-5	Existing Zoning and Details
ATT-6	Proposed Zoning and Details
ATT-7	Proposed Development Concept and Building Elevations
ATT-8	Planning Analysis
ATT-9	Commitment to the Community Energy Initiative
ATT-10	Departmental and Agency Comments Summary
ATT-11	Public Notification Summary

Departmental Approval

Not applicable

Report Author

Katie Nasswetter
Senior Development Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning



Approved By

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Recommended By

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Infrastructure, Development and Enterprise
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scott.stewart@guelph.ca

**ATT-1
Location Map**




0 5 10 20 30 40 m
Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
May 2016

**2012 Orthophoto
1131 Gordon Street**



ATT-2
Staff Recommendation – Zoning By-law Amendment

Part A: Zoning Regulations

Zoning By-law Amendment

The following zoning is proposed:

Specialized R.3A-?(H)(Cluster Townhouse) Zone

Regulations

In accordance with Section 4 (General Provisions) and Section 5.3 and Table 5.3.2 (Regulations Governing R.3 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

Private Amenity Area

Despite Section 5.3.2.5.1i), the at grade private amenity area is permitted to be a minimum distance of 1.5 metres from a side Lot line.

Maximum Density

Despite Section 5.3.2.6.1, the maximum density of cluster townhouse developments shall be 44 units per hectare.

Minimum Lot Area per Dwelling Unit

Despite Table 5.3.2, Row 3, the minimum lot area per dwelling unit shall be 230 square metres.

Minimum Front yard

Despite Table 5.3.2, Row 5, the minimum Front Yard shall be 4.5 metres.

Holding Provisions

Purpose: To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Conditions:

1. The developer/owner shall pay to the City, their share of the actual cost of constructing and maintenance of the existing Gordon Street sewage pumping station and force main as determined by the General Manager/City Engineer.
2. The developer/owner shall pay to the City their share of the actual cost of constructing municipal services on Gordon Street across the frontage of the lands, including road works, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting as determined by the City Engineer.

Part B: Proposed Conditions

The following conditions are provided as information to Council and will be imposed through site plan approval.

CITY CONDITIONS

1. That the Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the General Manager/City Engineer, prior to any construction or grading on the lands.
 - a. Further, the Owner commits and agrees that the details of the layout and design for the development of the subject lands shall be generally in conformance with the applicant's Urban Design Brief, the addendum to the Urban Design Brief and the development concept plan and elevations attached as ATT-7 to the July 10, 2017 IDE Report Number 17-55;
2. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Environmental Services or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law. Further, the Owner agrees and commits to employ a three-stream waste collection system with considerations and opportunities developed in their Waste Management Plan that would facilitate the transition to City collection at some point in the future.
3. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
4. The Developer shall pay cash-in-lieu of parkland for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof.

5. The Owner shall provide to the Deputy CAO of Public Services a satisfactory appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the payment of cash-in-lieu of parkland dedication pursuant to s.42 of the Planning Act. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services. Notwithstanding the foregoing, if the appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services, acting reasonably, the City reserves the right to obtain an independent appraisal for the purposes of calculating the payment of cash-in-lieu of parkland dedication.
6. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. A stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted.
 - ii. A geotechnical report certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - iii. A grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iv. A detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
7. The Owner shall pay to the City the actual cost of connecting to the municipal services including any curb cuts and/or curb fills, including any curb cuts and/or curb fills and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City the

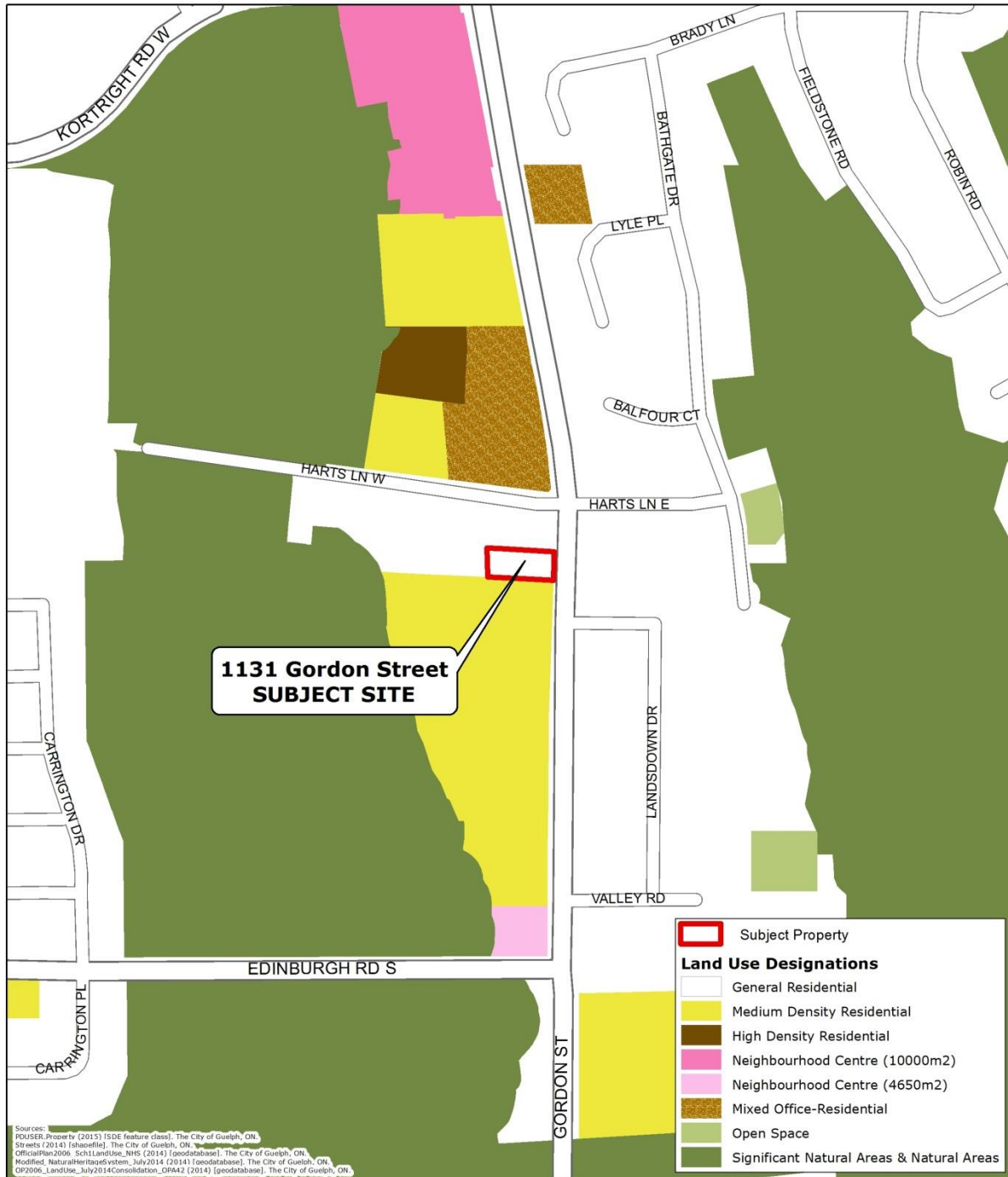
estimated cost of the proposed service connections including any curb cuts and/or curb fills, as determined by the General Manager/City Engineer.

8. The owner shall pay the estimated and the actual cost for decommissioning and removal of the existing 200mm sanitary, and 19mm watermain as determined by the General Manager/City Engineer.
9. The Owner shall pay to the City the actual cost of reconstructing the curb and gutter and sidewalk across the Gordon Street Frontage of the property. Furthermore, prior to the issuance of a building permit, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of reconstructing the curb and gutter and sidewalk across the Gordon Street Frontage of the property.
10. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
11. The Developer acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
12. That the Owner grades, develops and maintains the site including the storm water management system designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
13. The Owner constructs the new building at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
14. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Owner.

15. That the Owner will ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological and/or geotechnical investigations are properly decommissioned in accordance with current MOECC regulations (O. Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
16. That all electrical services to the subject property are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the subject property, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
17. That prior to site plan approval and prior to any construction or grading on the lands, the owner shall enter into a Site Plan Control Agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the recommendations noted above and to develop the site in accordance with the approved plans.

ATT-3

Existing Official Plan Land Use Designations and Policies



ATT-3 continued
Existing Official Plan Land Use Designations and Policies

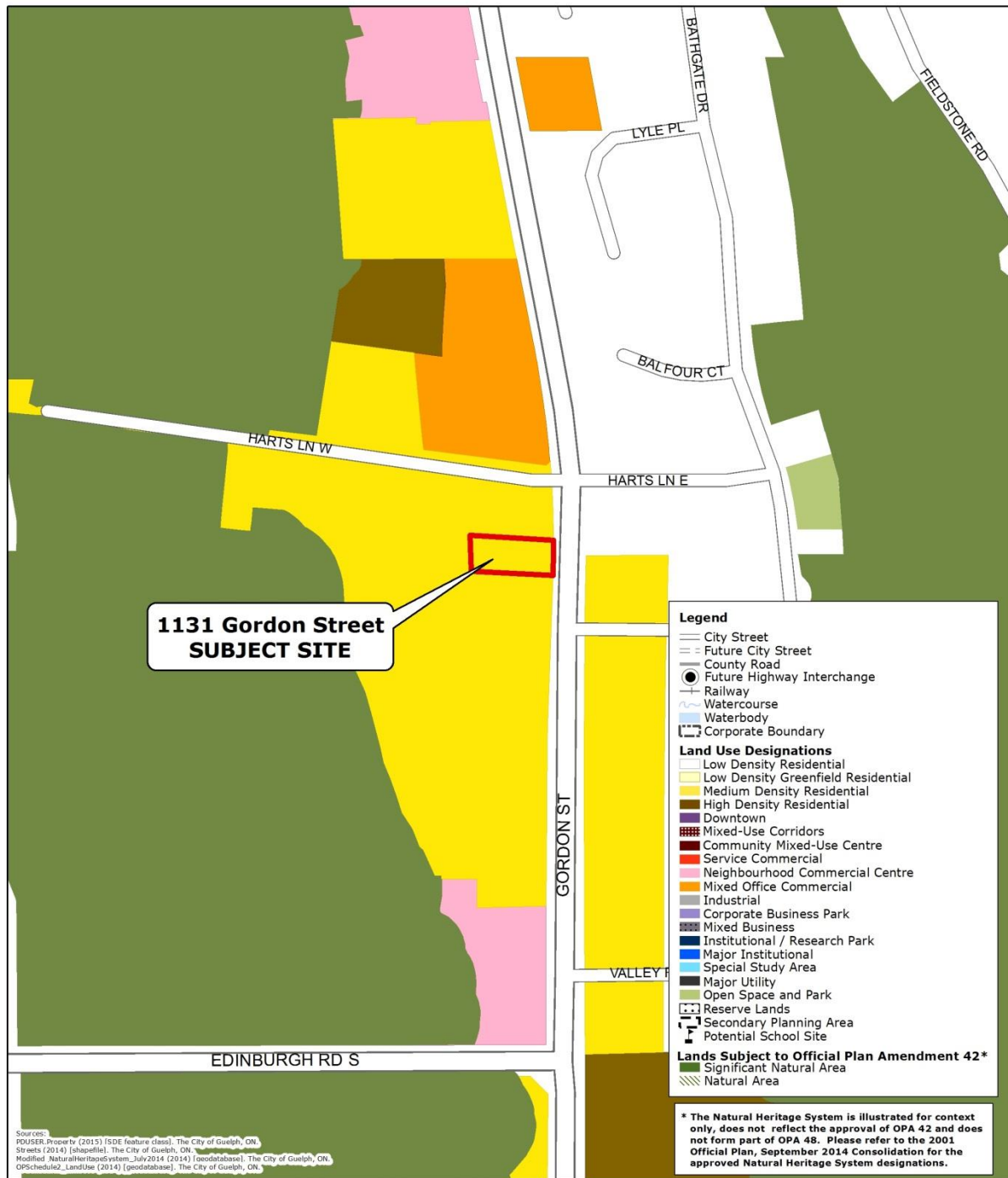
'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density* of *development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

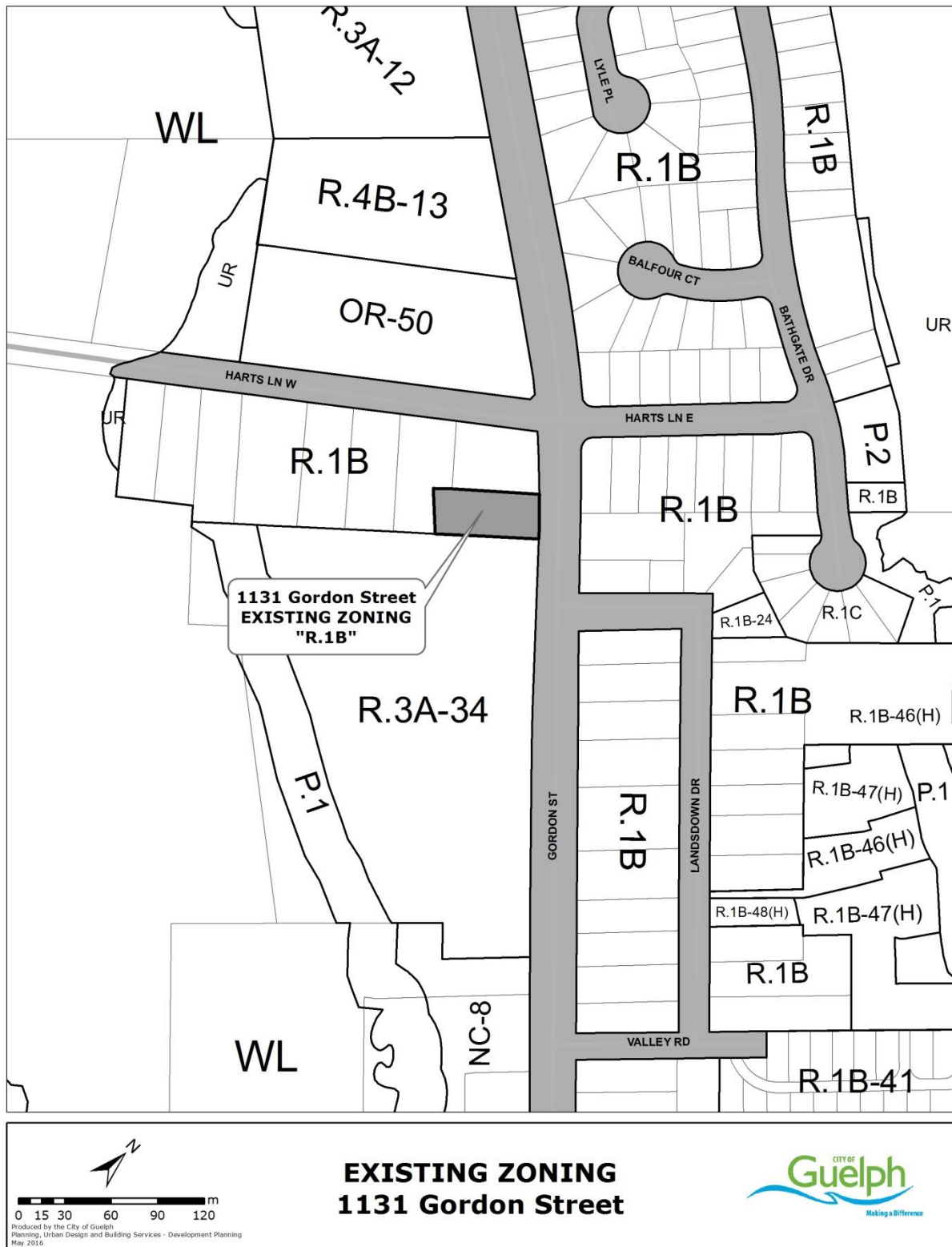
7.2.7 *Multiple unit residential buildings*, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit* housing:

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

ATT-4 **Official Plan Amendment 48 Land Use Designations**



ATT-5 **Existing Zoning and Details**



ATT-5 continued
Existing Zoning Details

5.1 RESIDENTIAL SINGLE DETACHED (R.1) **ZONES**

5.1.1 PERMITTED **USES**

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

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

5.1.2 REGULATIONS

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

- 5.1.2.1 Despite Row 7 of Table 5.1.2, where a **Garage, Carport** or **Parking Space** is not provided in accordance with Section 4.13.2.1, one **Side Yard** shall have a minimum dimension of 3 metres.
- 5.1.2.2 Despite any required **Side Yard** on a residential **Lot**, **Carports** shall be permitted provided that no part of such **Carport** is located closer than 0.6 metres to any **Side Lot Line**.
- 5.1.2.3 In the event that there is a transformer easement on a particular **Lot**, portions of the **Single Detached Dwelling** may be required to be **Setback** further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.
- 5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.
- 5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum **Lot Frontage** for a **Corner Lot** in a R.1D **Zone** shall be 12 metres.
- 5.1.2.6 Despite Row 4 of Table 5.1.2, the **Lots** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Lot Frontage** of the average **Lot Frontage** established by the existing

ATT-5 continued
Existing Zoning Details

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

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

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

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

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

5.1.2.9 Deleted.

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

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

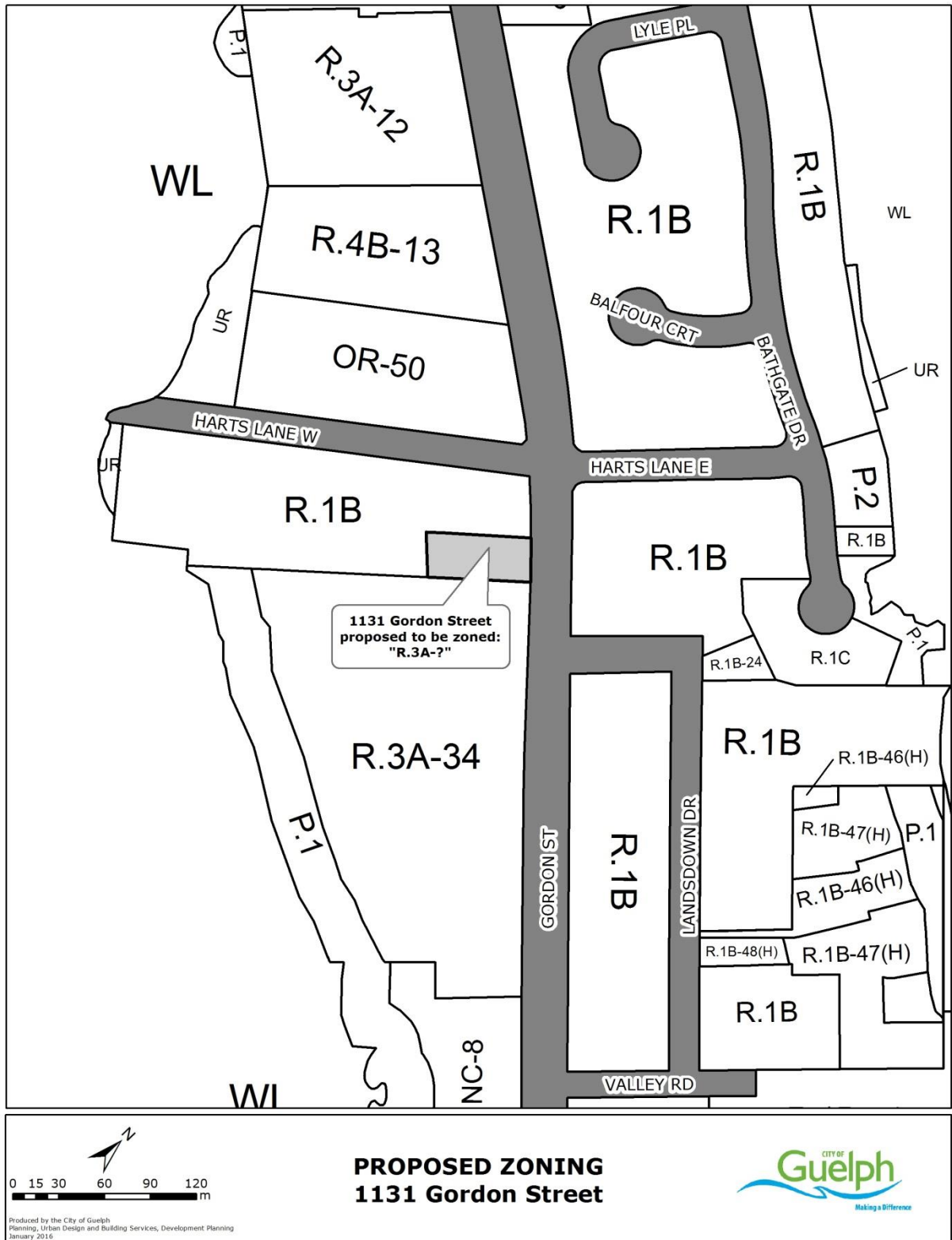
ATT-5 continued
Existing Zoning Details

15378, 17187, 18116, 19063, 19691

TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

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

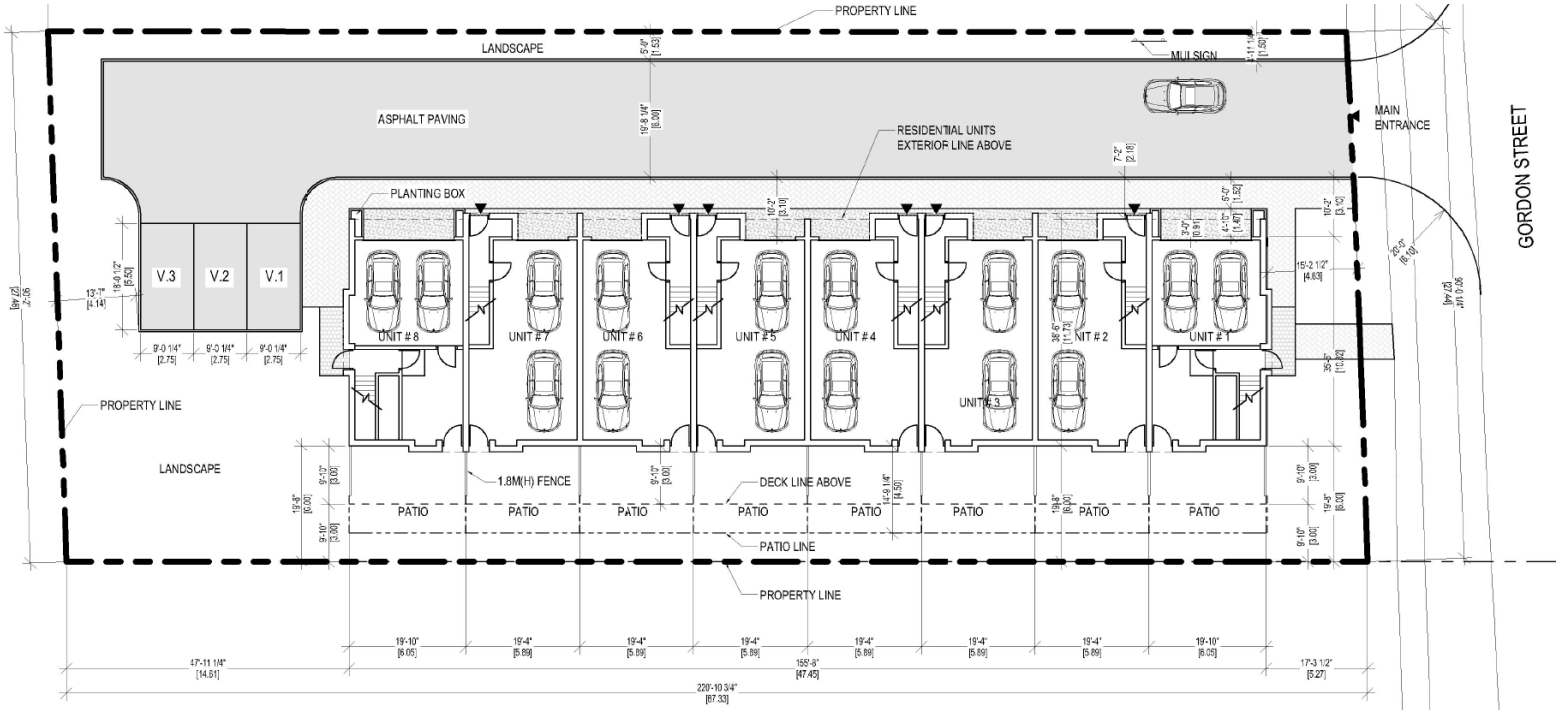
ATT-6 Proposed Zoning



ATT-7

Proposed Development Concept and Building Elevations

Proposed Development Concept:



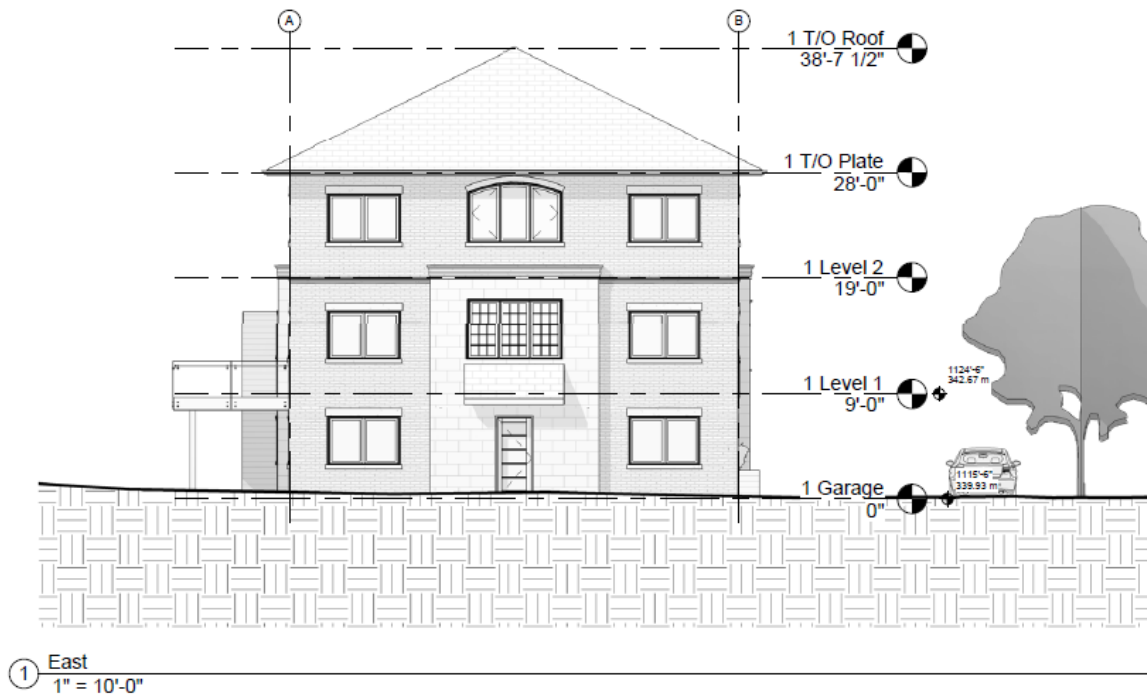
Proposed building from southeast along Gordon Street:



Proposed building from the northeast along Gordon Street:



Proposed front (east) elevation on Gordon Street:



Proposed north elevation:



ATT-8 Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives of the PPS include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS promotes efficient land use and development patterns that support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. City Council's planning decisions are required to be consistent with the 2014 PPS.

The proposed development is consistent with the policies of the PPS. The proposal will provide new development intensifying a site that currently contains one single detached unit, is an efficient use of land, on an arterial road with public transit and adequate infrastructure and contributes to achieving a range of housing types and densities within the City.

Places to Grow

The Growth Plan for the Greater Golden Horseshoe (2017) provides a framework for managing growth in the Greater Golden Horseshoe, including:

- directing growth to built-up area where capacity exists to best accommodate population and employment growth; and
- promoting transit supportive densities and a healthy mix of residential and employment uses.

The Growth Plan also encourages the development of compact, vibrant and complete communities with a mix of land uses and a range and mix of employment and housing types.

The Growth Plan provides an overall target for intensification. The original Growth Plan from 2006 included that by the year 2015, a minimum of 40% of all residential growth would occur within the built-up area. Recently revised, the 2017 Growth Plan has increased the required amount of intensification to occur in built up areas to 50% of all development from the time of the next municipal comprehensive review until 2031, and then from 2031 onwards, a minimum of 60% of all development must occur in the built-up area.

This development is within the built-up area of the City and contributes to our overall intensification of the built up area, as it currently contains one single-detached dwelling which is proposed to be replaced by eight townhouse units with a

proposed density of 43 units per hectare. This added density on Gordon Street also supports transit and adds to the efficient use of existing infrastructure and services.

Conformity with the Official Plan

The proposed Zoning By-law Amendment application conforms to several of the major goals of the Official Plan. This includes the following:

- assists in promoting a compact development pattern to avoid sprawl;
- facilitates development in an area where municipal services are readily available;
- provides for urban growth in a manner that ensures the efficient use of public expenditures without excessive financial strain upon the City;
- facilitates development in an established area of the City that is being done in a manner that is sympathetic and compatible with the built form of existing land uses;
- assists in providing for an adequate supply and range of housing types and supporting amenities to satisfy the needs of all residents; and
- assists in enhancing an efficient and attractive urban landscape that reinforces and enhances Guelph's sense of place and image while acknowledging innovative design opportunities.

The proposed development also meets several of the objectives of the Official Plan, including:

- assisting in building a compact, vibrant and complete community;
- assisting in accommodating projected growth within the settlement area boundary, and more specifically, within the built-up area where capacity exists to accommodate growth;
- providing additional residential land uses;

Guelph's Growth Management Strategy

The policies and objectives contained in Section 2.4 of the Official Plan (Growth Management Strategy) aim to build a compact, vibrant and complete community by directing a significant amount of planned growth to locations within the built-up area of the City. Generally, within the built-up area of the City, vacant or underutilized sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversions of existing buildings.

While this is a relatively small development, it does contribute to meeting the City's goals of increasing intensification along the Gordon Street corridor. In addition, the Growth Plan encourages the development of compact, vibrant and complete communities with a mix of land uses and a range and mix of employment and housing types.

Urban Form Policies

Section 3.3 of the Official Plan contains general Urban Form policies that promote a compact urban form by, among other measures:

- encouraging intensification and redevelopment of existing urban areas in a manner that is compatible with existing built form;
- encouraging a gradual increase in the average residential density of the community
- promoting mixed land uses in appropriate locations throughout the City;
- promoting a range of building types and innovative designs to meet the diverse needs of the community; and
- encouraging intensification to maximize efficient use of municipal services.

The proposed development conforms to the Urban Form objectives of the Official Plan by providing residential intensification from an existing single detached dwelling to the proposed eight townhouse units.

Residential Infill Development Criteria

Policy 7.2.7 in the Official Plan sets out specific criteria for multiple unit residential buildings within the General Residential designation (as shown in ATT-3). This proposed townhouse development fits the criteria for compatibility, as the proposed building form is compatibility in form and massing to adjacent townhouses to the south and the single detached dwellings to the north. Adequate services are available, the site is on a main transit route and there are nearby schools and commercial plazas at the intersections of Gordon and Kortright and Edinburgh and Kortright. The number of units limits any impact of vehicle traffic on an arterial road and adequate municipal servicing infrastructure is available. For these reasons, this is compatible with existing uses and an appropriate site within the City for intensification.

Official Plan Amendment 48

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is currently under appeal and is not yet in effect. Further, since the application for the subject property was submitted prior to adoption of OPA 48, it is not required to conform to this plan. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

In OPA 48, as shown in ATT-4, the property is designated as Medium Density Residential, which permits multiple unit residential buildings, including townhouses and has a density range of 35 to 100 units per hectare. The density proposed for

the site is 43 units per hectare, so both the density and built form are consistent with the new Official Plan designations.

Review of Proposed Zoning

Staff have reviewed the proposed zoning and are satisfied that the proposed R.3A-(H) (Specialized Cluster Townhouse) Zone with a Holding provision is appropriate for the proposed development.

The revised application as proposed for eight townhouse units requires four specialized regulations in lieu of the standard R.3A cluster townhouse regulations. The site concept as proposed would require a specialized regulation to permit the maximum density of the site to be 44 units per hectare where a maximum of 35 units per hectare is required. This regulation is supportable because the additional amount of density is in keeping with the density range identified (up to 100 units per hectare) and intensification policies in the City's Official Plan, in a location that can support the additional density along an arterial road with transit and services nearby.

The application also requires a specialized regulation to permit a minimum lot area per dwelling unit of 230 square metres where 270 square metres is required. This variance from the standard regulation is relatively minor and staff have reviewed the site concept plan and no objection to this reduction given that each unit has parking under the dwelling unit and each has adequate private amenity area, so the lot size is appropriate.

Also required is a specialized regulation for a reduced front yard setback of 4.5 metres where 6 metres is required. This reduced setback is consistent with several other developments along Gordon Street and allowing the building to be slightly closer to the street provides more room for visitor parking and reduces the height of retaining walls needed in the rear yard.

The fourth specialized regulation is to permit the at-grade private amenity area to be 1.5 metres from the side lot line where 3 metres is required. This is for the at-grade private amenity areas along the south side of the building. This area is adjacent to a naturalized swale so it does not impact the adjacent property and is not affected by the use on the adjacent property, so staff have no objection to this specialized regulation.

Engineering staff have reviewed the proposed development and have recommended that a holding provision (H) be placed on the Zoning related to servicing costs. The holding provision can be lifted when the developer pays to the City their share of the cost of constructing and maintaining the existing sewage pumping station and

force main on Gordon Street that services this area and the developer's share of the cost of constructing municipal services on Gordon Street across the frontage of the lands. The applicant has agreed to these conditions being placed in the holding provision.

Staff are satisfied that the revised development proposal has reduced the number of specialized regulations required and the required specialized regulations are minor and acceptable for the proposed redevelopment of this site.

Traffic

One concern was raised by a public delegation about the impact of traffic from this development, together with other recent residential intensification along Gordon Street. Since the Public Meeting, the applicant reduced the number of units proposed by half, from 16 to eight, so the number of trips generated has been halved as well. Transportation planning staff recognize that the amount of traffic on Gordon Street continues to be a concern but this development plays a very minor role in the overall impact of traffic on Gordon Street. With only eight townhouse units the site will function with one access to Gordon Street on the north side of the property.

Parking

Amount of on-site parking available was also raised as a concern for the original proposal. The initial proposal had 16 townhouse units, each with one garage parking space and four visitor parking spaces for a total of 20 spaces. The revised proposal has eight townhouse units, each with two garage parking spaces and three visitor spaces for a total of 19 spaces. This ratio is far beyond the required one space per unit and satisfies the concern raised about adequate onsite parking for both residents and visitors.

ATT – 9
Commitment to the Community Energy Initiative

Appendix A
Community Energy Initiative Commitment Letter

1876698 Ontario Inc.

March 25, 2016

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

Attention: Ms. Sylvia Kirkwood, Manager of Development
Community Design and Development Services

Re: **1131 Gordon Street, City of Guelph**
1876698 Ontario Inc.
Community Energy Initiative

Further to the City of Guelph's request we are outlining how this zone change application will comply with the City of Guelph's Community Energy Initiative.

- A compact and well utilized site.
- A comprehensive erosion and sedimentations control plan throughout redevelopment of the site.
- New native tree planting for the overall rejuvenation of the site.
- Exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operations controlled by light sensors.
- Bicycle racks will be provided.
- Pedestrian walkways incorporated throughout the site and connection to municipal sidewalk.
- Drought resistant soft landscape material will be specified as much as possible.
- Controlled roof drains provided to control flow rate of storm water where feasible.
- Low flow faucets and low volume flush toilets (HET high efficiency toilets) where possible.
- Project will comply with ban on ozone-depleting refrigerant gases.
- HVAC systems will be complete with heat recovery ventilators (HRV's or ERV's) incorporated in the majority of the central air return systems.
- Low E windows reduce heat gains and heat loss.
- High efficiency hot water tanks will be used.
- Perimeter day lighting to have separate controls where possible to conserve hydro (lights turn off automatically when natural lighting is sufficient).
- Low VOC emitting materials where feasible. Examples include, low VOC paints, recycled content carpet, etc.
- Collection of recyclables in compliance with City By-laws.
- High recycled content material to be specified wherever possible.
- The buildings provide natural light to 100% of regularly occupied spaces where possible.

Yours truly,



Young Yool Kim, 1876698 Ontario Inc.

ATT-10
Departmental and Agency Comments Summary

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning		√	Subject to conditions in ATT-2
Engineering*		√	Subject to conditions in ATT-2
Park Planning*		√	Subject to conditions in ATT-2
Urban Design		√	Subject to conditions in ATT-2
Environmental Planning		√	Subject to conditions in ATT-2
Emergency Services/Guelph Fire		√	
Guelph Hydro		√	Subject to conditions in ATT-2
Upper Grand District School Board		√	Subject to conditions in ATT-2
Canada Post	√		
Union Gas	√		
Transportation Demand Management	√		

ATT-11
Public Notification Summary

March 29, 2016	Applications received by the City of Guelph
April 28, 2016	Applications deemed complete
May 12, 2016	Notice of Public Meeting advertised in the Guelph Tribune
May 12, 2016	Notice of Complete Application and Notice of Complete Application mailed to prescribed agencies and surrounding property owners within 120 metres
June 13, 2016	Statutory Public Meeting of Council
June 16, 2017	Notice of Decision Meeting sent to parties that commented or requested notice
July 10, 2017	City Council Meeting to consider staff recommendation



June 27, 2017

Katie Nasswetter, Senior Development Planner
Planning Services
Infrastructure, Development and Enterprise

Mark MacKinnon-Councilor, Ward 6
Karl Wettstein-Councilor, Ward 6

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

Dear Sir/Madame;
Re: Zoning By-law Amendment Application Number ZC1609

I am submitting the comments below on behalf of the Board of Directors for WSCC No. 130, also known as Gordon Gate Condominiums. Gordon Gate Condominiums is located at 1155 Gordon Street in Guelph. 1155 Gordon Street falls within the 120 meter Circulation zone for that proposed development.

These comments are in response to the City Council Decision Meeting Notice received by the Condominium Corporation on 20 June, 2017

The Board of Directors would like to express their concerns with respect to the proposed development at 1131 Gordon Street which is directly adjacent to their property.

There is potential for a dramatic 'change of scenery' for those unit owners that own the first 10 units on the property line between the 2 lots.

The proposed plan includes only 3 visitor parking spaces. This potentially makes Gordon Gate vulnerable to Unit Owners and Visitors to 1131 using Gordon Gate parking spaces. This would be difficult to police. More Visitors parking is a must.

3 storey townhouses will definitely impact on the view from the units along the fence line and may pose some privacy concerns.

The Developer is asking for a specialized regulation to allow the at grade minimum private amenity area to be setback 1.5 metres from the property line where 3 metres is required.

This being the case, it would appear as though there is nothing in the proposal to provide a landscaped buffer zone along the Gordon Gate lot line.

The Artist's Rendering is somewhat misleading in that it does not realistically portray the reality of a privacy fence so close to the rear patios, nor does it show the proximity to the townhouses at Gordon Gate. There is no green space on the Developers side of the fence.



The proposed 1.5 metre setback is somewhat disconcerting in that the setback required for the adjacent Gordon Gate Property (1155 Gordon) includes a 5 metre NO TOUCH ZONE with a total of a setback of approximately 8 metres. Why would a similar requirement not be required on the opposite side of the same fence? Please see section of site plan for Gordon Gate attached.

If the setback is to be granted perhaps it could be with the proviso that the City and/or the Developer would contribute \$10,000.00 to Gordon Gate Condominiums to allow for upgrade planting of more significant trees, shrubs etc along the fence line area. (No touch zone)

Another concern previously mentioned is the grading of the site. In order to get gravity flow of sewage to Gordon St, will the back of the property be graded higher to accommodate that making the final towns appear to be higher than 3 storeys high. This will impact greatly on the property line between the two developments.

If this is the case, what type of retaining wall would be proposed and how would the maintenance of same be guaranteed by the developer.

Above are the concerns that come to mind in addition to those previously expressed with respect to the proposed development at 1131 Gordon Street.

The Board of Directors asks that the above be taken into serious consideration when reviewing the application and site plan as submitted. The Board would hope that the issues as expressed would be addressed in a satisfactory manner prior to the granting of the zone change and site plan approval.

It would be appreciated if any information that pertains to this application and future amendments would be forwarded to the Condominium Corporation at their address for service at Inspirah Property Management, 6a-449 Laird Road, Guelph ON N1G 4W1.

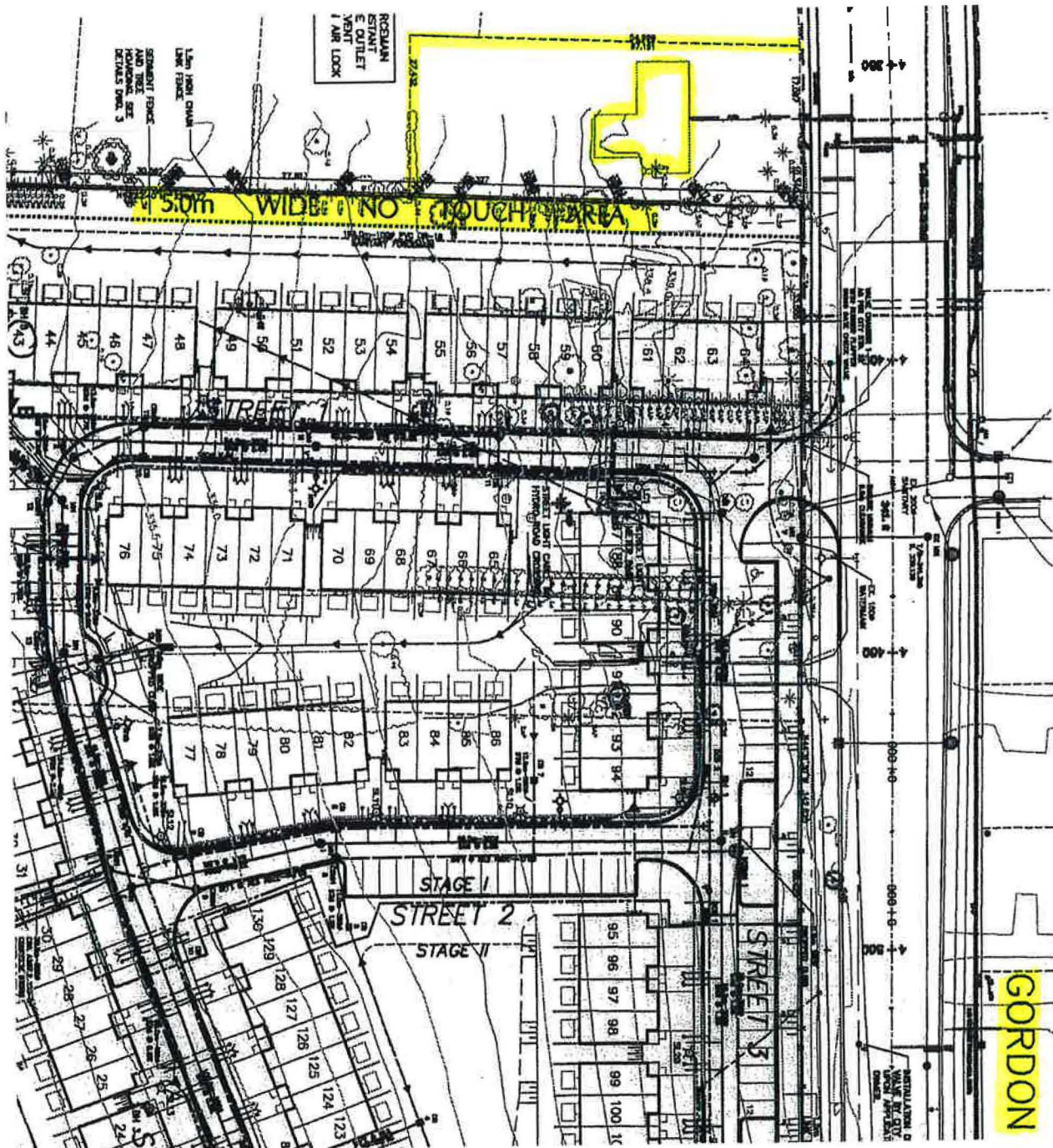
On behalf of the Board,

Sincerely,

A handwritten signature in dark ink, appearing to read "MR", is written over the word "Sincerely,".

Michael Royston B.A. R.C.M.

Inspirah Property Management - Property Manager – Gordon Gate Condominiums



Staff Report

To City Council

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Statutory Public Meeting Report
233-237 Janefield Avenue
Proposed Official Plan and Zoning By-law
Amendment
File: OP1702 & ZC1702
Ward 5**

Report Number IDE 17-84

Recommendation

That Report IDE 17-84 regarding a proposed Official Plan Amendment and Zoning By-law Amendment application (OP1702 & ZC1702) from Astrid J. Clos Planning Consultants on behalf of Benedetto Di Renzo and Mario Antonio Di Renzo to permit a high density residential development on the property municipally known as 233-237 Janefield Avenue and legally described as Part of Block L, Registered Plan 649; Geographic Township of Guelph, City of Guelph, from Infrastructure, Development and Enterprise dated July 10, 2017, be received.

Executive Summary

Purpose of Report

To provide planning information on an application requesting approval of an Official Plan Amendment and Zoning By-law Amendment to permit a high density residential development of approximately 185 residential units. This report has been prepared in conjunction with the statutory public meeting for this application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

Applications for an Official Plan Amendment and a Zoning By-law Amendment have been received for the property municipally known as 233-237 Janefield Avenue. The proposal is for a high density residential development which includes an apartment building with varying heights of 12, 10 and 5 storeys containing approximately 185 residential units in total. The applications were received May 3, 2017 and deemed to be complete on June 1, 2017.

Location

The subject lands are located on the south side of Janefield Avenue, north of Stone Road West, west of Scottsdale Drive and east of The Hanlon Parkway (see Location Map on ATT-1 and Orthophoto on ATT-2). The site is approximately 1.1 hectares in size and is vacant.

Surrounding land uses include:

- A townhouse development on the north side of Janefield Avenue, directly across from the subject site;
- A commercial plaza is located at the intersection of Janefield and Scottsdale Drive, east of the subject site;
- Holiday Inn Guelph Hotel & Conference Centre is located at the intersection of Scottsdale Drive and Stone Road West; which is to the south of the subject site;
- Two Religious establishments, Priory Park Baptist and Jehovah's Witness, are south west and adjacent to the subject site; and
- A single detached dwelling at the intersection of Janefield Avenue and Torch Lane which is to the west of the site.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designations that apply to the subject property are "Medium Density Residential and Intensification Area" which permits multiple unit residential buildings, such as townhouses, row dwellings and walk-up apartments. The net density of development shall be a minimum of 20 units per hectare and a maximum of 100 units per hectare. The intent of the "Intensification Area" designation is to promote the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the lands base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base. The intensification area is intended to provide a wide range of retail, services, office, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels and live-work studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2.

The relevant policies are included in ATT-3.

Official Plan Amendment #48 Land Use Designations and Policies

Official Plan Amendment #48 (OPA 48) (under appeal), a comprehensive update to the City's Official Plan, proposes to designate the subject property as "Mixed Use Corridor" and "Medium Density Residential". The permitted uses under the Medium Density Residential include multiple unit residential buildings, such as townhouses and apartments. The minimum building height is two (2) storeys and the maximum height is six (6) storeys with a density range of 35 to 100 units per hectare.

The Mixed-use Corridor designation is intended to serve both the needs of residents living and working in-site in nearby neighbourhoods and employment districts and the wider City as a whole. The objectives: to promote the continued economic viability, intensification, diversity of uses and revitalization of the Mixed-use Corridor; to promote a distinctive and high standard of building and landscape design for Mixed-use Corridors; to ensure that the development of Mixed-use Corridors occurs in a cohesive, complementary and coordinated manner. Freestanding residential development is permitted in this designation with a permitted density range of 100-150 units per hectare.

Although the application is being processed under the 2001 Official Plan, staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations and relevant policies contained in OPA 48 are included in ATT-4.

Existing Zoning

The subject property is currently zoned "R.4A-1" (Residential Apartment) Zone with specialized regulations and "SC.1-4" (Service Commercial) Zone with specialized regulations in the City of Guelph's Zoning By-Law No. (1995)-14865.

Details of the existing zoning are included in ATT-5.

Description of the Proposed Official Plan Amendment

The applicant is requesting to amend the Official Plan by redesignating the subject lands from the current "Medium Density Residential" land use designation to a site specific "High Density Residential" land use designation with a maximum residential density of 168 units per hectare over the entire site.

Description of Proposed Zoning By-law Amendment

The applicant is requesting to rezone the subject lands from the R.4A-1" (Residential Apartment) Zone and "SC.1-4" (Service Commercial) Zone in the Guelph Zoning By-law to a Specialized R.4B (Residential Apartment) to permit the development of a residential building with varying heights of 12, 10 and 5 storeys containing a total of 185 apartment units. The following new specialized zoning regulations for the R.4B Zone are being requested through the proposed Zoning By-law amendment application:

- Minimum Common Amenity area of 1,780 sq.m where the by-law requires 3,900 sq.m;
- Minimum Side Yard of 10.2m where the by-law requires 17.5m;
- Maximum Building Height of 12 storeys where the by-law requires 10 storeys;
- Maximum Density of the site of 168 units per hectare where the by-law permits 150 units per hectare; and
- Maximum Floor Space Index of 2.47 where the by-law requires 1.5.

Proposed Development

The proposed development consists of one (1) residential building with varying heights of 12, 10 and 5 storeys, containing approximately 185 residential units.

A total of 237 parking spaces are being provided for the development. There are 190 underground parking spaces and 47 surface parking spaces. There are two (2) vehicular accesses to the site which are proposed from Janefield Avenue. An additional vehicular access is also being proposed from Torch Lane.

The applicant's conceptual development plan is shown in ATT-6.

Supporting Documents

The following information was submitted in support of the application:

- Planning Justification Report, prepared by Astrid J. Clos planning Consultant, dated May 2, 2017
- Urban Design Brief, prepared by McKnight Charron Limited Architects, dated April 27, 2017
- Servicing Confirmation Letter, prepared by MTE, dated April 27, 2017
- Site Grading, Servicing and SWM Plan, prepared by MTE, dated April 28, 2017
- Stormwater Management Report, prepared by MTE, dated April 28, 2017
- Phase 1 Environmental Site Assessment, prepared by MTE, dated August 25, 2014
- Traffic Impact Study, prepared by Paradigm Transportation Solutions Ltd, dated April 2017
- Stage 1 & 2 Archaeological Assessment, prepared by Amec Foster Wheeler Environmental & Infrastructure, dated April 27, 2017
- Conceptual Development Plan, prepared by Astrid J. Clos Planning Consultants
- Building Elevations Renderings prepared by McKnight Charron Limited Architects.
- Energy Initiative letter prepared by Rockwater Development Corp., dated April 26, 2017

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017);
- Consideration of the merits of the Official Plan Amendment and evaluation of the proposal's conformity with the Official Plan; including any Official Plan Amendments;
- Review of the proposed zoning and need for specialized regulations;

- Review of the proposed site and building design;
 - Review of traffic, parking and servicing; and
 - Address all comments and issues raised during the review of the application.
- Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application and Public Meeting was mailed on June 14, 2017 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands and was also advertised in the Guelph Tribune on June 15, 2017. Notice of the application has also been provided by signage on the property.

Corporate Administrative Plan

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

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our People- Building a great community together

Attachments

ATT-1	Location Map and 120m Circulation
ATT-2	Orthophoto
ATT-3	Official Plan Land Use Designations and Policies
ATT-4	Official Plan Amendment #48 Land Use Designations and Policies
ATT-5	Existing Zoning
ATT-6	Proposed Zoning and Details
ATT-7	Conceptual Development Plan and Building Elevations

Departmental Approval

Not applicable.

Report Author

Katie Nasswetter
Senior Development Planner

**Approved By**

Todd Salter
General Manager
Planning, Urban Design and
Building Services
519.822.1260, ext. 2395
todd.salter@guelph.ca

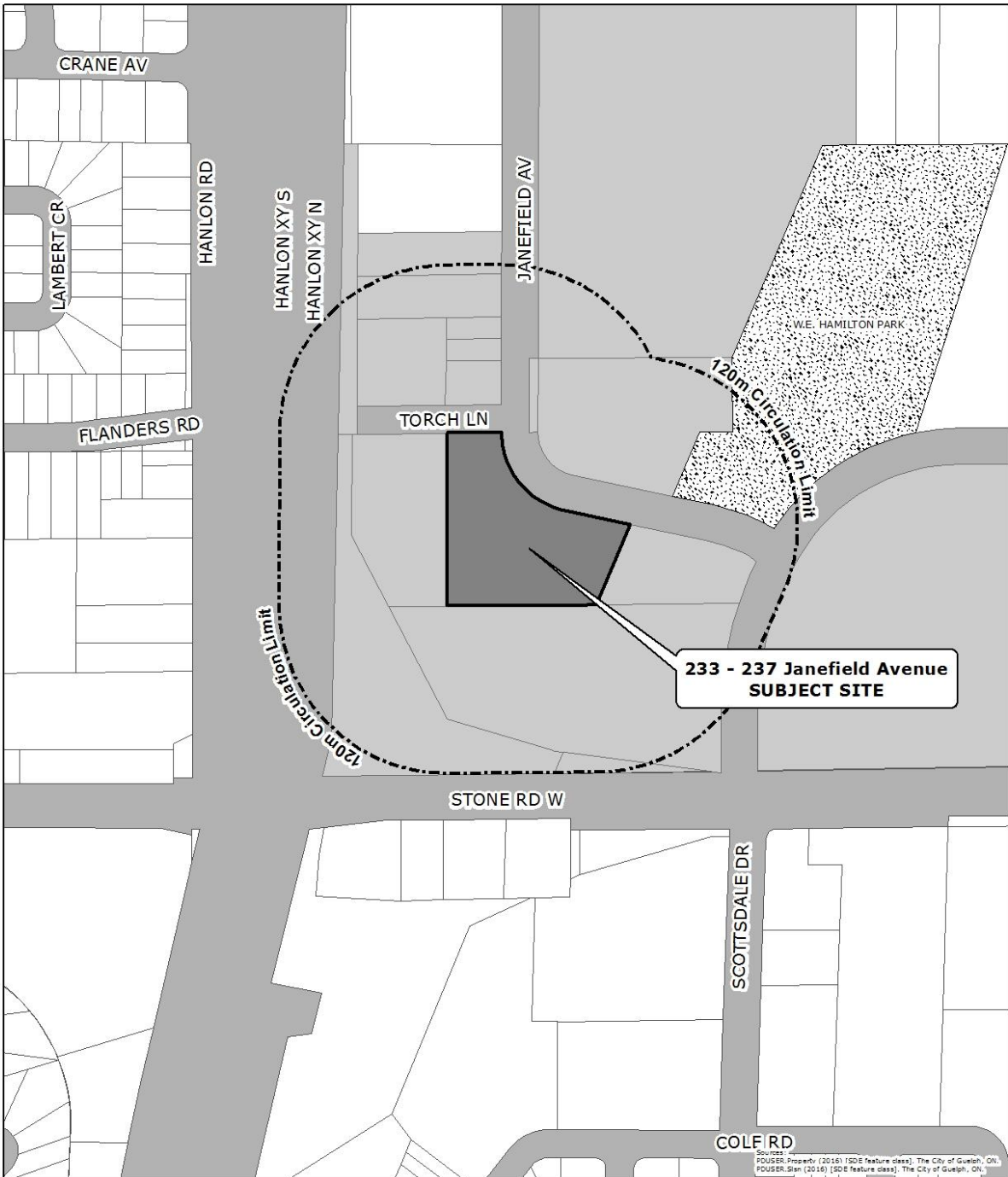
Approved By

Sylvia Kirkwood
Manager of Development Planning

**Recommended By**

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
519.822.1260, ext. 3445
scott.stewart@guelph.ca

ATT-1 **Location Map and 120m Circulation**





0 10 20 40 60 80 100 120
m

Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
May 2017


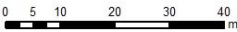
LOCATION MAP & 120m CIRCULATION
233 - 237 Janefield Avenue




Sources:
 PDUSER, Presently (2016) (SDE feature class), The City of Guelph, ON.
 PDUSER, Sien (2016) (SDE feature class), The City of Guelph, ON.

**ATT-2
Orthophoto**

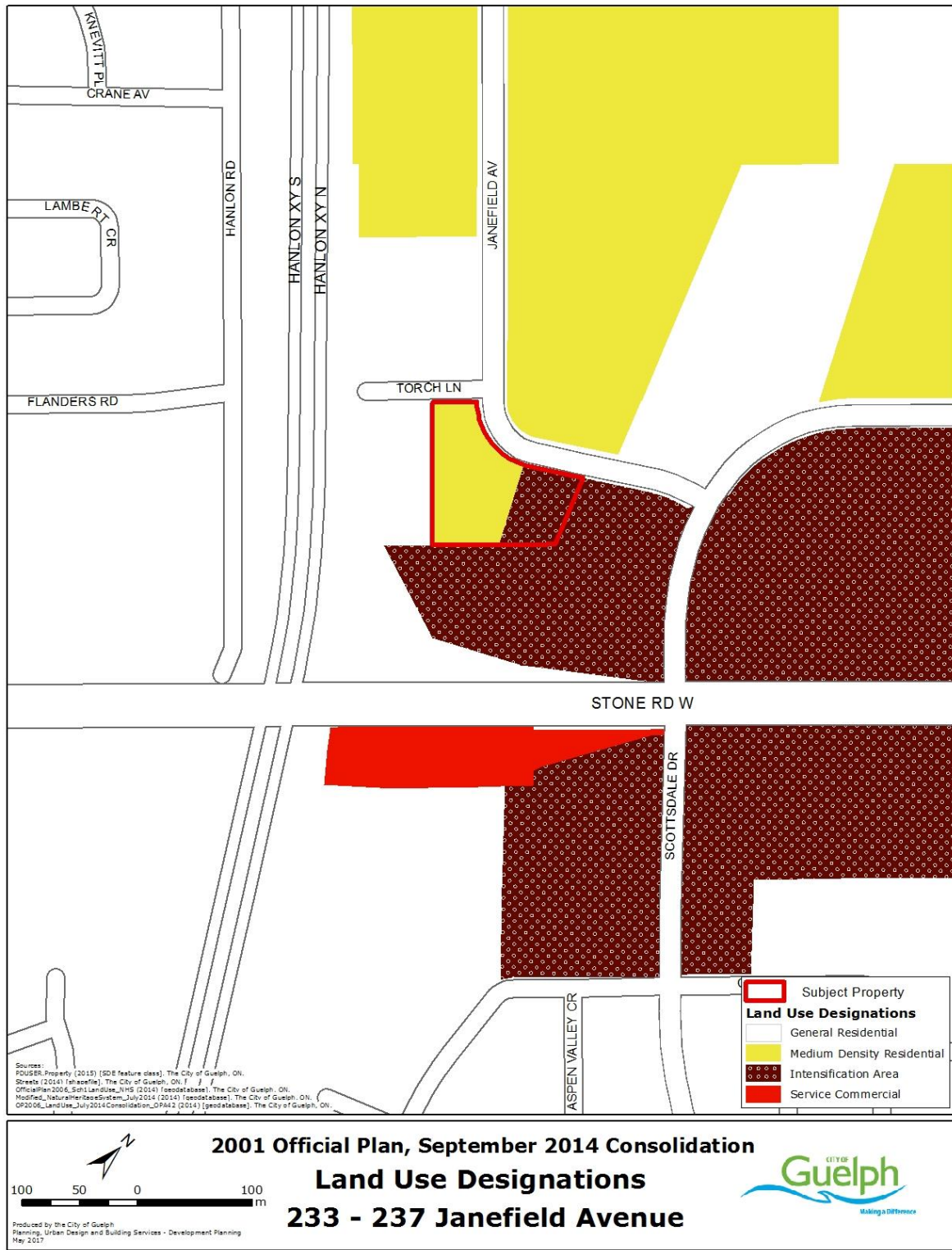




Produced by the City of Guelph:
Planning, Urban Design and Building Services - Development Planning
May 2017

2016 Orthophoto
233 - 237 Janefield Avenue



ATT-3 **Official Plan Land Use Designations and Policies**



ATT-3 (continued)
Official Plan Land Use Designations and Policies

'Medium Density Residential' Land Use Designation

- 7.2.36 The predominant use of land within areas designated as 'Medium Density Residential' on Schedule 1 shall be for multiple unit residential buildings, such as townhouses, row dwellings and walk-up apartments. It is not intended that housing forms such as single detached or semi-detached units shall be permitted. Residential care facilities and lodging houses may be permitted by the provisions of this Plan.
- a) Within the Medium Density Residential designation at the northeast side of the intersection of York Road and Wyndham Street South, detached and semi-detached housing forms are permitted with frontage onto York Road, Wyndham Street South and Richardson Street provided that the overall density of development within the Medium Density Residential designation in this location complies with Section 7.2.38.
- 7.2.37 The 'Medium Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:
- a) Medium density housing forms in new growth areas to assist in providing opportunities for affordable housing;
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.
- 7.2.38 The net density of development shall be a minimum of 20 units per hectare (8 units/acre) and a maximum of 100 units per hectare (40 units/acre), except as provided for in policy 7.2.10.
- 7.2.39 Medium density residential development proposals shall generally comply with criteria established for multiple unit residential buildings in policy 7.2.7 of this Plan, and shall be regulated by the Zoning By-law.
- 7.2.40 In addition to being permitted on land designated 'Medium Density Residential', multiple unit residential buildings may be permitted without an amendment to this Plan on land designated 'General Residential' where such proposals generally comply with the criteria in policy 7.2.7.

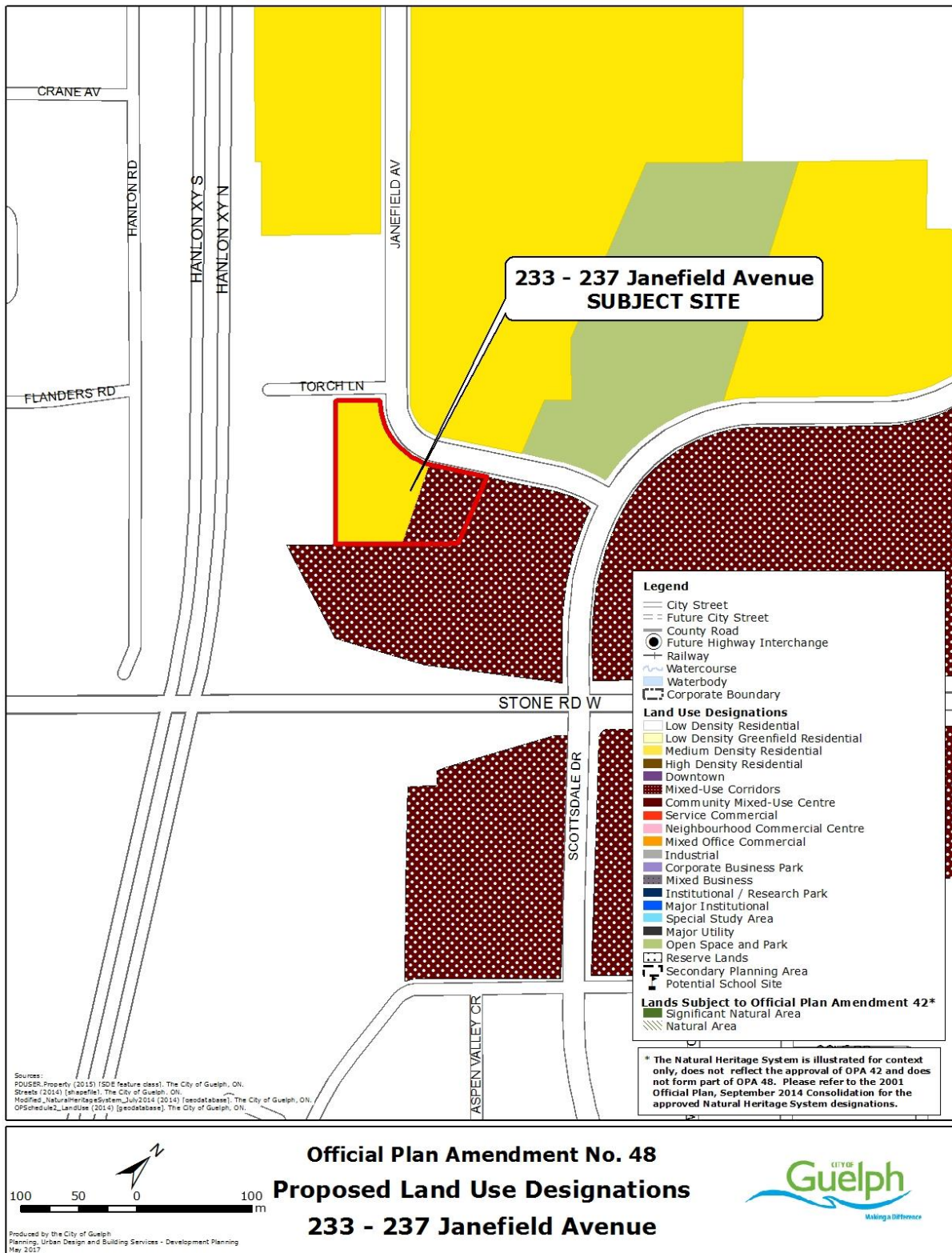
"Intensification Areas"

- 7.4.15 The 'Intensification Areas' designation identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties within a "node", and is intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
- 7.4.16 The intent of the 'Intensification Area' designation is to promote the intensification and revitalization of existing well defined commercial nodes in order to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base
- 7.4.17 It is intended that where there are adjacent properties within the node that as new development occurs the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Intensification Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
- 7.4.18 The boundaries of the 'Intensification Area' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of section 9.2, proposals to expand an 'Intensification Area' beyond these boundaries shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.19 The 'Intensification Area' is intended to provide a wide range of retail, service, office, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and live-work studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2.
- 7.4.20 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross leasable floor area, the site shall also be

designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross leasable floor area within the overall development.

- 7.4.21 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Intensification Area' designation to ensure such consistency.

ATT-4
Official Plan Amendment #48 Land Use Designations and Policies



ATT-4 (continued)
Official Plan Amendment #48 Land Use Designations and Policies

9.3.4 Medium Density Residential

The use of land within the Medium Density Residential Designation will be medium density housing forms.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:

i) multiple unit residential buildings, such as townhouses and apartments.

Height and Density

2. The minimum height is two (2) storeys and the maximum height is six (6) storeys.

3. The maximum net density is 100 units per hectare and not less than a minimum net density of 35 units per hectare.

4. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

9.4.3 Mixed-use Corridor

The Mixed-use Corridor designation is intended to serve both the needs of residents living and working on-site, in nearby neighbourhoods and employment districts and the wider City as a whole.

The following Mixed-use Corridors are designated on Schedule 2:

- Silvercreek Parkway Mixed-use Corridor
- Eramosa Mixed-use Corridor
- Stone Road Mixed-use Corridor.

Objectives

a) To promote the continued economic viability, intensification, diversity of uses and revitalization of the Mixed-use Corridor.

b) To promote a distinctive and high standard of building and landscape design for Mixed-use Corridors.

c) To ensure that the development of Mixed-use Corridors occurs in a cohesive, complementary and coordinated manner.

Policies

1. The Mixed-use Corridor designation promotes the intensification and revitalization of existing well-defined commercial corridors to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs and residential use at one location. Implementing Zoning By-laws may include mechanisms such as minimum density requirements, heights and maximum parking standards to promote the efficient use of the land base.
2. Where new development occurs within the corridor, adjacent lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and urban squares and stormwater management systems.
3. Furthermore, individual developments within the Mixed-use Corridor will be designed to be integrated into the wider community by footpaths, sidewalks and the Bicycle Network and by the placement of multi-storey buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
4. Development within the Mixed-use Corridor will address the adjacent arterial or collector road and will be planned and designed to:
 - i) front multi-storey buildings onto arterial or collector roads;
 - ii) provide for ground floor retail and service uses; and
 - iii) provide for a rhythm and spacing of building entrances and appropriately sized store fronts to encourage pedestrian activity.
5. The City will require the aesthetic character of site and building design to be consistent with the Urban Design policies of this Plan and shall incorporate measures into the approval of Zoning by-laws and Site Plans used to regulate development within the Mixed-use Corridor designation to ensure such consistency.
6. The boundaries of the Mixed-use Corridor designation are intended to clearly distinguish the area as a distinct entity from adjacent land use designations. Proposals to expand a Mixed-use Corridor beyond these boundaries shall require an Official Plan Amendment supported by a Market Impact Study.

Permitted Uses

7. The following uses may be permitted in the Mixed-use Corridor designation, subject to the applicable provisions of this Plan:

- i) commercial, retail and service uses;
- ii) office;
- iii) entertainment and recreational commercial uses;
- iv) cultural and educational uses;
- v) institutional uses;
- vi) hotels;
- vii) live/work;
- viii) medium and high density multiple unit residential buildings and apartments; and
- ix) urban squares and open space.

8. The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft.) of gross floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development.

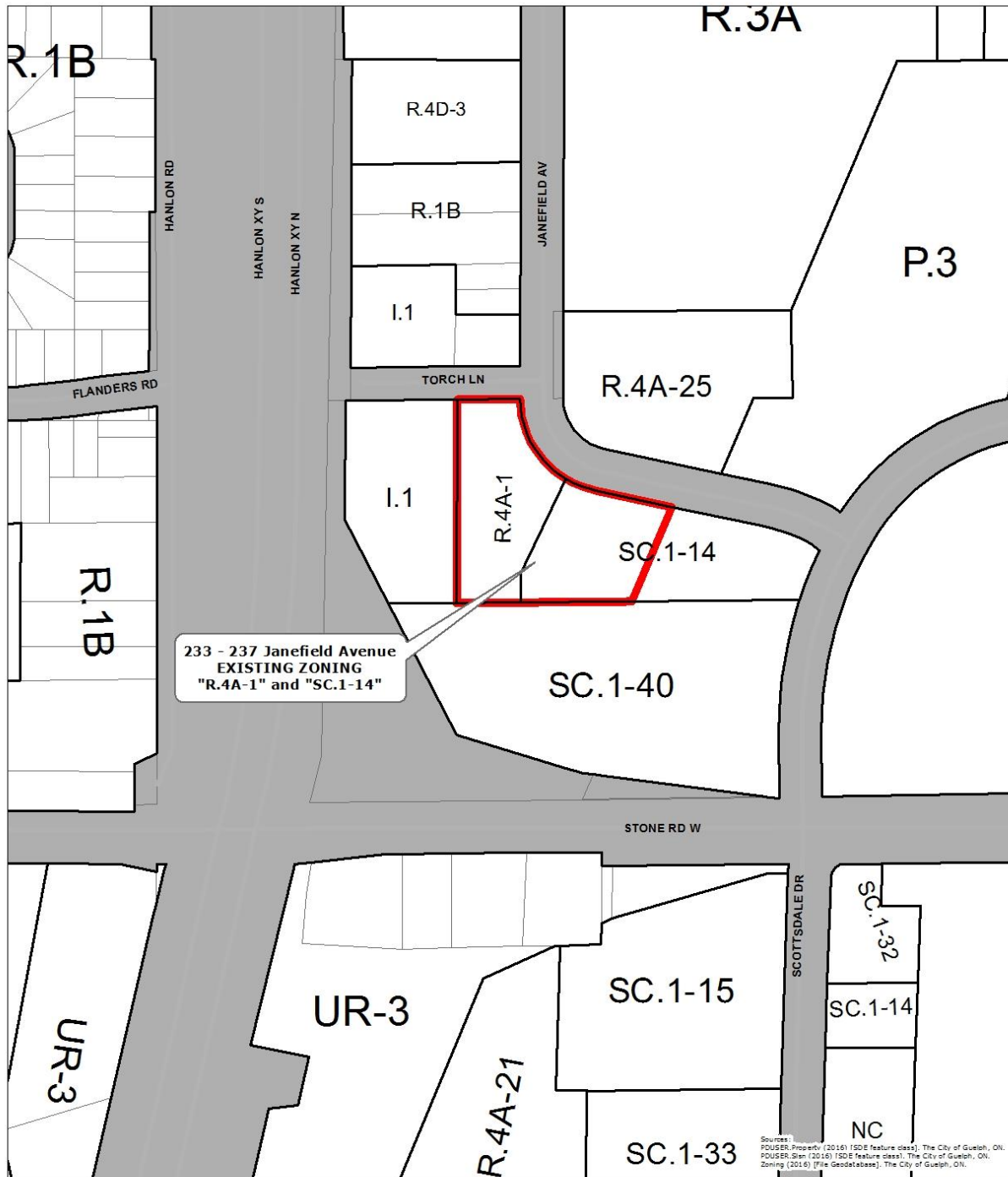
Height and Density

9. The maximum height is six (6) storeys.

10. For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.

11. Additional height and density may be permitted subject to the Height and Density Bonus provisions of this Plan.

ATT-5 **Existing Zoning**



ATT-5 (continued) Existing Zoning and Details

The following are the regulations and the special regulations for Residential Apartment R.4A-1 Zone:

Row 1	Residential Type	General <i>Apartment</i>	High Density <i>Apartment</i>	Central Business District <i>Apartment</i>	Infill <i>Apartment</i>
2	Zones	R.4A	R.4B	R.4C	R.4D
3	Minimum Lot Area	650 m ²			
4	Minimum Lot Frontage	15 metres			
5	Maximum Density (units/ha)	100	150	200	100
6	Minimum Front and Exterior Side Yard	6 metres and as set out in Section 4.24.		3 metres and in accordance with Section 4.24.	
7	Maximum Front and Exterior Side Yard	-----		6 metres	
8	Minimum Side Yard	Equal to one-half the Building Height but not less than 3 metres and in accordance with Section 5.4.2.1.		Equal to one-half the Building Height but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional Zone . In these circumstances, a minimum of 3 metres is required.	
9	Minimum Rear Yard	Equal to 20% of the Lot Depth or one-half the Building Height , whichever is greater, but in no case less than 7.5 metres.		Equal to 20% of the Lot Depth or one-half the Building Height , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional Zones . In these circumstances, a minimum of 7.5 metres is required.	
10	Maximum Building Height	8 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.	10 Storeys and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68.	6 Storeys and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68.	4 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between Buildings	See Section 5.4.2.2.		See Section 5.4.2.3.	
12	Minimum Common Amenity Area	See Section 5.4.2.4.		None required.	
13	Minimum Landscaped Open Space	20% of the Lot Area for Building Heights from 1 - 4 Storeys and 40% of the Lot Area for Buildings from 5 - 10 Storeys .		The Front Yard of any Lot , excepting the Driveway , shall be landscaped. In addition, no parking shall be permitted within this Landscaped Open Space .	
14	Off-Street Parking	In accordance with Section 4.13.			
15	Buffer Strips	Where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone , a Buffer Strip shall be developed.			
16	Accessory Buildings or Structures	In accordance with Section 4.5.			

17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.			
18	Floor Space Index (F.S.I.)	1	1.5	2	2
19	Fences	In accordance with Section 4.20.			

R.4A-1 (Specialized Apartment Residential) Zone:

As shown on Defined Area Map Number 17 of Schedule "A" of this Bylaw.

5.4.3.1.1.1 Permitted Uses

In addition to the permitted Uses listed in Section 5.4.1.1, the following shall also be permitted:

Townhouses

5.4.3.1.1.2 Regulations for Apartment Dwellings

All regulations of the R.4A Zone as specified in Sections 4 and 5.4.2 of this By-law with the following additions and exceptions:

5.4.3.1.1.2.1 Maximum Number of Dwelling Units

48 Units.

5.4.3.1.1.2.2 Maximum Building Height

3 Storeys.

5.4.3.1.1.2.3 Parking Space Size

Despite Section 4.13.3.2, every off-street Parking Space shall have dimensions of not less than 2.8 metres by 6 metres provided that the Parking Aisle width is a minimum of 7 metres.

5.4.3.1.1.3 Regulations for Townhouse Dwellings

All regulations of the R.3A Zone as specified in Sections 4 and 5.3.2 shall apply to Townhouse development in the R.4A-1 Zone.

The following are the regulations and the special regulations for the Service Commercial SC.1-14 Zone:

Row 1	Commercial Type	Service Commercial	Highway Service Commercial
2	Zones	SC.1	SC.2
3	Minimum Lot Frontage	30 metres	
4	Minimum Front and Exterior Side Yard	6 metres and in accordance with Section 4.24.	
5	Minimum Side Yard	3 metres except where adjacent to any residential Zones in which case the minimum Side Yard shall be no less than 6 metres or one half the Building Height , whichever is greater.	
6	Minimum Rear Yard	One-half the Building Height but not less than 6 metres.	
7	Maximum Building Height	3 Storeys and in accordance with Sections 4.16 and 4.18.	5 Storeys and in accordance with Sections 4.16 and 4.18.
8	Buffer Strips	Where a SC Zone abuts any Residential, Institutional, Park, Wetland, or Urban Reserve Zone , a buffer strip shall be developed.	
9	Off-Street Parking	In accordance with Section 4.13.	
10	Off-Street Loading	In accordance with Section 4.14.	
11	Minimum Landscaped Open Space	10% of the Lot Area .	
12	Outdoor Storage	In accordance with Section 4.12.	
13	Fences	In accordance with Section 4.20.	
14	Accessory Buildings or Structures	In accordance with Section 4.5.	
15	Enclosed Operations	In accordance with Section 4.22.	
16	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.	
17	Planting Area	A landscaped strip of land, 3 metres in width shall be maintained adjacent to the Street Line , except for those areas required for entry ramps.	

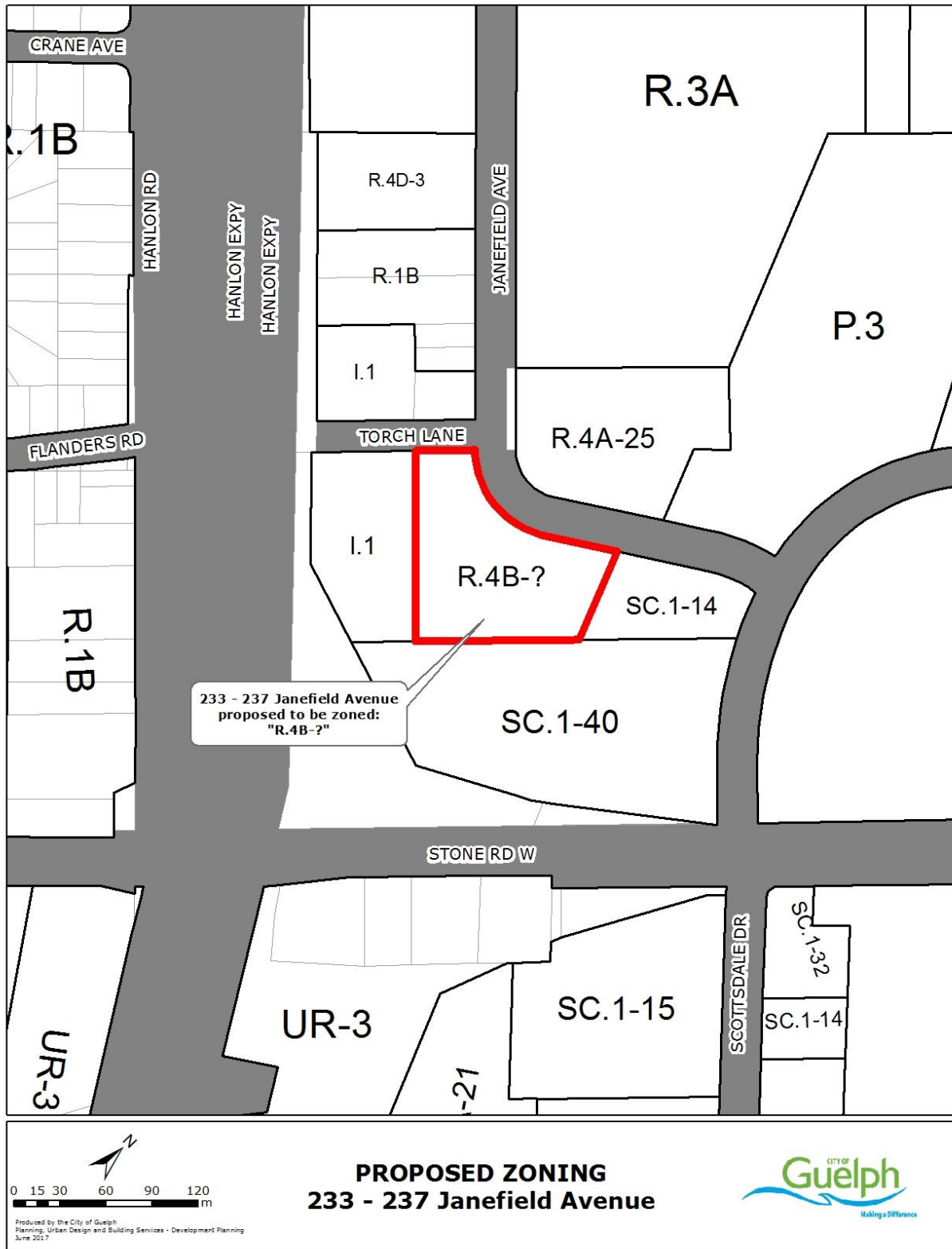
SC.1-14 (Specialized Service Commercial) Zone:

As shown on Defined Area Map Numbers 14, 17, and 40 of Schedule "A" of this By-law.

6.4.3.1.14.1 Permitted Uses

- Financial Establishment
- Medical Clinic
- Medical Office
- Office
- Veterinary Service
- Accessory Uses in accordance with Section 4.23
- Occasional Uses in accordance with Section 4.21

ATT-6
Proposed Zoning and Details



ATT-6 (continued)
Proposed Zoning and Details

Standard R.4 Apartment Zone Regulation Summary Table

(Proposed Zoning: Specialized R.4B)

TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES

Row 1	Residential Type	General <i>Apartment</i>	High Density <i>Apartment</i>	Central Business District <i>Apartment</i>	Infill <i>Apartment</i>
2	Zones	R.4A	R.4B	R.4C	R.4D
3	Minimum Lot Area	650 m ²			
4	Minimum Lot Frontage	15 metres			
5	Maximum Density (units/ha)	100	150	200	100
6	Minimum Front and Exterior Side Yard	6 metres and as set out in Section 4.24.		3 metres and in accordance with Section 4.24.	
7	Maximum Front and Exterior Side Yard	-----		6 metres	
8	Minimum Side Yard	Equal to one-half the Building Height but not less than 3 metres and in accordance with Section 5.4.2.1.		Equal to one-half the Building Height but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional Zone . In these circumstances, a minimum of 3 metres is required.	
9	Minimum Rear Yard	Equal to 20% of the Lot Depth or one-half the Building Height , whichever is greater, but in no case less than 7.5 metres.		Equal to 20% of the Lot Depth or one-half the Building Height , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional Zones . In these circumstances, a minimum of 7.5 metres is required.	
10	Maximum Building Height	8 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.	10 Storeys and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68.	6 Storeys and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68.	4 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between Buildings	See Section 5.4.2.2.		See Section 5.4.2.3.	
12	Minimum Common Amenity Area	See Section 5.4.2.4.		None required.	
13	Minimum Landscaped Open Space	20% of the Lot Area for Building Heights from 1 - 4 Storeys and 40% of the Lot Area for Buildings from 5 - 10 Storeys .		The Front Yard of any Lot , excepting the Driveway , shall be landscaped. In addition, no parking shall be permitted within this Landscaped Open Space .	
14	Off-Street Parking	In accordance with Section 4.13.			
15	Buffer Strips	Where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone , a Buffer Strip shall be developed.			
16	Accessory Buildings or Structures	In accordance with Section 4.5.			
17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.			
18	Floor Space Index (F.S.I.)	1	1.5	2	2
19	Fences	In accordance with Section 4.20.			

Specialized R.4B-? (High Density Residential) Zone

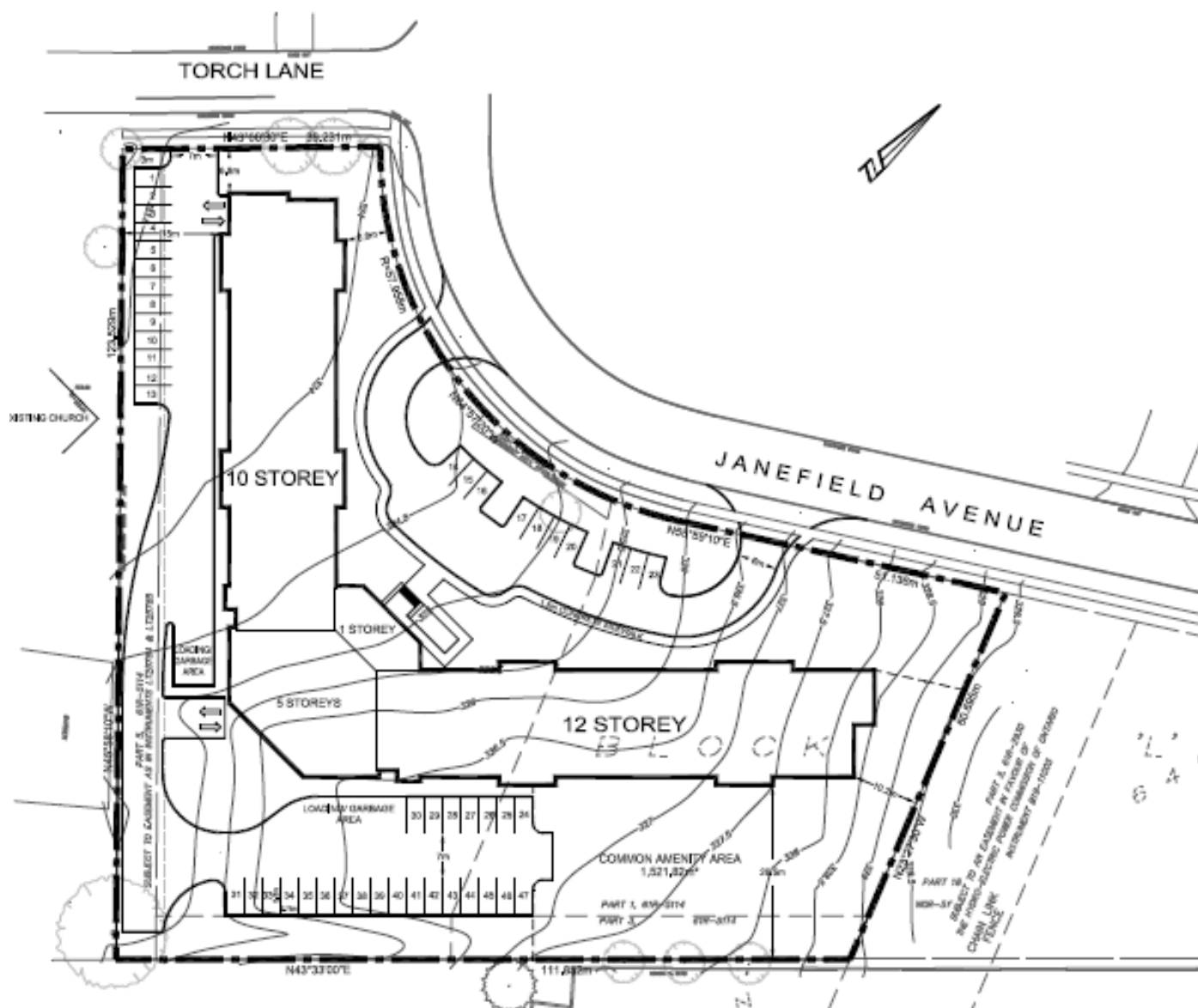
Regulations

In accordance with Schedule 4 (General Provisions) and Section 5.4.2 and Table 5.4.2 of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

- To permit a maximum density of the site of 168 units per hectare.
- Minimum Common Amenity area of 1,780 sq.m where the by-law requires 3,900 sq.m;
- Minimum Side Yard of 10.2m where the by-law requires 17.5m;
- Maximum Building Height of 12 storeys where the by-law requires 10 storeys;
- Maximum Density of the site of 168 units per hectare where the by-law permits 150 units per hectare; and
- Maximum Floor Space Index of 2.47 where the by-law requires 1.5.

ATT-7

Conceptual Development Plan



ATT-7 (continued)

Building Elevations



Staff Report

To City Council

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Statutory Public Meeting Report
71 Wyndham Street South
Proposed Official Plan and Zoning By-law
Amendment
File: OP1703 & ZC1705
Ward 1**

Report Number IDE 17-85

Recommendation

That Report IDE 17-85 regarding a proposed Official Plan Amendment and Zoning By-law Amendment application (OP1703 & ZC1705) from Stantec Consulting Ltd. on behalf of The Tricar Group to permit a residential development on the property municipally known as 71 Wyndham Street South and legally described as Part of Lots 171 and 172 Registered Plan 113 and portion of former bed of the River Speed lying in front of Broken Lot 3, Division F, City of Guelph, County of Wellington.

Executive Summary

Purpose of Report

To provide planning information on an application requesting approval of Official Plan and Zoning By-law amendments to permit a 14 storey residential building with approximately 140 residential units. This report has been prepared in conjunction with the statutory public meeting for this application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

Applications for an Official Plan amendment and a Zoning By-law amendment have

been received for the property municipally known as 71 Wyndham Street South. The applicant has proposed an apartment building with 14 storeys containing approximately 140 residential units in total. The applications were received May 18, 2017 and deemed to be complete on June 9, 2017.

Location

The subject property is approximately 0.382 hectares in size and lands are located on the west side of Wyndham Street South; between Wellington Street and York Road, and abuts the Speed River on the west side. (See Location Map and Orthophoto in ATT-1 and ATT-2).

Surrounding land uses include:

- To the north, a three storey apartment building
- To the east across Wyndham Street are single detached dwellings and a small commercial parking lot;
- To the south of the site is a medical/office building (75 Wyndham Street S);
- To the west, the Speed River abuts the subject site.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject property is "Mixed Use 1" (See ATT-3) within the Downtown Secondary Plan. The Mixed Use 1 designation is intended to accommodate a range of uses in compact development forms. Development within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. The Downtown Secondary Plan policies in effect establish a minimum building height of 4 storeys and a maximum building height of 10 storeys for the subject site. The site is also subject to the Special Policy Area overlay which identifies land within the floodplain that is developable subject to specific criteria. Further details of this designation are included in ATT-3.

Official Plan Amendment #48 Land Use Designations and Policies

Official Plan Amendment 48 is a comprehensive five-year update to the City's Official Plan that is currently under appeal to the Ontario Municipal Board (OMB). OPA 48 has been structured to reflect the Downtown Secondary Plan (OPA 43) by including corresponding terminology, land use schedules, and policies.

Existing Zoning

The subject property is currently zoned "CR-7" (Specialized Commercial-Residential) Zone in the City of Guelph's Zoning By-Law (1995)-14865. Details of the existing zoning are included in ATT-4.

Description of the Proposed Official Plan Amendment

The applicant is requesting to amend the Official Plan designation by increasing the allowable building height from the 10 storeys to 14 storeys.

Description of Proposed Zoning By-law Amendment

The applicant is requesting to rezone the subject lands from the "CR-7" (Specialized Commercial-Residential) Zone to a CBD.1-?? (Specialized Central Business District)

Zone with site specific regulations to permit the development of a residential building with 14 storeys containing a total of 140 apartment units (see ATT-5). The following specialized zoning regulations are being requested through the proposed Zoning By-law amendment application:

- Increase in height to 14 storeys where 6 storeys is permitted;
- Change in angular plane to the street to 68 degrees where 45 degrees is required; Change in angular plane to the Speed River to 60 degrees where 40 degrees is required;
- Reductions of the side yard setback to 0.7m where one-half the building height or not less than 3 metres is required;
- Reduction of the front yard setback to 0.3 metres, where the average setback of adjacent properties is required;

Staff note that new Downtown zoning regulations are being recommended for approval and intended to bring the Downtown zoning regulations into conformity with the policies of the Downtown Secondary Plan. These new regulations will also be considered by staff during the review of this application and the recommendation report will recommend the appropriate zoning category and regulations.

Proposed Development

The proposed development consists of one (1) residential building with 14 storeys, containing approximately 140 residential units. The development is providing one (1) level of below grading parking and three (3) levels of above grade parking. Vehicular access to the site is from Wyndham Street directly into the proposed parking garage.

The applicant's conceptual development plan and proposed building elevations are shown in ATT-6.

Supporting Documents

The following information was submitted in support of the application:

- Planning Justification Report, prepared by Stantec Consulting Ltd., dated May 5, 2017
- Urban Design Brief, prepared by Stantec Consulting Ltd., dated May 12, 2017
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- Conceptual Development Plan, prepared by Stantec Consulting Ltd.
- Building Elevations Renderings prepared by Kasian.

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017);
- Consideration of the merits of the Official Plan Amendment and evaluation of the proposal's conformity with the Official Plan, and specifically the policies within the Downtown Secondary Plan;
- Review of the proposed zoning and need for specialized regulation;
- Review of the proposed site and building design;
- Review of traffic, parking and servicing; and
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application was mailed on June 14, 2017 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands and was also advertised in the Guelph Tribune on June 15, 2017. Notice of the application has also been provided by signage on the property.

Corporate Administrative Plan

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

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our People- Building a great community together

Attachments

ATT-1	Location Map and 120m Circulation
ATT-2	Orthophoto
ATT-3	Official Plan Land Use Designations and Policies
ATT-4	Existing Zoning
ATT-5	Proposed Zoning and Details
ATT-6	Conceptual Development Plan and Building Elevations

Departmental Approval

Not applicable.

Report Author

Katie Nasswetter
Senior Development Planner

**Approved By**

Todd Salter
General Manager
Planning, Urban Design and
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Approved By

Sylvia Kirkwood
Manager of Development Planning

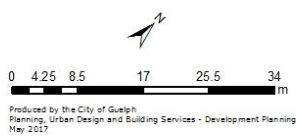
**Recommended By**

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
519.822.1260, ext. 3445
scott.stewart@guelph.ca

The map displays the subject site at 71 Wyndham Street South, highlighted in black. A dashed line indicates a 120m Circulation Limit around the site. Surrounding streets include Fountain St E, Surrey St E, Grant St, Neeve St, Wellington St E, Wellington St W, Howitt St, Margaret St, York Rd, Gordon St, Albert St, and Water St. Parks shown include Heritage Park, Royal City Park, Marianne's Park, and York Road Park. The map is oriented with North at the top.



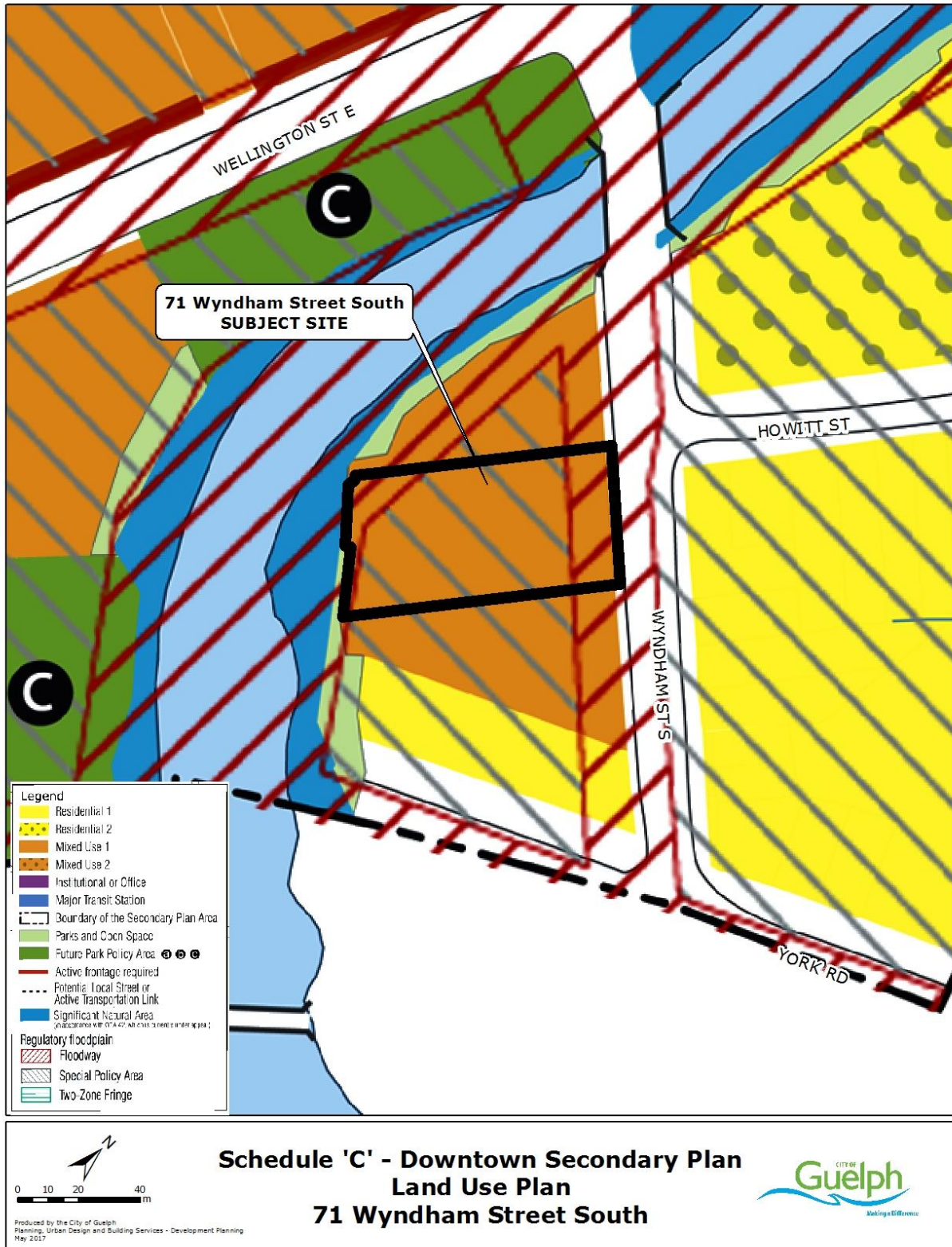
ATT-2 Orthophoto



**2016 Orthophoto
71 Wyndham Street South**



ATT-3
Official Plan Land Use Designations and Policies



11.1.7.3 Mixed Use 1 Areas

11.1.7.3.1

Mixed Use 1 areas, as identified on Schedule C, are intended to accommodate a broad range of uses in a mix of highly compact development forms. Development within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. Active uses that enliven the street are encouraged to locate on the ground floor of buildings and, as per Policy 11.1.7.3.4, shall be required on key streets.

11.1.7.3.2

The following uses may be permitted:

- a) retail and service uses, including restaurants and personal service uses;
- b) multiple unit residential buildings, including apartments and townhouse dwellings;
- c) live/work uses;
- d) offices including medically related uses;
- e) entertainment and commercial recreation uses;
- f) community services and facilities;
- g) cultural, educational and institutional uses;
- h) public parking;
- i) hotels;
- j) parks, including urban squares; and,
- k) other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are compatible with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration.

11.1.7.3.3

The minimum floor space index (FSI) in Mixed Use 1 areas shall generally be 1.5, except on properties fronting Elizabeth Street, where the minimum FSI shall generally be 1.0.

11.1.7.3.4

On key streets, active frontages will be achieved to reinforce the role of these streets or portions of streets as commercial, pedestrian-oriented, urban streetscapes. The following shall apply to development on properties where active frontage is required, as identified in Schedule C:

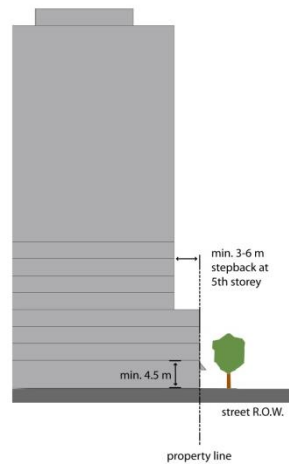
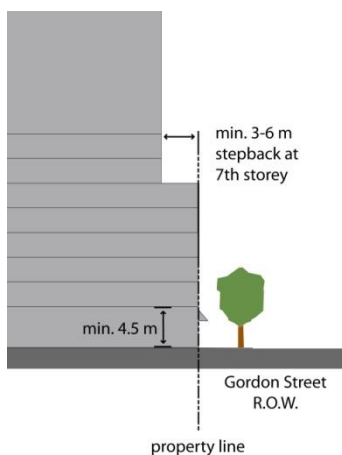
- a) Retail and service uses, including restaurants and personal service uses, or entertainment uses shall generally be required on the ground floors of all buildings at the street edge.
- b) Notwithstanding subsection 11.1.7.3.4 a), offices are also permitted on the ground floors of these properties; however, such uses shall be encouraged to locate in other locations Downtown to ensure Downtown's main streets maintain a strong retail character. The Zoning By-law may restrict the size of such new uses and/or their width along the street to ensure they do not detract significantly from the intended commercial function of the street.
- c) Buildings shall contribute to a continuous street wall that has a minimum height of 3 storeys, with infrequent and minimal gaps between buildings.
- d) The width of retail stores and the frequency of entrances shall contribute to a continuously active public realm and give the street wall a visual rhythm. The width of stores and restaurants may be limited through the Zoning By-law to ensure a rhythm of commercial entrances and avoid long distances between commercial entrances.
- e) Ground floor heights will generally be a minimum of approximately 4.5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors. Generally, a large proportion of the street-facing ground floor wall of a new mixed-use building shall be glazed.

11.1.7.3.5

Generally buildings in Mixed Use 1 areas shall be built close to the front property line to help frame and animate adjacent streets. The Zoning By-law shall establish maximum setbacks on streets where active frontages are required. On all other streets minimum and maximum setbacks shall be established. The Zoning By-law may include limited exceptions to the build-to lines and maximum setbacks while ensuring that a consistent streetwall is extended, maintained or established.

11.1.7.3.6

To respect the historic character of Downtown and ensure a human-scale pedestrian realm, buildings taller than 4 storeys in Mixed Use 1 areas shall generally have a substantial stepback above the fourth storey generally in the range of 3-6 metres minimum from the front of the building fronting a public street or park, except on Gordon Street and Wellington Street, where a stepback of generally 3-6 metres minimum is required above the sixth storey.



11.1.7.3.7

All buildings shall reflect their urban context and should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.

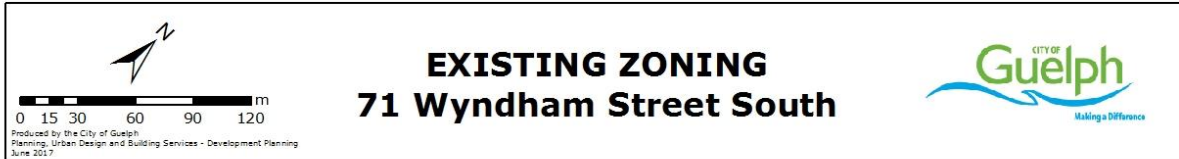
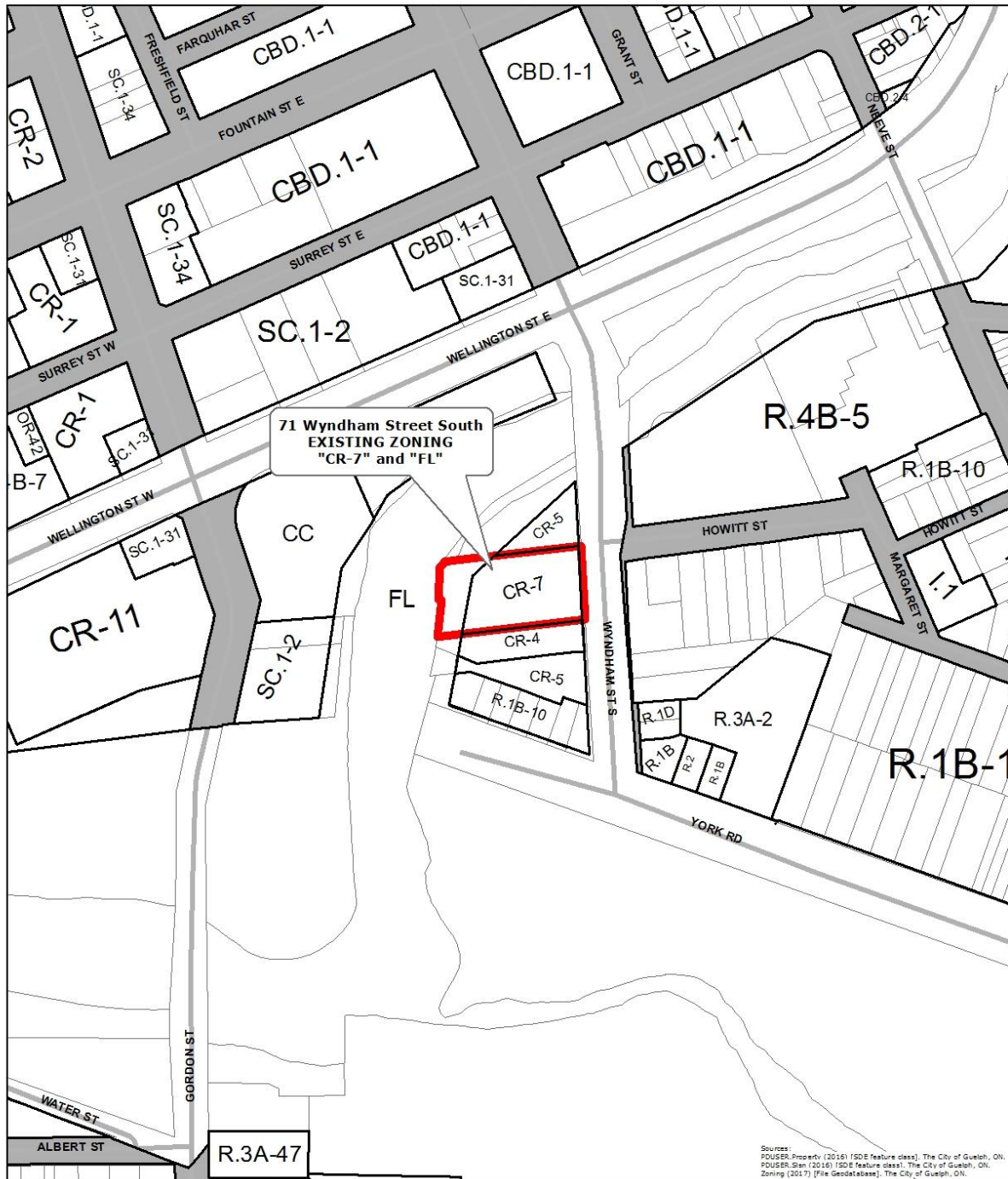
11.1.7.3.8

Generally, entrances to non-residential uses shall be flush with the sidewalk, for ease of access and to maintain a strong relationship to the street.

11.1.7.3.9

As identified on Schedule C, there are areas containing multiple properties west of the Speed River that represent significant opportunities for coordinated and integrated redevelopment: the Baker Street Property and the Wellington Street /Neeve Street Area. Each of these sites shall be developed based on comprehensive master plans for the site. Therefore, in addition to any other submissions required as part of a complete planning application for either of these two sites or any portion thereof, a detailed Urban Design Master Plan shall be prepared for the site by the applicant to the satisfaction of the City and in consultation with the community. The Urban Design Master Plan will be prepared in accordance with the policies of 11.1.8.5

ATT-4 Existing Zoning



ATT-4 (continued)

Existing Zoning and Details

The following are the regulations and the special regulations for the Commercial-Residential CR-7 Zone:

6.6 COMMERCIAL-RESIDENTIAL (CR) ZONE

6.6.1 PERMITTED USES

The following Uses are permitted in the CR Zone:

- Artisan Studio
- Club
- Convenience Store
- Day Care Centre in accordance with Section 4.26
- Dry Cleaning Outlet
- Financial Establishment
- Florist
- Group Home in accordance with Section 4.25
- Laundry
- Library
- Medical Clinic
- Medical Office
- Office
- Personal Service Establishment
- Religious Establishment
- Restaurant (take-out)
- Veterinary Service
- Video Rental Outlet
- Dwelling Units with permitted commercial Uses in the same Building in accordance with Section 4.15.2.
- Accessory Uses in accordance with Section 4.23
- Occasional Uses in accordance with Section 4.21

6.6.2 REGULATIONS

Within the Commercial-Residential CR Zone, no land shall be Used and no Building or Structure shall be erected or Used except in conformity with the applicable regulations contained in Section 4 - General Provisions and the regulations listed in Table 6.6.2.

TABLE 6.6.2 - REGULATIONS GOVERNING THE CR ZONE

Row 1	Commercial Type	Commercial-Residential
2	Minimum Lot Area	550 m ²
3	Minimum Lot Frontage	18 metres
4	Minimum Front or Exterior Side Yard	The minimum Front and Exterior Side Yards shall be the average of the Front and Exterior Side Yards of the adjoining properties.
5	Minimum Side Yard	One half the Building Height , but not less than 3 metres.
6	Minimum Rear Yard	20% of the Lot Depth to a maximum of 7.5 metres.
7	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
8	Maximum Gross Floor Area (G.F.A.)	400 m ²
9	Accessory Buildings or Structures	In accordance with Section 4.5.
10	Fences	In accordance with Section 4.20.
11	Planting Area	None required.
12	Off-Street Parking	In accordance with Section 4.13.
13	Enclosed Operations	In accordance with Section 4.22.
14	Off-Street Loading	In accordance with Section 4.14.
15	Outdoor Storage	No outdoor storage or display of goods and materials shall be permitted in the CR Zone .
16	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
17	Buffer Strips	Where a CR Zone abuts any Residential, Institutional, Park, Wetland, or Urban Reserve Zone , a Buffer Strip shall be developed.

CR-7

71 Wyndham St. S.

As shown on Defined Area Map Number 38 of Schedule "A" of this By-law.

Permitted Uses

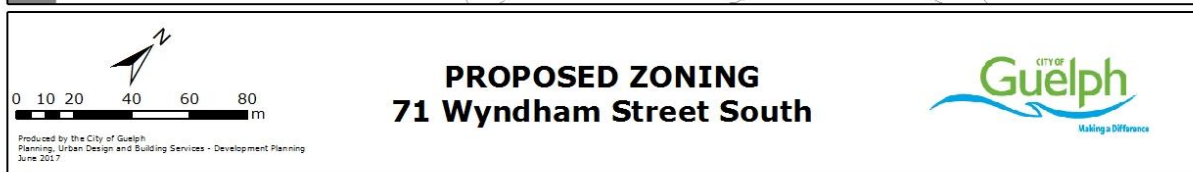
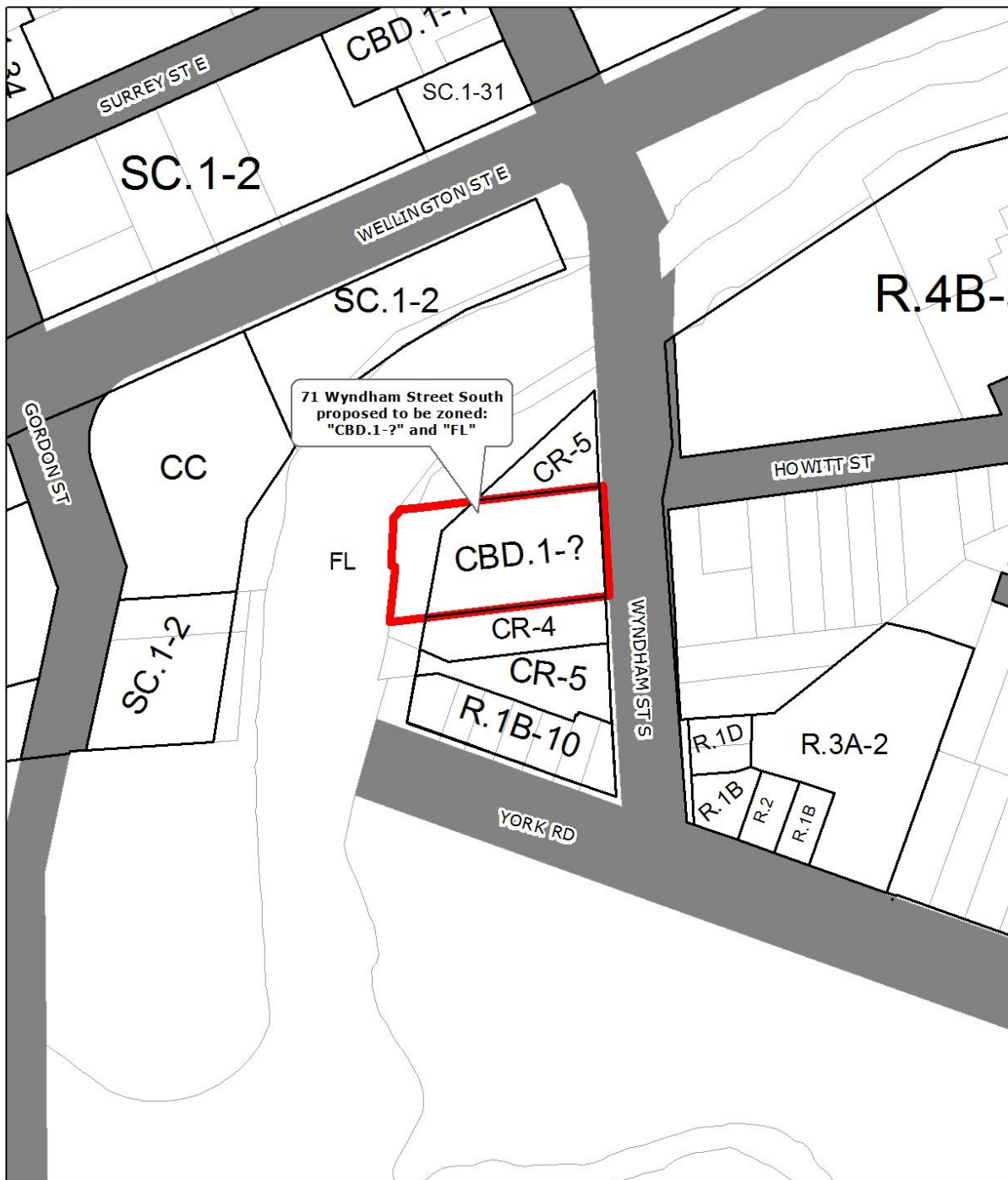
- Artisan Studio
- Dwelling Units with permitted commercial Uses in the same
- Building in accordance with Section 4.15.2
- Medical Office

- Office
- Rental Outlet
- Tradesperson's Shop

6.6.3.7.2 Regulations

In accordance with the regulations of the CR Zone as specified in Section 4 (General Provisions) and Section 6.6.2 (Commercial Residential) Zone of Zoning By-law (1995)-14864, as amended.

ATT-5
Proposed Zoning and Details



ATT-5 (continued)
Proposed Zoning and Details

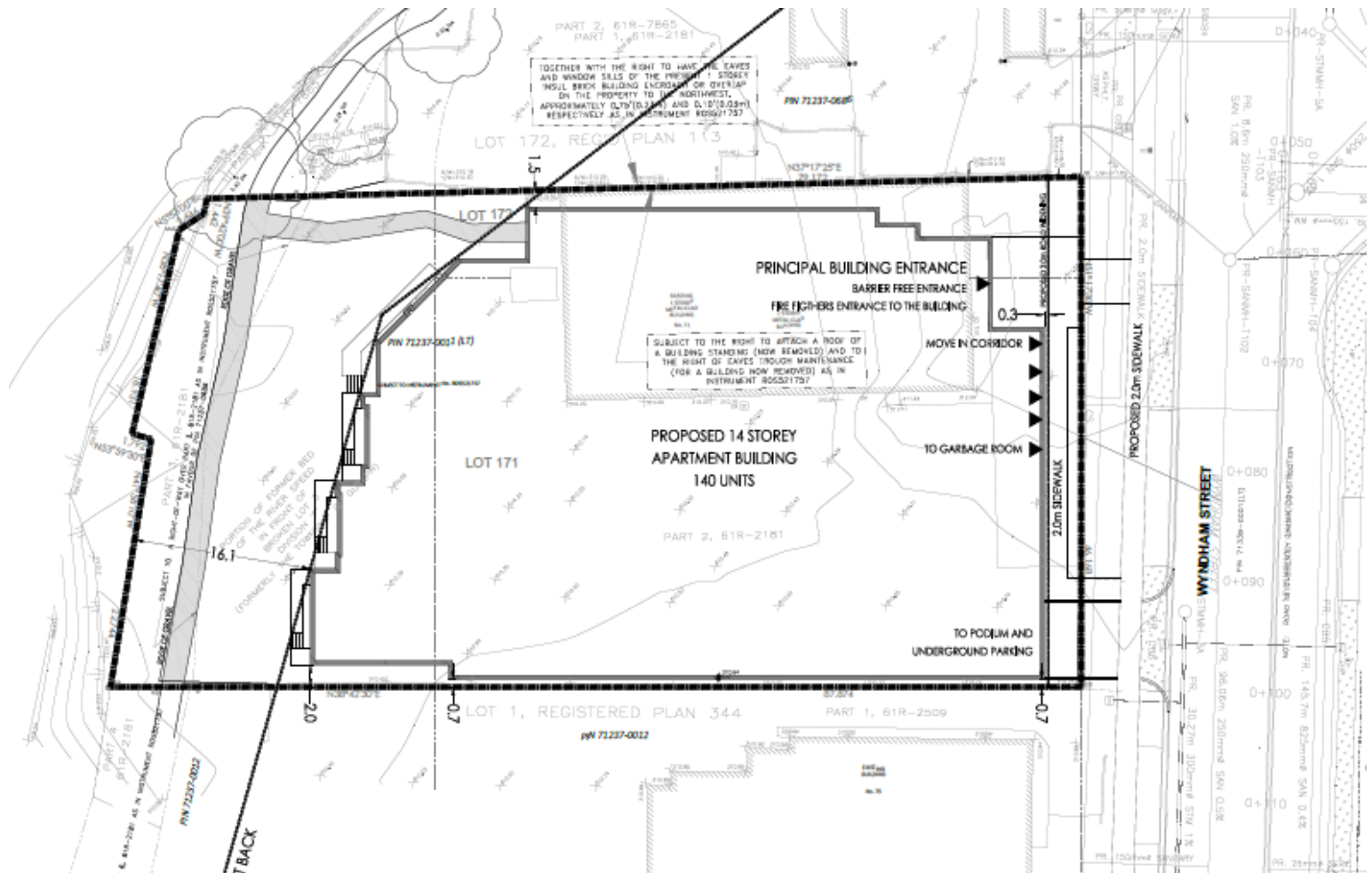
Specialized CBD.1-? (Central Business District)

Regulations

In accordance with Schedule 4 (General Provisions) and Section 6.3, 6.3.1 and Table 6.3.2 of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

- Increase in height to 14 storeys where 6 storeys is permitted;
- Change in angular plane to the street to 68 degrees where 45 degrees is required; Change in angular plane to the Speed River to 60 degrees where 40 degrees is required;
- Reductions of the side yard setback to 0.7m where one-half the building height or not less than 3 metres is required;
- Reduction of the front yard setback to 0.3 metres, where the average setback of adjacent properties is required;

Conceptual Development Plan



ATT-6 (continued)

Building Elevations



Dear Council Members,

June 27, 2017

Thank you for the notification of the council meeting of July 10th. We are unable to attend this meeting; however, we do have concerns that we wanted heard about the 71 Wyndham St. proposal.

1. We are under the impression that the documented zoning for this lot is for a 10-storey building. However, in the paper work sent to us it states "increase in height to 14 storeys where 6 storeys is permitted". To say the least...we like the 6 story zoning!
Whatever the zoning is...we feel strongly that we should not be surrounding the downtown area with very large condo buildings. We have been told that part of the long-term plan is to try and give the downtown area more responsible and upstanding people, however, we feel this certainly can be achieved with nice town houses and low-rise buildings.
The Tricar building on Macdonell already has blocked off the view of the Basilica.... the gem of Guelph...from the people entering Guelph via Macdonell St. This is something that needs to be kept in mind when approving new buildings in Guelph, as this was one of the original plans for the downtown area.
2. The rest of the points that the builder is proposing are also questionable. Why do they need to reduce the setback bylaws? The building should have been planned with the existing setback guidelines, in order to maintain the required distance between the street, river and existing properties. There is a nice existing path to walk along the river behind the proposed building. It no longer connects with York Rd. and the path over the covered bridge, however, it is still a nice walk, which we feel will be taken away from the neighborhood.
3. We want to be sure the parking they are proposing, is enough for the units they are proposing and visitors.
4. We also are concerned with the probable increased traffic flow, since S. Wyndham is Highway #7 and a direct route for trucks through Guelph. The traffic flow will definitely be affected with the residents needing to enter and exit the proposed building.

Thank you for hearing our concerns, hopefully you will keep the neighborhood in mind when working with this builder.

Nadine & Gary Britton

Staff Report

To City Council

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Statutory Public Meeting Report
71 Wyndham Street South
Proposed Official Plan and Zoning By-law
Amendment
File: OP1703 & ZC1705
Ward 1**

Report Number IDE 17-85

Recommendation

That Report IDE 17-85 regarding a proposed Official Plan Amendment and Zoning By-law Amendment application (OP1703 & ZC1705) from Stantec Consulting Ltd. on behalf of The Tricar Group to permit a residential development on the property municipally known as 71 Wyndham Street South and legally described as Part of Lots 171 and 172 Registered Plan 113 and portion of former bed of the River Speed lying in front of Broken Lot 3, Division F, City of Guelph, County of Wellington.

Executive Summary

Purpose of Report

To provide planning information on an application requesting approval of Official Plan and Zoning By-law amendments to permit a 14 storey residential building with approximately 140 residential units. This report has been prepared in conjunction with the statutory public meeting for this application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

Applications for an Official Plan amendment and a Zoning By-law amendment have

been received for the property municipally known as 71 Wyndham Street South. The applicant has proposed an apartment building with 14 storeys containing approximately 140 residential units in total. The applications were received May 18, 2017 and deemed to be complete on June 9, 2017.

Location

The subject property is approximately 0.382 hectares in size and lands are located on the west side of Wyndham Street South; between Wellington Street and York Road, and abuts the Speed River on the west side. (See Location Map and Orthophoto in ATT-1 and ATT-2).

Surrounding land uses include:

- To the north, a three storey apartment building
- To the east across Wyndham Street are single detached dwellings and a small commercial parking lot;
- To the south of the site is a medical/office building (75 Wyndham Street S);
- To the west, the Speed River abuts the subject site.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject property is "Mixed Use 1" (See ATT-3) within the Downtown Secondary Plan. The Mixed Use 1 designation is intended to accommodate a range of uses in compact development forms. Development within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. The Downtown Secondary Plan policies in effect establish a minimum building height of 4 storeys and a maximum building height of 10 storeys for the subject site. The site is also subject to the Special Policy Area overlay which identifies land within the floodplain that is developable subject to specific criteria. Further details of this designation are included in ATT-3.

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The applicant is requesting to amend the Official Plan designation by increasing the allowable building height from the 10 storeys to 14 storeys.

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Zone with site specific regulations to permit the development of a residential building with 14 storeys containing a total of 140 apartment units (see ATT-5). The following specialized zoning regulations are being requested through the proposed Zoning By-law amendment application:

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Staff note that new Downtown zoning regulations are being recommended for approval and intended to bring the Downtown zoning regulations into conformity with the policies of the Downtown Secondary Plan. These new regulations will also be considered by staff during the review of this application and the recommendation report will recommend the appropriate zoning category and regulations.

Proposed Development

The proposed development consists of one (1) residential building with 14 storeys, containing approximately 140 residential units. The development is providing one (1) level of below grading parking and three (3) levels of above grade parking. Vehicular access to the site is from Wyndham Street directly into the proposed parking garage.

The applicant's conceptual development plan and proposed building elevations are shown in ATT-6.

Supporting Documents

The following information was submitted in support of the application:

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Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017);
- Consideration of the merits of the Official Plan Amendment and evaluation of the proposal's conformity with the Official Plan, and specifically the policies within the Downtown Secondary Plan;
- Review of the proposed zoning and need for specialized regulation;
- Review of the proposed site and building design;
- Review of traffic, parking and servicing; and
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application was mailed on June 14, 2017 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands and was also advertised in the Guelph Tribune on June 15, 2017. Notice of the application has also been provided by signage on the property.

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ATT-2	Orthophoto
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ATT-4	Existing Zoning
ATT-5	Proposed Zoning and Details
ATT-6	Conceptual Development Plan and Building Elevations

Departmental Approval

Not applicable.

Report Author

Katie Nasswetter
Senior Development Planner

**Approved By**

Todd Salter
General Manager
Planning, Urban Design and
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todd.salter@guelph.ca

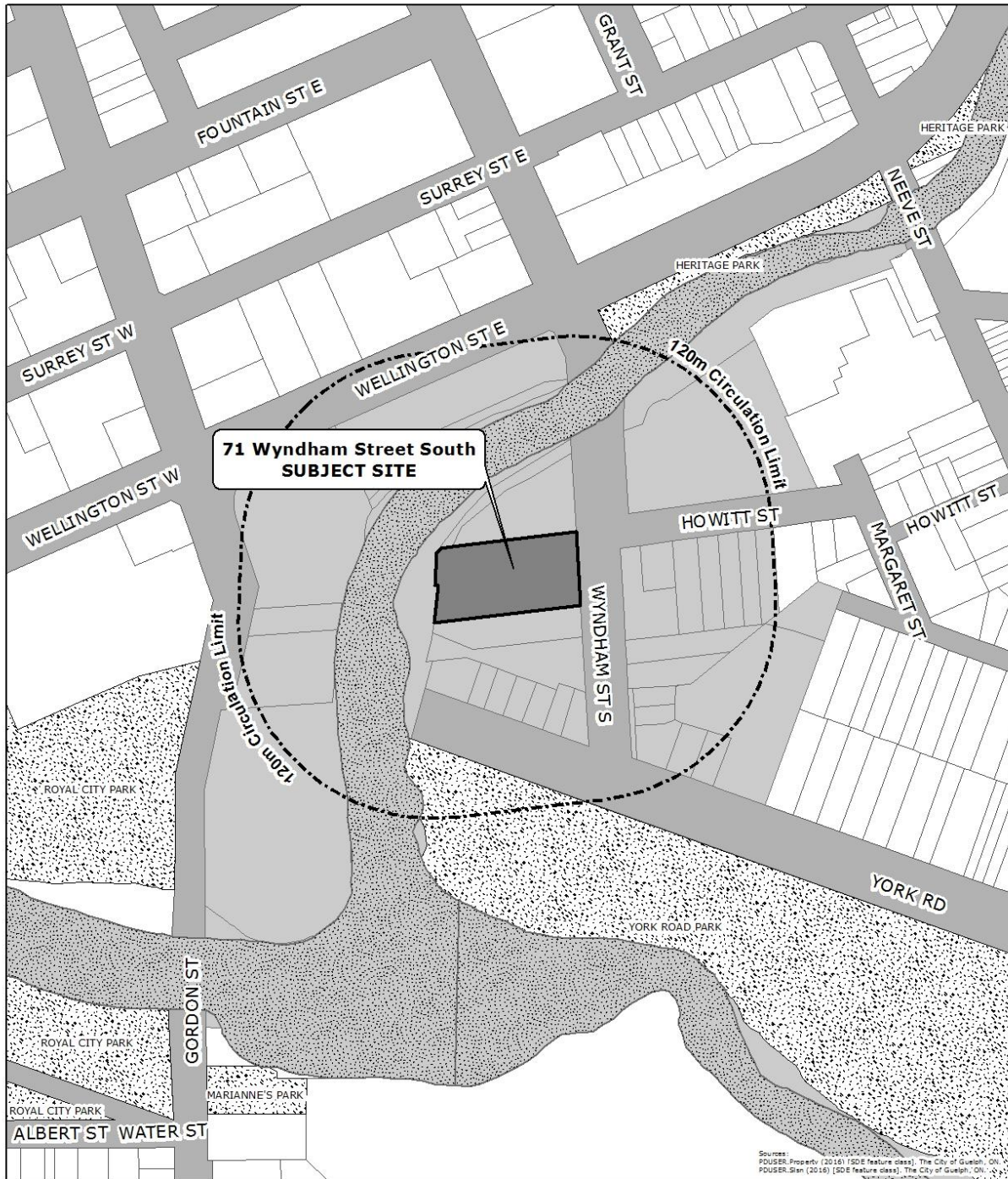
Approved By

Sylvia Kirkwood
Manager of Development Planning

**Recommended By**

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
519.822.1260, ext. 3445
scott.stewart@guelph.ca

ATT-1 **Location Map and 120m Circulation**

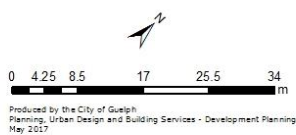


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LOCATION MAP & 120m CIRCULATION
71 Wyndham Street South

Produced by the City of Guelph
 Planning, Urban Design and Building Services - Development Planning
 May 2017

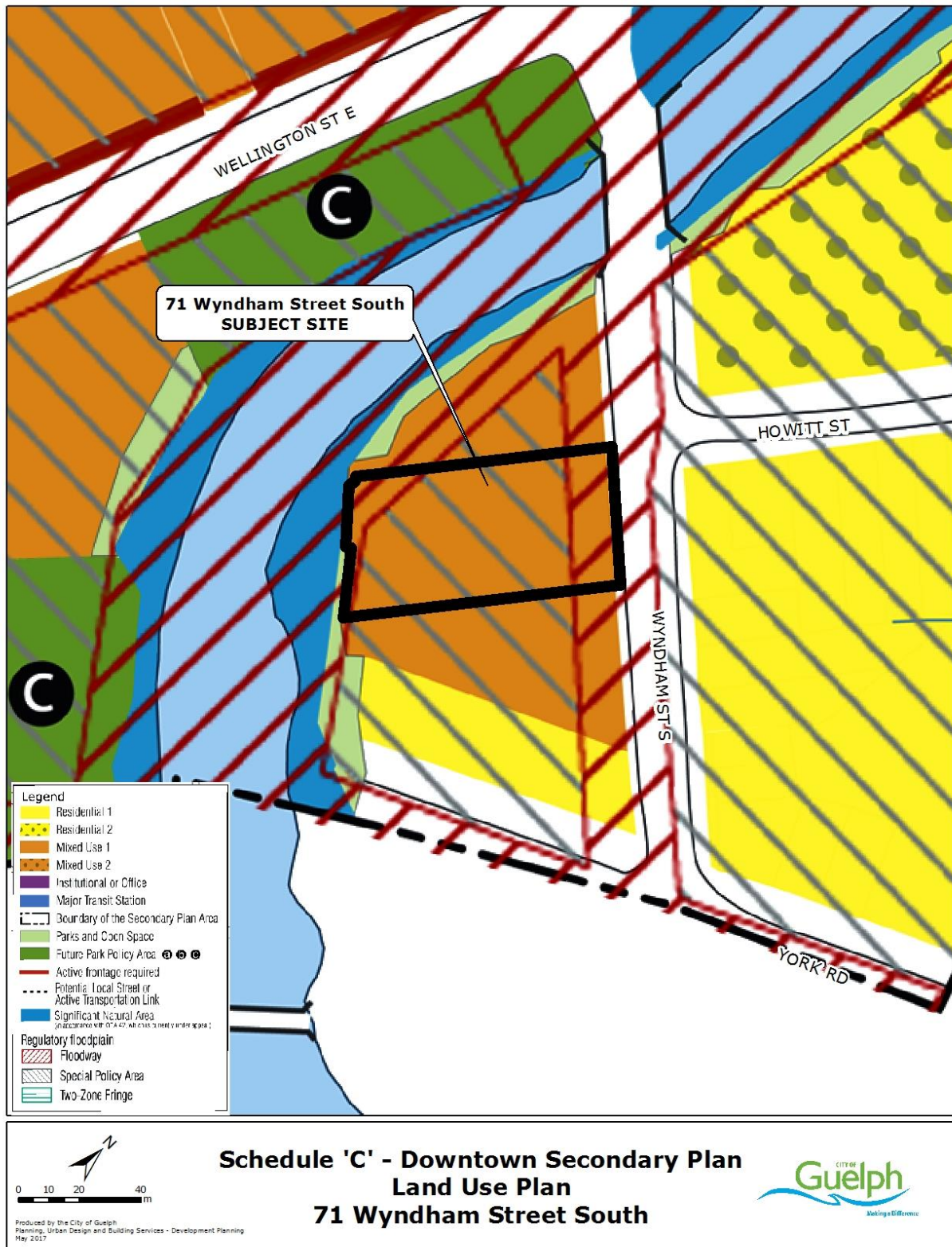
ATT-2 Orthophoto



**2016 Orthophoto
71 Wyndham Street South**



ATT-3
Official Plan Land Use Designations and Policies



11.1.7.3 Mixed Use 1 Areas

11.1.7.3.1

Mixed Use 1 areas, as identified on Schedule C, are intended to accommodate a broad range of uses in a mix of highly compact development forms. Development within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. Active uses that enliven the street are encouraged to locate on the ground floor of buildings and, as per Policy 11.1.7.3.4, shall be required on key streets.

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The following uses may be permitted:

- a) retail and service uses, including restaurants and personal service uses;
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- h) public parking;
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- k) other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are compatible with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration.

11.1.7.3.3

The minimum floor space index (FSI) in Mixed Use 1 areas shall generally be 1.5, except on properties fronting Elizabeth Street, where the minimum FSI shall generally be 1.0.

11.1.7.3.4

On key streets, active frontages will be achieved to reinforce the role of these streets or portions of streets as commercial, pedestrian-oriented, urban streetscapes. The following shall apply to development on properties where active frontage is required, as identified in Schedule C:

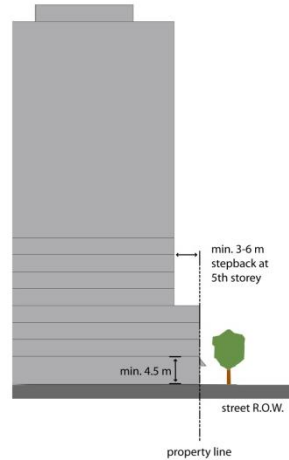
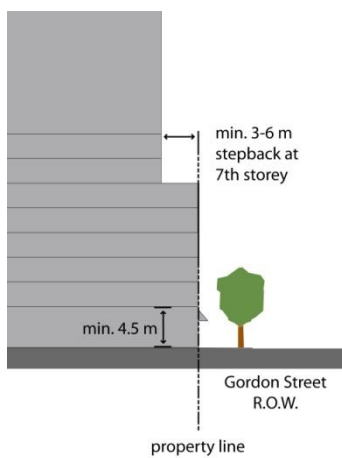
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- b) Notwithstanding subsection 11.1.7.3.4 a), offices are also permitted on the ground floors of these properties; however, such uses shall be encouraged to locate in other locations Downtown to ensure Downtown's main streets maintain a strong retail character. The Zoning By-law may restrict the size of such new uses and/or their width along the street to ensure they do not detract significantly from the intended commercial function of the street.
- c) Buildings shall contribute to a continuous street wall that has a minimum height of 3 storeys, with infrequent and minimal gaps between buildings.
- d) The width of retail stores and the frequency of entrances shall contribute to a continuously active public realm and give the street wall a visual rhythm. The width of stores and restaurants may be limited through the Zoning By-law to ensure a rhythm of commercial entrances and avoid long distances between commercial entrances.
- e) Ground floor heights will generally be a minimum of approximately 4.5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors. Generally, a large proportion of the street-facing ground floor wall of a new mixed-use building shall be glazed.

11.1.7.3.5

Generally buildings in Mixed Use 1 areas shall be built close to the front property line to help frame and animate adjacent streets. The Zoning By-law shall establish maximum setbacks on streets where active frontages are required. On all other streets minimum and maximum setbacks shall be established. The Zoning By-law may include limited exceptions to the build-to lines and maximum setbacks while ensuring that a consistent streetwall is extended, maintained or established.

11.1.7.3.6

To respect the historic character of Downtown and ensure a human-scale pedestrian realm, buildings taller than 4 storeys in Mixed Use 1 areas shall generally have a substantial stepback above the fourth storey generally in the range of 3-6 metres minimum from the front of the building fronting a public street or park, except on Gordon Street and Wellington Street, where a stepback of generally 3-6 metres minimum is required above the sixth storey.



11.1.7.3.7

All buildings shall reflect their urban context and should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.

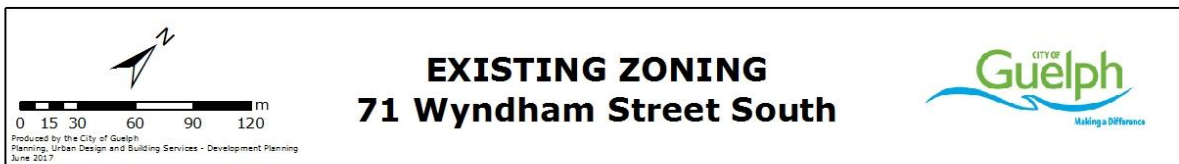
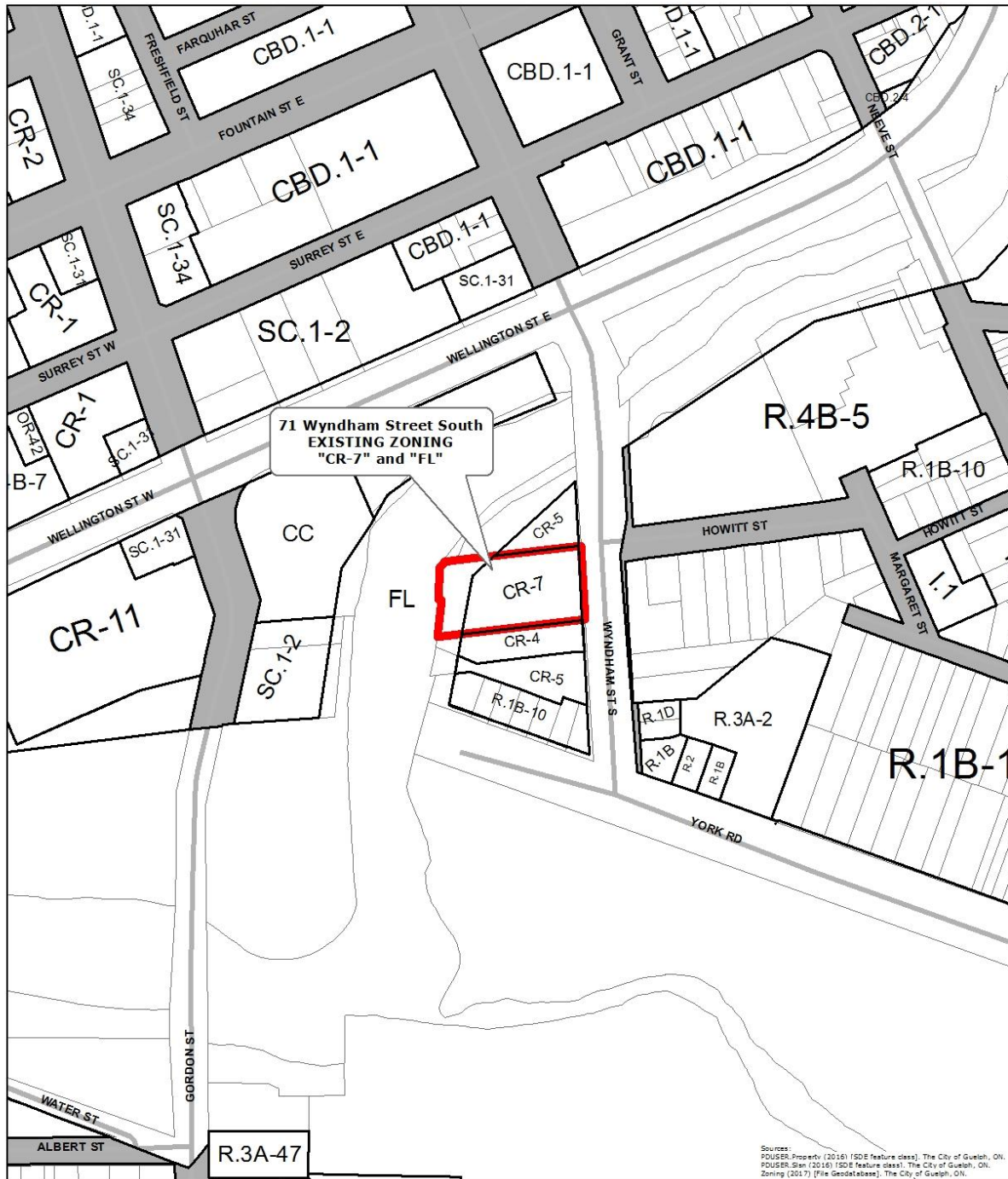
11.1.7.3.8

Generally, entrances to non-residential uses shall be flush with the sidewalk, for ease of access and to maintain a strong relationship to the street.

11.1.7.3.9

As identified on Schedule C, there are areas containing multiple properties west of the Speed River that represent significant opportunities for coordinated and integrated redevelopment: the Baker Street Property and the Wellington Street /Neeve Street Area. Each of these sites shall be developed based on comprehensive master plans for the site. Therefore, in addition to any other submissions required as part of a complete planning application for either of these two sites or any portion thereof, a detailed Urban Design Master Plan shall be prepared for the site by the applicant to the satisfaction of the City and in consultation with the community. The Urban Design Master Plan will be prepared in accordance with the policies of 11.1.8.5

ATT-4 Existing Zoning



ATT-4 (continued)

Existing Zoning and Details

The following are the regulations and the special regulations for the Commercial-Residential CR-7 Zone:

6.6 COMMERCIAL-RESIDENTIAL (CR) ZONE

6.6.1 PERMITTED USES

The following Uses are permitted in the CR Zone:

- Artisan Studio
- Club
- Convenience Store
- Day Care Centre in accordance with Section 4.26
- Dry Cleaning Outlet
- Financial Establishment
- Florist
- Group Home in accordance with Section 4.25
- Laundry
- Library
- Medical Clinic
- Medical Office
- Office
- Personal Service Establishment
- Religious Establishment
- Restaurant (take-out)
- Veterinary Service
- Video Rental Outlet
- Dwelling Units with permitted commercial Uses in the same Building in accordance with Section 4.15.2.
- Accessory Uses in accordance with Section 4.23
- Occasional Uses in accordance with Section 4.21

6.6.2 REGULATIONS

Within the Commercial-Residential CR Zone, no land shall be Used and no Building or Structure shall be erected or Used except in conformity with the applicable regulations contained in Section 4 - General Provisions and the regulations listed in Table 6.6.2.

TABLE 6.6.2 - REGULATIONS GOVERNING THE CR ZONE

Row 1	Commercial Type	Commercial-Residential
2	Minimum Lot Area	550 m ²
3	Minimum Lot Frontage	18 metres
4	Minimum Front or Exterior Side Yard	The minimum Front and Exterior Side Yards shall be the average of the Front and Exterior Side Yards of the adjoining properties.
5	Minimum Side Yard	One half the Building Height , but not less than 3 metres.
6	Minimum Rear Yard	20% of the Lot Depth to a maximum of 7.5 metres.
7	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
8	Maximum Gross Floor Area (G.F.A.)	400 m ²
9	Accessory Buildings or Structures	In accordance with Section 4.5.
10	Fences	In accordance with Section 4.20.
11	Planting Area	None required.
12	Off-Street Parking	In accordance with Section 4.13.
13	Enclosed Operations	In accordance with Section 4.22.
14	Off-Street Loading	In accordance with Section 4.14.
15	Outdoor Storage	No outdoor storage or display of goods and materials shall be permitted in the CR Zone .
16	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
17	Buffer Strips	Where a CR Zone abuts any Residential, Institutional, Park, Wetland, or Urban Reserve Zone , a Buffer Strip shall be developed.

CR-7

71 Wyndham St. S.

As shown on Defined Area Map Number 38 of Schedule "A" of this By-law.

Permitted Uses

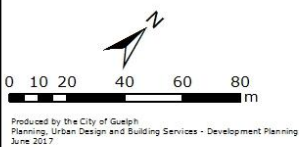
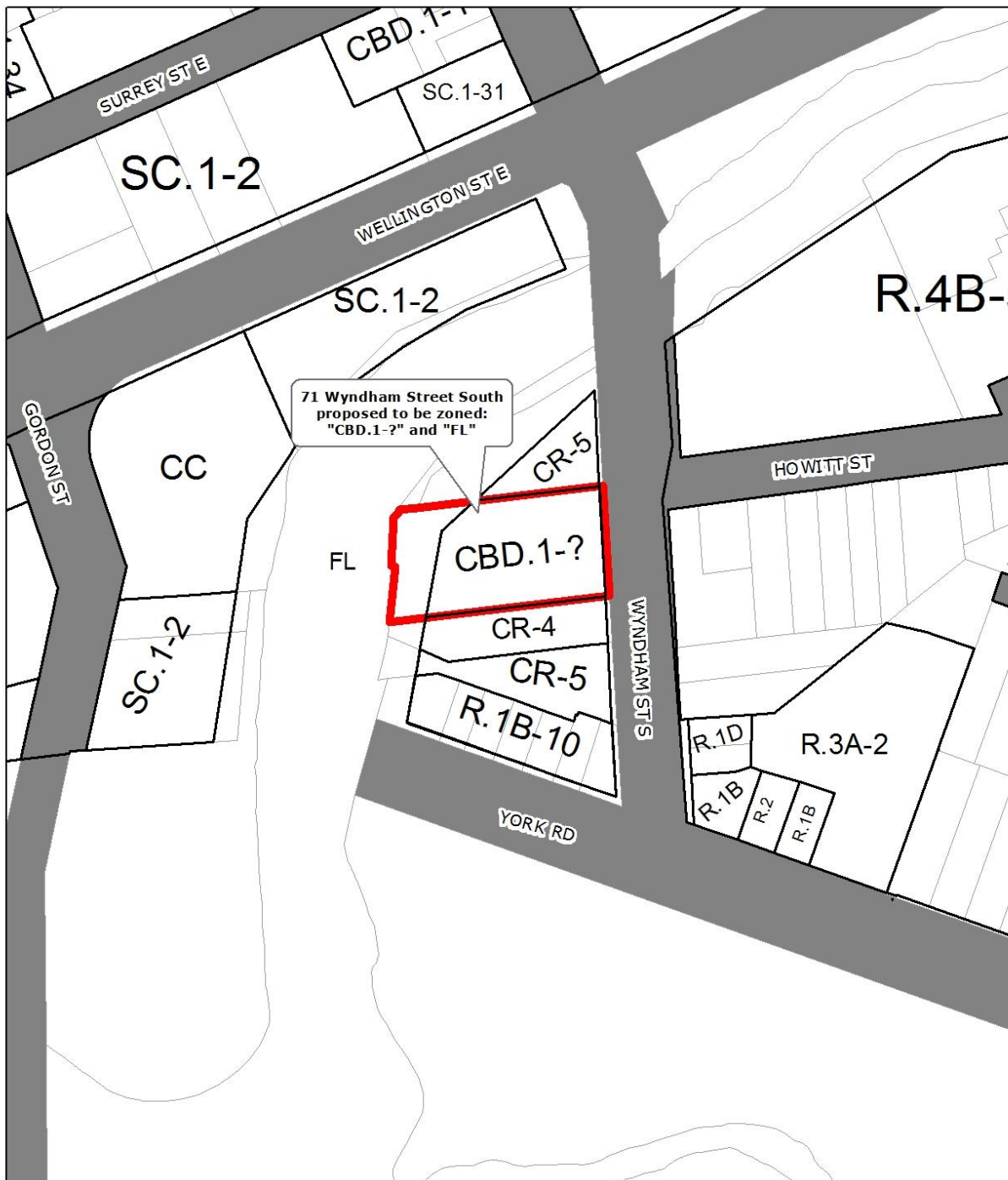
- Artisan Studio
- Dwelling Units with permitted commercial Uses in the same
- Building in accordance with Section 4.15.2
- Medical Office

- Office
- Rental Outlet
- Tradesperson's Shop

6.6.3.7.2 Regulations

In accordance with the regulations of the CR Zone as specified in Section 4 (General Provisions) and Section 6.6.2 (Commercial Residential) Zone of Zoning By-law (1995)-14864, as amended.

ATT-5
Proposed Zoning and Details



PROPOSED ZONING
71 Wyndham Street South



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Planning, Urban Design and Building Services - Development Planning
June 2017

ATT-5 (continued)
Proposed Zoning and Details

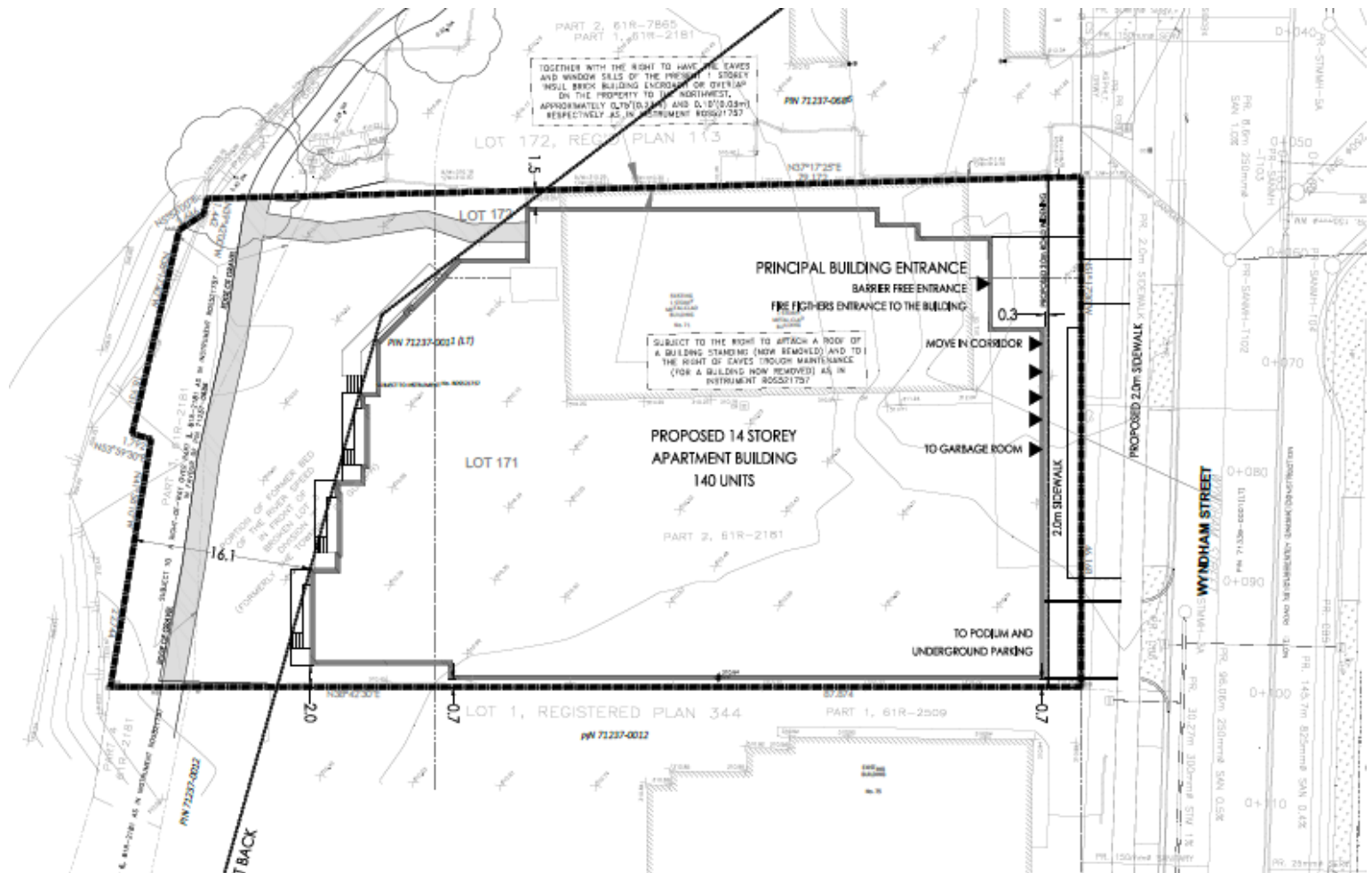
Specialized CBD.1-? (Central Business District)

Regulations

In accordance with Schedule 4 (General Provisions) and Section 6.3, 6.3.1 and Table 6.3.2 of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

- Increase in height to 14 storeys where 6 storeys is permitted;
- Change in angular plane to the street to 68 degrees where 45 degrees is required; Change in angular plane to the Speed River to 60 degrees where 40 degrees is required;
- Reductions of the side yard setback to 0.7m where one-half the building height or not less than 3 metres is required;
- Reduction of the front yard setback to 0.3 metres, where the average setback of adjacent properties is required;

Conceptual Development Plan



ATT-6 (continued)

Building Elevations



Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, July 10, 2017
Subject	Statutory Public Meeting Report (2nd Public Meeting for Revised Application) 19-59 Lowes Road West Proposed Zoning By-law Amendment and Vacant Land Condominium Files: ZC1705 and 23CDM-17504 Ward 6
Report Number	IDE 17-89

Recommendation

That Report IDE 17-89 regarding a proposed Zoning By-law Amendment and Vacant Land Condominium application (ZC1615 and 23CDM-17504) from Reid's Heritage Homes on behalf of Parry Schnick and Catriona Forbes to permit a 36 unit single detached residential development subdivision on the properties municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West, and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph from Infrastructure, Development and Enterprise dated July 10, 2017, be received.

Executive Summary

Purpose of Report

To provide planning information on applications requesting approval of a Zoning By-law Amendment and draft plan approval of a Vacant Land Condominium subdivision to permit a 36 unit single detached dwelling development. This report has been prepared in conjunction with the statutory public meeting for this application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

An application to amend the Zoning By-law was initially received for the properties municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West from Reid's Heritage Homes on behalf of Parry Schnick and Catriona Forbes on September 1, 2016. This application was deemed to be complete on September 20, 2016. The intent of this application was to change the zoning from the current "R.1B" (Residential Single Detached) Zone to an "R.3A-?" (Specialized Residential Cluster Townhouse) Zone to permit a sixty (60) unit cluster townhouse development.

A statutory public meeting to discuss this Zoning By-law Amendment was held before Council on November 14, 2016. At this public meeting, several members of the public addressed Council, raising concerns primarily related to the area's high water table, drainage, tree loss and compatibility of the proposed townhouses to adjacent single detached residential dwellings. Since the public meeting, the applicant has revised their proposal from sixty (60) cluster townhouses to thirty-six (36) single detached dwellings within a vacant land condominium subdivision.

On May 31, 2017, the applicant formally submitted a revised Zoning By-law Amendment application to the City to change the zoning from the current "R.1B" (Residential Single Detached) Zone to a "R.1D-?" (Specialized Residential Single Detached) Zone to permit thirty-six (36) single detached dwellings, with twenty-nine (29) units fronting onto a private condominium road. The revised submission of the Zoning By-law Amendment application included amended and updated background technical reports to reflect the requested changes. An associated thirty-six unit vacant land condominium application was also submitted on May 31, 2017 (File '23CDM-17504'). Each of the thirty-six (36) proposed single detached dwellings will be built in a land unit (similar to a lot) within the vacant land condominium.

The six (6) existing single detached dwellings and associated accessory structures on the subject land are all proposed to be demolished to accommodate the proposed development.

Location

The subject lands are located on the north side of Lowes Road West, between Gordon Street to the east and Dawn Avenue to the west (see Location Map and Orthophoto in ATT-1 and ATT-2). The six (6) subject properties collectively have an area of 1.65 hectares (4.08 acres) and a combined frontage (width) of 178.66 metres (586.15 feet) along Lowes Road West.

Surrounding land uses include:

- To the north: lands zoned for residential uses; in particular single detached dwellings on Revell Drive and Zess Court;
- To the south: lands zoned for residential uses; in particular single detached dwellings on the south side of Lowes Road West;

- To the east: vacant lands zoned for commercial-residential uses at the northwest corner of Gordon Street and Lowes Road West;
- To the west: lands zoned for residential uses; in particular single detached dwellings on Dawn Avenue.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "General Residential". Within the "General Residential" land use designation, all forms of residential development are permitted up to a maximum density of 100 units per hectare, and include single detached, semi-detached, townhouses and multiple unit residential buildings. The general character of development within land designated as "General Residential" shall be low-rise, ground oriented housing forms. The relevant policies and further details for the "General Residential" land use designation are included in ATT-3.

The Natural Heritage System policy framework within the Official Plan does not identify any natural features on or immediately adjacent to the subject lands.

Official Plan Amendment #48 Land Use Designations and Policies

Official Plan Amendment 48 (OPA 48) (currently under appeal), a comprehensive, five-year update to the City's Official Plan, proposes to designate the subject lands as "Low Density Residential". A portion of the subject lands are also proposed to be designated "Mixed Office Commercial". This land use designation applies to residential areas within the built-up area of the City which are currently predominantly low-density in character. The predominant land use in the "Low Density Residential" designation is residential at a net density range of 15-35 units per hectare, including single and semi-detached dwellings as well as townhouses. Although the application is being processed under the 2001 Official Plan (September 2014 Consolidation), Staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations and relevant policies contained in OPA 48 are included in ATT-4.

Existing Zoning

The subject lands are currently zoned "R.1B" (Residential Single Detached), in the City of Guelph's Zoning By-Law (1995)-14864, as amended. Details of the existing zoning are included in ATT-5 and ATT-7.

Description of Proposed Zoning By-law Amendment

The applicant is requesting to rezone the subject lands from the "R.1B" (Residential Single Detached) Zone to an "R.1D-?" (Specialized Residential Single Detached) Zone to permit thirty-six (36) single detached dwellings. Details of the proposed zoning can also be found in ATT-6 and ATT-7. In addition to the standard provisions for lands zoned "R.1D", the applicant is requesting a specialized, site specific provision in the zoning to permit the dwelling units to front onto a private street within a plan of condominium in addition to a public road.

Description of the Proposed Vacant Land Condominium

The applicant is requesting to subdivide the lands into a thirty-six (36) unit vacant land condominium. Each of the proposed single detached dwellings would be located within one of the condominium units. The internal roadway, sidewalks, and private stormwater management facility are proposed to be common element areas of the condominium. The condominium includes several proposed easements in favour of the City for stormwater drainage.

As per Section (7) of Ontario Regulation (O. Reg.) 544/06 (Regulation to the *Planning Act*), for vacant land condominiums, the City as the approval authority is required to hold a Public Meeting at least 14 days before a decision is made on draft plan approval. By-law (2003)-17128 delegates Council's approval authority for all plans of condominium to the General Manager of Planning, Urban Design and Building Services.

The proposed draft plan of vacant land condominium is shown in ATT-8.

Proposed Development

The proposed development consists of thirty-six (36) single detached dwellings fronting onto a private crescent shaped road. The net density of the proposed development is 21.8 units per hectare. Each of the single detached dwellings will be built within a unit (i.e. a 'lot') within a vacant land condominium. The frontage (width) of each unit will be approximately 9 metres for internal units, and 12 metres for corner units. Seven (7) of the single detached dwellings will front directly onto Lowes Road West. The remaining dwellings will front onto the private road. The private road, sidewalks and stormwater management area will be the common elements within the condominium.

Supporting Documents

The following information was resubmitted in support of the applications:

- Draft Plan of Vacant Land Condominium, prepared by Astrid J. Clos Planning Consultants, dated May 24, 2017;
- Revised Planning Justification Report, prepared by Astrid J. Clos Planning Consultants, dated May 31, 2017;
- Revised Functional Servicing Report (including a stormwater management brief in Appendix E), prepared by Stantec Consulting Ltd., dated May 30, 2017;
- Revised Tree Preservation Plan, prepared by Aboud & Associates Inc., dated May 31, 2017;
- Scoped Environmental Impact Study, prepared by prepared by Aboud & Associates Inc., dated May 31, 2017;
- Geotechnical Investigation Report, prepared by Englobe Corporation, dated May 24, 2017; and
- Scoped Hydrogeology Study, prepared by Englobe Corporation, dated May 30, 2017.

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 2014 Provincial Policy Statement (PPS) and *Places to Grow: Growth Plan for the Greater Golden Horseshoe* (2017);
- Evaluation of how the application conforms to the applicable Official Plan “General Residential” land use designation and all associated policies, including compatibility of new development within existing and established residential neighbourhoods, as well as any related amendments;
- Evaluation of the proposal against OPA 48, including the “Low Density Residential” and “Mixed Office Commercial” land use designations that apply to the subject lands, as well as any associated policies;
- Review of the proposed zoning, including the requested provisions and the need for any further specialized provisions;
- Review of the proposed tree removals in the applicant’s Tree Preservation Plan and associated tree compensation in accordance with the City’s Private Tree By-law;
- Review of proposed layout of the condominium subdivision;
- Review of scoped Environmental Impact Study, including any negative impacts on drainage outlet locations and the nearby Hanlon Creek Provincially Significant Wetland (PSW);
- Review of proposed municipal servicing, including on-site stormwater management;
- Confirm support for the City’s Community Energy Initiative (CEI); and
- Address all comments and issues raised during the public review of this application.

Once the Zoning By-law Amendment application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

Notice of the Revised Zoning By-law Amendment Application, Complete Vacant Land Condominium Application and Public Meeting was mailed on June 9, 2017 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was advertised in the *Guelph Tribune* on June 15, 2017. Notice of the revised Zoning By-law Amendment application and the new Vacant Land Condominium application has also been provided by updated signage on the lands.

Corporate Administrative Plan

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

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our People- Building a great community together

Attachments

ATT-1	Location Map and 120 m Circulation
ATT-2	Orthophoto
ATT-3	Official Plan Land Use Designations and Policies
ATT-4	Official Plan Amendment #48 Land Use Designations and Policies
ATT-5	Existing Zoning Map
ATT-6	Proposed Zoning Map
ATT-7	Existing and Proposed Zoning Details
ATT-8	Draft Plan of Vacant Land Condominium

Departmental Approval

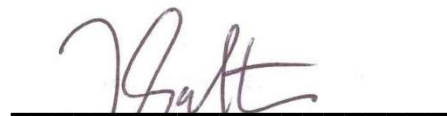
Not applicable.

Report Author

Michael Witmer
Development Planner II

Approved By

Sylvia Kirkwood
Manager of Development Planning



Approved By

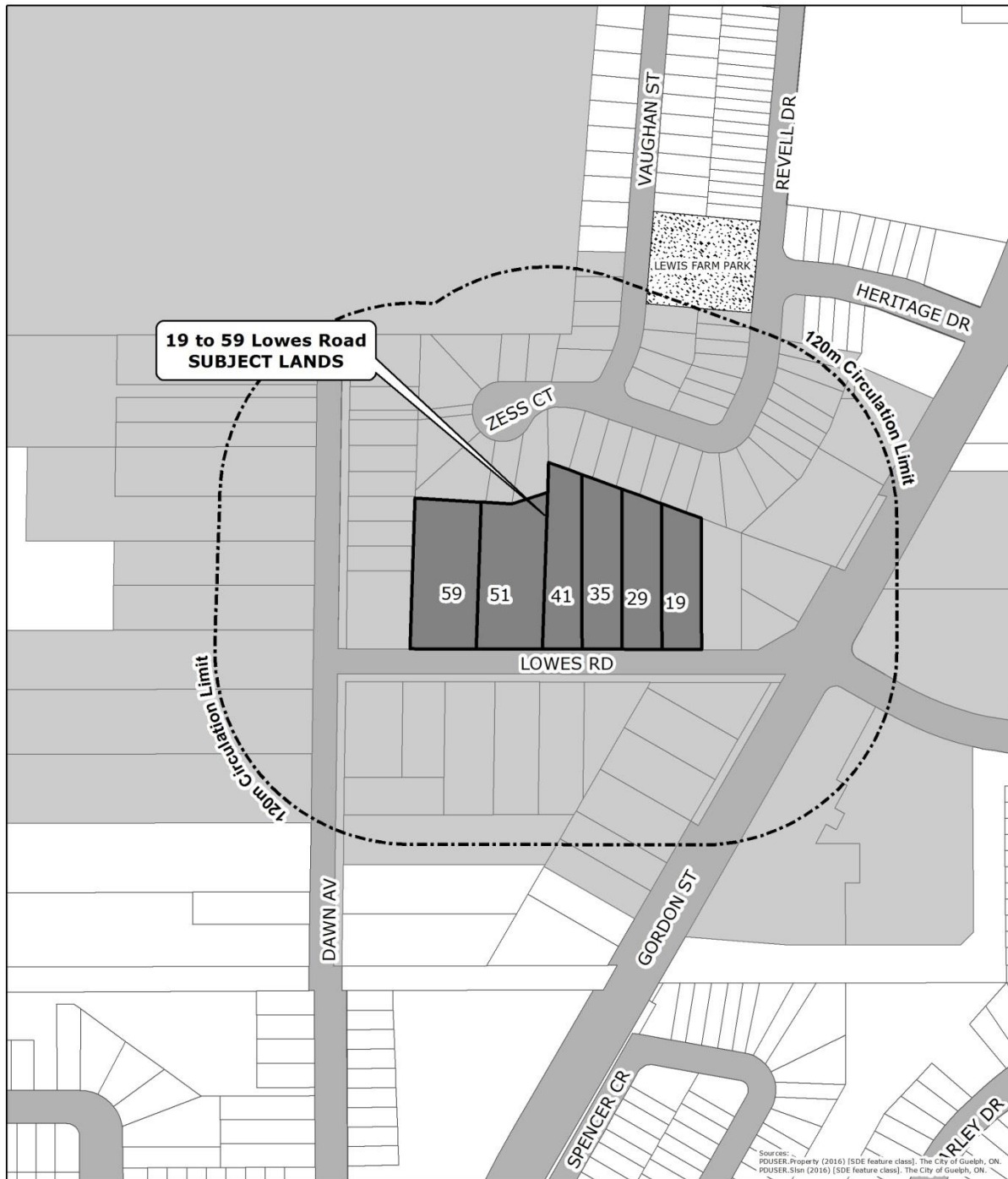
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General Manager
Planning, Urban Design and
Building Services
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Recommended By

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
519.822.1260, ext. 3445
scott.stewart@guelph.ca

ATT-1 **Location Map and 120 m Circulation**






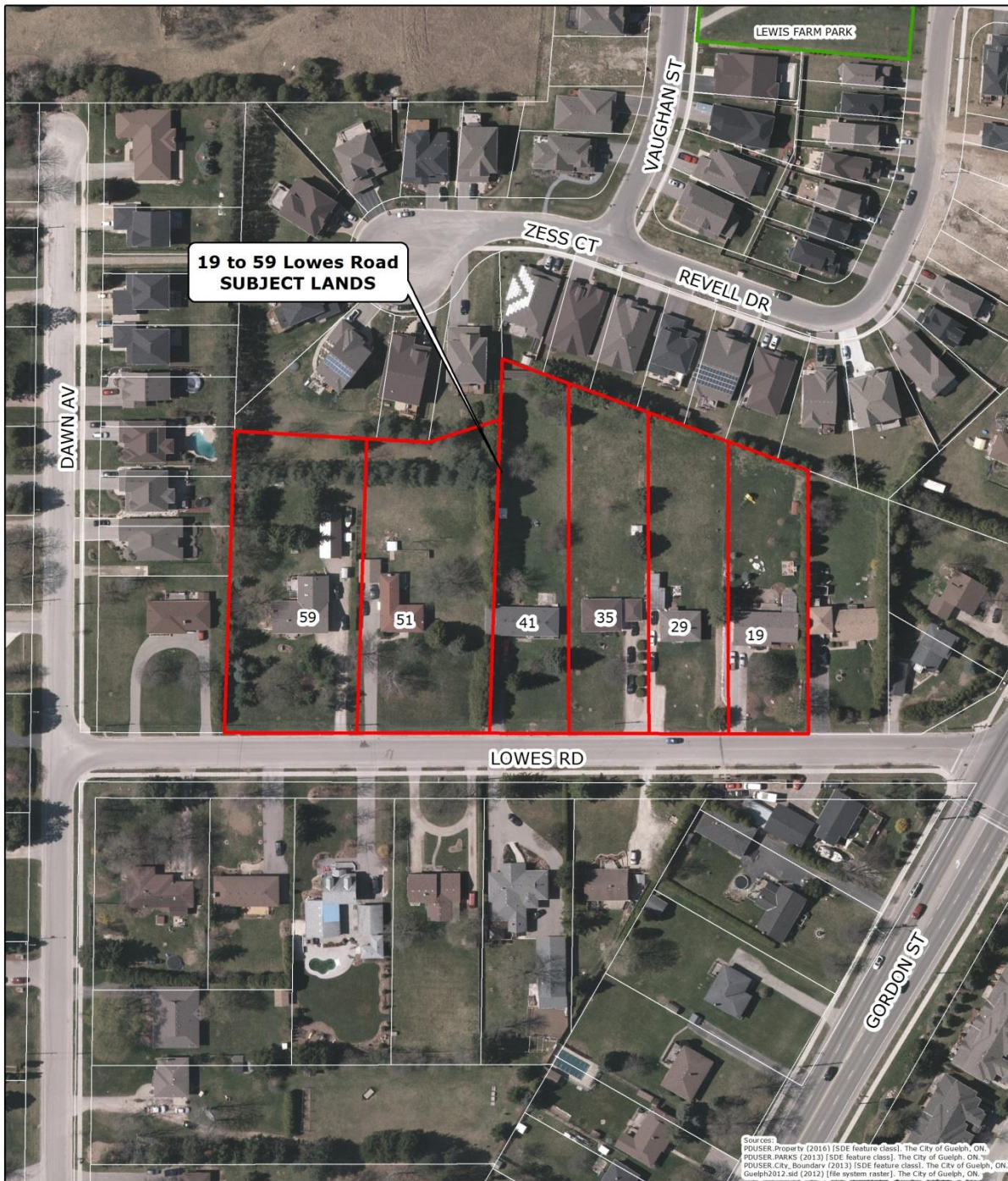
0 10 20 40 60 80 100 m

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 Planning, Urban Design and Building Services - Development Planning
 September 2016

LOCATION MAP & 120m CIRCULATION
19 to 59 Lowes Road



ATT-2 Orthophoto



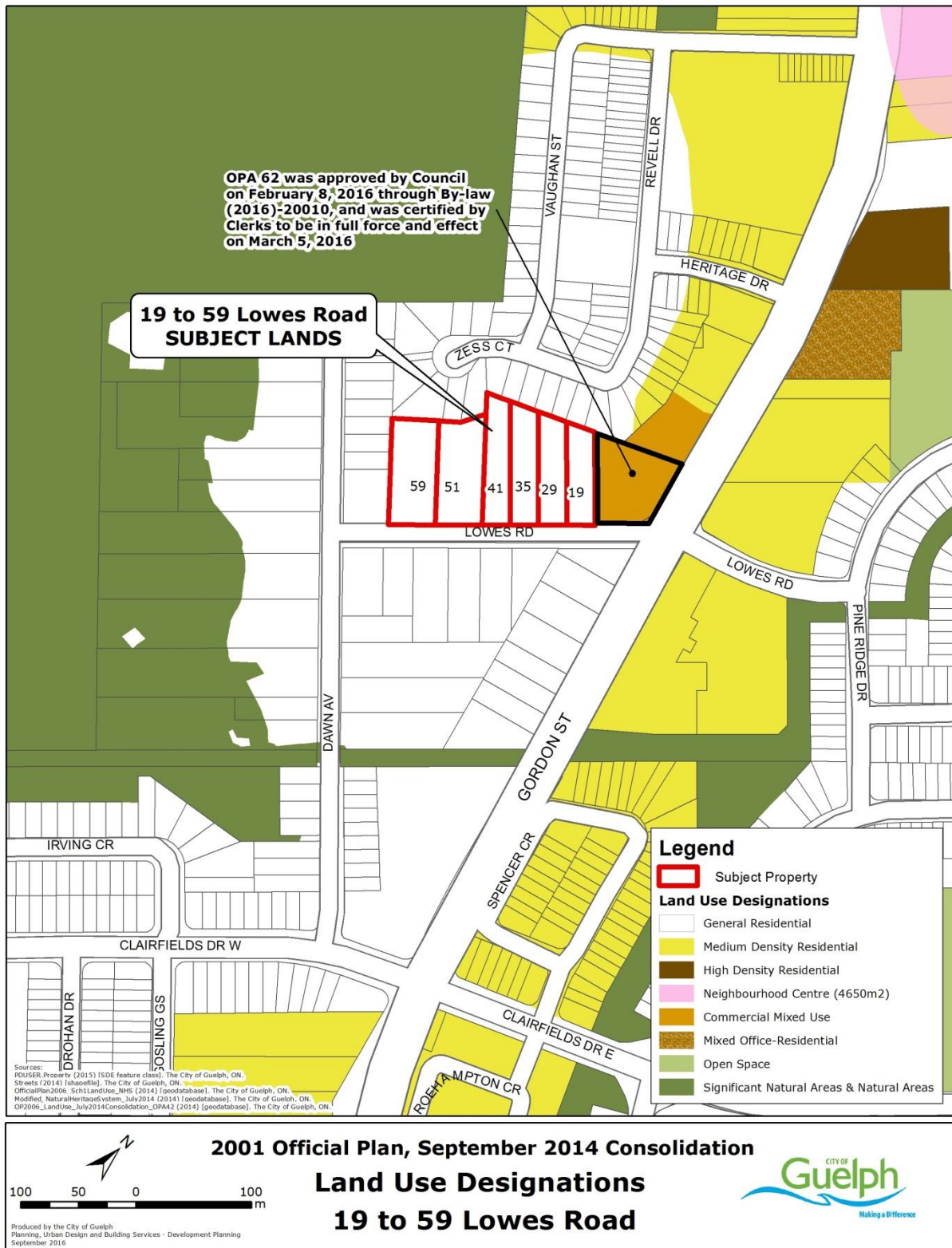
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Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
September 2016

**2012 Orthophoto
19 to 59 Lowes Road**



ATT-3 **Official Plan Land Use Designations and Policies**

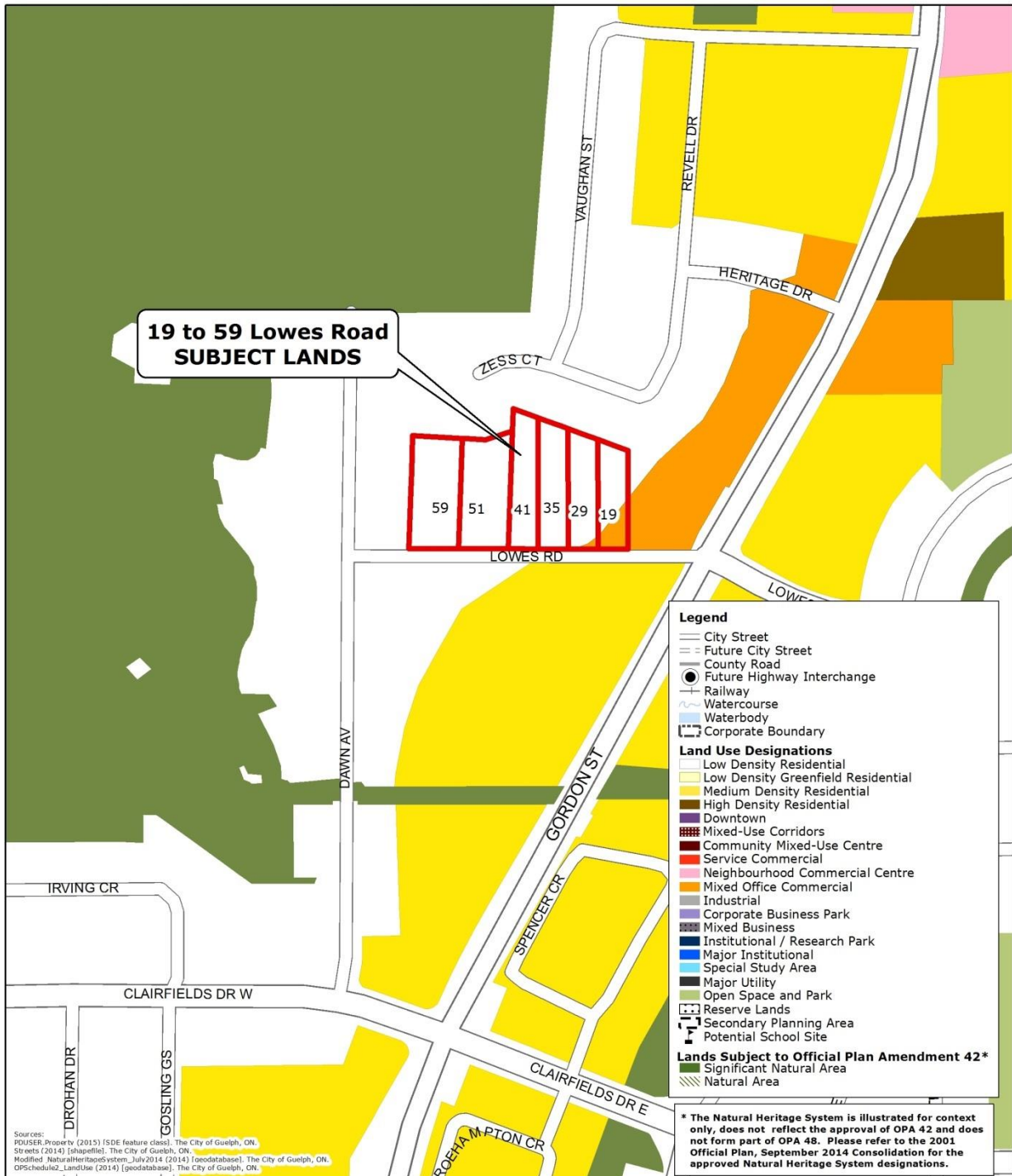


ATT-3 (continued)
Official Plan Land Use Designations and Policies

'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses, coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7

ATT-4 **Official Plan Amendment #48 Land Use Designations and Policies**



ATT-4 (continued)
Official Plan Amendment #48 Land Use Designations and Policies

9.3.2 Low Density Residential

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

Permitted Uses

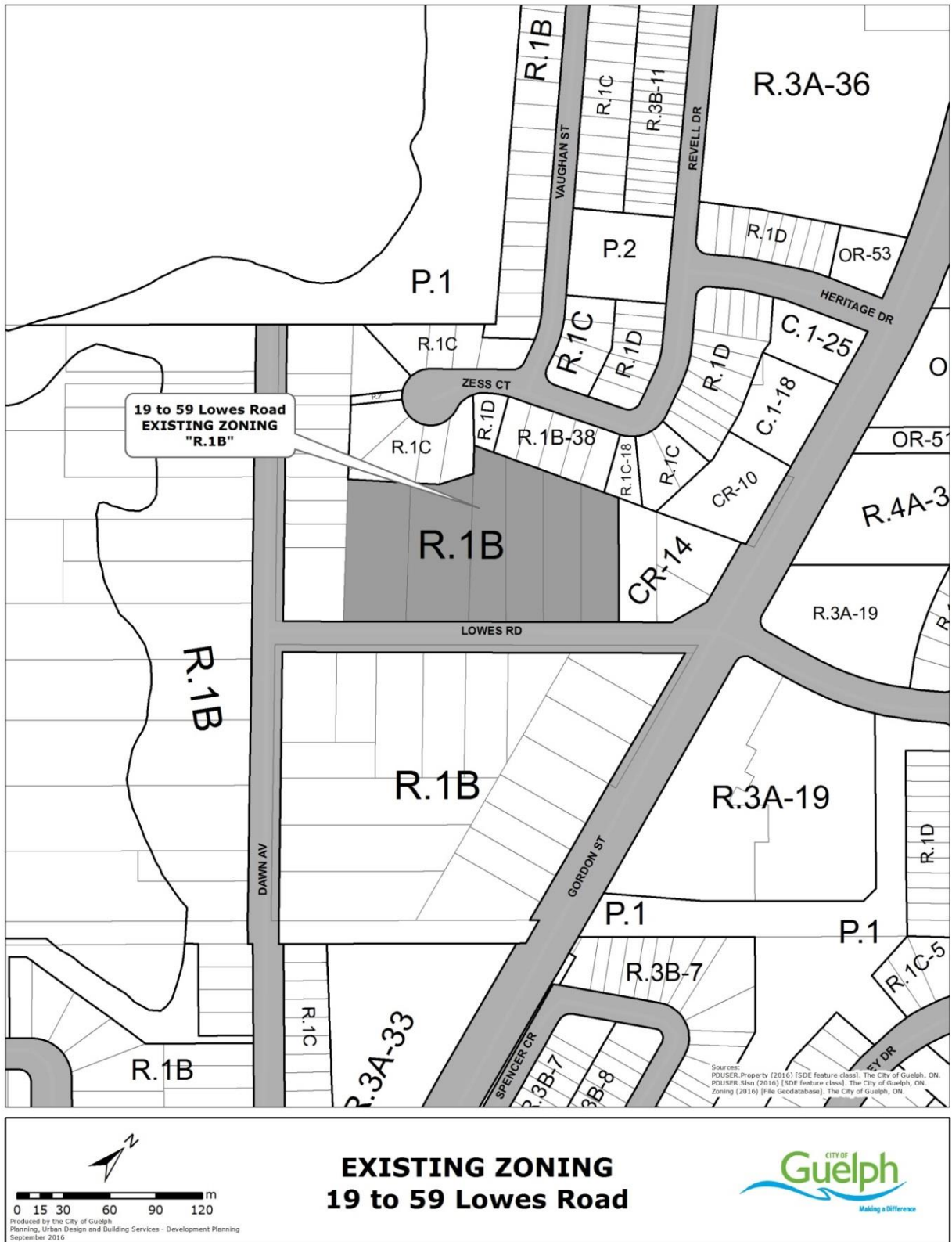
1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) detached, semi-detached and duplex dwellings; and
 - ii) multiple unit residential buildings, such as townhouses and apartments.

Height and Density

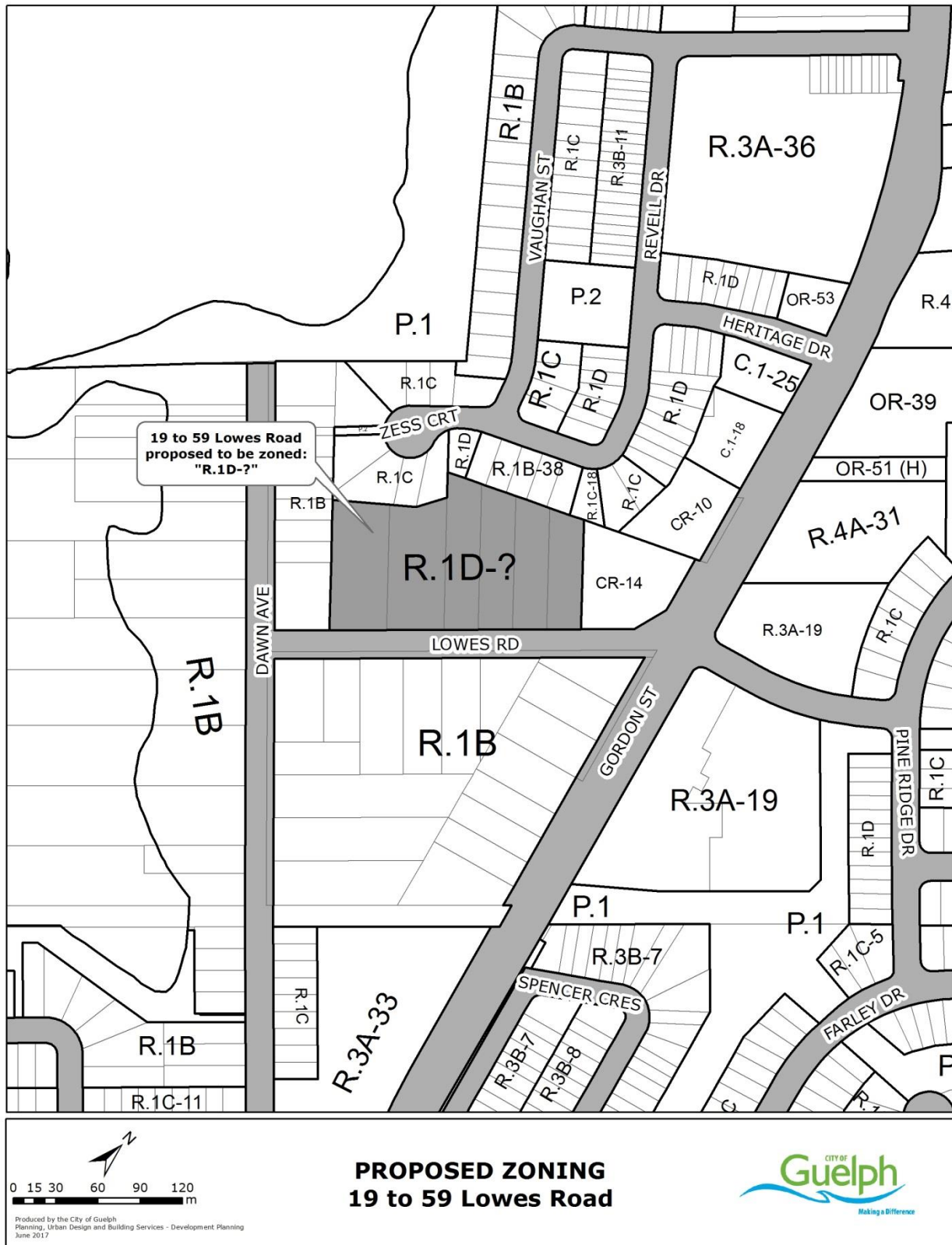
The *built-up area* is intended to provide for *development* that is *compatible* with existing neighbourhoods while also accommodating appropriate *intensification* to meet the overall *intensification target* for the *built-up area* as set out in Chapter 3. The following height and density policies apply within this designation:

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

ATT-5 **Existing Zoning Map**



ATT-6 **Proposed Zoning Map**



ATT-7 (continued)
Existing and Proposed Zoning Details

Proposed Zoning: Specialized Residential Single Detached (R.1D-?)

In addition to the regulations set out in Section 5.1 – Residential Single Detached (R.1) Zone of Zoning By-law (1995)-14864, as amended, the following additional specialized regulation has been requested to facilitate this proposal:

- Despite Section 4.1 of this By-law, Development in this Zone may occur on a common element street within a condominium

Aside from the above noted site specific provision to permit single detached dwellings to front onto a private road, the proposed “R.1D-?” Zoning would retain the Zoning provisions below in the existing “R.1B” Zoning. For the proposed development, in Table 5.1.2 (shown on page 18 of ATT-7), the provisions applicable to the “R.1D” zoning would apply.

Existing Zoning: Residential Single Detached (R.1B)

5.1 RESIDENTIAL SINGLE DETACHED (R.1) **ZONES**

5.1.1 PERMITTED **USES**

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

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

5.1.2 REGULATIONS

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

- 5.1.2.1 Despite Row 7 of Table 5.1.2, where a **Garage, Carport** or **Parking Space** is not provided in accordance with Section 4.13.2.1, one **Side Yard** shall have a minimum dimension of 3 metres.

ATT-7 (continued)
Existing and Proposed Zoning Details

- 5.1.2.2 Despite any required **Side Yard** on a residential **Lot**, **Carports** shall be permitted provided that no part of such **Carport** is located closer than 0.6 metres to any **Side Lot Line**.
- 5.1.2.3 In the event that there is a transformer easement on a particular **Lot**, portions of the **Single Detached Dwelling** may be required to be **Setback** further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.
- 5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.
- 5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum **Lot Frontage** for a **Corner Lot** in a R.1D **Zone** shall be 12 metres.
- 5.1.2.6 Despite Row 4 of Table 5.1.2, the **Lots** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Lot Frontage** of the average **Lot Frontage** established by the existing **Lots** within the same **City Block Face**, but in no case less than 9 metres. Nothing in this section shall require the minimum **Lot Frontage** to be greater than the minimum **Lot Frontage** established in Table 5.1.2. Where the average **Lot Frontage** of the existing **Lots** on the **Block Face** cannot be determined, the minimum **Lot Frontage** shall be as indicated in Table 5.1.2.
- 5.1.2.7 Despite Row 6 of Table 5.1.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:
- i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres or the average of the **Setbacks** of the adjacent properties. Where the off-street **Parking Space** is located within a **Garage** or **Carport**, the **Setback** for the **Garage** or **Carport** shall be a minimum of 6 metres from the **Street Line**.

ATT-7 (continued)
Existing and Proposed Zoning Details

- ii) In accordance with Section 4.6 and 5.1.2.3; and
- iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.

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

- 5.1.2.8 Despite Row 7 of Table 5.1.2, properties **Zoned** R.1B or R.1C with **Buildings** over 2 **Storeys** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Side Yard** requirement of 1.5
- 5.1.2.9 Deleted.
- 5.1.2.10 Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a **Building** has a one **Storey** portion and a 1.5 to 2 **Storey** portion, the required **Side Yard** shall be 1.5m from the **Side Lot Line** to the foundation wall of the 1 **Storey** portion and 2.4m from the **Side Lot Line** to the wall of the 1.5 to 2 **Storey** portion.
- 5.1.2.11 Where **Lots** have less than 12 metres of **Frontage**, the **Garage** is limited to a maximum of 55% of the **Lot** width (as measured at the **Front Yard Setback**).

ATT-7 (continued)
Existing and Proposed Zoning Details

15006, 15378, 17187, 18116, 19063, 19691

TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

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

[illegible]

Staff Report



To **City Council**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, July 10, 2017

Subject **Decision Report
Proposed Downtown Zoning By-law Amendment
(ZC1612)**

Report Number IDE 17-77

Recommendation

1. That the City-initiated Downtown Zoning By-law Amendment (ZC1612) be approved in accordance with the zoning regulations outlined in Attachment 1 of the Infrastructure, Development and Enterprise Report 17-77, dated July 10, 2017.
2. That in accordance with Section 34(17) of the *Planning Act*, City Council has determined that no further public notice is required related to the changes to the proposed Zoning By-law Amendment affecting Downtown.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve the City-initiated Downtown Zoning By-law Amendment in order to align the existing Zoning By-law (1995)-14864 with the Downtown Secondary Plan (DSP).

Key Findings

Currently the Zoning By-law (1995)-14864 does not align with or implement the approved vision, policies or land use designations for Downtown Guelph as established through the DSP and therefore is being updated.

In addition to aligning with the DSP, the purpose of the Downtown Zoning By-law is to support investment and development in the Downtown, streamline the development review process and modernize zoning regulations.

A number of changes have been made to the proposed Downtown Zoning By-law since the Statutory Public Meeting held on September 12, 2016 to reflect feedback

received. This report outlines the key issues, changes made to the draft by-law and makes a recommendation regarding the approval of the Downtown Zoning By-law. As required by the *Planning Act*, a Zoning By-law must conform to the Official Plan.

75 Dublin Street North has been removed from the recommended Downtown Zoning By-law. A Staff recommended zoning amendment was approved by Council in November 2016 and is currently under appeal to the Ontario Municipal Board.

Planning staff recommend the Downtown Zoning By-law Amendment be approved subject to the zoning regulations set out in Attachment 1.

Financial Implications

The Downtown Zoning By-law Amendment is funded through the approved capital budget.

Background

The Downtown Zoning By-law Update has been initiated in order to implement the approved Downtown Secondary Plan (DSP). The Downtown Zoning By-law project is part of a larger implementation strategy stemming from the DSP that will support a vibrant and investment-ready downtown.

The DSP was adopted in 2012 and is now in full force and effect. The DSP is a comprehensive vision and policy framework for revitalizing Downtown Guelph. The existing City-wide Zoning By-law (1995)-14864, which is applicable to Downtown, came into effect in 1995. Currently the Zoning By-law does not align with or implement the new vision, policies or land use designations for Downtown Guelph as established through the DSP and therefore is being updated.

The purpose of the Downtown Zoning By-law Update is to:

- align the Zoning By-law regulations with the DSP;
- support investment and development in the Downtown;
- streamline the work of development review staff through updated zoning regulations;
- modernize zoning regulations; and,
- establish a level playing field for all who want to develop in the Downtown in a manner consistent with the DSP.

The draft Downtown Zoning By-law was developed based on the recommendations of the [Downtown Zoning By-law Update Recommended Discussion Paper \(April 2016\)](#) (Attachment 3). Council directed staff to use the Downtown Zoning By-law Update: Discussion Paper as the basis to develop the Downtown Zoning By-law.

A public open house was hosted on June 22, 2016 and a statutory public meeting at Council was held on September 12, 2016 in accordance with the *Planning Act*.

At the Public Meeting Council directed Staff to initiate a zoning amendment for the property at 75 Dublin Street North. A Staff recommended zoning amendment was approved by Council in November 2016 and is currently under appeal to the Ontario Municipal Board. Therefore, the zoning for 75 Dublin Street is not included in the staff recommended Zoning By-law in Attachment 1.

Report

Purpose of this Report

The purpose of this report is to present the Staff recommended Downtown Zoning By-law (Attachment 1) to Council and address issues and concerns raised at the public meeting and through correspondence. The report outlines the issues, changes made to the draft by-law and makes a recommendation regarding the approval of the Downtown Zoning By-law.

Purpose and Effect of Amendment

This By-law authorises an amendment to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which is intended to introduce modified and new regulations to the text and maps related to Downtown zones.

The purpose of the Downtown Zoning By-law amendment is to align Zoning By-law regulations with the policies established in the approved DSP as incorporated in the Official Plan through Official Plan Amendment 43. As required by the *Planning Act*, a Zoning By-law must conform to the Official Plan.

The effect of the proposed Downtown Zoning By-law amendment is to replace Section 6.3, the Central Business District (CBD) Zones with the proposed Downtown (D) Zones. This includes the following zone categories: Downtown 1 (D.1); Downtown 2 (D.2); Downtown 3 (D.3); and Downtown 3a (D.3a). In addition, where applicable and within scope, the existing Office Residential (OR), Commercial Residential (CR), and Service Commercial (SC.1) zones within the area will be amended to the newly created Downtown zones.

The proposed amendment would modify or introduce new regulations in Downtown zones, including:

- Permitted uses;
- Built form regulations;
- Building tower separation regulations;
- Building height regulations;
- Active frontage regulations;
- Vehicle and bicycle parking rates and regulations;
- Regulations for D.1, D.2, D.3 and D.3a zones;
- New definitions;
- Holding provision for servicing capacity; and,
- Specialized Downtown zones.

Lands affected by this amendment are located in Downtown Guelph, as shown on Figure 1.

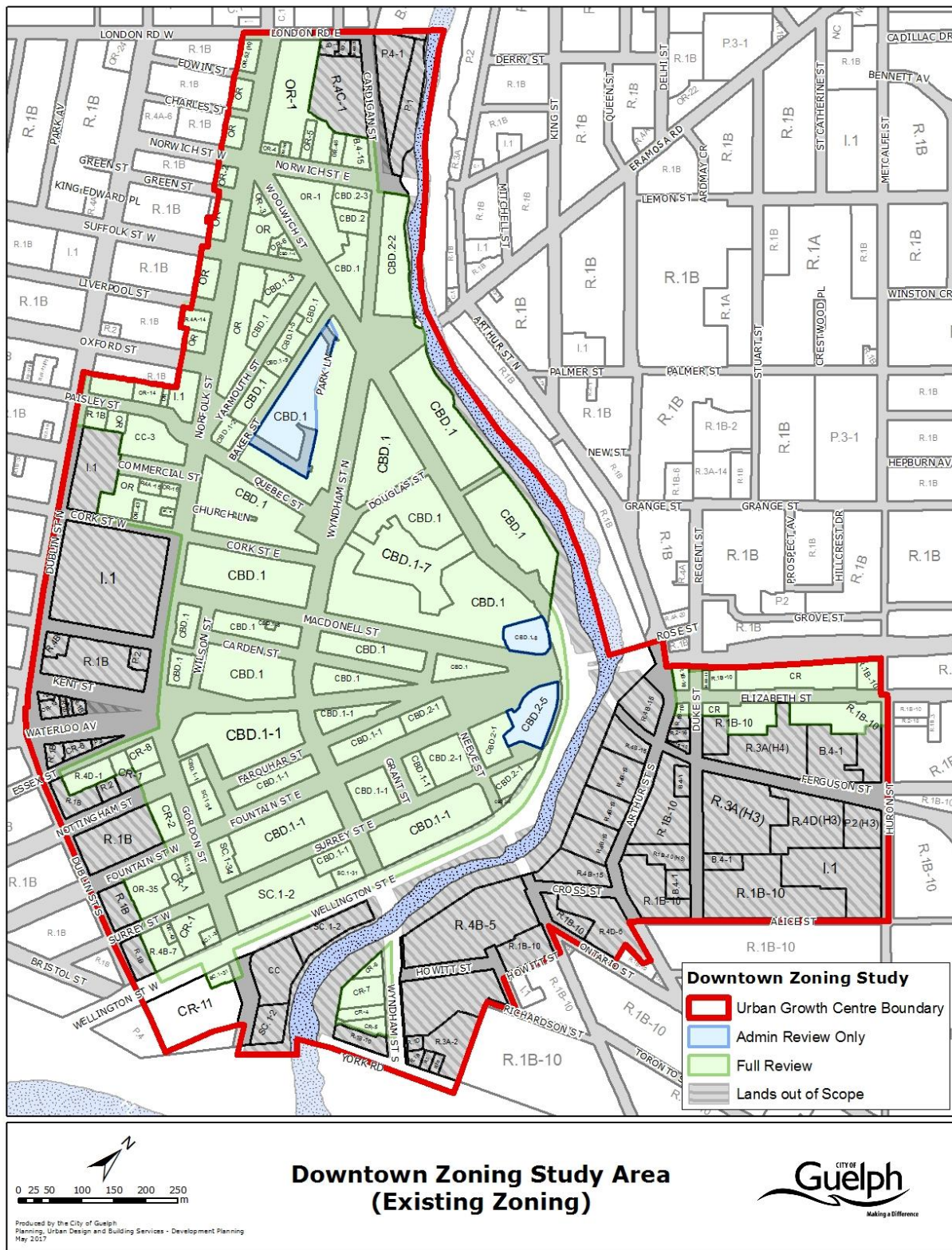


Figure 1: Study Area

Overview of Amendment

A full overview of the proposed Downtown Zoning By-law is contained within the Infrastructure, Development and Enterprise Services Report 16-64 ["Statutory Public Meeting Report, Proposed Downtown Zoning By-law Amendment \(ZC16-12\)."](#) This report is Attachment 4.

Changes have been made to the proposed Downtown Zoning By-law since the Statutory Public Meeting held on September 12, 2016 to reflect staff's response to feedback received from the public, landowners, external agencies and internal City Departments. Recommended changes to the By-law conform to the policies of the DSP.

In addition to minor wording changes to address grammar and administrative changes, the following changes have been made to the proposed Downtown Zoning By-law:

Definitions:

- Additional terms defined, e.g. "transparent window," "automated parking system"
- Minor and technical changes made to the definition of "government office," "public parking facility" and "mixed-use building"

Regulations deleted:

- Maximum building length of 60 metres
- Bicycle parking space dimensions (bicycle parking space requirements remain in the By-law)
- Location of mechanical servicing section (transformer/telecommunication vault and air vent location)

Regulations modified:

- Buffer strip regulation added to the D.1 zone
- Minor changes to the D.1-5 specialized zone
- Technical changes to D.1-21 specialized zone
- Technical changes to D.1-22 specialized zone

Zones created:

- D.1-11 specialized zone added (10 Wilson St.)
 - Recognizes future public parking facility identified as being a priority of the DSP (Policy 11.1.4.5.2 and shown on Schedule A). It is also one of the first steps to implementing the Parking Master Plan. This specialized zone recognizes the unique structural design of a parking structure while still conforming to the built form policies of the DSP.
- Specialized D.1-11 changed to D.2-10 (93 Surrey St. E.)
 - Recognizes a mapping correction
- D.2-11 specialized zone created (128 Norfolk St.)
 - Recognizes the existing specialized zone
- D.1-23 specialized zone created (45 Yarmouth St.)
 - Recognizes recent Council decision on a site specific development application
- D.2-12 specialized zone created (40-42 Cardigan St.)
 - Recognizes existing off-street parking permissions

- D.3-4 specialized zone created (15 Wyndham St. S.)
 - Recognizes the Guelph Police Services Headquarters currently under construction and existing minor variance permissions

Mapping corrections:

- D.1 zone line adjustments along Douglas St.
- Minor changes to Defined Area Map 67 to recognize lot lines
- 159-161, 169, 173, 175-183 Woolwich St. changed from D.2 to D.1 zone
- Block bounded by Carden St. to the south, Wyndham St. N. to the west and MacDonell St. to the north (1-9 Wyndham St. N., 65-89 MacDonell St., 82-100 Carden St.) changed from D.3a to D.1-1
- Minor mapping changes on the west side of Woolwich St. between Douglas St. and MacDonell St.

Overview of Key Issues and Staff Responses

Since the release of the Downtown Zoning By-law in September 2016, approximately 15 stakeholders have provided comments. Clarification and revisions have been made where appropriate.

A more detailed summary of comments received from the public and a staff response has been included as Attachment 5 of this report. The submitted comment letters are included as Attachment 6 of this report.

The following general themes of concerns/issues have been identified from the public meeting and comment letters:

1. Establishment of a development ready downtown
2. Guidelines versus regulations
3. Transition to surrounding neighbourhoods
4. Transition to a school
5. Transition to Catholic Hill
6. Bicycle parking space requirements
7. Active Frontage Areas
8. Institutional or Office land use designation permissions

1. Establishment of a development ready Downtown

Summary of issue:

A planning consultant has raised concerns that the Downtown Zoning By-law will impede development rights in the Downtown instead of facilitating new development. Additional built form and other zoning by-law regulations may require more site-specific relief from the Zoning By-law. The DSP in some limited cases removed land use permissions and reduced building heights which resulted in changes to zoning permissions for certain properties.

Staff response:

- The purpose of the Downtown Zoning By-law amendment is to update the Zoning By-law in line with the approved DSP.

- The recommended Downtown Zoning By-law is required by the *Planning Act* to conform to the DSP. In most cases the DSP expanded height and land use permissions but in a limited number of situations it has reduced permissions.
- The Downtown Zoning By-law implements the policies of the DSP. Review or revision of DSP policies is not part of the scope of this project.
- The Downtown Zoning By-law has taken the approach to zone lands to implement the built form directions and allow for the maximum height contemplated in the DSP.
- In some cases minor variances may be required to facilitate site specific development proposals as it is not possible to zone for each individual property characteristic in the Downtown (i.e., application of regulations varies based on parcel size, shape, etc.). Overall the proposed zoning supports a development ready Downtown, and if required a minor variance application is generally a much less onerous process than a rezoning.
- In order to ensure adequate local servicing infrastructure is available, a holding symbol has been placed on those properties that have been zoned for additional height than what is currently permitted by the existing Zoning By-law. Removing a holding symbol is a scoped, less onerous process than a rezoning. The City has begun a study to review the adequacy of local servicing infrastructure in the Downtown. Upon completion of this study, the holding symbol may be removed at the City's initiative for some or all of the properties depending on the adequacy of servicing. In the meantime, removal of the holding symbol may be considered on a site specific basis based on approved servicing analysis/study.

2. Guidelines versus regulations

Summary of issue:

Concerns that some proposed regulations (e.g. bicycle parking space requirements, location of air vents, transformer pads, etc.) should remain guidelines and be implemented through the Site Plan stage instead of regulated through the Zoning By-law.

Staff response:

- Zoning By-law regulations are more clearly enforceable and less flexible than the performance standards of the Downtown Built Form Standards and site plan guidelines. The Downtown Built Form Standards provide guidance to encourage development in line with the vision established through the DSP while maintaining a level of flexibility, where appropriate.
- The DSP provides guidance for the type of regulations that should be included in the Downtown Zoning By-law. Specifically, the DSP includes policies that direct the Zoning By-law to regulate elements of active frontage areas (policy 11.1.7.3.4) and bicycle parking requirements (policy 11.1.4.4.4).
- The proposed Downtown Zoning By-law is based on a built form approach as opposed to more conventional zoning that is based on land use. This means that Zoning By-law regulations are more focused on shaping buildings and adjacent spaces to ensure they appropriately fit within the context and in a manner that supports the vision of the DSP.

- In the case of bicycle parking, Staff has removed the bicycle parking space dimensions from the Downtown Zoning By-law while keeping the bicycle parking space requirements. Staff acknowledge that more flexibility can be provided for bicycle parking space dimensions and this can be reviewed through the Site Plan process. However, bicycle parking space ratios are recommended to be regulated in the Zoning By-law to support forecasted modal splits in the Downtown and the recommended vehicle parking ratios.
- Transformer and telecommunications vault regulations and air vent regulations have been deleted from the recommended Zoning By-law. Locations for these will be determined through the Site Plan process to allow for site-specific flexibility.

3. Transition to surrounding neighbourhoods

Summary of issue:

Guelph Old City Residents' Association Inc. (GOCRA) and other residents provided comments illustrating concerns related to the transition to low density residential areas surrounding the Downtown, specifically concerns with R.1, R.2 and R.3 areas west of Norfolk/Woolwich Street.

Staff response:

- As outlined in the project charter approved on June 2, 2015, generally no changes are proposed to the residential areas surrounding the DSP area.
- The DSP carefully considered compatible transitions in establishing the height, land use and urban design provisions and these are being further refined through the recommended zoning regulations, including the following:
 - The recommended Downtown Zoning By-law has incorporated regulations into the Downtown 1 (D.1) and Downtown 2 (D.2) zones to ensure a compatible transition from the high density built form to the low density residential neighbourhoods surrounding the Downtown.
 - Specific regulations have been included in the D.1 zone to restrict uses, such as a tavern and micro-brewery or brew pub, on a lot that abuts a residential R.1, R.2 or R.3 zone. In addition, the size of commercial entertainment, restaurant and public hall uses are limited to a maximum of 500 square metres of gross floor area when a lot abuts a residential R.1, R.2 or R.3 zone. Side and rear yard setbacks, as well as a buffer strip, is required where a D.1 lot line abuts a R.1, R.2 and R.3 zone.
 - D.2 zones are primarily located on the periphery of the Downtown, adjacent to existing low rise residential neighbourhoods. Specific transition regulations have been included in the D.2 zone to ensure compatibility with the adjacent residential uses. This includes a minimum 10 metre rear yard setback, carried forward from the existing Office Residential zone. In addition, the D.2 zone requires an increased side yard setback and buffer strip where the lot line abuts a more sensitive land use, such as a residential R.1, R.2 and R.3 zone, institutional, park or wetland zone.

- In addition to the maximum height permitted on a property, a 45 degree angular plane is required when a lot line of a Downtown zone abuts a R.1, R.2 or R.3 zone as measured from 10.5 metres in height and a setback of 7.5 metres (see Figure 2). The purpose of the angular plane is to ensure buildings are stepped back to achieve an appropriate transition from midrise buildings to low rise residential development.

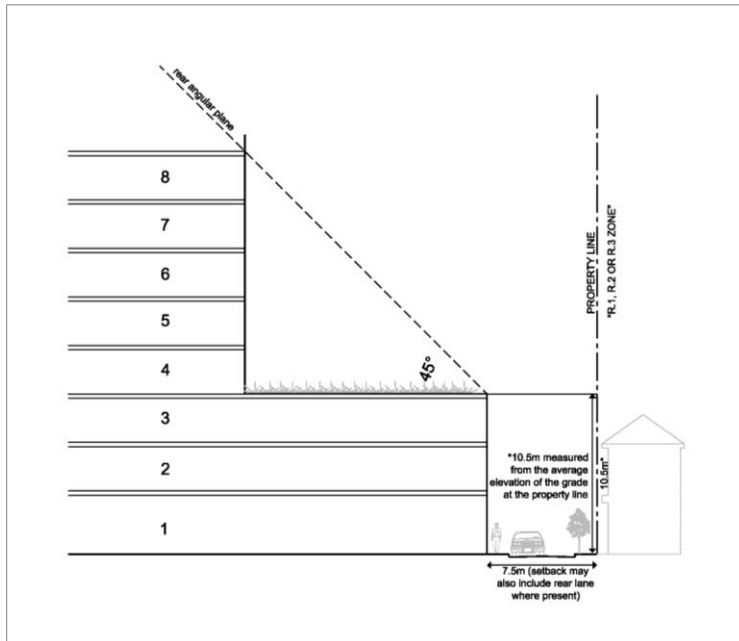


Figure 2: Angular Plane Requirements

- Existing outdoor patio and parking regulations are also applicable in the Downtown to ensure adequate transitions. Outdoor patio regulations contained in Section 4.17 of the existing Zoning By-law (1995)-14864, restrict the location of outdoor patios where a lot line adjoins a residential zone. Furthermore, parking regulations have been carried over to the proposed Downtown Zoning By-law that require an unenclosed parking area adjacent to a low rise residential dwelling to be screened along those lot lines with a solid fence.

4. Transition to a school

Summary of issue:

The Upper Grand District School Board has requested a number of specialized regulations related to the transition from Downtown zones to school properties, including:

- Specify the average height of a storey to limit overall building height;
- Modify the definition of a storey to include height in metres;
- Define the maximum height of mechanical equipment;
- Require setbacks when a building faces a school property;
- Require a 45 degree angular plane when a property abuts a school;

- Require an angular plane to be measured from the property line abutting a school property;
- Transformer and telecommunication vaults and air vents shall not be located in the front, exterior side yard or any yard abutting a school;
- Require a setback for underground parking next to a school property;
- Require visual screening of an unenclosed parking area when adjacent to a school;
- Require additional side and rear yard setback when a property abuts a school;
- Revise the method to calculate average front and exterior yard setbacks in the D.2 zone; and,
- Require landscape buffer requirements when a D.2 zone abuts a school property.

Staff Response:

- No school properties are within the scope of the Downtown Zoning By-law Update. There is one school (Central Public School) abutting the boundary of the project.
- The DSP and Downtown Built Form Standards provide direction for establishing built form regulations in the Downtown Zoning By-law.
- A number of issues raised are regulated on a city-wide basis through the comprehensive Zoning By-law. It is Staff's recommendation that these issues be considered city-wide through the Comprehensive Zoning By-law Review. Issues to be reviewed comprehensively include:
 - Regulating the height of storeys in metres
 - Definition of a storey to include a maximum height
 - Establishing a maximum height of mechanical equipment
- As requested by the School Board, staff has revised the zoning to require side yard setbacks when a D.1 zone abuts an Institutional zone. As per the draft By-law, a side yard setback is still required where a D.2 zone abuts an Institutional zone.
- The school board requested that the stepback regulations apply to a property when it abuts a school. The recommended by-law requires stepbacks when a building is adjacent to a public street or park. The purpose of building stepbacks is to respect the historic character of the Downtown, maintain suitable building proportions, to mitigate the visual impact of height, and to create comfortable pedestrian conditions. Direction to regulate building stepbacks is found in the DSP (policy 11.1.7.3.6) and Built Form Standards, Performance Standard #14. Therefore this change has not been incorporated.
- The revised angular plane regulations are based on Performance Standard #15 in the Built Form Standards which provides direction for rear yard angular planes where a transition to adjacent low rise development occurs.
- Overlook to sensitive land uses such as schools, especially from rooftop, balconies and terrace outdoor amenity space can be an issue. Staff are concerned that introducing requirements for additional building stepbacks and angular planes next to a school property could create additional issues of

overlook from outdoor amenity space. Requiring additional building stepbacks and angular planes may lead to additional outdoor amenity space such as balconies or rooftop space.

- Staff recommend deleting regulations related to the location of transformer/telecommunication vaults and air vents from the proposed Downtown Zoning By-law so that these can be addressed at Site Plan approval stage.
- The location of underground parking regulation is consistent with the current Zoning By-law (1995)-14864. Since this regulation is for underground parking, the location would not negatively impact adjacent school uses.
- Visual screening (minimum 1.5 metre high solid fence) of an unenclosed parking area within 1 metre of a lot line abutting a school is not consistent with the I.1 zone city-wide. Institutional zones for schools permit unscreened parking areas adjacent to school playgrounds. This issue is more appropriately addressed through the Comprehensive Zoning By-law review.
- The proposed front and exterior side yard setbacks are consistent with the existing Zoning By-law regulation for the older built up area of the City as defined by Map 66. No change is recommended.

5. Transition to Catholic Hill

Summary of issue:

Proposed regulations in the Downtown Zoning By-law do not provide sufficient guidance for a transition from new buildings to Catholic Hill.

Staff response:

- The proposed Downtown Zoning By-law implements the maximum building heights determined in the DSP.
- The DSP contemplated taller buildings in specific locations where they would have minimal impacts on existing neighbourhoods and the Downtown historic core, as well as being located outside of the protected public view corridors to the Basilica of Our Lady. For example, height regulations within the view corridors override any other height permission (e.g. some properties along Cork Street).
- The City's Cultural Heritage Action Plan will review and identify cultural heritage resources across the City and may recommend designation of individual properties, landscapes or districts in the vicinity which would provide additional protection to Catholic Hill. Catholic Hill is an identified cultural heritage resource and therefore Heritage Impact Assessments are required for adjacent development which ensures that heritage attributes are conserved.

6. Bicycle parking space requirements

Summary of issue:

Bicycle parking space ratios and bicycle parking space dimensions should remain a guideline applied at site plan stage and should not be regulated in the Downtown Zoning By-law.

Staff response:

- As mentioned previously, zoning regulations are enforceable and provide a legal way of managing land use and future development. In certain instances staff recommend zoning to ensure that objectives and policies of the Official Plan are implemented.
- The DSP provides direction for the Zoning By-law to establish minimum bicycle parking space ratios for office and apartment buildings (Policy 11.1.4.4.4). The proposed ratios are based on [The Downtown Guelph Parking Supply Requirements Memorandum](#) that was prepared by BA Group as part of the Background Discussion paper. The proposed ratio takes into consideration the planned modal split in the Downtown and supports the reduced vehicle parking ratios that are recommended.
- Staff recommend removing bicycle parking space dimensions from the recommended Downtown Zoning By-law. Site plan guidelines for bicycle parking space dimensions will remain to allow some flexibility related to different types of bicycle storage systems.

7. Active Frontage Areas

Summary of issue:

The Downtown Zoning By-law should require additional active frontage areas within the Downtown and ensure that off-street parking does not immediately abut the street.

Staff response:

- The DSP specifically identifies active frontage areas in Schedule C. The regulations recommended for active frontage areas in the Downtown Zoning By-law align with the DSP.
- Review of the policies and locations of active frontage areas is not within the project scope.
- Active uses are permitted throughout the Downtown in the Zoning By-law. Additional opportunities for active frontage beyond those required by Schedule C can be explored through site specific development proposals.
- The Downtown Zoning By-law includes regulations to ensure that parking in the first storey of a building is not located within 4.5 metres of a lot line and surface parking areas are not located within 3 metres of a front or exterior side lot line in all areas of the Downtown (not just active frontage areas) in order to enable active uses and a pedestrian friendly streetscape.

8. Institutional or Office land use designation permissions

Summary of issue:

Existing permissions of the Central Business District should be carried over to new Institutional/Office designated properties zoned D.3 in the proposed By-law. Retail Establishment and Restaurant uses should not be limited to a maximum of 500 m² in the D.3 zone.

Staff response:

- The DSP Institutional/Office designation implements the Urban Growth Centre requirements of the Provincial Growth Plan by planning Urban Growth Centres as high density major employment centres and meeting the target of 150 residents and jobs per hectare.
- The D.3 zone implements the Institutional/Office designation of the DSP. The land use permissions for this designation include office; entertainment and commercial recreation; community services and facilities; cultural, educational, civic and institutional uses; parks; hotels and other employment uses. Residential uses are not permitted in the Institutional/Office designation and therefore, including residential uses in the D.3 Zone would not conform to the policies of the Official Plan, as required by the *Planning Act*.
- The Institutional/Office designation also permits retail and services uses provided that they are secondary to the main institutional or office use on the site. A regulation for a maximum gross floor area for these secondary uses has been incorporated into the D.3 Zone to ensure that the uses are secondary and subordinate to the main use. This direction is consistent with the DSP which limits Convenience commercial uses to a gross floor area not greater than 500 m² in Residential 2 areas. Based on this policy Staff has created a consistent regulation that permits a maximum gross floor area of 500 m² to implement the DSP direction for small-scale commercial operations and convenience shopping.
- Reviewing the DSP's policy approach to Institutional/Office sites is not within the project scope. The City is required to review and update its Official Plan to bring it into conformity with the new Growth Plan for the Greater Golden Horseshoe which was released May 2017. This conformity exercise must be completed by 2022 and may include a review of the policies and land use designations contained in the DSP.

Staff Recommendation

Planning staff are satisfied that the recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan. In addition, the zoning amendment conforms to the objectives and policies of the Official Plan, which incorporate the policies of the DSP (OPA 43). The revisions made to the proposed Zoning By-law are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act. Planning staff are recommending that Council approve the Zoning By-law Amendment contained in Attachment 1.

Financial Implications

The Downtown Zoning By-law update review is funded through the approved capital budget.

Consultations

The Notice of Public Meeting was circulated to local boards and agencies, City service areas and individuals that requested to remain informed of the project and was advertised in the Guelph Tribune on August 18, 2016. A Notice of Decision was mailed to all interested parties and advertised in the Guelph Tribune on June 15, 2017.

The public agency and comments received from City departments are summarized in Attachment 7. The submitted agency comment letters are included as Attachment 8 of this report. Key dates for the Downtown Zoning By-law public process has been included as Attachment 9.

Departmental Consultation

Through the preparation of the recommended Downtown Zoning By-law a staff technical committee consisting of representatives from a number of departments was consulted. The committee has been actively involved in the development and review of the recommended Downtown Zoning By-law.

The internal technical committee consists of members from the following departments:

- Planning, Urban Design and Building Services (Development Planning, Policy Planning, Urban Design, Zoning);
- Engineering and Capital Infrastructure Services (Infrastructure, Development and Environmental Engineering, Transportation Services & Parking Operations);
- Business Development and Enterprise (Downtown Renewal); and
- Legal Services.

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our Resources - A solid foundation for a growing city

Attachments

- | | |
|-------|--|
| ATT-1 | Amending Zoning By-law (2017)-20187 |
| ATT-2 | Downtown Zoning By-law Amendment (track changes) |
| ATT-3 | <u>Downtown Zoning By-law Update Recommended Discussion Paper (April 2016)</u> |

- ATT-4 [Statutory Public Meeting Report, Proposed Downtown Zoning By-law Amendment \(ZC16-12\) \(September 2016\)](#)
- ATT-5 Summary and Analysis of Public Input Received
- ATT-6 Public Comment Letters
- ATT-7 Summary and Analysis of Agency Comments
- ATT-8 Agency Comment Letters
- ATT-9 Public Notification Summary

Departmental Approval

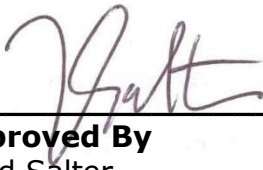
Not applicable.

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Recommended By

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THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2017)-20187

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects Downtown Zones.

WHEREAS Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. The Zoning By-law Table of Contents of By-law (1995)-14864, as amended, is hereby further amended by deleting references to “Central Business District (CBD) Zones”, “Specialized Central Business District (CBD.1) Zone” and “Specialized Central Business District (CBD.2) Zone” and replacing with “Downtown (D) Zones”, “Specialized Downtown (D.1) Zone”, “Specialized Downtown (D.2) Zone” and “Specialized Downtown (D.3) Zone”.
2. Section 2 of By-law (1995)-14864, as amended, is hereby further amended by adding the following:
 - 2.1 Section 2.3 (Class: Commercial) is amended by replacing “CBD.1 Central Business District 1 (CBD.1) **Zone**” and “CBD.2 Central Business District 2 (CBD.2) **Zone**” with “D.1 Downtown 1 (D.1) **Zone**”, “D.2 Downtown 2 (D.2) **Zone**”, “D.3 Downtown 3 (D.3) **Zone**” and “D.3a Downtown 3a (D.3a) **Zone**”.
 - 2.2 Section 2.9.1 is amended by adding a new subsection 2.9.1 (xxix):
 - 2.3 “2.9.1 (xxix) (H30) Downtown Zones Holding Provision
As shown on Defined Area Map Numbers 36, 37, 38 of
Schedule “A” of this **By-law**.

Purpose

To ensure that municipal services are adequate and available, to the satisfaction of the **City**, prior to intensification of the lands.

Interim **Uses** Prior to Removal of the “H”

For such time as the “H” symbol is in place, these lands may be

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Used for all *Uses* permitted in the applicable *Zone*, subject to the following interim *Regulations*:

Interim Regulations Prior to Removal of the “H”

For such time as the “H” symbol is in place, only the following replacements, additions or expansions of *Buildings* or *Structures* legally existing on the effective date of this *By-law* shall be permitted:

- a) Modifications to existing *Building* façade(s).
- b) Minor additions to existing *Buildings*, to a maximum of 10 square metres.

Conditions

Prior to the removal of the Holding symbol “H” a municipal services review shall be completed to the satisfaction of the *City*. The scope and boundary of the municipal services review will be determined by the *City* and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.

- a) Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the *City*, the “H” may be lifted; or,
- b) Should the municipal services review determine that all necessary municipal services are not adequate and available, then prior to the “H” being lifted:
 - The actual design and construction costs of any required municipal services shall be secured where appropriate and in a manner satisfactory to the City; and,
 - Any required municipal services shall be designed to the satisfaction of the City; and,
 - Any required municipal services shall be constructed to the satisfaction of the City prior to any intensification of the lands.

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“2.9.1(xxx) (H32) Baker Street Holding Provision
As shown on Defined Area Map Numbers 36 of Schedule “A”
of this **By-law**.

Purpose

To ensure a comprehensive master plan is prepared for the site prior to redevelopment and that municipal services are adequate and available, to the satisfaction of the **City**, prior to intensification of the lands.

Interim **Uses** Prior to Removal of the “H”

For such time as the “H” symbol is in place, these lands may be **Used** for all **Uses** permitted in the applicable **Zone**, subject to the following interim Regulations:

Interim Regulations Prior to Removal of the “H”

For such time as the “H” symbol is in place, only the following replacements, additions or expansions of **Buildings** or **Structures** legally existing on the effective date of this **By-law** shall be permitted:

- a) Modifications to existing **Building** façade(s).
- b) Minor additions to existing **Buildings**, to a maximum of 10 square metres.

Conditions

Prior to the removal of the Holding symbol “H”, the following conditions shall be completed to the satisfaction of the **City**:

1. That an Urban Design Master Plan be developed to the satisfaction of the **City** that includes the following items:
 - a. location of public and/or private **Streets** and laneways;
 - b. location, size and configuration of parkland/open space on the site;
 - c. location, uses and massing of **Buildings** and their relationship to adjacent **Streets** and open spaces;
 - d. built form transitions to the surrounding community;
 - e. shadow impacts;
 - f. physical and visual connections to the immediate surroundings and broader downtown area;
 - g. conceptual streetscape designs for internal **Streets** and

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- adjacent public *Streets* to be improved;
 - h. heritage attributes to be rehabilitated, conserved and retained in the proposed development;
 - i. locations for heritage interpretation and/or public art;
 - j. general location and lay-out of parking;
 - k. provision of affordable housing; and,
 - l. environmental features and elements that support the Community Energy Plan and the sustainability policies of the Official Plan; and,
2. Prior to the removal of the Holding symbol “H” a municipal services review shall be completed to the satisfaction of the *City*. The scope and boundary of the municipal services review will be determined by the *City* and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.
- a) Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the *City*, the “H” may be lifted; or,
 - b) Should the municipal services review determine that all necessary municipal services are not adequate and available, then prior to the “H” being lifted:
 - The actual design and construction costs of any required municipal services shall be secured where appropriate and in a manner satisfactory to the City; and,
 - Any required municipal services shall be designed to the satisfaction of the City; and,
 - Any required municipal services shall be constructed to the satisfaction of the City prior to any intensification of the lands.
3. Section 3.1 of By-law (1995)-14864, as amended, is hereby further amended by adding the following:
- 3.2 A new definition is added as follows:

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“Active Entrance” means a door that is clearly intended and designed to be the principal entrance or one of the principal entrances for use on a permanent basis, facing a public **Street** or public square and excludes emergency egress doors, garage doors, service doors, loading doors and doors giving access to storage areas.

3.3 A new definition is added as follows:

“Active Frontage Area” means a **Lot** or portion thereof that is subject to the **Active Frontage Area**, as shown on Defined Area Map 65.

3.4 A new definition is added as follows:

“Angular Plane” means an imaginary inclined plane, rising over a **Lot**, drawn at a specified angle from the horizontal, which together with other **Building** regulations and **Lot** size requirements, delineates the maximum bulk and **Building Height**.

3.5 A new definition is added as follows

“Automated Parking System” means a mechanical system, wholly contained within an enclosed **Building** or **Structure**, which moves motor **Vehicles** to a **Parking Space** without the **Vehicles** being occupied or operated by a human being.

3.6 A new definition is added as follows:

“Bicycle Parking Space” means a **Bicycle Parking Space, Long Term** and/or a **Bicycle Parking Space, Short Term**.

3.7 A new definition is added as follows:

“Bicycle Parking Space, Long Term” means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather-protected and for use by occupants or tenants of a **Building** and is not provided within a **Dwelling Unit**, suite, or on a **Balcony**.

3.8 A new definition is added as follows:

“Bicycle Parking Space, Short Term” means an area for the purpose of parking and securing bicycles with a bicycle rack that is accessible for visitors to a **Building** and is located outdoors or indoors but not within a commercial suite, **Dwelling Unit**, secured room, enclosure or bicycle locker.

3.9 A new definition is added as follows:

“Drive-Through Facility” means a **Place Used** to provide or dispense products or services through an attendant, a window, or an automated machine to persons remaining in **Vehicles** in a designated stacking lane(s), which may or may not include an order box and menu boards, but does not include a **Public Parking**

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Facility.

- 3.10 A new definition is added as follows:
“***Floorplate***” means the gross horizontal floor area of a single floor measured from the exterior walls of a ***Building*** or ***Structure*** and shall not include ***Balconies***.
- 3.11 A new definition is added as follows:
“***Government Office***” means a ***Building*** or portion thereof ***Used*** by the public (Federal, Provincial, County or Municipal) sector Government(s) to conduct public administration or provide a public service.
- 3.12 A new definition is added as follows:
“***Live-Work Unit***” shall mean a unit within a ***Building***, in which a portion of the unit at grade level may be ***Used*** as a business establishment and the remainder of the unit shall be a ***Dwelling Unit*** and whereby each “live” and “work” component within a portion of the unit has an independent entrance from the outside and an interior access between the “live” and “work” components.
- 3.13 A new definition is added as follows:
“***Mixed-Use Building***” means a ***Building*** in a Downtown ***Zone*** containing ***Dwelling Units*** and at least one other non-residential ***Use*** permitted by this ***By-law***, where the residential portion of the ***Building*** has an independent entrance from the outside.
- 3.14 A new definition is added as follows:
“***Public Parking Facility***” means a ***Place*** other than a ***Street***, ***Used*** for the parking of ***Vehicles*** that is owned by or operated on behalf of public (Federal, Provincial, County, or Municipal) sector Government(s).
- 3.15 A new definition is added as follows:
“***Service Establishment***” means a ***Place*** providing services related to the grooming of persons (such as a barber or salon), a ***Place*** providing the cleaning, maintenance or repair of personal articles and accessories (such as dry cleaning and laundering), small appliances or electronics, or a ***Place*** providing services related to the maintenance of a residence or business (such as private mail box, photocopying, courier or custodial services), but does not include a: ***Parlour***, ***Adult Entertainment***; ***Small Motor Equipment Sales***; ***Storage Facility***; ***Tradesperson’s Shop***; ***Warehouse***; and ***Wholesale***.
- 3.16 A new definition is added as follows:
“***Stepback***” means a portion of a ***Building*** that is horizontally recessed from the

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Building face in accordance with the requirements of this **By-law**.

- 3.17 A new definition is added as follows:
“**Transparent Window**” means any window that is not tinted and which provides clear visibility from the outside to the interior of the **Building**.
- 3.18 A new definition is added as follows:
“**Vehicle Rental Establishment**” means a place where **Vehicles** are stored and rented to the public, but shall not include **Commercial Vehicles**, farm equipment, **Recreational Vehicle**, trailer, snowmobile, motorized boat or a **Vehicle Sales Establishment**.
4. Section 4 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 4.1 Section 4.13.2.3 is amended by deleting “CBD”.
- 4.2 Section 4.13.3.4.3 is deleted.
- 4.3 Section 4.13.7.3 is amended by adding “and Downtown **Zones**” to the end of the existing sentence.
- 4.4 Section 4.17.2.2 is amended by replacing “CBD.1” with “D.1”.
- 4.5 Section 4.17.2.3 is amended by replacing “CBD.1” with “D.1”.
- 4.6 Section 4.19.3(i) is amended by adding “and except in D **Zones** the parking *Use* ratio shall be in accordance with Table 6.3.2.5.1” to the existing regulation.
- 4.7 Section 4.21.1 is amended by replacing “CBD” with “D”.
- 4.8 Section 4.25.1 is amended by replacing “CBD **Zone**” with “D **Zones**”.
- 4.9 Section 4.25.2.4.3 is amended by replacing “CBD.1” with “D.1”.
- 4.10 Section 4.25.3 is amended by replacing “CBD” with “D.1, D.2,”.
- 4.11 Sections 4.25.4, 4.25.4.1 and 4.25.4.2 are deleted.
- 4.12 Section 4.25.4.3 is renumbered to 4.25.4.
- 4.13 Section 4.29.2 is amended by replacing “CBD.1” with “D.1”.

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5. Section 6.3 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

5.1 The title of section 6.3 and section 6.3.1 are amended by replacing the existing wording with the following:

6.3 **“DOWNTOWN (D) ZONES**

6.3.1 **List of Applicable Zones**
The Downtown **Zones** include:

Downtown 1 (D.1)
Downtown 2 (D.2)
Downtown 3 (D.3)
Downtown 3a (D.3a)”

5.2 Section 6.3.1.1 and section 6.3.1.2 are amended by deleting the existing regulations and replacing it with the following:

“6.3.1.1 **Permitted Uses**

Uses permitted in the Downtown **Zones** are denoted by the symbol “**J**” in the column applicable to that **Zone** and corresponding with the Row for a specific permitted **Use** in Table 6.3.1.1, below.

Active **Uses** refers to **Uses** permitted in **Active Frontage Areas** (6.3.2.4).

Table 6.3.1.1	D.1	D.2	D.3	D.3a	Active Uses
Residential Uses					
Accessory Apartment		J (1)			
Apartment Building	J (2)	J			
Duplex Dwelling		J			
Group Home	J (3)	J (3)			
Home for the Aged	J (2)	J			
Nursing Home	J (2)	J			
Home Occupation	J (4)	J (4)			
Live-Work Units	J (5)	J			
Lodging House Type 1	J (3)	J (3)			
Mixed-Use Building	J (5)(6)	J			
Multiple Attached Dwelling	J (2)	J			
Semi-Detached Dwelling		J			

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<i>Single Detached Dwelling</i>		✓			
<i>Townhouse</i>	✓ (2)	✓			
Retail Uses					
<i>Agricultural Produce Market</i>	✓	✓	✓	✓	✓
<i>Retail Establishment</i>	✓	✓ (7)	✓ (7)	✓ (7)	✓
Service Uses					
<i>Artisan Studio</i>	✓	✓	✓		
<i>Auction Centre</i>	✓				✓
<i>Catering Service</i>	✓		✓		
<i>Commercial Entertainment</i>	✓ (8)		✓		✓
<i>Commercial School</i>	✓	✓	✓		
<i>Day Care Centre</i>	✓	✓	✓		
<i>Financial Establishment</i>	✓	✓ (7)	✓		✓
<i>Micro-Brewery or Brew Pub</i>	✓ (9)				✓
<i>Restaurant</i>	✓ (8)	✓ (7)	✓ (7)	✓ (7)	✓
<i>Service Establishment</i>	✓	✓ (7)	✓ (7)	✓ (7)	✓
<i>Tavern</i>	✓ (9)				✓
<i>Taxi Establishment</i>	✓		✓		
<i>Tradesperson`s Shop</i>	✓		✓		
Office Uses					
<i>Laboratory</i>	✓		✓		
<i>Medical Clinic</i>	✓	✓	✓		
<i>Medical Office</i>	✓	✓	✓		
<i>Office</i>	✓	✓	✓		
<i>Research Establishment</i>	✓		✓		
Community Uses					
<i>Arena</i>	✓				
<i>Art Gallery</i>	✓	✓	✓		✓
<i>Club</i>	✓		✓		
<i>Emergency Shelter</i>	✓ (10)				
<i>Government Office</i>	✓	✓	✓	✓	✓
<i>Library</i>	✓	✓	✓		✓
<i>Museum</i>	✓	✓	✓		✓
<i>Public Hall</i>	✓ (8)		✓		

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<i>Recreation Centre</i>	✓		✓		✓
<i>Religious Establishment</i>	✓	✓	✓		
<i>School</i>	✓	✓	✓		
<i>School, Post Secondary</i>	✓	✓	✓		
Transit Terminal	✓		✓	✓	
Hospitality Uses					
<i>Bed and Breakfast</i>	✓ (11)	✓ (11)			
<i>Hotel</i>	✓		✓		✓
<i>Tourist Home</i>	✓	✓			
Other					
<i>Accessory Uses</i>	✓	✓	✓	✓	
<i>Occasional Uses</i>	✓ (12)	✓ (12)	✓ (12)	✓ (12)	
<i>Public Parking Facility</i>	✓	✓	✓	✓	

Additional Regulations for Table 6.3.1.1

1. In accordance with Section 4.15.1.
2. Not permitted in ***Active Frontage Area***.
3. In accordance with Section 4.25.
4. In accordance with Section 4.19.
5. In accordance with Section 6.3.2.4.
6. In ***Active Frontage Areas, Dwelling Units*** are not permitted in the ***Cellar, Basement***, or on the main floor level (i.e. in the first ***Storey***).
7. Maximum ***G.F.A.*** 500 m²
8. Where a ***Lot Line*** abuts a R.1, R.2 or R.3 ***Zones***, a ***Commercial Entertainment, Restaurant*** and ***Public Hall*** shall not exceed a maximum of 500 m² ***G.F.A.***
9. Where a ***Lot Line*** abuts a R.1, R.2 or R.3 ***Zone***, a ***Tavern*** and ***Micro-Brewery or Brew Pub*** shall not be permitted.
10. In accordance with Section 4.29.
11. In accordance with Section 4.27 except 4.27.3.
12. In accordance with Section 4.21.”

5.3 Section 6.3.2 is amended to replace “Central Business District” with “Downtown” and reference to “Table 6.3.2” is replaced with “Tables 6.3.2.7, 6.3.2.8 and 6.3.2.9”.

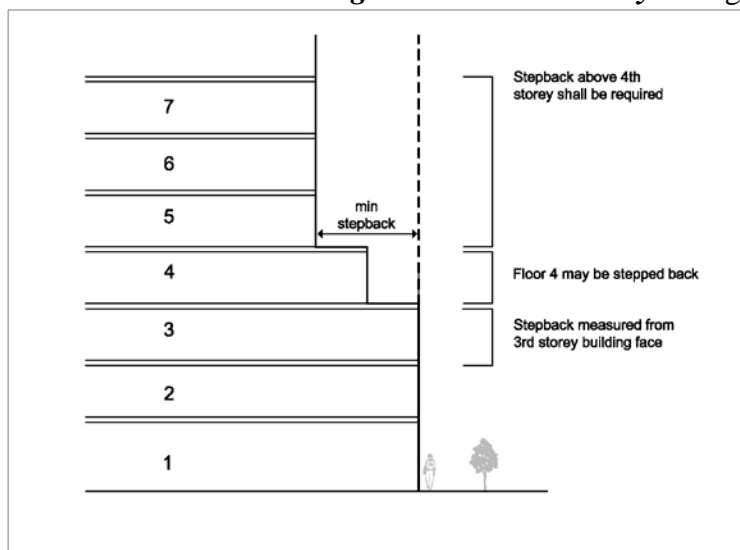
5.4 Section 6.3.2.1, 6.3.2.1.1, 6.3.2.1.2 and 6.3.2.1.3, is amended by deleting the existing regulations and replacing it with the following:

“6.3.2.1 Built Form Regulations

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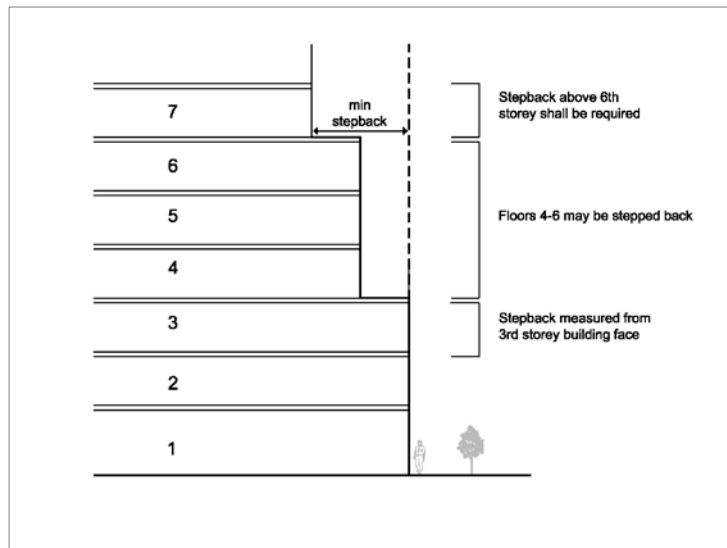
The following Built Form Regulations apply to new **Buildings** and/or additions constructed after the effective date of By-law (2017)-20187 in the Downtown **Zones**.

- 6.3.2.1.1 The maximum **Floorplate** of the 7th and 8th **Storeys** of the **Building** shall not exceed 1,200 square metres.
- 6.3.2.1.2 The maximum **Floorplate** of each **Storey** of the **Building** above the 8th **Storey** shall not exceed 1,000 square metres and shall not exceed a length to width ratio of 1.5:1.
- 6.3.2.1.3 The minimum **Stepback** shall be 3 metres and shall be required for all portions of the **Building** above the 4th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.



- 6.3.2.1.4 Notwithstanding Section 6.3.2.1.3, where a **Lot** abuts Gordon Street or Wellington Street the minimum **Stepback** shall be 3 metres and shall be required for all portions of the **Building** above the 6th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.

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6.3.2.2 Building Tower Separation Regulations

6.3.2.2.1 The tower of a *Building* refers to the *Storeys* located above the *Stepback*.

6.3.2.2.2 A minimum 25 metre tower separation is required for any tower portion of a *Building* greater than 12 *Storeys* as measured perpendicularly to the exterior wall of the tower portion of the *Building*.

6.3.2.2.3 For any tower portion of a *Building* 12 *Storeys* or less:

6.3.2.2.3.1 A minimum tower *Setback* of 6 metres is required from the *Side Yard* and/or *Rear Yard Lot Line*;

6.3.2.2.3.2 A minimum 12 metre tower separation is required.

6.3.2.2.3.3 Notwithstanding Section 6.3.2.2.3.1 and 6.3.2.2.3.2, the tower *Setback* may be reduced to a minimum of 3 metres from the *Side Yard* and/or *Rear Yard Lot Line* if there are no windows to a *Habitable Room* on the facing wall of an existing abutting *Building*.”

5.5 Section 6.3 is amended by deleting subsection 6.3.2.2 in its entirety.

5.6 Section 6.3 is amended by deleting subsection 6.3.2.3 and replacing it with the following:

“6.3.2.3 Building Height Regulations

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6.3.2.3.1 In addition to the provisions of Section 4.18, the following shall also apply:

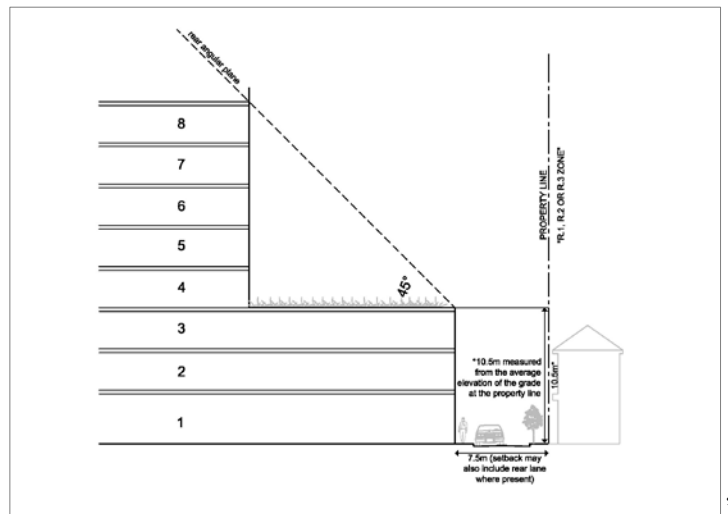
6.3.2.3.1.1 Defined Area Map 67 establishes the minimum and maximum **Building Heights** in Downtown **Zones**.

6.3.2.3.1.2 Minimum **Building Height** is not applicable to Accessory **Buildings** or **Structures**.

6.3.2.3.1.3 Section 4.16 is not applicable.

6.3.2.3.1.4 In addition to Defined Area Map 67, an **Angular Plane** establishes the maximum **Building Height** as follows:

Where a **Lot Line** of a Downtown **Zone** abuts a R.1, R.2 or R.3 **Zone**, **Building Heights** shall not exceed an **Angular Plane** of 45 degrees in accordance with the following:



5.7 Section 6.3 is amended by adding new subsections 6.3.2.4 and 6.3.2.5:

“6.3.2.4 Active Frontage Regulations

6.3.2.4.1 Notwithstanding Table 6.3.2.7 and Table 6.3.2.9, the following provisions apply to the **Street Line** or portion thereof, identified as **Active Frontage Area** in accordance with Defined Area Map 65. If the **Active Frontage Area** only applies to a portion of the **Street Line**, the regulations of Section 6.3.2.4 shall only apply to that portion identified.

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- 6.3.2.4.1.1 Where a ***Street Line***, or portion thereof, identified as ***Active Frontage Area*** exceeds 35 metres, the maximum ***Front Yard*** and/or ***Exterior Side Yard Setback*** shall be 0 metres for a minimum of 75% of the ***Street Line***. The remaining 25% of the ***Street Line*** shall have a maximum ***Front Yard*** and/or ***Exterior Side Yard Setback*** of 2 metres.
- 6.3.2.4.1.2 Where a ***Street Line***, or portion thereof, identified as ***Active Frontage Area*** is less than or equal to 35 metres, the maximum ***Front Yard*** and/or ***Exterior Side Yard Setback*** shall be 0 metres.
- 6.3.2.4.1.3 Notwithstanding Section 6.3.2.4.1.1 and 6.3.2.4.1.2, where a ***Lot*** abuts Wellington Street East between Gordon Street and Wyndham Street South the ***Building Setback*** shall be a minimum of 10.0 m from the Wellington Street East ***Street Line***.
- 6.3.2.4.1.4 The height of the first ***Storey*** shall be a minimum of 4.5 metres.
- 6.3.2.4.1.5 The minimum number of ***Active Entrances*** to the first ***Storey*** on the ***Front Yard*** and/or ***Exterior Side Yard Building*** façade shall be 1 for every 15 metres of ***Street Line*** or portion thereof identified as ***Active Frontage Area***, but shall not be less than 1. For the purposes of calculating the minimum number of ***Building*** entrances required, any fraction of a ***Building*** entrance shall be rounded to the next highest whole number.
- 6.3.2.4.1.5.1 ***Active Entrances*** shall be at or within 0.2 metres above or below ***Finished Grade***.
- 6.3.2.4.1.6 A minimum of 60% of the surface area of the first ***Storey*** façade, measured from the ***Finished Grade*** up to a height of 4.5 metres, facing a public ***Street*** or public square must be comprised of a ***Transparent Window*** and/or ***Active Entrances***.
- 6.3.2.4.1.7 Notwithstanding Table 6.3.1.1, the ***Uses*** identified in the Active ***Uses*** column in Table 6.3.1.1 with a “√” shall occupy a minimum of 60% of the ***Street Line***. Where an existing ***Building*** occupies less than 60% of the ***Street Line***, the ***Uses*** identified in the Active ***Uses*** column in Table 6.3.1.1 with a “√” shall occupy all portions of a ***Building*** of the first ***Storey*** immediately abutting a ***Street Line***.
- 6.3.2.4.1.8 A ***Driveway (Non-Residential)*** is prohibited at grade or in the first ***Storey*** of a ***Lot*** or ***Building*** for the first 6.0 metres of the depth

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measured in from the *Street Line*.

Notwithstanding this provision, where the entirety of a *Lot's Street* frontage is included in the *Active Frontage Area*, a maximum of one (1) *Driveway* shall be permitted perpendicular to the *Street Line* within the *Active Frontage Area* in accordance with all other requirements of this *By-law*.

6.3.2.5 Required Parking in Downtown *Zones*

6.3.2.5.1 Required *Parking Spaces*

Notwithstanding Section 4.13.4, off-street *Parking Spaces* for D.1, D.2, D.3 and D.3a *Zones* shall be provided in accordance with the following:

Table 6.3.2.5.1		
Row	<i>Use</i>	Minimum Number of <i>Parking Spaces</i>
1	<i>Apartment Building, Duplex, Multiple Attached, Single Detached, Semi-Detached, Townhouse</i>	1 per residential <i>Dwelling Unit</i> (1)
2	<i>Live-Work Unit, Mixed-Use Building</i>	In addition to the non-residential parking requirement, 1 <i>Parking Space</i> per residential <i>Dwelling Unit</i> is required (1).
3	<i>Home Occupation, Lodging House Type 1, Accessory Apartment, Group Home, Nursing Home</i>	In accordance with Section 4.13.4
4	<i>Retail Uses</i>	1 per 100 m ² <i>G.F.A.</i>
5	<i>Service Uses</i>	1 per 100 m ² <i>G.F.A.</i>
6	<i>Office Uses</i>	1 per 67 m ² <i>G.F.A.</i>
7	<i>Community Uses</i>	1 per 67 m ² <i>G.F.A.</i>
8	<i>Hospitality Uses</i>	0.75 per guest room (2)

Additional Regulations for Table 6.3.2.5.1

1. *Apartment Buildings, Cluster Townhouses* or *Mixed-Use Buildings* in a D.1 or D.2 *Zone*, with more than 10 *Dwelling Units*, require a minimum of 0.05 *Parking Spaces* per *Dwelling Unit* in addition to the requirements of Table 6.3.2.5.1, Rows 1 and 2, for the *Use* of visitors to the *Building* and such *Parking Spaces* shall be clearly identified as being reserved for the exclusive *Use* of residential

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visitors.

2. a) For a **Hotel**, an additional 1 **Parking Space** is required per 10 m² **G.F.A.** that is open to the public, excluding corridors, lobbies or foyers.

b) For a **Tourist Home** or **Bed and Breakfast** establishment in a D.1 or D.2 **Zone**, 1 additional **Parking Space** shall be provided. Required **Parking Spaces** may be in a stacked arrangement.

6.3.2.5.1.1 Notwithstanding Table 6.3.2.5.1, a **Designated Structure**, shall not require **Parking Spaces**. Any addition to the **Designated Structure** erected after the effective date of By-law (2017)-20187 shall require **Parking Spaces** in accordance with Table 6.3.2.5.1 for the **G.F.A.** of the addition.

6.3.2.5.1.2 If the calculation of the required **Parking Spaces** in accordance with Table 6.3.2.5.1 results in a fraction, the required **Parking Spaces** shall be the next higher whole number.

6.3.2.5.2 **Parking in Downtown Zones**

6.3.2.5.2.1 In addition to the parking provisions in Table 6.3.2.5.1 and section 4.13.1, 4.13.3 and 4.13.5 the following parking regulations shall apply.

6.3.2.5.2.1.1 **Parking Areas** shall not be permitted in the **Front Yard** or **Exterior Side Yard**. Notwithstanding any **Yard** regulations, **Parking Areas** shall be permitted in the **Rear Yard** and **Side Yard**. No part of a **Parking Space** shall be located closer than 3 metres to a **Street Line**.

6.3.2.5.2.1.2 An underground **Parking Area** shall be permitted in any **Yard** and may be located within 3 metres of a **Lot Line**.

6.3.2.5.2.1.3 Where an unenclosed **Parking Area** is located within 1 metre of any **Lot Line** adjacent to a **Single Detached Dwelling**, **Semi-Detached Dwelling**, **Duplex Dwelling** or **On-Street Townhouse** it is to be screened along those **Lot Lines** with a minimum 1.5 metre high solid **Fence**.

6.3.2.5.2.1.4 A **Parking Area** is prohibited from locating within 4.5 metres of the **Street Line** within the first **Storey** of a **Building**.

6.3.2.5.2.1.5 Section 4.13.3.2 is not applicable to **Parking Spaces** provided within

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an *Automated Parking System*.

6.3.2.5.2.1.6 Notwithstanding Sections 6.3.2.5.2.1.1 and 6.3.2.5.2.1.3, the following provisions shall apply to a *Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling* and *On-Street Townhouses*:

6.3.2.5.2.1.6.1 1 *Driveway* access only shall be permitted per *Lot*.

6.3.2.5.2.1.6.2 All off-street parking in the *Front Yard* and *Exterior Side Yard* shall be confined to the *Driveway (Residential)* area and any legal off-street *Parking Area*. The *Front Yard* of any *Lot* except the *Driveway (Residential)* shall be landscaped.

6.3.2.5.2.1.6.3 A *Driveway (Residential)* shall have a minimum driveway width of 3.0 metres and a maximum width of 3.5 metres. The minimum driveway width may be reduced to 2.5 metres at the point of entry of a *Garage* entrance or a *Fence* opening.

6.3.2.5.2.1.6.4 Notwithstanding Section 6.3.2.5.2.1.6.3 a surfaced walk within 1.5 metres of the nearest foundation wall is permitted provided that it is not *Used* for *Vehicle* parking.

6.3.2.5.2.1.6.5 Every required *Parking Space* shall be located a minimum distance of 6 metres from the *Street Line* and to the rear of the front wall of the main *Building*.

6.3.2.5.2.1.6.6 Attached *Garages* shall not project beyond the main front wall of the *Building*.

6.3.2.5.2.1.6.7 For *Single Detached Dwellings* section 4.13.7.4 shall be applicable.

6.3.2.5.3 **Bicycle Parking Spaces**

The minimum number of off-street *Bicycle Parking Spaces* required for *Uses* permitted by this *By-law* in any Downtown *Zone* are established and calculated in accordance with the ratios set out in Table 6.3.2.5.3, below:

Table 6.3.2.5.3			
Row	Use	Minimum Number of <i>Bicycle Parking Spaces</i> ,	Minimum Number of <i>Bicycle Parking Spaces, Short Term</i>

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		<i>Long Term</i>	
1	<i>Apartment Building, Multiple Attached, Stacked Townhouse</i>	0.68 per <i>Dwelling Unit</i> (1)	0.07 per <i>Dwelling Unit</i> (1)
2	<i>Live-Work, Mixed-Use Building</i>	In addition to the non-residential parking requirement, 0.68 per <i>Dwelling Unit</i> is required (1)	In addition to the non-residential parking requirement, 0.07 per <i>Dwelling Unit</i> is required (1)
3	Retail <i>Uses</i>	0.085 per 100 m ² <i>G.F.A.</i>	0.25 per 100 m ² <i>G.F.A.</i>
4	Office <i>Uses</i>	0.17 per 100 m ² <i>G.F.A.</i>	0.03 per 100 m ² <i>G.F.A.</i>
5	All other non-residential <i>Uses</i>	4% of the required parking under Table 6.3.2.5.1	4% of the required parking under Table 6.3.2.5.1

Additional Regulations for Table 6.3.2.5.3

1. In ***Buildings*** having less than 10 ***Dwelling Units***, the minimum number of ***Bicycle Parking Spaces*** required for the residential component shall be zero.

6.3.2.5.3.1 If the calculation of the required ***Bicycle Parking Spaces*** in accordance with Table 6.3.2.5.3 results in a fraction, the required ***Bicycle Parking Spaces*** shall be the next higher whole number.

6.3.2.5.3.2 The required ***Bicycle Parking Space, Short Term*** for any ***Use*** may be located on the ***Lot*** on which the ***Use*** is located, and/or on the ***Street*** abutting the ***Lot***.”

5.8 Section 6.3.2.4 is renumbered to 6.3.2.7.1 and “CBD.1 ***Zone***” is deleted from the title.

5.9 Section 6.3.2.4.1 is renumbered to 6.3.2.7.1.1 and reference to section “6.3.2.4.1.1” replaced with “6.3.2.7.1.1”.

5.10 Section 6.3.2.4.1.1 is renumbered this section to 6.3.2.7.1.1.1 and reference to section “6.3.2.4.1” replaced with “6.3.2.7.1.1”.

5.11 Section 6.3.2.4.2 is renumbered to 6.3.2.7.1.2 and reference to “CBD.1” replaced with “D.1-1”.

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- 5.12 Section 6.3.2.4.3 is renumbered to 6.3.2.7.1.3 and reference to “CBD.1” replaced with “D.1-1”.
- 5.13 Section 6.3.2.4.4 is renumbered to 6.3.2.7.1.4 and reference to “CBD.1” replaced with “D.1-1”.
- 5.14 Table 6.3.2 is deleted and replaced with the following Tables 6.3.2.7, 6.3.2.8, and 6.3.2.9:

“Table 6.3.2.7 Regulations Governing D.1 **Zones**

Row		
1	Minimum Front Yard or Exterior Side Yard	<p>0 m</p> <p>In accordance with Section 4.24.</p> <p>Section 4.6 is not applicable.</p> <p>The following exceptions apply:</p> <p>a) Where a Lot Line abuts a public lane, the minimum Setback shall be 1 metre from the Lot Line.</p> <p>b) Where a Dwelling Unit occupies the first Storey of a Building, that portion of the Building shall have a minimum Setback of 3.0 m from the Street Line.</p>
2	Maximum Front Yard or Exterior Side Yard	<p>4 m</p> <p>The following exception applies:</p> <p>a) Within Active Frontage Areas, the maximum Front Yard and the maximum Exterior Side Yard shall be in accordance with Section 6.3.2.4.</p>
3	Minimum Side Yard	<p>0 m</p> <p>The following exceptions apply:</p> <p>a) Where a Lot Line abuts a public lane, the minimum Setback shall be 1 metre from the Lot Line.</p> <p>b) Where a Lot Line abuts a R.1, R.2 or R.3 Zone, the minimum Setback shall be 3 metres on the abutting side.</p>

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		c) Where a Buffer Strip is required, the Setback shall not be less than the minimum Buffer Strip width.
4	Minimum Rear Yard	0 m The following exceptions apply: a) Where a Lot Line abuts a public lane, the minimum Setback shall be 1 metre from the Lot Line . b) Where a Lot Line abuts a R.1, R.2 or R.3 Zone , the minimum Setback shall be 7.5 metres on the abutting side. c) Where a Buffer Strip is required, the Setback shall not be less than the minimum Buffer Strip width.
5	Minimum and Maximum Building Height	In accordance with Section 6.3.2.3.
6	Access to Parking Area	Vehicle access to a Parking Area is by 1 Driveway (non-residential) only, which shall have a minimum width of 6 metres throughout its length.
7	Buffer Strips	3 m required where the D.1 Zone abuts a R.1, R.2, R.3, Institutional, Park or Wetland Zone .
8	Garbage, Refuse and Storage	In accordance with Section 4.9.
9	Enclosed Operations	In accordance with Section 4.22.
10	Fences	In accordance with Section 4.20.
11	Accessory Buildings or Structures	In accordance with Section 4.5.
12	Off-street Parking	In accordance with Section 6.3.2.5.
13	Exterior Finishes Regulations	In accordance with Section 6.3.2.7.1 and Defined Area Map 64.
14	Minimum Floor Space Index (F.S.I.)	1.5, except on properties fronting onto Elizabeth Street where the minimum F.S.I. is

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		1.0.
15	<i>Building Stepbacks</i>	In accordance with Section 6.3.2.1.3 and 6.3.2.1.4.
16	<i>Active Frontage Area Regulations</i>	In accordance with Section 6.3.2.4 and Defined Area Map 65.
17	Outdoor Storage	In accordance with Section 4.12.

Table 6.3.2.8 Regulations Governing D.2 ***Zones***

Row		
1	Minimum <i>Front Yard</i> or <i>Exterior Side Yard</i>	<p>The minimum <i>Front Yard</i> or <i>Exterior Side Yard</i> shall be the average of the <i>Setbacks</i> of the adjacent properties but in no case shall be less than 3 metres. Where there is only one adjacent property or where the average of the <i>Setbacks</i> of the adjacent properties cannot be determined, the minimum <i>Setback</i> shall be 3 metres.</p> <p>In accordance with Section 4.6</p> <p>In accordance with Section 4.24.</p> <p>The following exception applies:</p> <ul style="list-style-type: none"> a) Where a <i>Lot Line</i> abuts a public lane, the minimum <i>Setback</i> may be reduced to 1 metre from the <i>Lot Line</i>.
2	Minimum <i>Side Yard</i>	<p>1.5 m</p> <p>The following exceptions apply:</p> <ul style="list-style-type: none"> a) Where a <i>Lot Line</i> abuts a public lane, the minimum <i>Setback</i> may be reduced to 1 metre from the <i>Lot Line</i>. b) Where the D.2 <i>Zone</i> abuts an R.1, R.2, R.3, Institutional, Park or Wetland <i>Zone</i> the minimum <i>Side Yard</i> shall be 3 metres on the abutting side.
3	Minimum <i>Rear Yard</i>	10 m

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		The following exception applies: a) Where a <i>Lot Line</i> abuts a public lane, the minimum <i>Setback</i> may be reduced to 1 metre from the <i>Lot Line</i> .
4	Minimum and Maximum <i>Building Height</i>	In accordance with Section 6.3.2.3.
5	Minimum <i>Lot</i> Area	370 m ²
6	Minimum <i>Lot</i> Frontage	12 m
7	Access to <i>Parking Area</i>	<i>Vehicle</i> access to a <i>Parking Area</i> in a <i>Rear Yard</i> is by 1 <i>Driveway (non-residential)</i> only, which shall have a minimum width of 3 metres and a minimum overhead clearance of 4.5 metres throughout its length.
8	<i>Buffer Strips</i>	3 m required where the D.2 <i>Zone</i> abuts a R.1, R.2, R.3, Institutional, Park or Wetland <i>Zone</i> .
9	Garbage, Refuse and Storage	In accordance with Section 4.9.
10	Outdoor Storage	In accordance with Section 4.12.
11	Enclosed Operations	In accordance with Section 4.22.
12	<i>Fences</i>	In accordance with Section 4.20.
13	Accessory <i>Buildings</i> or <i>Structures</i>	In accordance with Section 4.5.
14	Off-street Parking	In accordance with Section 6.3.2.5.
15	Minimum <i>Floor Space Index (F.S.I.)</i>	0.6

Table 6.3.2.9 Regulations Governing D.3/D.3a ***Zones***

Row		D.3	D.3a
1	Minimum <i>Front Yard</i> or <i>Exterior Side Yard</i>	0 m In accordance with Section 4.24.	

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		Section 4.6 is not applicable.
2	Minimum <i>Side Yard</i>	0 m
3	Minimum <i>Rear Yard</i>	0 m
4	Minimum and Maximum <i>Building Height</i>	In accordance with Section 6.3.2.3.
5	Garbage, Refuse and Storage	In accordance with Section 4.9.
6	Outdoor Storage	In accordance with Section 4.12.
7	Enclosed Operations	In accordance with Section 4.22.
8	<i>Fences</i>	In accordance with Section 4.20.
9	Accessory <i>Buildings</i> or <i>Structures</i>	In accordance with Section 4.5.
10	Off-street Parking	In accordance with Section 6.3.2.5.
11	Access to <i>Parking Area</i>	<i>Vehicle</i> access to a <i>Parking Area</i> is by 1 <i>Driveway (non-residential)</i> only, which shall have a minimum width of 6 metres.”

- 5.15 Section 6.3.2.5 is renumbered to 6.3.2.6 and the existing text replaced with “The following regulations shall apply within the area outlined on Defined Area Map 79.”
- 5.16 Section 6.3.2.5.1 is renumbered to 6.3.2.6.1 and reference to “6.3.2.5” replaced with “6.3.2.6.”
- 5.17 Section 6.3.2.5.2 is renumbered to 6.3.2.6.2.
- 5.18 Section 6.3.2.5.3 is renumbered to 6.3.2.6.3.
- 5.19 Section 6.3.2.5.4 is renumbered to 6.3.2.6.4.
- 5.20 Section 6.3.2.5.5 is renumbered to 6.3.2.6.5.
6. Part 1 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

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- 6.1 Section 5.1.3.2.11 is amended by deleting the specialized R.1B-11 zone in its entirety.
7. Part 4 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 7.1 Section 5.4.3.1.14 is amended by deleting the specialized R.4A-14 zone in its entirety.
- 7.2 Section 5.4.3.2.7 is amended by deleting the specialized R.4B-7 zone in its entirety.
8. Part 6 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 8.1 Section 6.2.3.2.3 is amended by deleting the specialized CC-3 zone in its entirety.
9. Part 7 of By-law (1995)-14864, as amended, is hereby further amended as follows:
- 9.1 The title and introduction of Part 7 is amended by replacing the existing wording with the following:

“Specialized Downtown (D) *Zones*

In certain instances, special circumstances dictate that variances be allowed to the permitted *Uses* or regulations of the D *Zones*. In these cases, specific D Restricted Defined Areas (Specialized D *Zones*) have been established and these are indicated by hyphenated *Zone* designations (e.g. D.1-1, D.2-2, D.2-3, etc.)

The D *Zone* provisions shall apply except when precluded by the specific *Uses* and regulations for any D Restricted Defined Area.

The following D Restricted Defined Areas (Specialized D *Zones*) are herein set out:

6.3.3.1 Special Downtown 1 (D.1) *Zones*

- 9.2 Section 6.3.3.1.1 to Section 6.3.3.1.6 are amended by deleting the existing regulations and replacing it with the following:

6.3.3.1.1 D.1-1

As shown on Defined Area Map 24, 34 and 36 of Schedule “A” of this *By-law*.

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6.3.3.1.1.1 Regulations

6.3.3.1.1.1.1 Built Form Regulations

Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** shall be 6 metres and shall be required for all portions of the **Building** above the 4th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.

6.3.3.1.1.1.2 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required in the D.1-1 **Zone**.

Notwithstanding Table 6.3.2.5.1, Rows 1, 2 and 3, no off-street parking shall be required for **Dwelling Units** constructed within **Buildings** which existed prior to June 7, 1971. Any addition to the existing **Building** erected after the effective date of By-law (2017)-20187 shall require **Parking Spaces** in accordance with Table 6.3.2.5.1.

6.3.3.1.2 **D.1-1 (H30)**

As shown on Defined Area Map 36 of Schedule “A” of this **By-law**.

6.3.3.1.2.1 Regulations

6.3.3.1.2.1.1 In accordance with Section 6.3.3.1.1.1.

6.3.3.1.2.1.2 See Section 2.9 for Holding **Zone** provisions.

6.3.3.1.3 **D.1-2 (H30)**

65 Gordon St., 20, 28, 36, 50 Wellington St. E.

As shown on Defined Map Number 25 and 37 of Schedule “A” of this **By-law**.

6.3.3.1.3.1 Permitted **Uses**

All **Uses** permitted by Table 6.3.1.1 D.1 **Zone** are permitted and the following:

- **Drive-through Facility**

6.3.3.1.3.2 See Section 2.9 for Holding **Zone** provisions.

6.3.3.1.4 **D.1-3**

Elizabeth St. between Arthur St. and Huron St.

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As shown on Defined Map Number 38 of Schedule “A” of this **By-law**.

6.3.3.1.4.1 Permitted **Uses**

All **Uses** permitted by Table 6.3.1.1 D.1 **Zone** are permitted and the following:

- **Single Detached Dwellings** and **Semi-Detached Dwellings** legally existing on the date of the passing of By-law (2017)-20187.
- **Accessory Apartment** in accordance with Section 4.15.1

6.3.3.1.4.2 Regulations

Vehicle access to a **Parking Area** in a **Rear Yard** is by 1 **Driveway (non-residential)** only, such **Driveway (non-residential)** shall have a width of not less than 3 metres and an overhead clearance of not less than 4.5 metres.

6.3.3.1.5 **D.1-4**

2 Quebec St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.1.5.1 Regulations

6.3.3.1.5.1.1 Off-Street Parking for Residential Units

Notwithstanding Table 6.3.2.5.1, Row 2, the minimum number of off-street **Parking Spaces** required for the residential units existing as of January 1, 1974 shall be 88. Any additional **Dwelling Units** created after January 1, 1974 shall require **Parking Spaces** at the rate of 1 space per **Dwelling Unit**.

6.3.3.1.5.1.2 Off-Street Parking for Non-residential **Uses**

Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required.

6.3.3.1.5.1.3 Maximum **Building Height**

Notwithstanding Section 4.18, no part of any **Building** or **Structure** shall exceed the total height of the **Building** existing as of January 1, 1974, which reaches a height of 369.7 metres above sea level.

6.3.3.1.6 **D.1-5**

51-59 Yarmouth St., 58-64 Baker St.

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As shown on Defined Area Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.1.6.1 Permitted Uses

- *Mixed-Use Building* containing a maximum of 72 *Dwelling Units*

6.3.3.1.6.2 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, the minimum number of *Parking Spaces* to be provided is 54 *Parking Spaces*.

6.3.3.1.6.3 Location of Parking Spaces

All *Parking Spaces* required by Section 6.3.3.1.6.2 shall be located within the existing *Building* or within 23 metres of the *Building* on private property which permits a *Parking Area*.

6.3.3.1.7 D.1-6

43-45 Macdonell St.

As shown on Defined Area Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.1.7.1 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, Row 2, *Parking Spaces* shall not be required for a maximum of 4 *Dwelling Units*. Any additional *Dwelling Units* shall provide *Parking Spaces* in accordance with Table 6.3.2.5.1.

9.3 Section 6.3.3.1.7 is renumbered to 6.3.3.1.8 and renamed from “CBD.1-7” to “D.1-7”.

9.4 Section 6.3.3.1.7.1 is renumbered to 6.3.3.1.8.1.

9.5 Section 6.3.3.1.7.1.1 is renumbered to 6.3.3.1.8.1.1 and reference to section “6.3.2.5” replaced with “6.3.2.6”.

9.6 Section 6.3.3.1.7.1.2 is renumbered to 6.3.3.1.8.1.2.

9.7 Section 6.3.3.1.7 is amended by adding the following:

6.3.3.1.8.2 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential *Uses* in Row 2, no off-street parking shall be required.

9.8 Section 6.3.3.1.8 and Section 6.3.3.1.9 are amended by deleting the existing regulations and replacing it with the following:

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6.3.3.1.9 **D.1-8**
27-33 Cardigan St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.1.9.1 **Permitted Uses**

- ***Apartment Buildings***
- ***Art Gallery***
- ***Artisan Studio***
- ***Commercial School*** to a maximum ***G.F.A.*** of 500 m²
- ***Day Care Centre***
- ***Home Occupation*** in accordance with Section 4.19
- ***Live-Work Units***
- ***Medical Clinic*** to a maximum ***G.F.A.*** of 500 m²
- ***Medical Office*** to a maximum ***G.F.A.*** of 500 m²
- ***Mixed-Use Building***
- ***Multiple Attached Dwelling***
- ***Municipal Parkland***
- ***Office*** to a maximum ***G.F.A.*** of 500 m²
- ***Personal Service Establishment*** to a maximum ***G.F.A.*** of 500 m²
- ***Restaurant*** to a maximum ***G.F.A.*** of 500 m²
- ***Retail Establishment*** to a maximum ***G.F.A.*** of 500 m²
- ***Townhouse***

6.3.3.1.9.2 **Regulations**

6.3.3.1.9.2.1 Notwithstanding Table 6.3.2.7, Row 14, the minimum ***F.S.I.*** is 1.0.

6.3.3.1.9.2.2 **Off-Street Parking**
Notwithstanding Table 6.3.2.5.1, Row 1, a minimum of 0.95 of a ***Parking Space*** is required for each ***Dwelling Unit***.

6.3.3.1.9.2.3 **Size of Off-Street *Parking Spaces***
Notwithstanding Section 4.13.3.2, as amended, 10 percent of the required ***Parking Spaces*** may have a minimum size of 2.6 metres by 4.1 metres.

6.3.3.1.9.2.4 **Minimum *Landscaped Open Space***
10 m² per ***Dwelling Unit***.

6.3.3.1.10 **D.1-9**

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35, 87 Gordon St., 33 Elizabeth St.

As shown on Defined Area Map Number 25, 37 and 38 of Schedule “A” of this *By-law*.

6.3.3.1.10.1 Permitted *Uses*

All *Uses* permitted by Table 6.3.1.1 D.1 *Zone* are permitted and the following:

- *Vehicle Service Station*
- *Vehicle Specialty Repair Shop*

6.3.3.1.11 **D.1-9 (H30)**

73 Gordon St., 67 Surrey St. E., 46, 48 Wyndham St. S.

As shown on Defined Area Map Number 25 and 37 of Schedule “A” of this *By-law*.

6.3.3.1.11.1 Regulations

6.3.3.1.11.1.1 In accordance with Section 6.3.3.1.10.1.

6.3.3.1.11.1.2 See Section 2.9 for Holding *Zone* provisions.

6.3.3.1.12 **D.1-10 (H30)**

58 Wellington St. E.

As shown on Defined Area Map Number 37 of Schedule “A” of this *By-law*.

6.3.3.1.12.1 Permitted *Uses*

All *Uses* permitted by Table 6.3.1.1 D.1 *Zone* are permitted and the following:

- *Vehicle Gas Bar*

6.3.3.1.12.2 See Section 2.9 for Holding *Zone* provisions.

6.3.3.1.13 **D.1-11**

10 Wilson St.

As shown on Defined Area Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.1.13.1 For the purposes of the D.1-11 *Zone*, the first *Storey* shall be measured

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from the intersection of Wilson Street and Northumberland Street.

The geodetic elevation of the floor of the first **Storey** shall be located at or within 0.75 metres of the geodetic elevation of the intersection of Wilson Street and Northumberland Street.

6.3.3.1.13.2 **Built Form Regulations**

6.3.3.1.13.2.1 Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** from Wilson Street and Northumberland Street **Street Line** shall be 3 metres and shall be required for all portions of the **Building** above 14.1 metres in height as measured from the geodetic elevation of the intersection of Wilson Street and Northumberland Street.

A **Stepback** is not required for 30% of the **Building** length along Wilson Street and Northumberland Street.

6.3.3.1.13.3 **Building Height Regulations**

6.3.3.1.13.3.1 Notwithstanding Section 6.3.2.3, the maximum **Building Height** shall be 20.5 metres as measured from the geodetic elevation of the intersection of Wilson Street and Northumberland Street.

6.3.3.1.13.4 **Active Frontage Regulations**

Notwithstanding Section 6.3.2.4, the following active frontage regulations apply to the portion of the property identified as **Active Frontage Area** on Defined Area Map 65:

6.3.3.1.13.4.1 The minimum **Front Yard Setback** shall be 0 metres.

6.3.3.1.13.4.2 The height of the first **Storey** shall be a minimum of 4.5 metres.

6.3.3.1.13.4.3 A minimum of one **Active Entrance** to the first **Storey** shall be required along the Wilson Street façade.

6.3.3.1.13.4.4 A minimum of 60% of the surface area of the Wilson Street first **Storey** façade, measured from the **Finished Grade** up to a height of 4.5 metres, must be comprised of a **Transparent Window** and/or **Active Entrances**.

6.3.3.1.13.4.5 Notwithstanding Table 6.3.1.1, the **Uses** identified in the Active **Uses** column in Table 6.3.1.1 with a “**√**” shall occupy a minimum of 60% of the **Street Line**.

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6.3.3.1.13.5 Maximum *Front Yard Setback*
Notwithstanding Table 6.3.2.7, Row 2, a maximum *Front Yard Setback* is not required for a *Public Parking Facility Building*.

6.3.3.1.13.6 Minimum *F.S.I.*
Notwithstanding Table 6.3.2.7, Row 14, a minimum *F.S.I.* shall not be required for a *Public Parking Facility Building*.

6.3.3.1.14 **D.1-12**
16-22 Essex St.

As shown on Defined Area Map Number 25 of Schedule “A” of this *By-law*.

6.3.3.1.14.1 Permitted *Uses*
All *Uses* permitted by Table 6.3.1.1 D.1 *Zone* are permitted and the following:

- *Car wash, Manual*

6.3.3.1.15 **D.1-13 (H30)**
75 Wyndham St. S.

As shown on Defined Area Map Number 38 of Schedule “A” of this *By-law*.

6.3.3.1.15.1 Notwithstanding Section 6.3.2.5.2.1.1 of this *By-law*, a maximum of 2 *Parking Spaces* shall be permitted within the *Front Yard*.

6.3.3.1.15.2 *Buffer Strips*
None required.

6.3.3.1.15.3 See Section 2.9 for Holding *Zone* provisions.

6.3.3.1.16 **D.1-14**
5 Gordon St.

As shown on Defined Area Map Number 25 of Schedule “A” of this *By-law*.

6.3.3.1.16.1 Permitted *Uses*

- *Mixed-Use Building* containing a maximum of 55 *Dwelling Units*.

6.3.3.1.16.2 Regulations for a *Mixed-Use Building*

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- 6.3.3.1.16.2.1 Off-street Parking
Notwithstanding Table 6.3.2.5.1, minimum off-street parking shall be:
- 6.3.3.1.16.2.2 Apartments – 1 *Parking Space* per *Dwelling Unit*.
- 6.3.3.1.16.2.3 Retail, Service, Office, Community *Uses* – 0 *Parking Spaces*.

- 6.3.3.1.17 **D.1-15**
8-10, 18 Paisley St.

As shown on Defined Area Map Number 24 of Schedule “A” of this *By-law*.

- 6.3.3.1.17.1 **Building Height**
Notwithstanding Section 4.18.1, no *Building* or *Structure*, or part thereof, shall exceed an elevation of 356.6 metres above sea level.
- 6.3.3.1.17.2 Off-Street Parking
Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential *Uses* in Row 2, no off-street parking shall be required in the D.1-15 *Zone*.

- 6.3.3.1.18 **D.1-16**
21 Surrey St. W.

As shown on Defined Area Map Number 25 of Schedule “A” of this *By-law*.

- 6.3.3.1.18.1 **Buffer Strips**
No *Buffer Strip* is required along the *Lot Line* abutting any Residential *Zone*.

Notwithstanding the above, a boundary fence of solid construction shall be provided along the *Lot Line* abutting any Residential *Zone*.

- 6.3.3.1.19 **D.1-17**
22 Surrey St. W.

As shown on Defined Area Map Number 25 of Schedule “A” of this *By-law*.

- 6.3.3.1.19.1 **Permitted Uses**
In addition to the *Uses* listed in Table 6.3.1.1 D.1 *Zone*, the following additional *Use* shall be permitted:

- A parking *Lot* providing *Parking Spaces* for 21 Surrey St. W.

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6.3.3.1.19.2 Off-Street Parking Location

Notwithstanding Section 6.3.2.5.2.1.1 of this *By-law*, off-street parking may be permitted ahead of the required *Setback* line.

6.3.3.1.20 **D.1-18**

42 and 56 Gordon St.

As shown on Defined Area Map Number 37 of Schedule “A” of this *By-law*.

6.3.3.1.20.1 Permitted Uses

All *Uses* permitted by Table 6.3.1.1 D.1 *Zone* are permitted and the following:

- *Vehicle Rental Establishment*

6.3.3.1.20.2 Off-street Parking

In accordance with Table 6.3.2.5.1 and the following:

Vehicle Rental Establishment- 1 per 25m² *G.F.A.* or a minimum of 2, whichever is greater (parking is exclusive of display and storage areas).

6.3.3.1.21 **D.1-19**

49 Gordon St.

As shown on Defined Area Map Number 25 of Schedule “A” of this *By-law*.

6.3.3.1.21.1 Permitted Uses

All *Uses* permitted by Table 6.3.1.1 D.1 *Zone* are permitted and the following:

- *Drive-through Facility* as existing on the date of the passing of By-law (2017)-20187.
- *Veterinary Service*

6.3.3.1.22 **D.1-20**

23-25, 31 Gordon St.

As shown on Defined Area Map Number 25 of Schedule “A” of this *By-law*.

6.3.3.1.22.1 Off-Street Parking

An off-site parking agreement is required which shall be entered into by the owner with the *City* of Guelph and shall be registered against title of the property known as 25 Gordon Street.

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6.3.3.1.22.2 Off-Site Parking

The maximum parking distance from the subject property for off-site parking shall be permitted to be 152 metres.

6.3.3.1.23 **D.1-21**

160 Macdonell St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.1.23.1 Built Form Regulations

6.3.3.1.23.1.1 Notwithstanding Section 6.3.2.1.1 and 6.3.2.1.2, the maximum **Floorplate** shall be 1,276 square metres from the 3rd **Storey** to the 16th **Storey** of the **Building**.

6.3.3.1.23.1.2 The 17th **Storey** shall have a maximum **Floorplate** of 1,045 square metres.

6.3.3.1.23.1.3 Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** shall be 2 metres and shall be required for all portions of a **Building** above the 2nd **Storey**. **Stepbacks** shall be measured from the **Building** face of the 2nd **Storey** facing a **Street**.

6.3.3.1.23.1.4 A Stepback of 0 metres shall be permitted for a maximum of 3 metres of the length of the **Building**.

6.3.3.1.23.2 Off-Street Parking

6.3.3.1.23.2.1 Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required in the D.1-21 **Zone**.

6.3.3.1.23.2.2 Notwithstanding Table 6.3.2.5.3, Rows 1 and 2, the minimum number of **Bicycle Parking Spaces** shall be 18.

6.3.3.1.24 **D.1-22**

150 Wellington St. E.

As shown on Defined Area Map Number 37 of Schedule “A” of this **By-law**.

6.3.3.1.24.1 Built Form Regulations

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6.3.3.1.24.1.1 Notwithstanding Section 6.3.2.1.1 and 6.3.2.1.2, the maximum **Floorplate** shall be 1,089 square metres from the 7th **Storey** to the 15th **Storey** of the **Building**.

6.3.3.1.24.2 Off-Street Parking

6.3.3.1.24.2.1 Notwithstanding Table 6.3.2.5.1, Row 6, the minimum number of **Parking Spaces** for Office **Uses** shall be 1 per 100 m² **G.F.A.**

6.3.3.1.24.2.2 Notwithstanding Table 6.3.2.5.3, Rows 1 and 2, the minimum number of **Bicycle Parking Spaces** shall be 30.

6.3.3.1.25 **D.1-23**
45 Yarmouth St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.1.25.1 Built Form Regulations

6.3.3.1.25.1.1 Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** shall be 2 metres along Yarmouth Street and 1 metres along Baker Street and shall be required above the 3rd **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.

6.3.3.1.25.1.2 Section 6.3.2.2.3.1 is not applicable.

6.3.3.1.25.2 Off-Street Parking

6.3.3.1.25.2.1 Notwithstanding Section 6.3.2.5.2.1.4, a **Parking Area** is permitted within the first 4.5 metres of the depth measured from the **Street Line** of Yarmouth Street.

6.3.3.1.25.2.2 Notwithstanding Table 6.3.2.5.1, Rows 1 and 2, the minimum number of **Parking Spaces** per residential **Dwelling Unit** shall be 0.80.

6.3.3.1.25.2.3 Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required.

9.9 Section 6.3.3.2 is amended by deleting the existing regulations in its entirety and replacing it with the following:

6.3.3.2 **Special Downtown (D.2) Zones**

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6.3.3.2.1 **D.2-1**

7-27 Suffolk St. E., 82-88 Yarmouth St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.2.1.1 **Regulations**

Notwithstanding Table 6.3.2.5.1, Row 1, any new construction carried out after the passing of By-law (2017)-20187 shall be in accordance with the following regulations:

6.3.3.2.1.1.1 **Off-Street Parking**

One ***Parking Space*** per ***Dwelling Unit***.

6.3.3.2.1.1.2 Notwithstanding Table 6.3.2.5.1, ***Use*** of the ***Buildings*** and ***Structures*** located in the D.2-1 ***Zone*** on the date of the passing of By-law (2017)-20187 must be in conformity with the following regulation:

6.3.3.2.1.1.2.1 **Minimum Off-Street Parking**

A minimum of 11 ***Parking Spaces***.

6.3.3.2.2 **D.2-2**

206-212 Norfolk St.

As shown on Defined Area Map Number 24 of Schedule “A” of this **By-law**.

6.3.3.2.2.1 **Permitted Uses**

All ***Uses*** permitted by Table 6.3.1.1 D.2 ***Zone*** and the following:

- ***Funeral Home***

6.3.3.2.3 **D.2-3**

228 Woolwich St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.2.3.1 **Permitted Uses**

All ***Uses*** permitted by Table 6.3.1.1 D.2 ***Zone*** and the following:

- ***Vehicle Specialty Repair Shop***

6.3.3.2.4 **D.2-4**

239 Woolwich St.

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As shown on Defined Area Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.2.4.1 Minimum *Rear Yard*
5.3 metres.

6.3.3.2.5 **D.2-5**
200 Woolwich St.

As shown on Defined Area Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.2.5.1 Minimum *Yards*
The minimum *Front*, *Side* and *Rear Yards* shall be identical to those existing on the date of the passing of By-law (2017)-20187.

6.3.3.2.5.2 Off-Street Parking
Notwithstanding Section 4.13.3.2.3 and Section 6.3.2.5.2.1.1, off-street parking shall be in accordance with the following regulations:

- *Parking Spaces* shall be permitted within the required *Front Yard*.
- The minimum exterior *Parking Space* dimensions shall be 2.74 metres by 5.5 metres for a right angle *Parking Space* and 2.59 metres by 5.49 metres for a parallel *Parking Space*.

6.3.3.2.6 **D.2-6**
9 Paisley St.

As shown on Defined Area Map Number 24 of Schedule “A” of this *By-law*.

6.3.3.2.6.1 Permitted *Uses*
All *Uses* permitted by Table 6.3.1.1 D.2 *Zone* and the following:

- Retail and wholesale fur sales

6.3.3.2.7 **D.2-7 (H)**
290 Woolwich Street

As shown on Defined Area Map Number 24 of Schedule “A” of this *By-law*.

6.3.3.2.7.1 Permitted *Uses*
Only the following *Uses* shall be permitted:

A maximum of 10 *Townhouse Dwellings*, specifically excluding a *Home*

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Occupation or ***Accessory Use***, and allowing a stand-alone residential ***Use*** without a commercial component.

6.3.3.2.7.2 Regulations

In accordance with Section 6.3.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

6.3.3.2.7.2.1 Minimum ***Front*** and ***Exterior Side Yard***

Notwithstanding Table 6.3.2.8, Row 1, minimum ***Front Yard*** on Edwin ***Street*** shall be 1.15 metres and the minimum ***Exterior Side Yard*** on Woolwich ***Street*** shall be 1.5 metres.

6.3.3.2.7.2.2 Minimum ***Rear Yard***

Notwithstanding Table 6.3.2.8, Row 3, the minimum ***Rear Yard*** on London Road shall be 1.15 metres.

6.3.3.2.7.2.3 Location of ***Parking Spaces***

Notwithstanding Section 6.3.2.5.2.1.1, a maximum of 2 ***Parking Spaces*** shall be allowed to locate a minimum of 0.3 metres from the ***Street Line***.

6.3.3.2.7.3 Holding (H) Provision

Purpose:

To ensure that development of the lands at 290 Woolwich Street does not proceed until the owner has completed certain conditions and paid associated costs to the satisfaction of the City of Guelph.

Conditions:

- a. Prior to the removal of the holding symbol “H”, the owner shall demonstrate to the ***City*** that the subject lands known municipally as 290 Woolwich Street have been decommissioned for residential ***Use***, in accordance with the current edition of the Ministry of the Environment document entitled “Guideline For Use At Contaminated Sites In Ontario” and that the owner has filed a Record of Site Conditions (RSC).
- b. Prior to the removal of the holding symbol “H”, the owner and any mortgagees shall enter into a site plan control agreement with the ***City***, registered on the title of the subject lands known municipally as 290 Woolwich Street, and satisfactory to the ***City*** Solicitor, including all conditions of approval endorsed by Guelph City Council.

6.3.3.2.8 **D.2-8**

18 Norwich Street East

As shown on Defined Map Number 36 of Schedule “A” of this ***By-law***.

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6.3.3.2.8.1 Permitted Uses

All *Uses* permitted by Table 6.3.1.1 D.2 *Zone* and the following:

- *Emergency Shelter*, in accordance with Section 4.29.1 and 4.29.3.

6.3.3.2.8.2 Regulations

In accordance with the provisions of Section 6.3.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:

6.3.3.2.8.2.1 Off-Street Parking

Notwithstanding the provisions of Table 6.3.2.5.1, no off-street parking shall be required for an *Emergency Shelter*.

6.3.3.2.9 **D.2-10**

18 Norwich Street East

As shown on Defined Map Number 37 of Schedule “A” of this *By-law*.

6.3.3.2.9.1 Permitted Uses

All *Uses* permitted by Table 6.3.1.1 D.2 *Zone* and the following:

- *Vehicle Body Shop*

6.3.3.2.10 **D.2-11**

128 Norfolk St.

As shown on Defined Map Number 24 of Schedule “A” of this *By-law*.

6.3.3.2.10.1 Regulations

6.3.3.2.10.1.1 Minimum *Front Yard*

0.9 metres

6.3.3.2.10.1.2 Minimum *Exterior Side Yard*

2.74 metres

6.3.3.2.10.1.3 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, a minimum of 12 *Parking Spaces* shall be provided for a 90 resident *Nursing Home* or *Home for the Aged*.

6.3.3.2.11 **D.2-12**

40-42 Cardigan St.

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As shown on Defined Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.2.11.1 Regulations

6.3.3.2.11.1.1 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential *Uses* in Row 2, no off-street parking shall be required in the D.2-12 *Zone*.

Notwithstanding Table 6.3.2.5.1, Rows 1, 2 and 3, no off-street parking shall be required for *Dwelling Units* constructed within *Buildings* which existed prior to June 7, 1971. Any addition to the existing *Building* erected after the effective date of this *By-law* shall require *Parking Spaces* in accordance with Table 6.3.2.5.1.

9.10 Part 7 is amended by adding the following:

6.3.3.3 Special Downtown (D.3) Zones

6.3.3.3.1 D.3-1

70 Fountain St. E., 75, 111 Farquhar St.

As shown on Defined Area Map Number 37 of Schedule “A” of this *By-law*.

6.3.3.3.1.1 Built Form Regulations

Any new *Building* or addition to an existing *Building* erected after the effective date of By-law (2017)-20187 shall be in accordance with built form regulations in Section 6.3.2.1.

6.3.3.3.2 D.3-2

35, 60, 74 Woolwich St., 128, 130, 140, 146 MacDonell St., 1, 59 Carden St.

As shown on Defined Area Map Number 36 of Schedule “A” of this *By-law*.

6.3.3.3.2.1 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8, properties within the D.3-2 *Zone* shall not require *Parking Spaces*.

6.3.3.3.2.2 Section 6.3.2.1 Built Form Regulations does not apply.

6.3.3.3.3 D.3-3

81, 91, 95, 97 Farquhar St., 90, 94 Fountain St. E.

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As shown on Defined Area Map Number 37 of Schedule “A” of this **By-law**.

6.3.3.3.1 Permitted Uses

All **Uses** permitted by Table 6.3.1.1 D.3 **Zone** and the following:

- **Dwelling Units** legally existing on the date of the passing of By-law (2017)-20187.

6.3.3.3.2 Built Form Regulations

Any new **Buildings** or addition to an existing Building erected after the effective date of By-law (2017)-20187 shall be in accordance with built form regulations in Section 6.3.2.1.

6.3.3.3.4 **D.3-4**

15 Wyndham St. S.

As shown on Defined Area Map Number 37 of Schedule “A” of this **By-law**.

6.3.3.3.4.1 Off-Street Parking

Notwithstanding Table 6.3.2.5.1, the Guelph Police Services Headquarters requires a minimum of 60 parking spaces for a **Building** with a maximum **G.F.A.** of 12,000 m²

6.3.3.3.4.2 Built Form Regulations

Any new **Building** or addition to an existing **Building** erected after the effective date of By-law (2017)-20187 shall be in accordance with built form regulations in Section 6.3.2.1.

10. Part 8 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

10.1 Section 6.4.3.1.2 is amended by deleting 20-50 Wellington St. E. and 72-80 Gordon St.

10.2 Section 6.4.3.1.31 is amended by deleting 73, 87 Gordon St., 58 Wellington St. E

10.3 Section 6.4.3.1.34 is amended by deleting the SC.1-34 zone in its entirety.

11. Part 9 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

11.1 Section 6.5.3.1 is amended by deleting the specialized OR-1 zone in its entirety.

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- 11.2 Section 6.5.3.2 is amended by deleting the specialized OR-2 zone in its entirety.
- 11.3 Section 6.5.3.3 is amended by deleting the specialized OR-3 zone in its entirety.
- 11.4 Section 6.5.3.4 is amended by deleting the specialized OR-4 zone in its entirety.
- 11.5 Section 6.5.3.5 is amended by deleting the specialized OR-5 zone in its entirety.
- 11.6 Section 6.5.3.6 is amended by deleting the specialized OR-6 zone in its entirety.
- 11.7 Section 6.5.3.14 is amended by deleting the specialized OR-14 zone in its entirety.
- 11.8 Section 6.5.3.15 is amended by deleting the specialized OR-15 zone in its entirety.
- 11.9 Section 6.5.3.16 is amended by deleting the specialized OR-16 zone in its entirety.
- 11.10 Section 6.5.3.35 is amended by deleting the specialized OR-35 zone in its entirety.
- 11.11 Section 6.5.3.42 is amended by deleting the specialized OR-42 zone in its entirety.
- 11.12 Section 6.5.3.43 is amended by deleting the specialized OR-43 zone in its entirety.
- 11.13 Section 6.5.3.46 is amended by deleting the specialized OR-46 zone in its entirety.
- 11.14 Section 6.5.3.52 is amended by deleting the specialized OR-52(H) zone in its entirety.
- 11.15 Section 6.5.4.56 is amended by deleting the specialized OR-56 zone in its entirety.
- 12. Part 10 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
 - 12.1 Section 6.6.3.1 is amended by deleting the specialized CR-1 zone in its entirety.

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- 12.2 Section 6.6.3.2 is amended by deleting the specialized CR-2 zone in its entirety.
- 12.3 Section 6.6.3.4 is amended by deleting the specialized CR-4 zone in its entirety.
- 12.4 Section 6.6.3.5 is amended by deleting the specialized CR-5 zone in its entirety.
- 12.5 Section 6.6.3.7 is amended by deleting the specialized CR-7 zone in its entirety.
- 12.6 Section 6.6.3.8 is amended by deleting the specialized CR-8 zone in its entirety.
13. Schedule “A” of By-law (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map Numbers 24, 25, 34, 36, 37, 38, 65, 67 and 68 and replacing them with new Defined Area Map Numbers 24, 25, 34, 36, 37, 38, 65, 67 and 68 attached hereto as Schedule “A”.

PASSED this TENTH day of JULY, 2017.

CAM GUTHRIE- MAYOR

TINA AGNELLO- DEPUTY CLERK

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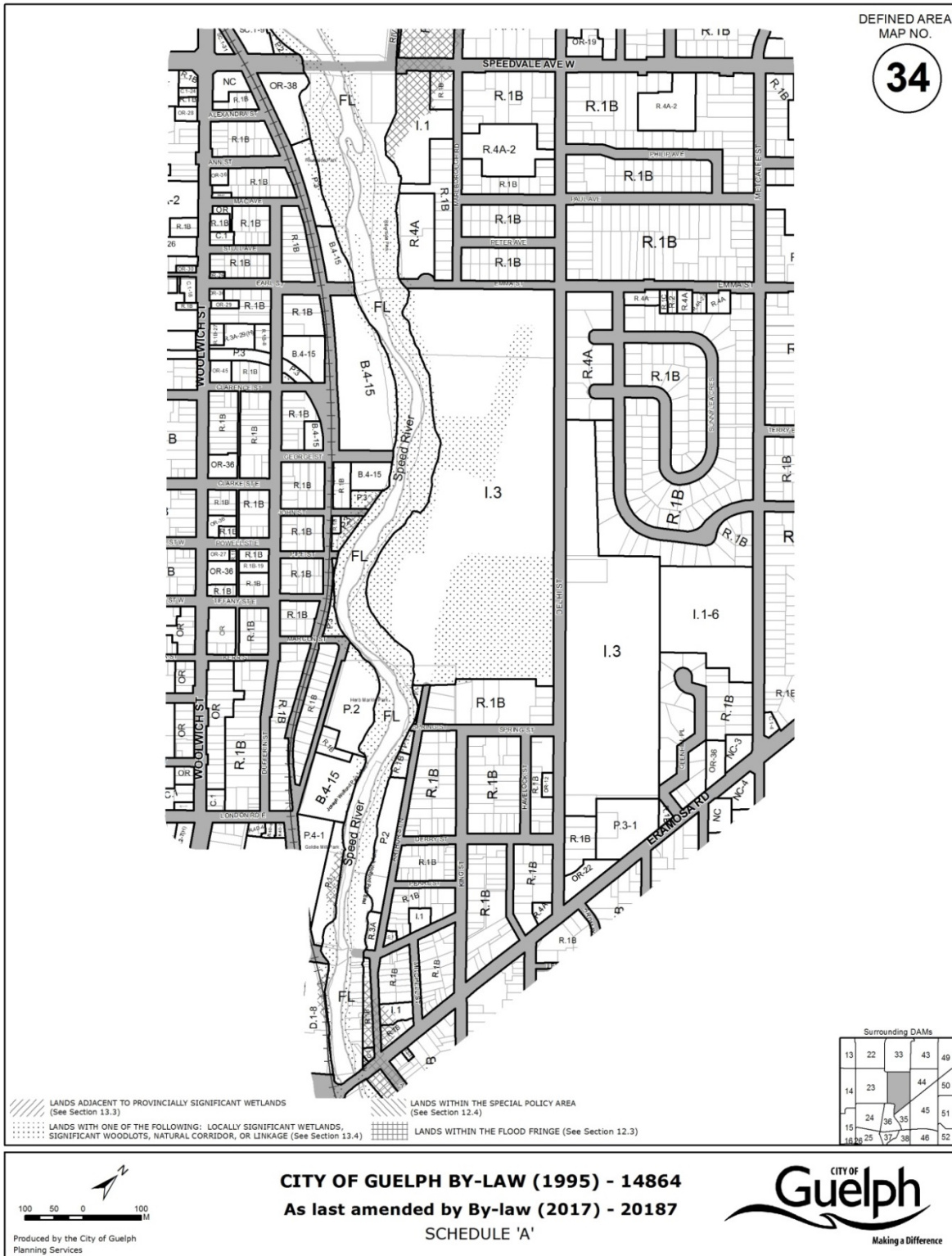
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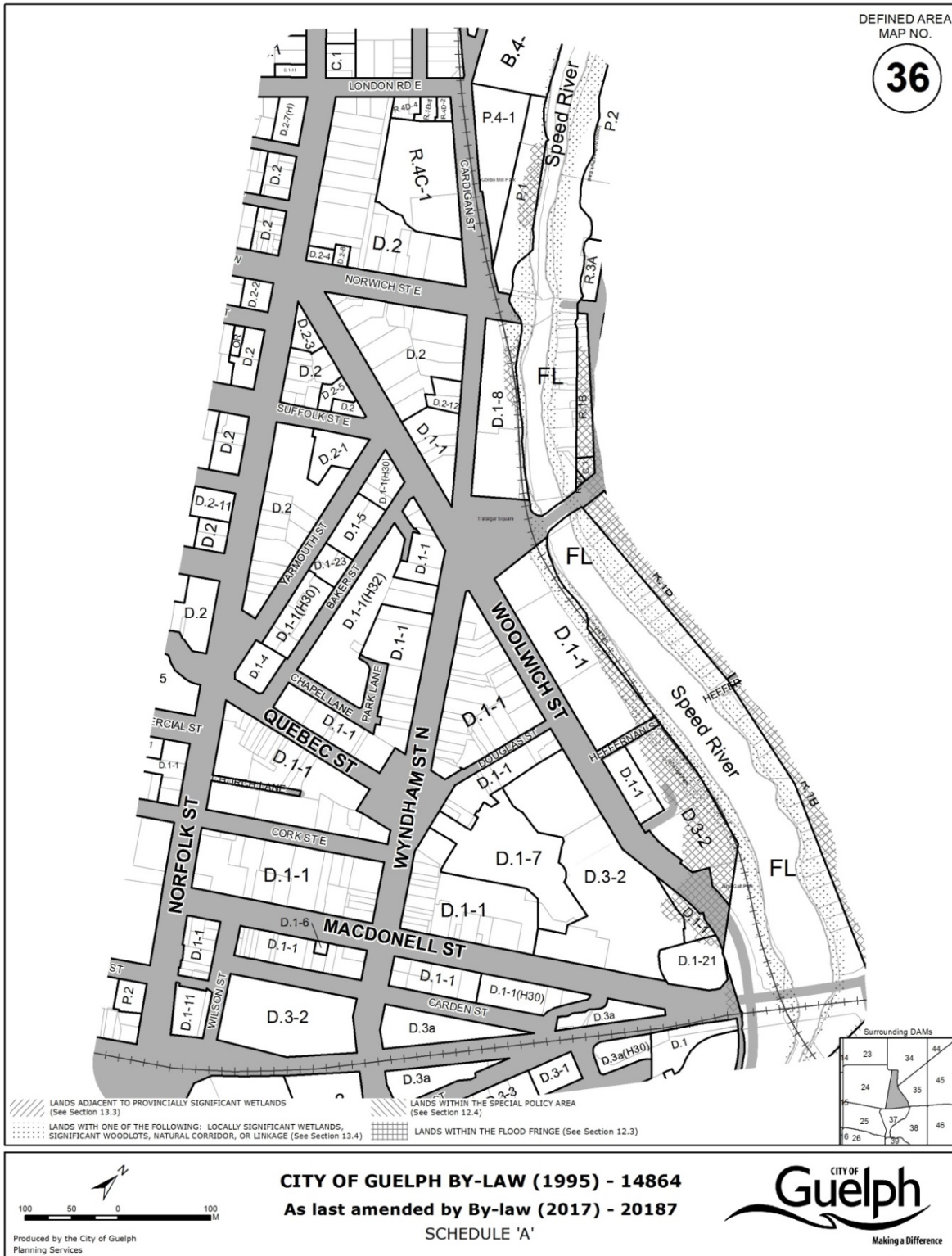
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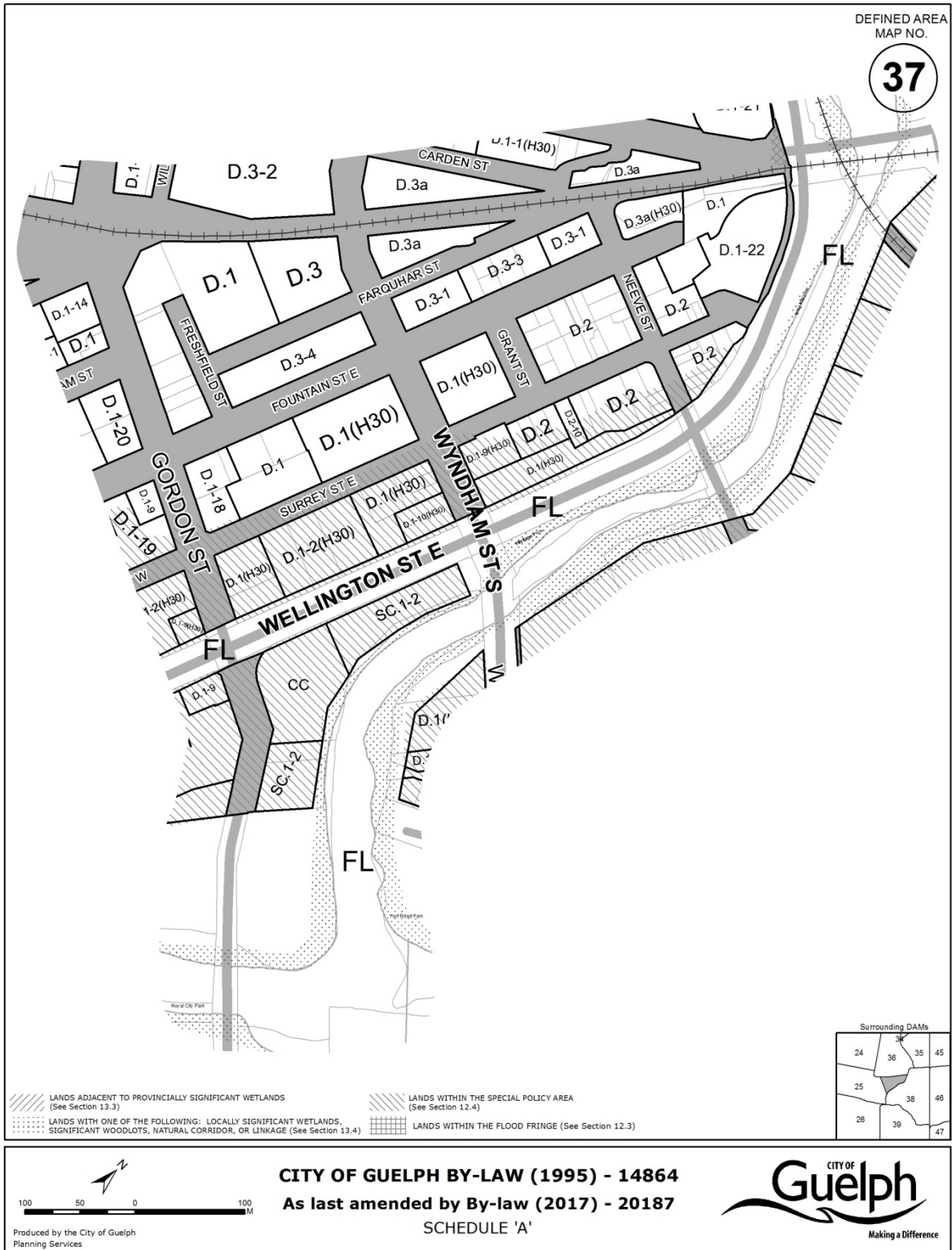
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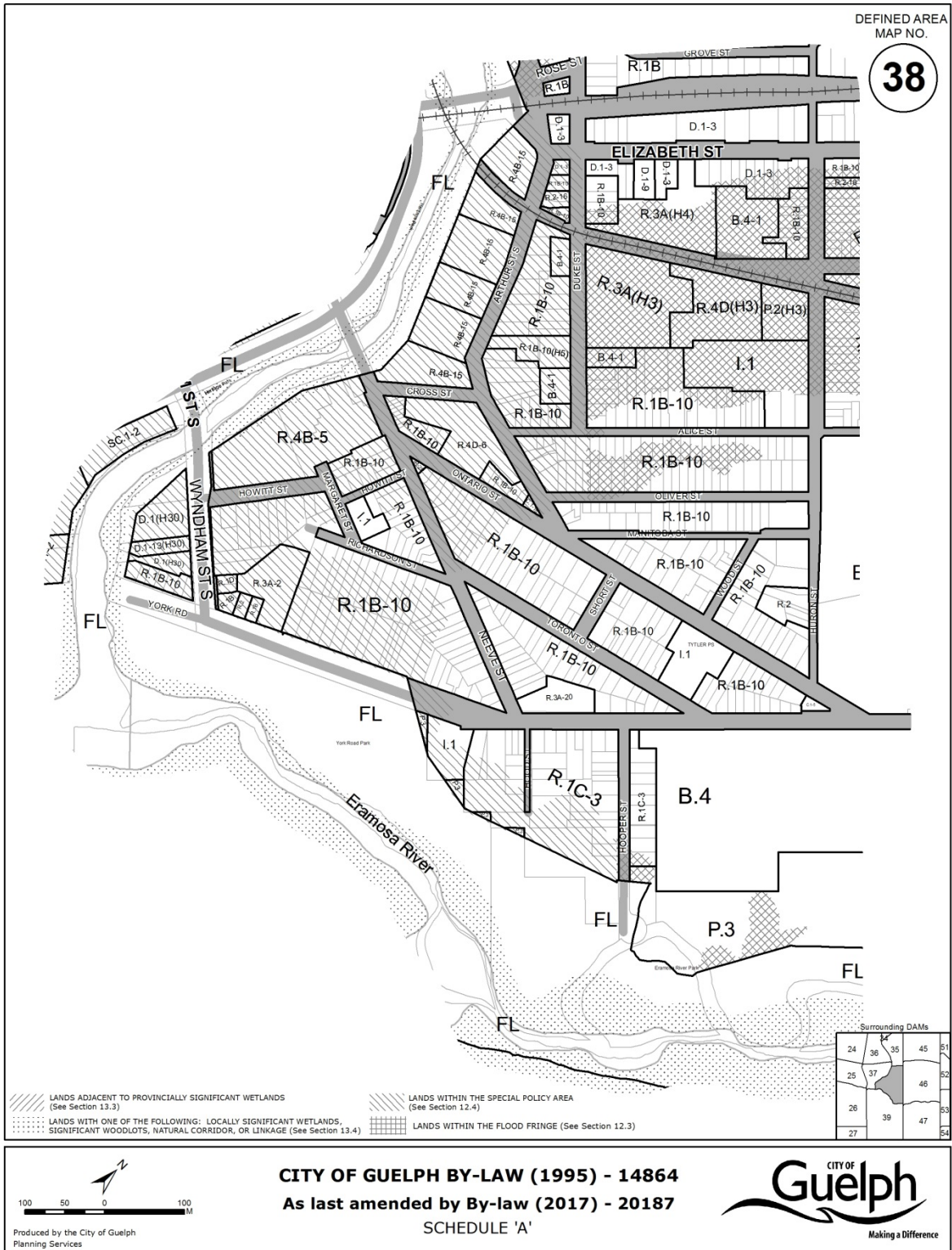
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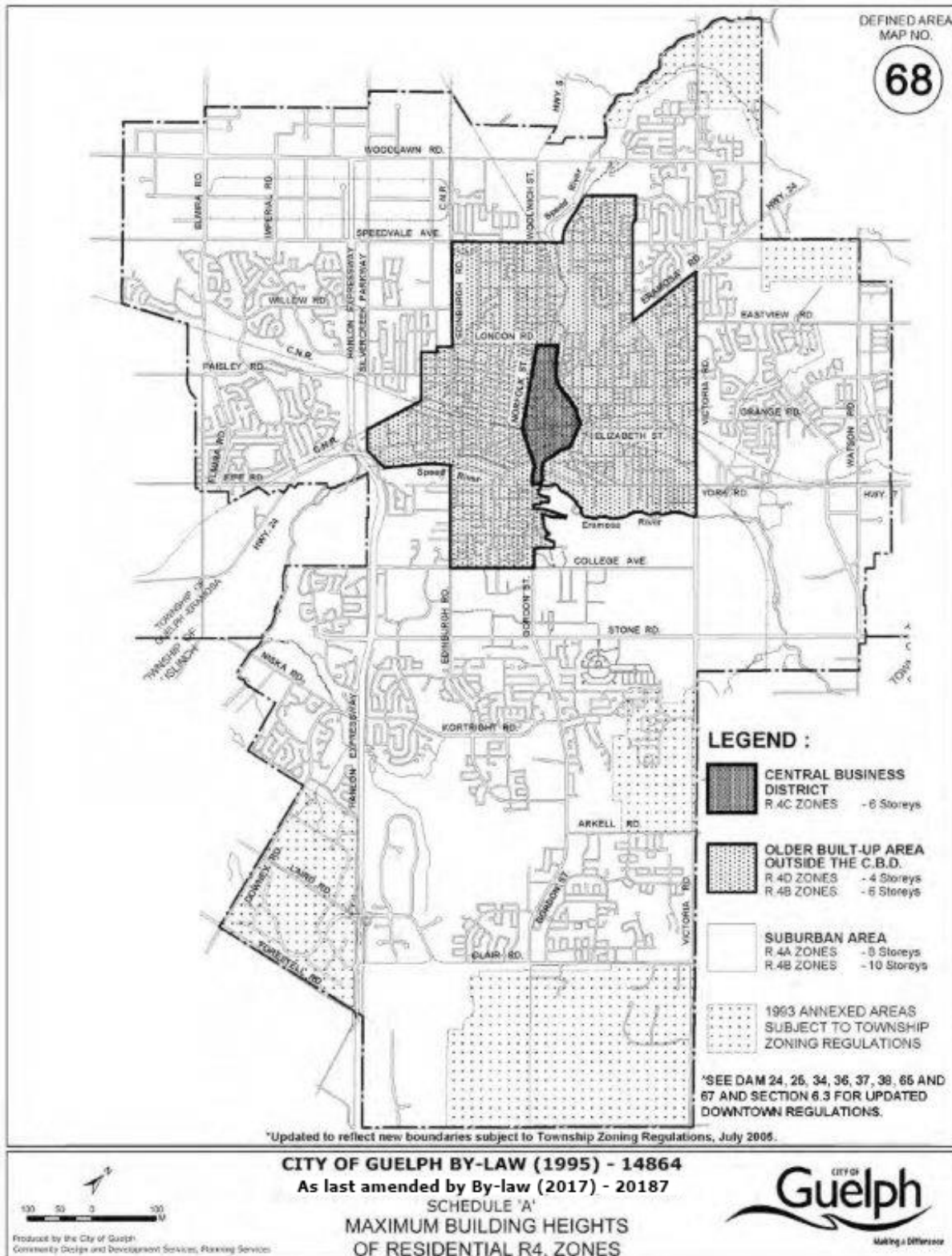
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EXPLANATION OF PURPOSE AND EFFECT FOR BY-LAW NUMBER (2017)-20187

1. By-law Number (2017)-20187 has the following purpose and effect:

This By-law authorises an amendment to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which is intended to introduce modified and new regulations to the text and maps related to Downtown zones.

The purpose of the Downtown Zoning By-law amendment is to align Zoning By-law regulations with the policies established in the approved Downtown Secondary Plan (DSP) as incorporated in the Official Plan through Official Plan Amendment 43.

The effect of the proposed Downtown Zoning By-law amendment is to replace Section 6.3, the Central Business District (CBD) Zones with the proposed Downtown (D) Zones. This includes the following zone categories: Downtown 1 (D.1); Downtown 2 (D.2); Downtown 3 (D.3); and Downtown 3a (D.3a). In addition, the existing Office Residential (OR), Commercial Residential (CR), and Service Commercial (SC.1) zones within the project scope area will be amended to the newly created Downtown zones.

The proposed amendment would modify or introduce new regulations in Downtown zones, including:

- Permitted uses;
- Built form regulations;
- Building tower separation regulations;
- Building height regulations;
- Active frontage regulations;
- Updated vehicle and bicycle parking rates and regulations;
- Regulations for D.1, D.2, D.3 and D.3a zones;
- New definitions;
- Holding provision for servicing capacity; and,
- Specialized Downtown zones.

Lands affected by this amendment are generally located in Downtown Guelph as shown on the following Key Map.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on September 12, 2016.

Further information may be obtained by contacting Infrastructure, Development and Enterprise at 519-837-5616, extension 2358, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their

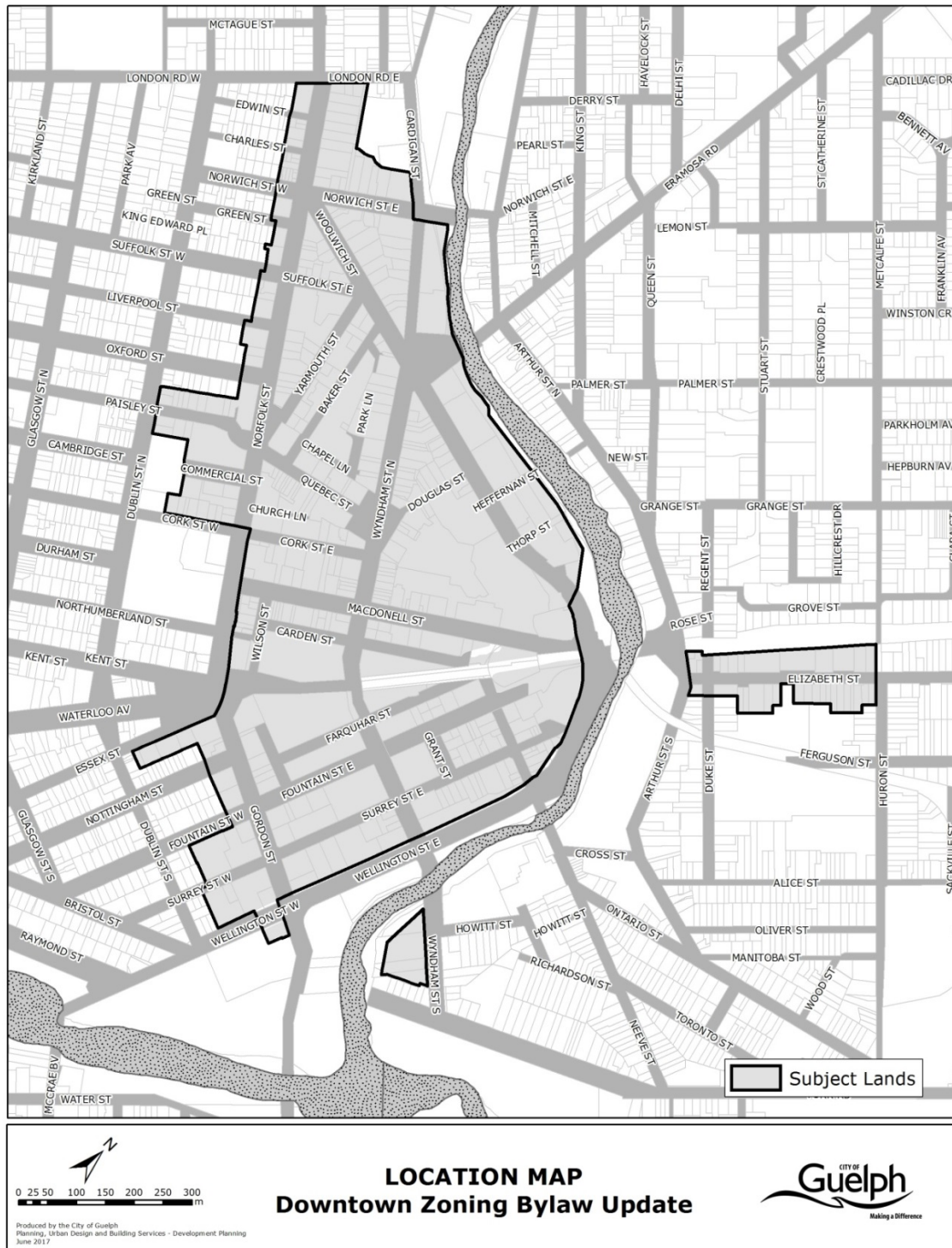
Page54
of By-law Number (2017)-20187

support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing".

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of By-law Number (2017)-20187

2. Key map showing the location of the lands to which By-law (2017)-20187 applies:

Key Map





Downtown Zoning By-law Update

Recommended Downtown
Zoning By-law

July 2017

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Executive Summary

The City is amending the Zoning By-law for Downtown Guelph to implement the approved ***Downtown Secondary Plan*** (DSP) as incorporated into the Official Plan through OPA 43.

The Downtown Zoning By-law Update will support a vibrant and investment-ready downtown and provide more certainty to the public and stakeholders. It is part of a larger implementation strategy stemming from the DSP to create a place where people want to meet and interact.

To reflect the approach taken by the DSP, the Downtown Zoning By-law Update is more form-based in nature than the existing zoning to support achievement of the built form vision. The Downtown Zoning By-law has been drafted based on the recommendations of the ***Downtown Zoning By-law Update Recommended Discussion Paper***.

The Downtown Zoning By-law will amend the City's existing Zoning By-law. Therefore regulation numbers within the document reference to the City-Wide ***Zoning By-law***.

The draft Downtown Zoning By-law was released on June 15, 2016, prior to the public open house being held on June 22, 2016. A Statutory Public Meeting was held on September 12, 2016 in accordance with the *Planning Act*. Feedback received has been reviewed and incorporated into the Downtown Zoning By-law being presented to Council.

Text which is in colour displays changes made to the recommended Zoning By-law since the Public Meeting. An overview of mapping changes is outlined in the staff report.

*Note: The sections highlighted in grey are out of project scope. Minor administrative changes have been made.

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RECOMMENDED DOWNTOWN ZONING BY-LAW

DOWNTOWN ZONES

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6.3 DOWNTOWN (D) **ZONES**

6.3.1 List of Applicable **Zones**

The Downtown **Zones** include:

- Downtown 1 (D.1)
- Downtown 2 (D.2)
- Downtown 3 (D.3)
- Downtown 3a (D.3a)

6.3.1.12 Permitted **Uses**

Uses permitted in the Downtown **Zones** are denoted by the symbol “√” in the column applicable to that **Zone** and corresponding with the **Row** for a specific permitted **Use** in Table 6.3.21.1, below.

Active **Uses** refers to **Uses** permitted in **Active Frontage Areas** (6.3.23.4).

Table 6.3.1.12	D.1	D.2	D.3	D.3a	Active Uses
Residential Uses					
Accessory Apartment		√ (1)			
Apartment Building	√ (2)	√			
Duplex Dwelling		√			
Group Home	√ (3)	√ (3)			
Home for the Aged	√ (2)	√			
Nursing Home	√ (2)	√			
Home Occupation	√ (4)	√ (4)			
Live-Work Units	√ (5)	√			
Lodging House Type 1	√ (3)	√ (3)			
Mixed-Use Building	√ (5)(6)	√			
Multiple Attached Dwelling	√ (2)	√			
Semi-Detached Dwelling		√			
Single Detached Dwelling		√			
Townhouse	√ (2)	√			
Retail Uses					
Agricultural Produce Market	√	√	√	√	√
Retail Establishment	√	√ (7)	√ (7)	√ (7)	√
Service Uses					
Artisan Studio	√	√	√		
Auction Centre	√				√
Catering Service	√		√		

Table 6.3.1.12	D.1	D.2	D.3	D.3a	Active Uses
Commercial Entertainment	√ (8)		√		√
Commercial School	√	√	√		
Day Care Centre	√	√	√		
Financial Establishment	√	√ (7)	√		√
Micro-Brewery or Brew Pub	√ (9)				√
Restaurant	√ (8)	√ (7)	√ (7)	√ (7)	√
Service Establishment	√	√ (7)	√ (7)	√ (7)	√
Tavern	√ (9)				√
Taxi Establishment	√		√		
Tradesperson's shop	√		√		
Office Uses					
Laboratory	√		√		
Medical Clinic	√	√	√		
Medical Office	√	√	√		
Office	√	√	√		
Research Establishment	√		√		
Community Uses					
Arena	√				
Art Gallery	√	√	√		√
Club	√		√		
Emergency Shelter	√ (10)				
Government Office	√	√	√	√	√
Library	√	√	√		√
Museum	√	√	√		√
Public Hall	√ (8)		√		
Recreation Centre	√		√		√
Religious Establishment	√	√	√		
School	√	√	√		
School, Post Secondary	√	√	√		
Transit Terminal	√		√	√	
Hospitality Uses					
Bed and Breakfast	√ (11)	√ (11)			
Hotel	√		√		√
Tourist Home	√	√			
Other					
Accessory Uses	√	√	√	√	

Table 6.3.1.12	D.1	D.2	D.3	D.3a	Active <i>Uses</i>
Occasional Uses	√ (12)	√ (12)	√ (12)	√ (12)	
Public Parking Facility	√	√	√	√	

Additional Regulations for Table 6.3.1.12

1. In accordance with Section 4.15.1.
2. Not permitted in **Active Frontage Area**.
3. In accordance with Section 4.25.
4. In accordance with Section 4.19.
5. In accordance with Section 6.3.23.4.
6. In **Active Frontage Areas**, **Dwelling Units** are not permitted in the **Cellar**, **Basement**, or on the main floor level (i.e. in the first **Storey**).
7. Maximum **G.F.A.** 500m².
8. Where a **Lot Line** abuts a R.1, R.2 or R.3 **Zones**, a **Commercial Entertainment, Restaurant** and **Public Hall** shall not exceed a maximum of 500 m² **G.F.A.**
9. Where a **Lot Line** abuts a R.1, R.2 or R.3 **Zone**, a **Tavern** and a **Micro-Brewery or Brew Pub** shall not be permitted.
10. In accordance with Section 4.29.
11. In accordance with Section 4.27 except 4.27.3.
12. In accordance with Section 4.21.

6.3.23 Regulations Governing Downtown **Zones**

Within the Downtown **Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 – General Provisions, the regulations set out in Tables 6.3.23.87, 6.3.23.98, 6.3.23.109 and the following:

6.3.23.1 Built Form Regulations

The following Built Form Regulations apply to new **Buildings** and/or additions constructed after the effective date of this By-law (2017)-20187 in the Downtown **Zones**:

~~6.3.3.1.1 **Buildings** shall not exceed 60 metres in length as measured along any **Front Yard** and/or **Exterior Side Yard Lot Line**.~~

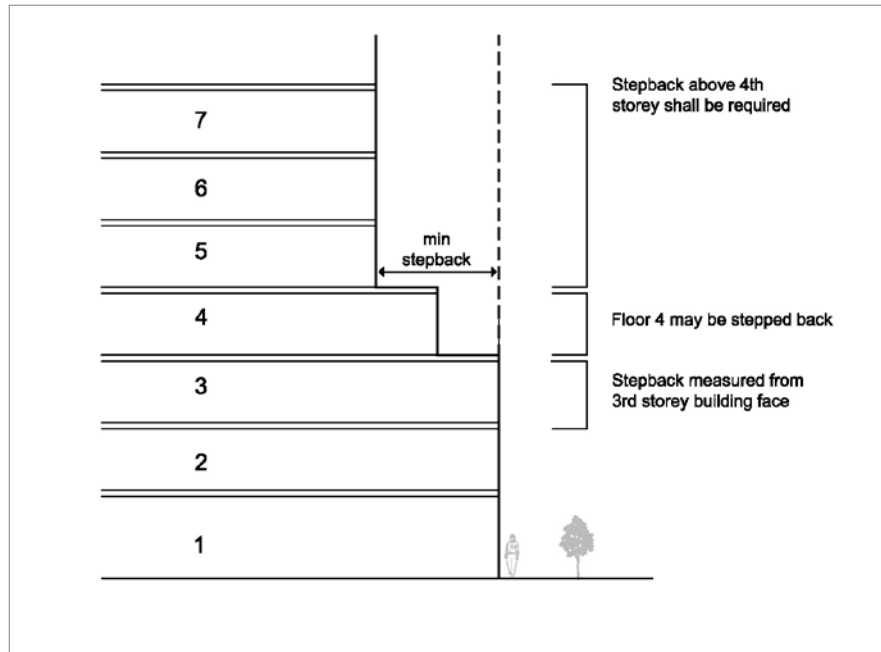
6.3.23.1.12 The maximum **Floorplate** of the 7th and 8th **Storeys** of the **Building** shall not exceed 1,200 square metres.

6.3.23.1.23 The maximum **Floorplate** of each **Storey** of the **Building** above the 8th **Storey** shall not exceed 1,000 square metres and shall not

exceed a length to width ratio of 1.5: 1.

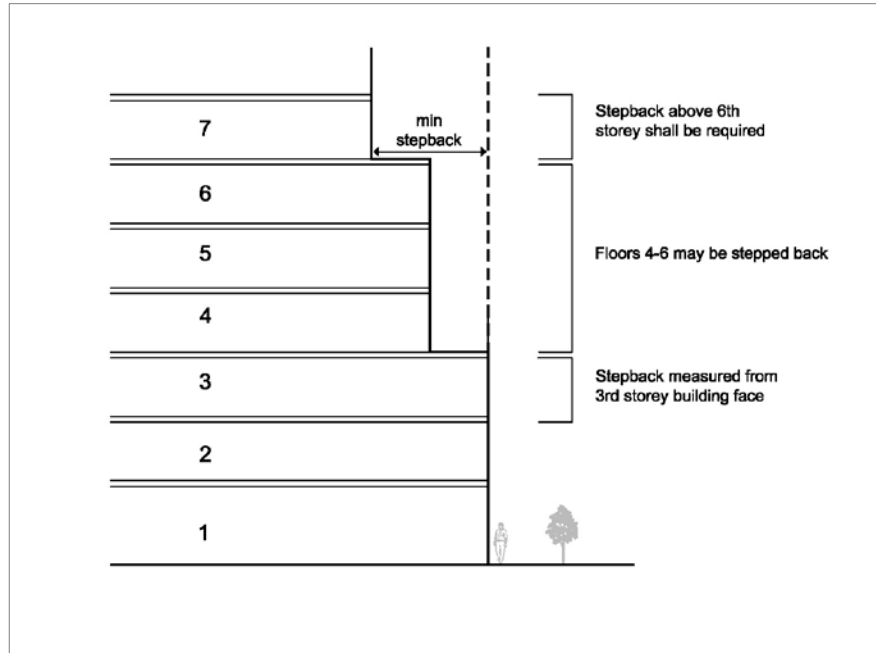
6.3.~~23~~.1.~~34~~

The minimum **Stepback** shall be 3 metres and shall be required for all portions of the **Building** above the 4th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.



6.3.~~23~~.1.~~45~~

Notwithstanding Section 6.3.~~23~~.1.~~43~~, where a **Lot** abuts Gordon Street or Wellington Street the minimum **Stepback** shall be 3 metres and shall be required for all portions of the **Building** above the 6th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.



6.3.23.2 **Building Tower Separation Regulations**

6.3.23.2.1 The tower of a **Building** refers to the **Storeys** located above the **Stepback**.

6.3.23.2.2 A minimum 25 metre tower separation is required for any tower portion of a **Building** greater than 12 **Storeys** as measured perpendicularly to the exterior wall of the tower portion of the **Building**.

6.3.23.2.3 For any tower portion of a **Building** 12 **Storeys** or less:

6.3.23.2.3.1 A minimum tower **Setback** of 6 metres is required from the **Side Yard** and/or **Rear Yard Lot Line**;

6.3.23.2.3.2 A minimum 12 metre tower separation is required.

6.3.23.2.3.3 Notwithstanding Section 6.3.32.2.3.1 and 6.3.32.2.3.2, the tower **Setback** may be reduced to a minimum of 3 metres from the **Side Yard** and/or **Rear Yard Lot Line** if there are no windows to a **Habitable Room** on the facing wall of an existing abutting **Building**.

6.3.23.3 **Building Height Regulations**

6.3.32.3.1 In addition to the provisions of Section 4.18, the following shall also apply:

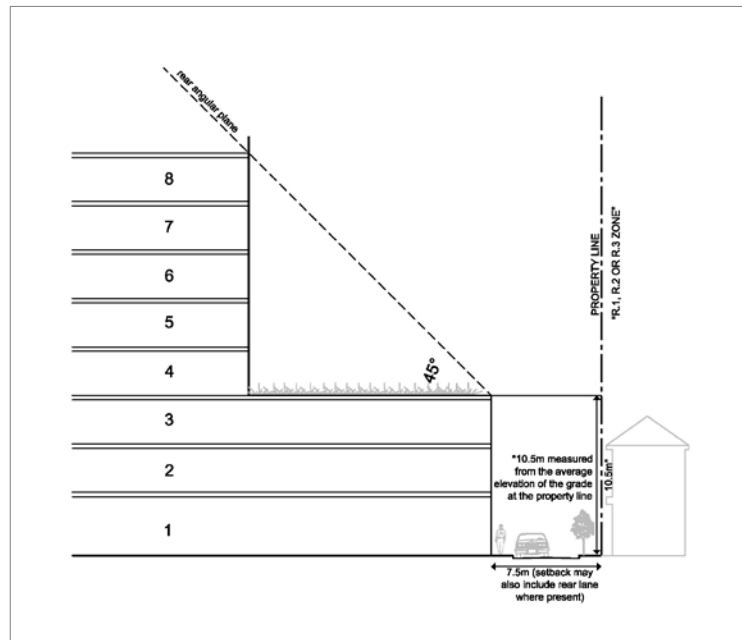
6.3.~~23~~.3.1.1 Defined Area Map 67 establishes the minimum and maximum **Building Heights** in Downtown **Zones**.

6.3.~~23~~.3.1.2 Minimum **Building Height** is not applicable to Accessory **Buildings** or **Structures**.

6.3.~~23~~.3.1.3 Section 4.16 is not applicable.

6.3.~~23~~.3.1.4 In addition to Defined Area Map 67, an **Angular Plane** establishes the maximum **Building Height** as follows:

Where a **Lot Line** of a Downtown **Zone** abuts a R.1, R.2 or R.3 **Zone**, **Building Heights** shall not exceed an **Angular Plane** of 45 degrees in accordance with the following:



6.3.~~23~~.4 Active Frontage Regulations

6.3.~~23~~.4.1 Notwithstanding Table 6.3.~~23.87~~ and Table 6.3.~~23.109~~, the following provisions apply to the **Street Line** or portion thereof, identified as **Active Frontage Area** in accordance with Defined Area Map 65. If the **Active Frontage Area** only applies to a portion of the **Street Line**, the regulations of Section 6.3.~~23~~.4 shall only apply to that portion identified.

6.3.~~23~~.4.1.1 Where a **Street Line**, or portion thereof, identified as **Active Frontage Area** exceeds 35 metres, the maximum **Front Yard** and/or **Exterior Side Yard Setback** shall be 0 metres for a minimum of 75% of the **Street Line**. The remaining 25% of the **Street Line** shall have a maximum **Front Yard** and/or **Exterior**

Side Yard Setback of 2 metres.

- 6.3.~~32~~.4.1.2 Where a **Street Line**, or portion thereof, identified as **Active Frontage Area** is less than or equal to 35 metres, the maximum **Front Yard** and/or **Exterior Side Yard Setback** shall be 0 metres.
- 6.3.~~23~~.4.1.3 Notwithstanding Section 6.3.~~23~~.4.1.1 and 6.3.~~23~~.4.1.2, where a **Lot** abuts Wellington Street East between Gordon Street and Wyndham Street South the **Building Setback** shall be a minimum of 10.0 m from the Wellington Street East **Street Line**.
- 6.3.~~23~~.4.1.4 The height of the first **Storey** shall be a minimum of 4.5 metres.
- 6.3.~~32~~.4.1.5 The minimum number of **Active Entrances** to the first **Storey** on the **Front Yard** and/or **Exterior Side Yard Building** façade shall be 1 for every 15 metres of **Street Line** or portion thereof identified as **Active Frontage Area**, but shall not be less than 1. For the purposes of calculating the minimum number of **Building** entrances required, any fraction of a **Building** entrance shall be rounded to the next highest whole number.
- 6.3.~~23~~.4.1.5.1 **Active Entrances** shall be at or within 0.2 metres above or below **Finished Grade**.
- 6.3.~~23~~.4.1.6 A minimum of 60% of the surface area of the first **Storey** façade, measured from the **Finished Grade** up to a height of 4.5 metres, facing a public **Street** or public square must be comprised of a ~~T~~transparent glassWindow and/or **Active Entrances**.
- 6.3.~~23~~.4.1.7 Notwithstanding Table 6.3.~~1.12~~, the **Uses** identified in the Active **Uses** column in Table 6.3.~~1.12~~ with a "J" shall occupy a minimum of 60% of the **Street Line**. Where an existing **Building** occupies less than 60% of the **Street Line**, the **Uses** identified in the Active **Uses** column in Table 6.3.~~1.12~~ with a "J" shall occupy all portions of a Building of the first Storey immediately abutting a Street Line. ~~the entirety of the first Storey.~~
- 6.3.~~23~~.4.1.8 A **Driveway (Non-Residential)** is prohibited at grade or in the first **Storey** of a **Lot** or **Building** for the first 6.0 metres of the depth measured in from the **Street Line**.
- Notwithstanding this provision, where the entirety of a **Lot's Street** frontage is included in the **Active Frontage Area**, a maximum of one (1) **Driveway** shall be permitted perpendicular

to the **Street Line** within the **Active Frontage Area** in accordance with all other requirements of this **By-law**.

6.3.~~32~~.5 Required Parking in Downtown **Zones**

6.3.~~23~~.5.1 Required **Parking Spaces**

Notwithstanding Section 4.13.4, off-street **Parking Spaces** for D.1, D.2, ~~and~~ D.3, D.3a **Zones** shall be provided in accordance with the following:

Table 6.3. 32 .5.1		
Row	Use	Minimum Number of Parking Spaces
1	Apartment Building, Duplex, Multiple Attached, Single – Detached, Semi-Detached, Townhouse	1 per residential Dwelling Unit (1)
2	Live-Work Unit, Mixed-Use Building	In addition to the non-residential parking requirement, 1 Parking Space per residential Dwelling Unit is required (1)
3	Home Occupation, Lodging House Type 1, Accessory Apartment, Group Home, Nursing Home	In accordance with 4.13.4
4	Retail Uses	1 per 100 m ² G.F.A.
5	Service Uses	1 per 100 m ² G.F.A.
6	Office Uses	1 per 67 m ² G.F.A.
7	Community Uses	1 per 67 m ² G.F.A.
8	Hospitality Uses	0.75 per guest room (2)

Additional Regulations for Table 6.3.~~23~~.5.1

1. **Apartment Buildings, Cluster Townhouses** or **Mixed-Use Buildings** in a D.1 or D.2 **Zone**, with more than 10 **Dwelling Units**, require a minimum of 0.05 **Parking Spaces** per **Dwelling Unit** in addition to the requirements of Table 6.3.~~23~~.5.1, Rows 1 and 2, for the **Use** of visitors to the **Building** and such **Parking Spaces** shall be clearly identified as being reserved for the exclusive **Use** of residential visitors.
2. a) For a **Hotel**, an additional 1 **Parking Space** is required per 10 m² **G.F.A.** that is open to the public, excluding corridors, lobbies or foyers.
- b) For a **Tourist Home** or **Bed and Breakfast** establishment in a

D.1 or D.2 **Zone**, 1 additional **Parking Space** shall be provided.
Required **Parking Spaces** may be in a stacked arrangement.

6.3.~~32~~.5.1.1 Notwithstanding Table 6.3.~~23~~.5.1, a **Designated Structure**, shall not require **Parking Spaces**. Any addition to the **Designated Structure** erected after the effective date of ~~this~~ By-law (2017)-20187 shall require **Parking Spaces** in accordance with Table 6.3.~~23~~.5.1 for the **G.F.A.** of the addition.

6.3.~~23~~.5.1.2 If the calculation of the required **Parking Spaces** in accordance with Table 6.3.~~23~~.5.1 results in a fraction, the required **Parking Spaces** shall be the next higher whole number.

6.3.~~23~~.5.2 Parking in Downtown **Zones**

6.3.~~23~~.5.2.1 In addition to the parking provisions in Table 6.3.~~32~~.5.1 and section 4.13.1, 4.13.3 and 4.13.5 the following parking regulations shall apply.

6.3.~~23~~.5.2.1.1 **Parking Areas** shall not be permitted in the **Front Yard** or **Exterior Side Yard**. Notwithstanding any **Yard** regulations, **Parking Areas** shall be permitted in the **Rear Yard** and **Side Yard**. No part of a **Parking Space** ~~is-shall be~~ located closer than 3 metres to a **Street Line**.

6.3.2.5.2.1.2 An underground **Parking Area** shall be permitted in any **Yard** and may be located within 3 metres of a **Lot Line**.

6.3.~~23~~.5.2.1.~~32~~ Where an unenclosed **Parking Area** is located within 1 metre of any **Lot Line** adjacent to a **Single Detached Dwelling**, **Semi-Detached Dwelling**, **Duplex Dwelling** or **On-Street Townhouse** it is to be screened along those **Lot Lines** with a minimum 1.5 metre high solid **Fence**.

6.3.~~23~~.5.2.1.~~43~~ A **Parking Area** is prohibited from locating within 4.5 metres of the **Street Line** within the first **Storey** of a **Building** for the first 4.5 metres of the depth measured in from the **Street Line**.

6.3.2.5.2.1.5 Section 4.13.3.2 is not applicable to **Parking Spaces** provided within an **Automated Parking System**.

6.3.~~23~~.5.2.1.~~64~~ Notwithstanding Sections 6.3.2.5.2.1.1 and 6.3.2.5.2.1.3, ~~the~~ the following provisions shall apply to a **Single Detached Dwelling**, **Semi-Detached Dwelling**, **Duplex Dwelling** and **On-Street Townhouses** for residential **Uses**:

6.3.~~23~~.5.2.1.~~64~~.1 1 **Driveway (Residential)** access only shall be permitted per **Lot**.

- 6.3.~~23~~.5.2.1.~~64~~.2 All off-street parking in the **Front Yard** and **Exterior Side Yard** shall be confined to the **Driveway (Residential)** area and any legal off-street **Parking Area**. The **Front Yard** of any **Lot** except the **Driveway (Residential)** shall be landscaped.
- 6.3.~~23~~.5.2.1.~~64~~.3 A **Driveway (Residential)** shall have a minimum driveway width of 3.0 metres and a maximum width of 3.5 metres. The minimum driveway width may be reduced to 2.5 metres at the point of entry of a **Garage** entrance or a **Fence** opening.
- 6.3.~~23~~.5.2.1.~~64~~.4 Notwithstanding Section 6.3.~~32~~.5.2.1.~~64~~.3 a surfaced walk within 1.5 metres of the nearest foundation wall is permitted provided that it is not **Used** for **Vehicle** parking.
- 6.3.~~23~~.5.2.1.~~64~~.5 Every required **Parking Space** shall be located a minimum distance of 6 metres from the **Street Line** and to the rear of the front wall of the main **Building**.
- 6.3.~~23~~.5.2.1.~~64~~.6 Attached **Garages** shall not project beyond the main front wall of the **Building**.
- 6.3.~~23~~.5.2.1.~~64~~.7 For **Single Detached Dwellings** section 4.13.7.4 shall be applicable.

6.3.~~23~~.5.3 **Bicycle Parking Spaces**

The minimum number of off-street **Bicycle Parking Spaces** required for **Uses** permitted by this **By-law** in any Downtown **Zone** are established and calculated in accordance with the ratios set out in Table 6.3.~~23~~.5.3, below:

Table 6.3. 23 .5.3			
Row	Use	Minimum Number of Bicycle Parking Spaces, Long Term	Minimum Number of Bicycle Parking Spaces, Short Term
1	Apartment Building, Multiple Attached, Stacked Townhouse	0.68 per Dwelling Unit (1)	0.07 per Dwelling Unit (1)
2	Live-Work, Mixed-Use Building	In addition to the non-residential parking requirement, 0.68 per Dwelling Unit is required (1)	In addition to the non-residential parking requirement, 0.07 per Dwelling Unit is required (1)
3	Retail Uses	0.085 per 100 m ² G.F.A.	0.25 per 100 m ² G.F.A.

4	Office Uses	0.17 per 100 m ² G.F.A.	0.03 per 100 m ² G.F.A.
5	All other non-residential Uses	4% of the required parking under Table 6.3. 23 .5.1	4% of the required parking under Table 6.3. 23 .5.1

Additional Regulations for Table 6.3.~~32~~.5.3

1. In **Buildings** having less than 10 **Dwelling Units**, the minimum number of **Bicycle Parking Spaces** required for the residential component shall be zero.

6.3.~~32~~.5.3.1 If the calculation of the required **Bicycle Parking Spaces** in accordance with Table 6.3.~~32~~.5.3 results in a fraction, the required **Bicycle Parking Spaces** shall be the next higher whole number.

~~6.3.3.5.3.2 Regulations governing **Bicycle Parking Spaces, long term**:~~

~~6.3.3.5.3.2.1 Where a **Bicycle Parking Space, long term** is in a horizontal position it shall have a dimension of at least 0.6 metres in width by 1.8 metres in length and 1.2 metres in height.~~

~~6.3.3.5.3.2.2 Where a **Bicycle Parking Space, long term** is in a vertical position it shall have a dimension of at least 0.6 metres in width by 1.2 metres in length and 1.8 metres in height.~~

~~6.3.3.5.3.3 Regulations governing **Bicycle Parking Space, short term**:~~

~~6.3.3.5.3.3.1 The **Bicycle Parking Space, short term** shall have a horizontal dimension of at least 0.6 metres in width by 1.8 metres in length and 1.2 metres in height.~~

~~6.3.2.5.3.2 The required **Bicycle Parking Space, Short Term** for any **Use** may be located on the **Lot** on which the **Use** is located, and/or on the **Street** abutting the **Lot**.~~

~~6.3.3.6 Location of Mechanical Servicing~~

~~6.3.3.6.1 Notwithstanding Section 4.2 of this **By-law**, transformer and telecommunications vaults and pads shall not be located above-ground in the **Front Yard** or **Exterior Side Yard**.~~

~~6.3.3.6.2 Air vents associated with a parking **Structure** are not permitted in a **Front Yard** or **Exterior Side Yard** unless it is at or within 0.2 metres above or entirely below **Finished Grade** or above the first **Storey**.~~

15477 17681	6.3.23.67	Licensed Establishment Regulations Within the CBD.1 Zone and Specialized CBD.1 Zones as defined by this By-law , The following regulations shall also apply within the area outlined on Defined Area Map 79.
17681 19691	6.3.23.76.1	For purposes of Section 6.3.32.76 6.3.2.5, the following terms shall have the corresponding meanings: “ Floor Area ” means the total Floor Area of all space within a Building Used in relation to a Licensed Establishment , measured between the interior faces of the outside walls or where no outside walls exist between the common walls, but not including exits and vertical service space.”
	6.3.23.76.2	The Floor Area of a Licensed Establishment shall not exceed 230 square metres.
	6.3.32.67.3	The total capacity of a Licensed Establishment shall not exceed 190 persons.
	6.3.23.67.4	The Floor Area of a Licensed Establishment shall be located on the First Floor only.
	6.3.23.67.5	No openings and no access for any person including exits and corridors are permitted between Licensed Establishments , except corridors, with a minimum width of 5 metres, which may serve more than one Licensed Establishment provided the Licensed Establishments are separated from each other by at least 5 metres.

***Note: The sections highlighted in grey are out of project scope. Minor administrative changes have been made as noted.**

Table Regulations Governing D.1 **Zones**
6.3.~~23.78~~

Row		
1	Minimum Front Yard or Exterior Side Yard	<p>0 m</p> <p>In accordance with Section 4.24.</p> <p>Section 4.6 is not applicable.</p> <p>The following exceptions apply:</p> <ul style="list-style-type: none"> a) Where a Lot Line abuts a <u>public</u> lane, the minimum Setback shall be 1 metre from the Lot Line. b) Where a Dwelling Unit occupies the first Storey of a Building, that portion of the Building shall have a minimum Setback of 3.0 m from the Street Line.
2	Maximum Front Yard or Exterior Side Yard	<p>43 m</p> <p>The following exception applies:</p> <ul style="list-style-type: none"> a) Within Active Frontage Areas, the maximum Front Yard and the maximum Exterior Side Yard shall be in accordance with Section 6.3.23.4.
3	Minimum Side Yard	<p>0 m</p> <p>The following exceptions apply:</p> <ul style="list-style-type: none"> a) Where a Lot Line abuts a <u>public</u> lane, the minimum Setback shall be 1 metre from the Lot Line. <u>b)</u> Where a Lot Line abuts a R.1, R.2 or R.3 Zone, the minimum Setback shall be 3 metres on the abutting side. <u>b)c) Where a Buffer Strip is required, the Setback shall not be less than the minimum Buffer Strip width.</u>
4	Minimum Rear Yard	<p>0 m</p> <p>The following exceptions apply:</p> <ul style="list-style-type: none"> a) Where a Lot Line abuts a <u>public</u> lane, the minimum Setback shall be 1 metre from the Lot Line. <u>b)</u> Where a Lot Line abuts a R.1, R.2 or

		R.3 Zone , the minimum Setback shall be 7.5 metres on the abutting side. <u>c) Where a Buffer Strip is required, the Setback shall not be less than the minimum Buffer Strip width.</u>
5	Minimum and Maximum Building Height	In accordance with Section 6.3. 23 .3.
6	Access to Parking Area	Vehicle access to a required off-street Parking Area is by a 1 Driveway (non-residential) <u>only</u> , which shall have a minimum width of 6 metres throughout its length.
7	<u>Buffer Strips</u>	<u>3 m required where the D.1 Zone abuts a R.1, R.2, R.3, Institutional, Park or Wetland Zone.</u>
87	Garbage, Refuse <u>and</u> Storage and <u>Composters</u>	In accordance with Section 4.9.
98	Enclosed Operations	In accordance with Section 4.22.
109	Fences	In accordance with Section 4.20.
110	Accessory Buildings or Structures	In accordance with Section 4.5.
124	Off-street Parking	In accordance with Section 6.3. 23 .5.
132	Exterior Finishes Regulations	In accordance with Section 6.3. 23 . 78 .1 and Defined Area Map 64.
143	Minimum Floor Space Index (F.S.I.)	1.5, except on properties fronting onto Elizabeth Street where the minimum F.S.I. is 1.0.
154	Building Stepbacks	In accordance with Section 6.3. 23 .1. 34 and 6.3. 23 .1. 45 .

165	Active Frontage Area Regulations	In accordance with Section 6.3.23.4 and Defined Area Map 65.
17	Outdoor Storage	<u>In accordance with Section 4.12.</u>

6.3.23.78.1 Exterior Finishes Regulations

Despite the provisions of this or any other By-law for the City of Guelph, the following shall apply:

6.3.23.78.1.1 All visible walls of any **Building** within the Defined Area Map Number 64 shall be constructed of the transparent glass and coursed masonry and/or such materials which replicate coursed masonry as specified in Section 6.3.32.78.1.1.1 6.3.2.4.1.1:

6.3.23.78.1.1.1 Exterior facades – coursed masonry and/or materials which replicate coursed masonry (except plain, uncoloured concrete).

Exterior facade trim – all of the material permitted for exterior facades as well as plain, uncoloured concrete elements, wood and metal.

In addition, where a **Building** is located on the corner of any **Street** shown on Defined Area Map Number 64, the provisions of Section 6.3.2.4.1 6.3.32.87.1.1 shall apply to the **Building** wall or walls facing onto the crossing **Street**.

6.3.23.78.1.2 All windows of any **Building** existing within the CBD-1 D.1-1 **Zone** on the date of the passing of this **By-law**, or any predecessor thereof, shall be of transparent glass only.

6.3.23.78.1.3 No exterior walls of a **Building** constructed of natural stone within the CBD-1 D.1-1 **Zone** shall be defaced in any manner or covered, in whole or in part, with paint, stucco, metal, or other cladding material.

6.3.23.78.1.4 No window openings of any **Building** existing within the CBD-1 D.1-1 **Zone** on the date of the passing of this **By-law**, or any predecessor thereof, shall be closed up with any material except transparent glass.

***Note: The sections highlighted in grey are out of project scope. Minor administrative changes have been made as noted.**

Table 6.3. ~~23.89~~ Regulations Governing D.2 **Zones**

Row		
1	Minimum Front Yard or Exterior Side Yard	<p>The minimum Front Yard or Exterior Side Yard shall be the average of the Setbacks of the adjacent properties but in no case shall be less than 3 metres. Where <u>there is only one adjacent property or where</u> the average of the Setbacks of the adjacent properties cannot be determined, the minimum Setback required shall be 3 metres.</p> <p>In accordance with Section 4.6</p> <p>In accordance with Section 4.24.</p> <p>The following exception applies:</p> <ol style="list-style-type: none"> Where a Lot Line abuts a <u>public</u> lane, the minimum Setback may be reduced to 1 metre from the Lot Line.
2	Minimum Side Yard	<p>1.5 m</p> <p>The following exceptions apply:</p> <ol style="list-style-type: none"> Where a Lot Line abuts a <u>public</u> lane, the minimum Setback may be reduced to 1 metre from the Lot Line. Where the D.2 Zone abuts an <u>R.1, R.2, R.3, Residential,</u> Institutional, Park or Wetland Zone the minimum Side Yard shall be 3 metres on the abutting side.
3	Minimum Rear Yard	<p>10 m</p> <p>The following exception applies:</p> <ol style="list-style-type: none"> Where a Lot Line abuts a <u>public</u> lane, the minimum Setback may be reduced to 1 metre from the Lot Line.
4	Minimum and Maximum Building Height	In accordance with Section 6.3. 32 .3.
5	Minimum Lot Area	370 m ²
6	Minimum Lot Frontage	12 m
7	Access to Parking Area	Vehicle access to a Parking Area in a Rear Yard is by 1 Driveway (non-residential)

		only, such Driveway (non-residential) <u>which</u> shall have a <u>minimum</u> width of not less than 3 metres and an <u>minimum</u> overhead clearance of not less than 4.5 metres <u>throughout its length</u> .
8	Buffer Strips	3 m required where the D.2 Zone abuts a <u>R.1, R.2, R.3, Residential</u> , Institutional, Park or Wetland Zone .
9	Garbage, Refuse <u>and</u> Storage and <u>Composters</u>	In accordance with Section 4.9.
10	Outdoor Storage	In accordance with Section 4.12.
11	Enclosed Operations	In accordance with Section 4.22.
12	Fences	In accordance with Section 4.20.
13	Accessory Buildings or Structures	In accordance with Section 4.5.
14	Off-street Parking	In accordance with Section 6.3. 23 .5.
15	Minimum Floor Space Index (F.S.I.)	0.6

Table 6.3. ~~23.240~~ Regulations Governing D.3/D.3a **Zones**

Row		D.3	D.3a
1	Minimum Front Yard or Exterior Side Yard	0 m In accordance with Section 4.24. Section 4.6 is not applicable.	
2	Minimum Side Yard	0 m	
3	Minimum Rear Yard	0 m	
4	Minimum and Maximum Building Height	In accordance with Section 6.3. 23 .3.	
5	Garbage, Refuse and Storage and Composters	In accordance with Section 4.9.	
6	Outdoor Storage	In accordance with Section 4.12.	
7	Enclosed Operations	In accordance with Section 4.22.	
8	Fences	In accordance with Section 4.20.	
9	Accessory Buildings or Structures	In accordance with Section 4.5.	
10	Off-street Parking	In accordance with Section 6.3. 32 .5.	
11	Access to Parking Area	Vehicle access to a required off-street Parking Area is by a 1 Driveway (non-residential) only , which shall have a minimum width of 6 metres throughout its length.	

RECOMMENDED DOWNTOWN ZONING BY-LAW

SPECIALIZED ZONES

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Specialized Downtown (D) **Zones**

In certain instances, special circumstances dictate that variances be allowed to the permitted **Uses** or regulations of the D **Zones**. In these cases, specific D Restricted Defined Areas (Specialized D **Zones**) have been established and these are indicated by hyphenated **Zone** designations (e.g. D.1-1, D.2-2, D.2-3, etc.)

The D **Zone** provisions shall apply except when precluded by the specific **Uses** and regulations for any D Restricted Defined Area.

The following D Restricted Defined Areas (Specialized D **Zones**) are herein set out:

6.3.3.1 **Special Downtown 1 (D.1) Zones**

6.3.3.1.1 **D.1-1**

As shown on Defined Area Map 24, 34 and 36 of Schedule “A” of this **By-Law**.

6.3.3.1.1.1 **Regulations**

6.3.3.1.1.1.1 **Built Form Regulations**

Notwithstanding Section 6.3.~~23~~.1.~~43~~, the minimum **Stepback** shall be 6 metres and shall be required for all portions of the **Building** above the 4th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.

6.3.3.1.1.1.2 **Off-Street Parking**~~Required **Parking Spaces**~~

Notwithstanding Table 6.3.~~32~~.5.1, Rows 4, 5, 6, 7, 8 and non-residential ~~properties~~ **Uses** in Row 2, ~~no off-street parking within the D.1-1 Zone~~ shall ~~not be~~ required in the D.1-1 Zone. ~~**Parking Spaces**~~.

Notwithstanding Table 6.3.~~32~~.5.1, Rows 1, 2 and 3, no off-street parking shall be required for **Dwelling Units** constructed within **Buildings** which existed prior to June 7, 1971. Any addition to the existing **Building** erected after the effective date of By-law (2017)-20187 shall require **Parking Spaces** in accordance with Table 6.3.~~23~~.5.1.

6.3.3.1.2 **D.1-1 (H30)**

As shown on Defined Area Map 36 of Schedule “A” of this **By-Law**.

6.3.3.1.2.1 **Regulations**

6.3.3.1.2.1.1 In accordance with Section 6.3.3.1.1.1.

6.3.3.1.2.1.2 See Section 2.9 for Holding **Zone** provisions.

6.3.3.1.3 **D.1-2 (H30)**

65 Gordon St., 20, 28, 36, 50 Wellington St. E.

As shown on Defined Map Number 25 and 37 of Schedule "A" of this **By-law**.

6.3.3.1.3.1 **Permitted Uses**

All **Uses** permitted by Table 6.3.1.12 D.1 **Zone** are permitted and the following:

- ***Drive-through Facility***

6.3.3.1.3.2 See Section 2.9 for Holding **Zone** provisions.

6.3.3.1.4 **D.1-3**

Elizabeth St. between Arthur St. and Huron St.

As shown on Defined Map Number 38 of Schedule "A" of this **By-law**.

6.3.3.1.4.1 **Permitted Uses**

All **Uses** permitted by Table 6.3.1.12 D.1 **Zone** are permitted and the following:

- ***Single Detached Dwellings*** and ***Semi-Detached Dwellings*** legally existing on the date of the passing of ~~this~~ By-law **(2017)-20187**.
- ***Accessory Apartment*** in accordance with Section 4.15.1

6.3.3.1.4.2 **Regulations**

Vehicle access to a ***Parking Area*** in a ***Rear Yard*** is by 1 ***Driveway (non-residential)*** only, such ***Driveway (non-residential)*** shall have a width of not less than 3 metres and an overhead clearance of not less than 4.5 metres.

6.3.3.1.5 **D.1-4**

2 Quebec St.

As shown on Defined Area Map Number 36 of Schedule "A" of this **By-law**.

6.3.3.1.5.1 Regulations

6.3.3.1.5.1.1 Off-Street Parking for Residential Units

Notwithstanding Table 6.3.23.5.1, Row 2, the minimum number of off-street **Parking Spaces** required for the residential units existing as of January 1, 1974 shall be 88. Any additional **Dwelling Units** created after January 1, 1974 shall require **Parking Spaces** at the rate of 1 space per **Dwelling Unit**.

6.3.3.1.5.1.2 Off-Street Parking for Non-residential Uses

Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required.

6.3.3.1.5.1.32 Maximum **Building Height**

Notwithstanding Section 4.18, no part of any **Building** or **Structure** shall exceed the total height of the **Building** existing as of January 1, 1974, which reaches a height of 369.7 metres above sea level.

6.3.3.1.6 **D.1-5**

51-59 Yarmouth St., 58-64 Baker St.

As shown on Defined Area Map Number 36 of Schedule "A" of this **By-law**.

6.3.3.1.6.1 Permitted **Uses**

- **Mixed-Use Building** containing a maximum of 72 **Dwelling Units**

6.3.3.1.6.2 ~~Off-Street Parking Number of **Parking Spaces**~~

Notwithstanding Table 6.3.32.5.1, the minimum number of **Parking Spaces** to be provided is 54 **Parking Spaces**.

6.3.3.1.6.3 Location of **Parking Spaces**

All **Parking Spaces** required by Section 6.3.3.1.6.2- shall be located within the existing **Building** or within 23 metres of the **Building** on private property which permits a **Parking Area**.

6.3.3.1.7 **D.1-6**

43-45 Macdonell St.

As shown on Defined Area Map Number 36 of Schedule "A" of this **By-law**.

6.3.3.1.7.1 Off-Street Parking

Notwithstanding Table 6.3.32.5.1, Row 2, ~~no~~ **Parking Spaces** shall not be required for a maximum of 4 **Dwelling Units**. Any additional **Dwelling Units** shall provide **Parking Spaces** in accordance with Table 6.3.32.5.1.

6.3.3.1.8 **D.1-7**
55 Wyndham St. N.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.1.8.1 Regulations

6.3.3.1.8.1.1	In addition to the provisions of Section 6.3.23.76, a maximum of four Licensed Establishments shall be permitted on property municipally known as 55 Wyndham Street North.
6.3.3.1.8.1.2	One Licensed Establishment only is permitted a maximum Floor Area of 510 square metres provided the total capacity of such Licensed Establishment shall not exceed 190 persons.

***Note: The sections highlighted in grey are out of project scope. Minor administrative changes have been made as noted.**

6.3.3.1.8.2 Off-Street Parking
Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required.

6.3.3.1.9 **D.1-8**
27-33 Cardigan St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.1.9.1 Permitted **Uses**

- **Apartment Buildings**
- **Art Gallery**
- **Artisan Studio**
- **Commercial School** to a maximum **G.F.A.** of 500 m²
- **Day Care Centre**

- **Home Occupation** in accordance with Section 4.19
- **Live-Work Units**
- **Medical Clinic** to a maximum **G.F.A.** of 500 m²
- **Medical Office** to a maximum **G.F.A.** of 500 m²
- **Mixed-Use Building**
- **Multiple Attached Dwelling**
- **Municipal Parkland**
- **Office** to a maximum **G.F.A.** of 500 m²
- **Personal Service Establishment** to a maximum **G.F.A.** of 500 m²
- **Restaurant** to a maximum **G.F.A.** of 500 m²
- **Retail Establishment** to a maximum **G.F.A.** of 500 m²
- **Townhouse**

6.3.3.1.9.2 Regulations

6.3.3.1.9.2.1 Notwithstanding Table 6.3.~~32.-87~~, Row 1~~34~~, the minimum **F.S.I.** is 1.0.

6.3.3.1.9.2.2 Off-Street Parking
Notwithstanding Table 6.3.~~32~~.5.1, Row 1, a minimum of 0.95 of a **Parking Space** is required for each **Dwelling Unit**.

6.3.3.1.9.2.3 Size of Off-Street **Parking Spaces**
Notwithstanding Section 4.13.3.2, as amended, 10 percent of the required **Parking Spaces** may have a minimum size of 2.6 metres by 4.1 metres.

6.3.3.1.9.2.4 Minimum **Landscaped Open Space**
10 m² per **Dwelling Unit**.

6.3.3.1.10 **D.1-9**
35, 87 Gordon St., 33 Elizabeth St.

As shown on Defined Area Map Number 25, 37 and 38 of Schedule "A" of this **By-law**.

6.3.3.1.10.1 Permitted **Uses**
All **Uses** permitted by Table 6.3.~~1.12~~ **D.1 Zone** are permitted and the following:

- **Vehicle Service Station**
- **Vehicle Specialty Repair Shop**

6.3.3.1.11 **D.1-9 (H30)**
73 Gordon St., 67 Surrey St. E., 46, 48 Wyndham St. S.

As shown on Defined Area Map Number 25 and 37 of Schedule "A" of this **By-law**.

6.3.3.1.11.1 Regulations

6.3.3.1.11.1.1 In accordance with Section 6.3.3.1.10.1

6.3.3.1.11.1.2 See Section 2.9 for Holding **Zone** provisions.

6.3.3.1.12 **D.1-10 (H30)**
58 Wellington St. E.

As shown on Defined Area Map Number 37 of Schedule "A" of this **By-law**.

6.3.3.1.12.1 Permitted **Uses**

All **Uses** permitted by Table 6.3.1.12 D.1 **Zone** are permitted and the following:

- **Vehicle Gas Bar**

6.3.3.1.12.2 See Section 2.9 for Holding **Zone** provisions.

6.3.3.1.13 **D.1-11**
10 Wilson St.

As shown on Defined Area Map Number 36 of Schedule "A" of this **By-law**.

6.3.3.1.13.1 For the purposes of the D.1-11 **Zone**, the first **Storey** shall be measured from the intersection of Wilson Street and Northumberland Street.

The geodetic elevation of the floor of the first **Storey** shall be located at or within 0.75 metres of the geodetic elevation of the intersection of Wilson Street and Northumberland Street.

6.3.3.1.13.2 Built Form Regulations

6.3.3.1.13.2.1 Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** from Wilson Street and Northumberland Street **Street Line** shall be 3 metres and shall be required for all portions of the **Building** above 14.1 metres in height as measured from the geodetic elevation of the intersection of Wilson Street and Northumberland Street.

A **Stepback** is not required for 30% of the **Building** length along Wilson Street and Northumberland Street.

6.3.3.1.13.3 **Building Height** Regulations

6.3.3.1.13.3.1 Notwithstanding Section 6.3.2.3, the maximum **Building Height** shall be 20.5 metres as measured from the geodetic elevation of the intersection of Wilson Street and Northumberland Street.

6.3.3.1.13.4 **Active Frontage** Regulations

Notwithstanding Section 6.3.2.4, the following active frontage regulations apply to the portion of the property identified as **Active Frontage Area** on Defined Area Map 65:

6.3.3.1.13.4.1 The minimum **Front Yard Setback** shall be 0 metres.

6.3.3.1.13.4.2 The height of the first **Storey** shall be a minimum of 4.5 metres.

6.3.3.1.13.4.3 A minimum of one **Active Entrance** to the first **Storey** shall be required along the Wilson Street façade.

6.3.3.1.13.4.4 A minimum of 60% of the surface area of the Wilson Street first **Storey** façade, measured from the **Finished Grade** up to a height of 4.5 metres, must be comprised of a **Transparent Window** and/or **Active Entrances**.

6.3.3.1.13.4.5 Notwithstanding Table 6.3.1.1, the **Uses** identified in the Active **Uses** column in Table 6.3.1.1 with a "J" shall occupy a minimum of 60% of the **Street Line**.

6.3.3.1.13.5 Maximum **Front Yard Setback**

Notwithstanding Table 6.3.2.7, Row 2, a maximum **Front Yard Setback** is not required for a **Public Parking Facility Building**.

6.3.3.1.13.6 Minimum **F.S.I.**

Notwithstanding Table 6.3.2.7, Row 14, a minimum **F.S.I.** shall not be required for a **Public Parking Facility Building**.

6.3.3.1.14 **D.1-12**
16-22 Essex St.

As shown on Defined Area Map Number 25 of Schedule “A” of this ***By-law***.

6.3.3.1.14.1 **Permitted Uses**
All ***Uses*** permitted by Table 6.3.~~1.12~~ D.1 ***Zone*** are permitted and the following:

- ***Car wash, Manual***

6.3.3.1.15 **D.1-13 (H30)**
75 Wyndham St. S.

As shown on Defined Area Map Number 38 of Schedule “A” of this ***By-law***.

6.3.3.1.15.1 Notwithstanding Section 6.3.~~23~~.5.2.~~21~~.18 of this ***By-law***, a maximum of 2 ***Parking Spaces*** shall be permitted within the ***Front Yard***.

6.3.3.1.15.2 **Buffer Strips**
None required.

6.3.3.1.15.3 See Section 2.9 for Holding ***Zone*** provisions.

6.3.3.1.16 **D.1-14**
5 Gordon St.

As shown on Defined Area Map Number 25 of Schedule “A” of this ***By-law***.

6.3.3.1.16.1 **Permitted Uses**

- **Mixed-Use Building containing aA** maximum of 55 ***Dwelling Units***.

6.3.3.1.16.2 **Regulations for a Mixed-Use Building**

6.3.3.1.16.2.1 ~~Minimum~~ Off-Street Parking
Notwithstanding Table 6.3.~~23~~.5.1, minimum off-street parking shall be:

6.3.3.1.16.2.2 Apartments – 1 ***Parking Space*** per ***Dwelling Unit***.

6.3.3.1.16.2.3 ~~Ground Floor Commercial Retail, Service, Office, Community Uses~~ – 0 ***Parking Spaces***.

6.3.3.1.17 **D.1-15**
8-10, ~~18~~ Paisley St.

As shown on Defined Area Map Number 24 of Schedule “A” of this **By-law**.

6.3.3.1.17.1 **Building Height**
Notwithstanding Section 4.18.1, no **Building** or **Structure**, or part thereof, shall exceed an elevation of 356.6 metres above sea level.

6.3.3.1.17.2 ~~Required-Off-Street Parking~~**Parking Spaces**
Notwithstanding Table 6.3.~~32~~.5.1, Rows ~~4~~, 5, 6, 7, 8 and non-residential ~~properties~~ **Uses** in Row 2, ~~no off-street parking within the D.1-1 Zone~~ shall ~~not be~~ required in the D.1-15 Zone. **Parking Spaces**.

6.3.3.1.18 **D.1-16**
21 Surrey St. W.

As shown on Defined Area Map Number 25 of Schedule “A” of this **By-law**.

6.3.3.1.18.1 **Buffer Strips**
No **Buffer Strip** is required along the **Lot Line** abutting any Residential **Zone**.

Notwithstanding the above, a boundary fence of solid construction shall be provided along the **Lot Line** abutting any Residential **Zone**.

6.3.3.1.19 **D.1-17**
22 Surrey St. W.

As shown on Defined Area Map Number 25 of Schedule “A” of this **By-law**.

6.3.3.1.19.1 **Permitted Uses**
In addition to the **Uses** listed in Table 6.3.~~1.12~~ D.1 **Zone**, the following additional **Use** shall be permitted:

- A parking **Lot** providing **Parking Spaces** for 21 Surrey St. W.

6.3.3.1.19.2 **Off-Street Parking Location**
Notwithstanding Section 6.3.~~23~~.5.2.1.1 of this **By-law**, off-street parking may be permitted ahead of the required **Setback** line.

6.3.3.1.20 **D.1-18**
42 and 56 Gordon St.

As shown on Defined Area Map Number 37 of Schedule "A" of this ***By-law***.

6.3.3.1.20.1 Permitted ***Uses***
All ***Uses*** permitted by Table 6.3.~~1.12~~ D.1 ***Zone*** are permitted and the following:

- ***Vehicle Rental Establishment***

6.3.3.1.20.2 Off-Street Parking~~Regulations~~
In accordance with Table 6.3.~~32~~.5.1 and the following:

Vehicle Rental Establishment- 1 per 25m² ***G.F.A.*** or a minimum of 2, whichever is greater (parking is exclusive of display and storage areas).

6.3.3.1.21 **D.1-19**
49 Gordon St.

As shown on Defined Area Map Number 25 of Schedule "A" of this ***By-law***.

6.3.3.1.21.1 Permitted ***Uses***
All ***Uses*** permitted by Table 6.3.~~1.12~~ D.1 ***Zone*** are permitted and the following:

- ***Drive-through Facility*** as existing on the date of the passing of ~~this~~ By-law (2017)-20187.
- ***Veterinary Service***

6.3.3.1.22 **D.1-20**
23-25, 31 Gordon St.

As shown on Defined Area Map Number 25 of Schedule "A" of this ***By-law***.

6.3.3.1.22.1 Off-Street Parking
An off-site parking agreement is required which shall be entered into by the owner with the ***City*** of Guelph and shall be registered against title of the property known as 25 Gordon Street.

- 6.3.3.1.22.2 Off-Site Parking
The maximum parking distance from the subject property for off-site parking shall be permitted to be 152 metres.

- 6.3.3.1.23 **D.1-21**
160 Macdonell St.

As shown on Defined Area Map Number 36 of Schedule "A" of this **By-law**.

- 6.3.3.1.23.1 Built Form Regulations

- 6.3.3.1.23.1.1 Notwithstanding Section 6.3.~~32~~.1.~~12~~ and 6.3.~~32~~.1.~~32~~, the maximum **Floorplate** shall be 1,276 square metres from the 3rd **Storey** to the 16th **Storey** of the **Building**.

- 6.3.3.1.23.1.2 The 17th **Storey** shall have a maximum **Floorplate** of 1,045 square metres.

- ~~6.3.3.1.23.1.3 Notwithstanding Table 6.3.3.8, row 2, the maximum **Front Yard Setback** shall be 3.6 metres.~~

- 6.3.3.1.23.1.3 Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** shall be 2 metres and shall be required for all portions of a **Building** above the 2nd **Storey**. **Stepbacks** shall be measured from the **Building** face of the 2nd **Storey** facing a **Street**.

- 6.3.3.1.23.1.4 A Stepback of 0 metres shall be permitted for a maximum of 3 metres of the length of the **Building**.

- 6.3.3.1.23.2 Off-Street Parking Regulations

- 6.3.3.1.23.2.1 Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required in the D.1-21 **Zone**.

- 6.3.3.1.23.2.~~23~~²⁴ Notwithstanding Table 6.3.~~23~~.5.3, ~~R~~ow 1 and 2, the minimum number of **Bicycle Parking Spaces** shall be 18.

- 6.3.3.1.24 **D.1-22**
150 Wellington St. E.

As shown on Defined Area Map Number 37 of Schedule "A" of this **By-law**.

- 6.3.3.1.24.1 Built Form Regulations

~~6.3.3.1.24.1.1~~ ~~Notwithstanding Section 6.3.3.1.1, the existing **Building** length can exceed 60 metres as measured along Wellington Street.~~

6.3.3.1.24.1.~~12~~ Notwithstanding Section 6.3.~~32~~.1.~~21~~ and 6.3.~~32~~.1.~~32~~, the maximum **Floorplate** shall be 1,089 square metres from the 7th **Storey** to the 15th **Storey** of the **Building**.

6.3.3.1.24.2 Off-Street Parking ~~Regulations~~

~~6.3.3.1.24.2.1~~ ~~Notwithstanding Table 6.3.2.5.1, Row 6, the minimum number of **Parking Spaces** for Office **Uses** shall be 1 per 100 m² **G.F.A.**~~

6.3.3.1.24.2.~~21~~ Notwithstanding Table 6.3.~~32~~.5.3, ~~R~~ow 1 and 2, the minimum number of **Bicycle Parking Spaces** shall be 30.

~~6.3.3.1.25~~ ~~**D.1-23**~~
~~45 Yarmouth St.~~

~~As shown on Defined Area Map Number 36 of Schedule "A" of this **By-law**.~~

~~6.3.3.1.25.1~~ Built Form Regulations

~~6.3.3.1.25.1.1~~ ~~Notwithstanding Section 6.3.2.1.3, the minimum **Stepback** shall be 2 metres along Yarmouth Street and 1 metres along Baker Street and shall be required above the 3rd **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.~~

~~6.3.3.1.25.1.2~~ ~~Section 6.3.2.2.3.1 is not applicable.~~

~~6.3.3.1.25.2~~ Off-Street Parking

~~6.3.3.1.25.2.1~~ ~~Notwithstanding Section 6.3.2.5.2.1.4, a **Parking Area** is permitted within the first 4.5 metres of the depth measured from the **Street Line** of Yarmouth Street.~~

~~6.3.3.1.25.2.2~~ ~~Notwithstanding Table 6.3.2.5.1, Rows 1 and 2, the minimum number of **Parking Spaces** per residential **Dwelling Unit** shall be 0.80.~~

~~6.3.3.1.25.2.3~~ ~~Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required.~~

6.3.3.2 **Special Downtown (D.2) Zones**

6.3.3.2.1 **D.2-1**

7-27 Suffolk St. E., 82-88 Yarmouth St.

As shown on Defined Area Map Number 36 of Schedule “A” of this ***By-law***.

6.3.3.2.1.1 **Regulations**

Notwithstanding Table 6.3.~~23~~.5.1, Row 1, any new construction carried out after the passing of ~~this~~ By-law (2017)-20187 shall be in accordance with the following regulations:

6.3.3.2.1.1.1 **Off-Street Parking**

a) One ***Parking Space*** per ***Dwelling Unit***.

6.3.3.2.1.1.2

Notwithstanding Table 6.3.~~32~~.5.1, ***Use*** of the ***Buildings*** and ***Structures*** located in the D.2-1 ***Zone*** on the date of the passing of ~~this~~ By-law (2017)-20187 must be in conformity with the following regulation ~~only~~:

6.3.3.2.1.1.2.1 **Minimum Off-Street Parking**

A minimum of 11 ***Parking Spaces***.

6.3.3.2.2 **D.2-2**

206-212 Norfolk St.

As shown on Defined Area Map Number 24 of Schedule “A” of this ***By-law***.

6.3.3.2.2.1 **Permitted *Uses***

~~All ***Uses*** permitted by~~In addition to the ***Uses*** permitted in Table 6.3.~~1.12~~ D.2 ***Zones*** and the following: ~~the following ***Use*** is also permitted:~~

- ***Funeral Home***

6.3.3.2.3 **D.2-3**

228 Woolwich St.

As shown on Defined Area Map Number 36 of Schedule “A” of this ***By-law***.

6.3.3.2.3.1 **Permitted *Uses***

~~All ***Uses*** permitted by~~In addition to the ***Uses*** permitted in Table 6.3.~~1.12~~ D.2 ***Zones***, and ~~the following: ***Use*** is also~~

~~permitted:~~

- **Vehicle Specialty Repair Shop**

6.3.3.2.4 **D.2-4**
239 Woolwich St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.2.4.1 **Minimum Rear Yard**
5.3 metres.

6.3.3.2.5 **D.2-5**
200 Woolwich St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.2.5.1 **Minimum Yards**
The minimum **Front**, **Side** and **Rear Yards** shall be identical to those existing on the date of the passing of ~~this~~ By-law ~~(2017)-20187~~.

6.3.3.2.5.2 **Off-Street Parking**
Notwithstanding Section 4.13.3.2.3 and Section 6.3.~~23~~.5.2.~~12~~.~~18~~, off-street parking shall be in accordance with the following regulations:

- **Parking Spaces** shall be permitted within the required **Front Yard**.
- The minimum exterior **Parking Space** dimensions shall be 2.74 metres by 5.5 metres for a right angle **Parking Space** and 2.59 metres by 5.49 metres for a parallel **Parking Space**.

6.3.3.2.6 **D.2-6**
9 Paisley St.

As shown on Defined Area Map Number 24 of Schedule “A” of this **By-law**.

6.3.3.2.6.1 **Permitted Uses**
~~All **Uses** permitted by~~~~In addition to the **Uses** listed in~~ Table 6.3.~~1.12~~ **D.2 Zone** ~~and~~, the following: ~~additional **Use** shall be permitted:~~

- Retail and wholesale fur sales

6.3.3.2.7 **D.2-7 (H)**
290 Woolwich Street

As shown on Defined Area Map Number 24 of Schedule “A” of this **By-law**.

6.3.3.2.7.1 **Permitted Uses**
~~Notwithstanding the **Uses** listed in Section 6.5.1 of this **By-law**, o~~Only the following **Uses** shall be permitted:

A maximum of 10 **Townhouse Dwellings**, specifically excluding a **Home Occupation** or **Accessory Use**, and allowing a stand-alone residential **Use** without a commercial component.

6.3.3.2.7.2 **Regulations**
In accordance with Section 6.3.23 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

6.3.3.2.7.2.1 **Minimum Front and Exterior Side Yard**
Notwithstanding Table 6.3.32.8, Row 1, minimum **Front Yard** on Edwin **Street** shall be 1.15 metres and the minimum **Exterior Side Yard** on Woolwich **Street** shall be 1.5 metres.

6.3.3.2.7.2.2 **Minimum Rear Yard**
Notwithstanding Table 6.3.23.8, Row 43, the minimum **Rear Yard** on London Road shall be 1.15 metres.

6.3.3.2.7.2.3 **Location of Parking Spaces**
Notwithstanding Section 6.3.23.5.2.21.81, a maximum of 2 **Parking Spaces** shall be allowed to locate a minimum of 0.3 metres from the **Street Line**.

6.3.3.2.7.3 **Holding (H) Provision**
Purpose:
To ensure that development of the lands at 290 Woolwich Street does not proceed until the owner has completed certain conditions and paid associated costs to the satisfaction of the City of Guelph.

Conditions:

- a. Prior to the removal of the holding symbol “H”, the owner shall demonstrate to the **City** that the subject lands known municipally as 290 Woolwich Street have been decommissioned for residential **Use**, in accordance

with the current edition of the Ministry of the Environment document entitled "Guideline For Use At Contaminated Sites In Ontario" and that the owner has filed a Record of Site Conditions (RSC).

- b. Prior to the removal of the holding symbol "H", the owner and any mortgagees shall enter into a site plan control agreement with the **City**, registered on the title of the subject lands known municipally as 290 Woolwich Street, and satisfactory to the **City** Solicitor, including all conditions of approval endorsed by Guelph City Council.

6.3.3.2.8 **D.2-8**
18 Norwich Street East

As shown on Defined Map Number 36 of Schedule "A" of this ***By-law***.

6.3.3.2.8.1 Permitted ***Uses***
~~All ***Uses*** permitted by in accordance with the provisions of Table 6.3.1.12 D.2 ***Zones***, and of Zoning By-law (1995)-14864, as amended, with the following additions:~~

- ***Emergency Shelter***, in accordance with Section 4.29.1 and 4.29.3.

6.3.3.2.8.2 **Regulations**
In accordance with the provisions of Section 6.3.23 of Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:

6.3.3.2.8.2.1 **Off-Street Parking**
Notwithstanding the provisions of Table 6.3.23.5.1, no off-street parking shall be required for an ***Emergency Shelter***.

6.3.3.2.9 **D.2-10**
93 Surrey St. E.

As shown on Defined Area Map Number 37 of Schedule "A" of this ***By-law***.

6.3.3.2.9.1 Permitted ***Uses***
All ***Uses*** permitted by Table 6.3.1.1 D.2 ***Zone*** and the following:

- ***Vehicle Body Shop***

6.3.3.2.10 **D.2-11**
128 Norfolk St.
As shown on Defined Area Map Number 24 of Schedule "A" of
this **By-law**.

6.3.3.2.10.1 Regulations

6.3.3.2.10.1.1 Minimum **Front Yard**
0.9 metres

6.3.3.2.10.1.2 Minimum **Exterior Side Yard**
2.74 metres

6.3.3.2.10.1.3 Off-Street Parking
Notwithstanding Table 6.3.2.5.1, a minimum of 12
Parking Spaces shall be provided for a 90 resident
Nursing Home or **Home for the Aged**.

6.3.3.2.11 **D.2-12**
40-42 Cardigan St.
As shown on Defined Area Map Number 36 of Schedule "A"
of this **By-law**.

6.3.3.2.11.1 Regulations

6.3.3.2.11.1.1 Off-Street Parking
Notwithstanding Table 6.3.2.5.1, Rows 4, 5, 6, 7, 8 and
non-residential **Uses** in Row 2, no off-street parking
shall be required in the D.2-12 **Zone**.

Notwithstanding Table 6.3.2.5.1, Rows 1, 2 and 3, no
off-street parking shall be required for **Dwelling Units**
constructed within **Buildings** which existed prior to
June 7, 1971. Any addition to the existing **Building**
erected after the effective date of this **By-law** shall
require **Parking Spaces** in accordance with Table
6.3.2.5.1.

6.3.3.3 **Special Downtown (D.3) Zones**

6.3.3.3.1 **D.3-1**

70 Fountain St. E., 75, 111 Farquhar St.

As shown on Defined Area Map Number 37 of Schedule “A” of this **By-law**.

6.3.3.3.1.1 **Built Form Regulations**

~~New~~ Any new **Building** or addition to an existing **Building** erected after the effective date of By-law (2017)-20187 ~~Buildings and/or additions~~ shall be in accordance with built form regulations in Section 6.3.23.1.

6.3.3.3.2 **D.3-2**

35, 60, 74 Woolwich St., 128, 130, 140, 146 MacDonell St., 1, 59 Carden St.

As shown on Defined Area Map Number 36 of Schedule “A” of this **By-law**.

6.3.3.3.2.1 **Required-Off-Street Parking Spaces**

Notwithstanding Table 6.3.23.5.1, Rows 4, 5, 6, 7, 8, properties within the D.3-2 **Zone** shall not require **Parking Spaces**.

6.3.3.3.2.2 ~~In D.3-2 Zones~~ Section 6.3.23.1 Built Form Regulations ~~is~~ does not apply.

6.3.3.3.3 **D.3-3**

81, 91, 95, 97 Farquhar St., 90, 94 Fountain St. E.

As shown on Defined Area Map Number 37 of Schedule “A” of this **By-law**.

6.3.3.3.3.1 **Permitted Uses**

All **Uses** permitted by Table 6.3.1.12 D.3 **Zone** ~~are permitted~~ and the following:

- **Dwelling Units** legally existing on the date of the passing of By-law (2017)-20187

6.3.3.3.3.2 **Built Form Regulations**

~~New~~Any new **Building** or addition to an existing **Building** erected after the effective date of By-law (2017)-20187 ~~Buildings and/or additions~~ shall be in accordance with built form regulations in Section 6.3.23.1.

6.3.3.3.4

D.3-4

15 Wyndham St. S.

As shown on Defined Area Map Number 37 of Schedule "A" of this **By-law**.

6.3.3.3.4.1

Off-Street Parking

Notwithstanding Table 6.3.23.5.1, the Guelph Police Services Headquarters requires a minimum of 60 parking spaces for a **Building** with a maximum **G.F.A.** of 12,000 m²

6.3.3.3.4.2

Built Form Regulations

Any new **Building** or addition to an existing **Building** erected after the effective date of By-law (2017)-20187 shall be in accordance with built form regulations in Section 6.3.23.1.

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RECOMMENDED DOWNTOWN ZONING BY-LAW

HOLDING ZONES

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Holding Provision (H30)

Purpose

To ensure that municipal services are adequate and available, to the satisfaction of the **City**, prior to intensification of the lands.

Interim *Uses* Prior to Removal of the "H"

For such time as the "H" symbol is in place, these lands may be **Used** for all **Uses** permitted in the applicable **Zone**, subject to the following interim **Regulations**:

Interim Regulations Prior to Removal of the "H"

For such time as the "H" symbol is in place, only the following replacements, additions or expansions of **Buildings** or **Structures** legally existing on the effective date of this **By-law** shall be permitted:

- a) Modifications to existing **Building** façade(s).
- b) Minor additions to existing **Buildings**, to a maximum of 10 square metres.

Conditions

Prior to the removal of the Holding symbol "H" a municipal services review shall be completed to the satisfaction of the **City**. The scope and boundary of the municipal services review will be determined by the **City** and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.

- a) Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the **City**, the "H" may be lifted; or,
- b) Should the municipal services review determine that all necessary municipal services are not adequate and available, then prior to the "H" being lifted, ~~the owner shall:~~
 - ~~The actual design and construction costs of any required municipal services shall be~~ secured, where appropriate and in a manner satisfactory to the **City**, ~~the actual design and construction costs of any required municipal services;~~ and,
 - ~~demonstrate that a~~Any required municipal services ~~have~~ shall ~~been~~ designed to the satisfaction of the **City**; and,
 - ~~demonstrate that a~~Any required municipal services ~~are~~ shall be constructed to the satisfaction of the **City** prior to ~~the any~~ intensification of the lands.

Baker Street Holding Provision (H32)

Purpose:

To ensure a comprehensive master plan is prepared for the site prior to redevelopment and that municipal services are adequate and available, to the satisfaction of the **City**, prior to intensification of the lands.

Interim *Uses* Prior to Removal of the "H":

For such time as the "H" symbol is in place, these lands may be **Used** for all **Uses** permitted in the applicable **Zone**, subject to the following interim **Regulations**:

Interim *Regulations* Prior to Removal of the "H"

For such time as the "H" symbol is in place, only the following replacements, additions or expansions of **Buildings** or **Structures** legally existing on the effective date of this **By-law** shall be permitted:

- a) Modifications to existing **Building** façade(s).
- b) Minor additions to existing **Buildings**, to a maximum of 10 square metres.

Conditions:

Prior to the removal of the Holding symbol "H", the following conditions shall be completed to the satisfaction of the **City**:

1. That an Urban Design Master Plan be developed to the satisfaction of the **City** that includes the following items:
 - a. location of public and/or private streets and laneways;
 - b. location, size and configuration of parkland/open space on the site;
 - c. location, uses and massing of buildings and their relationship to adjacent streets and open spaces;
 - d. built form transitions to the surrounding community;
 - e. shadow impacts;
 - f. physical and visual connections to the immediate surroundings and broader downtown area;
 - g. conceptual streetscape designs for internal streets and adjacent public streets to be improved;
 - h. heritage attributes to be rehabilitated, conserved and retained in the proposed development;
 - i. locations for heritage interpretation and/or public art;
 - j. general location and lay-out of parking;
 - k. provision of affordable housing; and,
 - l. environmental features and elements that support the Community Energy Plan and the sustainability policies of the Official Plan; and,

2. Prior to the removal of the Holding symbol "H" a municipal services review shall be completed to the satisfaction of the **City**. The scope and boundary of the municipal services review will be determined by the **City** and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.
- a) Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the **City**, the "H" may be lifted; or,
- b) Should the municipal services review determine that all necessary municipal services are not adequate and available, then prior to the "H" being lifted, ~~the owner shall:~~
- The actual design and construction costs of any required municipal services shall be secured, where appropriate and in a manner satisfactory to the **City**, ~~the actual design and construction costs of any required municipal services~~; and,
 - ~~demonstrate that a~~ny required municipal services ~~have~~ shall been designed to the satisfaction of the **City**; and,
 - ~~demonstrate that a~~ny required municipal services ~~are~~ shall be constructed to the satisfaction of the **City** prior to ~~the any~~ intensification of the lands.

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RECOMMENDED DOWNTOWN ZONING BY-LAW

DEFINITIONS

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Zoning By-law Definitions for Downtown Guelph

“Active Entrance” means a door that is clearly intended and designed to be the principal entrance or one of the principal entrances for use on a permanent basis, facing a public **Street** or public square and excludes emergency egress doors, garage doors, service doors, loading doors and doors giving access to ~~garbage~~-storage areas.

“Active Frontage Area” means a **Lot** or portion thereof that is subject to the **Active Frontage Area**, as shown on Defined Area Map 65.

“Angular Plane” means an imaginary inclined plane, rising over a **Lot**, drawn at a specified angle from the horizontal, which together with other **Building** regulations and **Lot** size requirements, delineates the maximum bulk and **Building Height**.

“Automated Parking System” means a mechanical system, wholly contained within an enclosed **Building** or **Structure**, which moves motor **Vehicles** to a **Parking Space** without the **Vehicles** being occupied or operated by a human being.

“Bicycle Parking Space” means a **Bicycle Parking Space**, ~~L~~**ong**-~~t~~**erm** and/or a **Bicycle Parking Space**, ~~S~~**hort**-**Term**.

“Bicycle Parking Space, ~~L~~ong-~~t~~erm” means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather-protected and for use by occupants or tenants of a **Building** and is not provided within a **Dwelling Unit**, suite, or on a **Balcony**.

“Bicycle Parking Space, ~~S~~hort-Term**”** means an area for the purpose of parking and securing bicycles with a bicycle rack that is accessible for visitors to a **Building** and is located outdoors or indoors but not within a commercial suite, **Dwelling Unit**, secured room, enclosure or bicycle locker.

“Drive-Through Facility” means a **Place Used** to provide or dispense products or services through an attendant, a window, or an automated machine to persons remaining in **Vehicles** in a designated stacking lane(s), which may or may not include an order box and menu boards, but does not include a **Public Parking Facility**.

“Floorplate” means the gross horizontal floor area of a single floor measured from the exterior walls of a **Building** or **Structure** and shall not include **Balconies**.

“Government Office” means a **Building** or portion thereof **Used** by the public (Federal, Provincial, County or Municipal) sector Government(s) to conduct public administration or provide a public service.

“Live-Work Unit” shall mean a unit within a **Building**, in which a portion of the unit at grade level may be **Used** as a business establishment and the remainder of the unit shall be a **Dwelling Unit** and whereby each “live” and “work” component within a portion of the unit has an independent entrance from the outside and an interior access between the “live” and “work” components.

“Mixed-Use Building” means a **Building** in a Downtown **Zone** containing ~~residential Uses~~ **Dwelling Units** and at least one other non-residential **Use** permitted by this **By-law**, where the residential portion of the **Building** has an independent entrance from the outside.

“Public Parking Facility” means a **Place** other than a **Street**, **Used** for the parking of **Vehicles** that is owned by or operated ~~by the~~ on behalf of public (Federal, Provincial, County, or Municipal) sector Government(s).

“Service Establishment” means a **Place** providing services related to the grooming of persons (such as a barber or salon), a **Place** providing the cleaning, maintenance or repair of personal articles and accessories (such as dry cleaning and laundering), small appliances or electronics, or a **Place** providing services related to the maintenance of a residence or business (such as private mail box, photocopying, courier or custodial services), but does not include a: **Parlour, Adult Entertainment; Small Motor Equipment Sales; Storage Facility; Tradesperson’s Shop; Warehouse; and Wholesale.**

“Stepback” means a portion of a **Building** that is ~~further set back~~ horizontally recessed from the **Building** face in accordance with the requirements of this **By-law**.

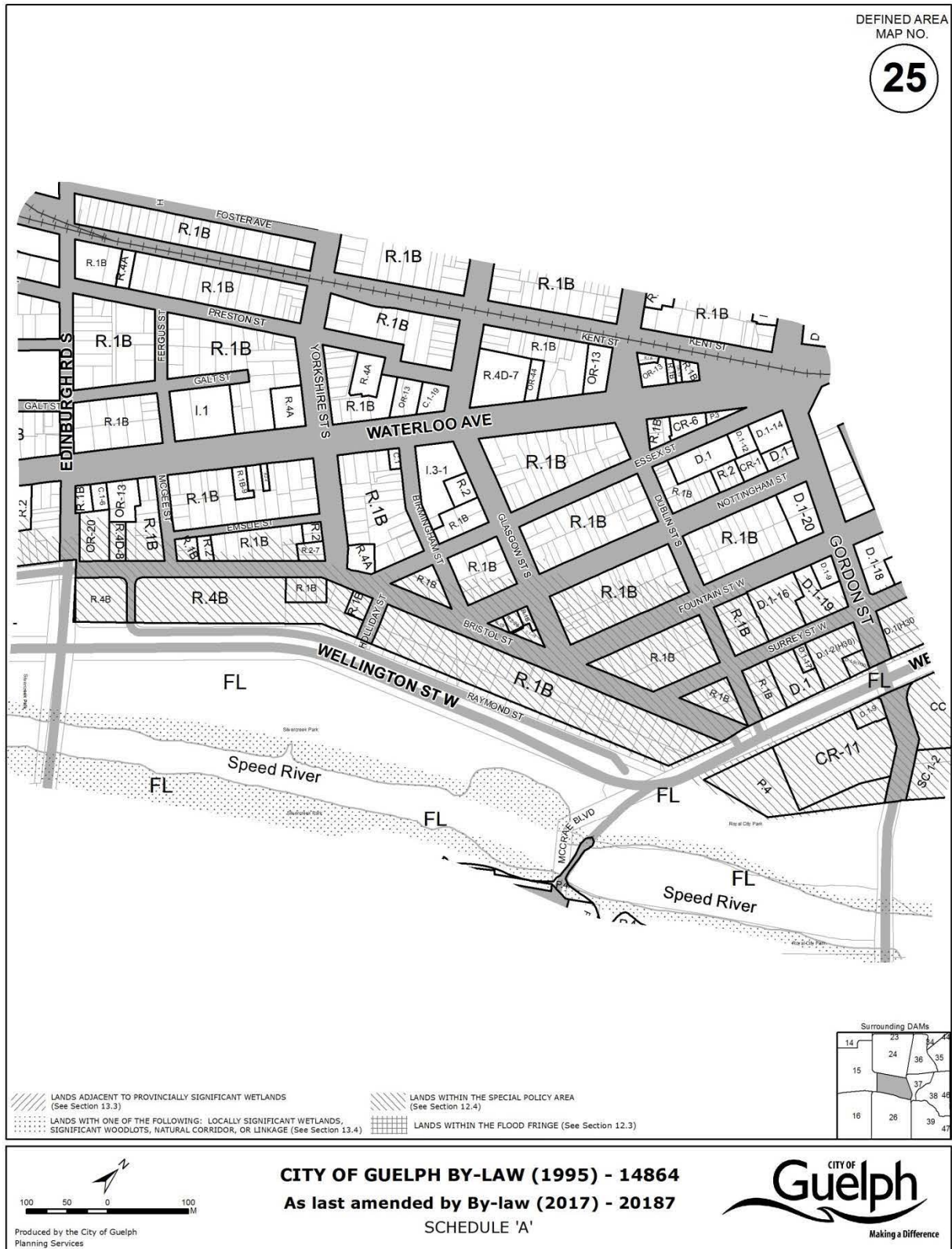
“Transparent Window” means any window that is not tinted and which provides clear visibility from the outside to the interior of the **Building**.

“Vehicle Rental Establishment” means a place where **Vehicles** are stored and rented to the public, but shall not include **Commercial Vehicles**, farm equipment, **Recreational Vehicle**, trailer, snowmobile, motorized boat or a **Vehicle Sales Establishment**.

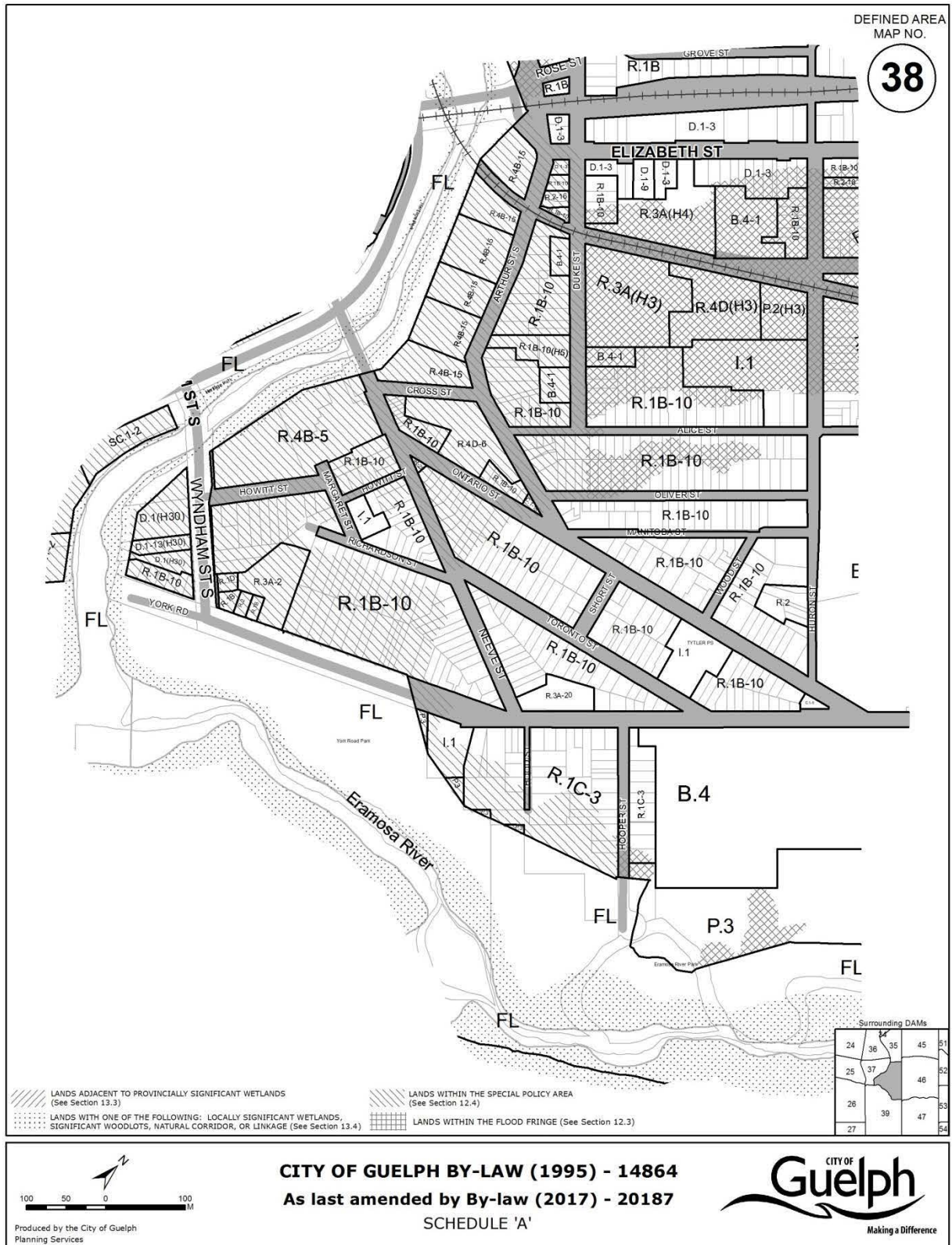
RECOMMENDED DOWNTOWN ZONING BY-LAW MAPS

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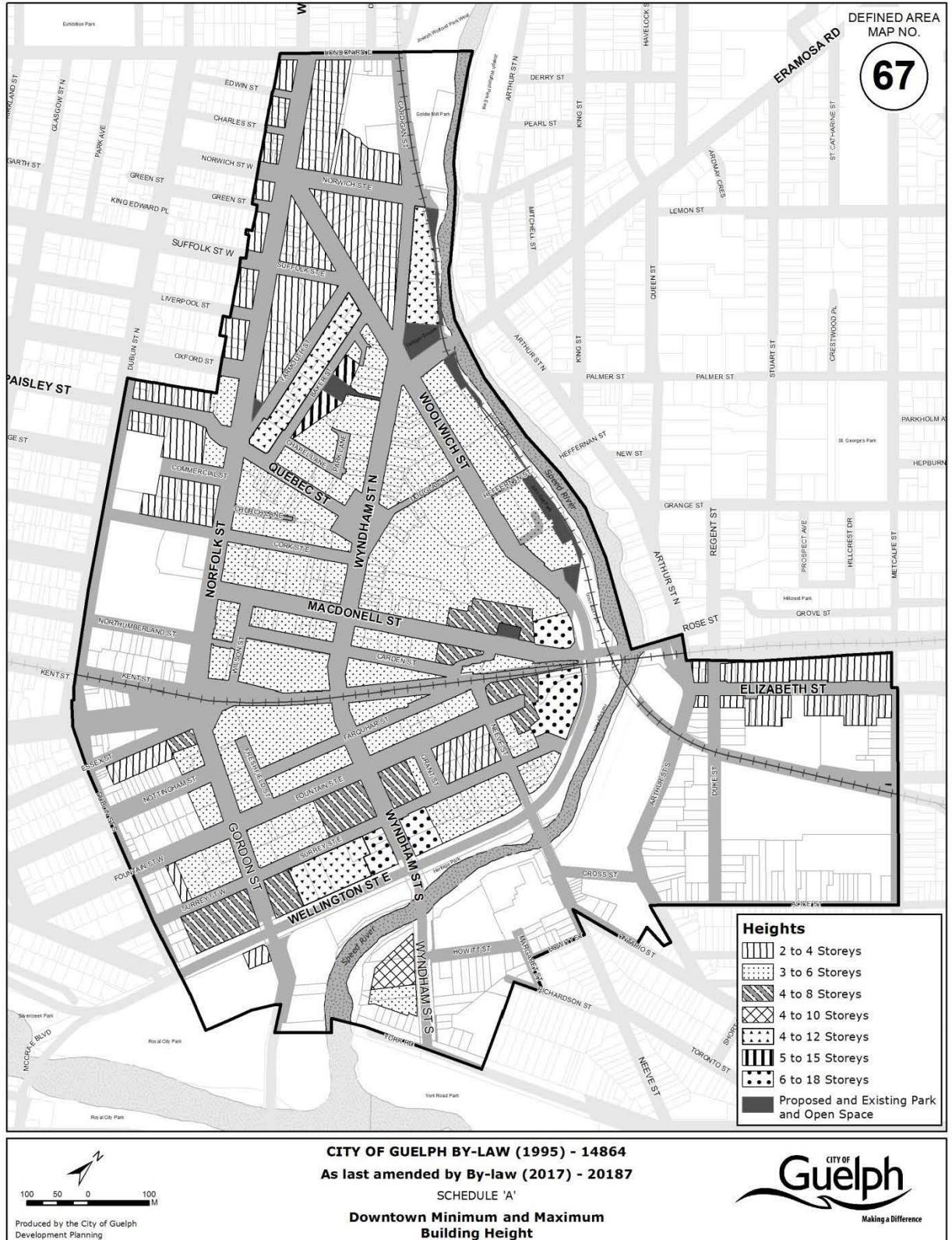


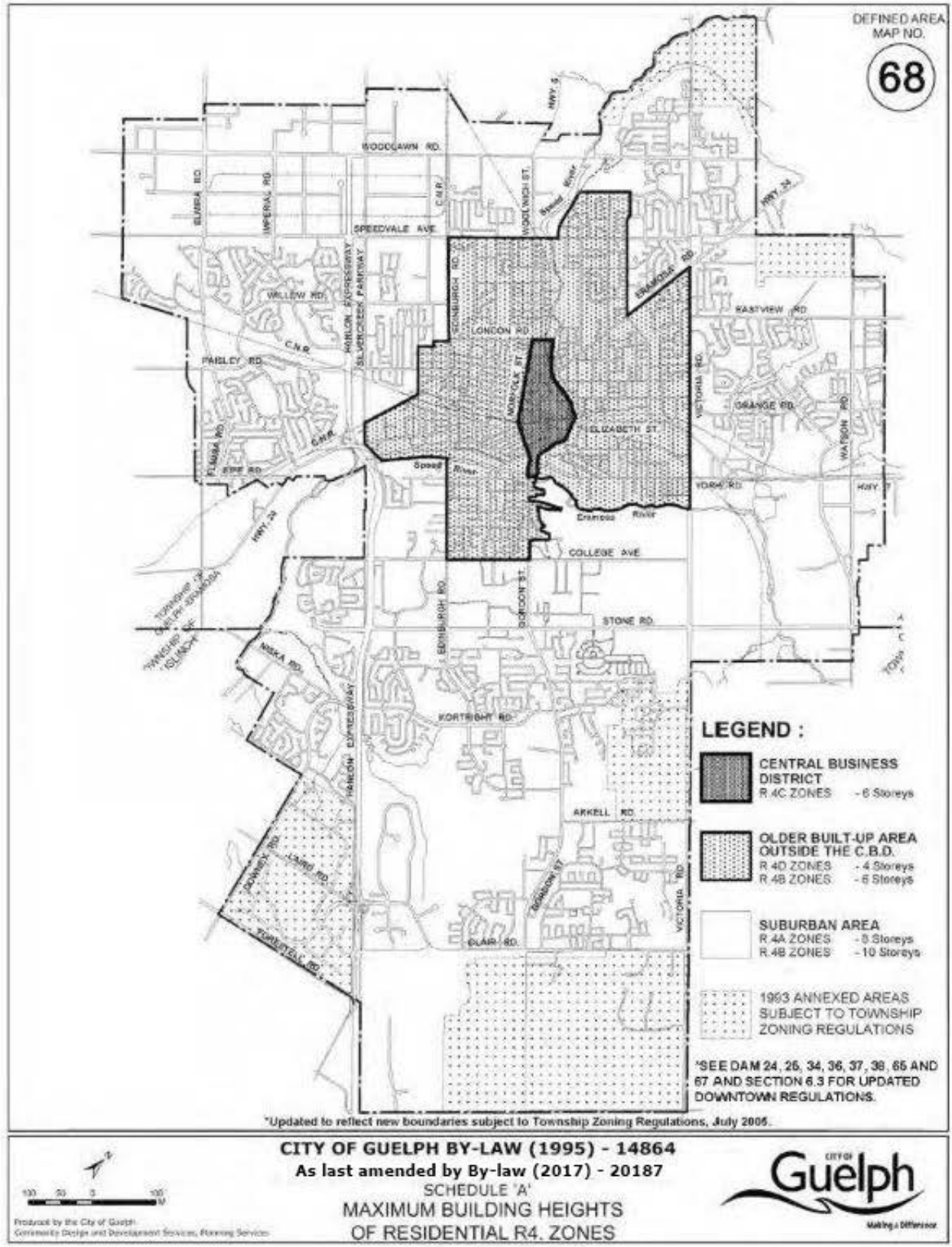












Attachment 5- Summary and Analysis of Public Input Received

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
1.	Zelinka Priamo Ltd. On behalf of Ayerswood Development Corporation	45 Yarmouth Street	a.	There is an active Zoning By-law Amendment application currently under review by the City of Guelph on the subject lands. We respectfully request that the proposed site-specific zoning regulations be included within the final version of the Downtown Zoning By-law. Depending on the timing of the approval of the current Zoning By-law amendment application, and the approval of the Downtown Zoning By-law, amendments maybe required to the site-specific by-law in both the City's new and old zoning by-laws.	<p>The site specific zoning amendment for 45 Yarmouth Street was approved by City Council on February 13, 2017 and is in effect.</p> <p>Staff Recommendation: Staff have incorporated the approved site specific zoning for 45 Yarmouth Street into the recommended Downtown Zoning By-law. See Section 6.3.3.1.25 of the recommended By-law.</p>
2.	Comments from Astrid Clos on behalf of Skyline	130 MacDonell Street (Co-operators)	a.	Requesting that the proposed D.3-2 zone be revised to permit dwelling units with permitted commercial uses in the same building and that Retail Establishment and Restaurant uses be permitted without a maximum GFA of 500 m ² to reflect the existing permissions in the CBD.1 zone.	<p>The proposed D.3-2 zone implements the Institutional/Office designation of the Downtown Secondary Plan (DSP). This designation permits uses such as offices, community services and facilities, educational and civic uses, hotels and other employment uses. Residential uses are not permitted in the Institutional/Office designation and therefore, allowing residential uses would not conform with the policies of the DSP. As required by the Planning Act, a Zoning By-law must conform to the Official Plan.</p> <p>In addition to the primary uses, the</p>

Attachment 5- Summary and Analysis of Public Input Received

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
					<p>Institutional/Office designation allows for secondary uses to the main institutional or office use. Secondary uses are typically required to be subordinate to the main use and therefore a maximum gross floor area of 500 m² per unit has been included in the proposed zoning. This maximum gross floor area is consistent with the DSP policies (policy 11.1.7.8.1).</p> <p>Staff Recommendation: No change.</p>
			b.	<p>The existing building at 130 MacDonell St. is 8 storeys in height. Defined Area Map No. 67 appears to show this property within the 3 to 6 storey height and another part of this property is in the 4 to 8 storey height. Please revise the zoning map to include the entire property within the 4 to 8 storey height.</p>	<p>Staff has reviewed the property survey to confirm lot lines and agrees with the comment.</p> <p>Staff Recommendation: Defined Area Map 67, which sets minimum and maximum heights, has been adjusted to permit 4 to 8 storey height for the entire property.</p>
		70 Fountain Street	c.	<p>Requesting that the proposed D.3-1 zone permit dwelling units with permitted commercial uses in the same building and that Retail Establishment and Restaurant uses be permitted without a maximum GFA of 500 m² to reflect the existing permissions</p>	<p>See response to comment 2.a.</p> <p>Staff Recommendation: No change.</p>

Attachment 5- Summary and Analysis of Public Input Received

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
				in the CBD.1-4 zone.	
		55 Yarmouth Street	d.	Requesting confirmation of the limit of the D.1-5 zone in relation to the lot fabric and corrections to the zoning map as applicable.	Staff Recommendation: Zoning has been adjusted based on confirmed lot lines.
			e.	The current CBD.1-5 zone permits the required parking spaces to be located within 23 metres of the building in a zone "which permits a parking lot". This regulation should be carried over verbatim to the proposed D.1-5 zone.	Staff Recommendation: The wording for the D.1-5 zone has been changed to respect the existing specialized parking permission as follows: All Parking Spaces required by Section 6.3.3.1.6.2 shall be located within the existing Building or within 23 metres of the Building on private property which permits a Parking Area . Parking Area is defined in the Zoning By-law: "includes a parking aisle and parking space but does not include any part of a street."
		5 Douglas Street (Gummer Building)	f.	Skyline has entered into agreements including timelines with the City related to this building. Skyline would like to confirm that once the timelines in any agreement expire there will not be any new zoning regulations applied to what is existing development. For example, the existing	Committee of Adjustment decision A-36/11 permits three off-street parking spaces when the By-law requires a minimum of 20 off-street parking spaces. An agreement has been executed as a condition of the approval.

Attachment 5- Summary and Analysis of Public Input Received

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
				CBD.1 zone applicable to this property does not include a requirement to provide parking or visitor parking. The proposed D.1 zone requires both parking and visitor parking. There should be a notwithstanding regulation included in this proposed D.1 zone for 5 Douglas Street to exempt it from the proposed parking and visitor parking requirements.	<p>The CBD.1 zone currently applicable to this property requires one parking space per dwelling unit (6.3.2.1.2) which has been varied through A-36/11. The proposed D.1 zone requires one parking space per dwelling unit plus 0.05 parking spaces per dwelling unit for visitor parking.</p> <p>The existing site specific regulations approved by the Committee of Adjustment would not be impacted by the proposed D.1 zone, and no additional parking would be required unless there is additional development on the site.</p> <p>Staff Recommendation: No change.</p>
			g.	The current CBD.1 zone permits a maximum building coverage of 100% of the lot area. The proposed D.1 zone changes this in Table 6.3.3.8 (now 6.3.3.7) Row 1 by requiring a minimum 1 metre setback from the lot line abutting a lane. Please revise the wording to require a 1 metre setback from a public lane only, and not a private lane.	<p>Staff Recommendation: In response to this comment, the By-law has been amended to require a 1 metre setback from a public lane.</p>
3.	Siobhan Hanley			Include all the street names on the maps	Zoning By-law maps have been reviewed.

Attachment 5- Summary and Analysis of Public Input Received

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
					Staff Recommendation: Street names have been added where practical.
4.	Bill Harvie	Paisley Street between Norfolk and Dublin Street	a.	No off-street parking should be required for non-residential uses for the section of Paisley Street between Norfolk and Dublin.	The area identified is a transition area from the Downtown D.2 zone to the residential R.1B zone. The intent of the D.2 regulations is to balance the commercial, service and employment uses of the Downtown zone next to residential properties. The recommended Zoning By-law reduces the parking ratio requirements in the Downtown which will reduce the overall parking requirements in this area. Staff does not support eliminating the requirement for off-street parking in this zone. Staff Recommendation: No change.
			b.	"Live-work" uses in D.2 should only require 1 parking space for the "live" portion of the unit. Additional parking for the "work" portion should not be required.	Proposed commercial parking ratios for the Downtown have been reduced in accordance with recommendations provided in the Downtown Guelph Parking Supply Requirements Memorandum that was prepared by BA

Attachment 5- Summary and Analysis of Public Input Received

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					<p>Group. Parking required for a site specific use or development may be reviewed and adjusted through other Planning Act applications (such as payment-in-lieu of off-street parking or minor variance).</p> <p>Staff Recommendation: No change.</p>
5.	Comments from Astrid Clos on behalf of Tom Lammer		a.	<p>The Downtown Zoning By-law does not meet its intent to encourage private development reinvestment in the downtown. The 45 Yarmouth Street application had fewer challenges being approved without the Draft Downtown Zoning By-law being in effect.</p> <ol style="list-style-type: none"> 1. The mechanical penthouse provided for this building was not counted as a 13th storey 2. Approved a parking ratio of 0.8 parking spaces per apartment unit with no visitor parking spaces and no parking for the commercial unit 3. Approved a 1.1m side yard setback next to a heritage building (37 Yarmouth Street) 4. Approved building setback of 2.25m 5. This application provided 52 bicycle parking spaces where the Draft 	<p>The draft Downtown Zoning By-law has taken the approach to zone lands to implement the built form directions and allow for the maximum height provided in the DSP. In some cases minor variances may be required as it is not possible to create site-specific zoning for all properties in the Downtown. However, a minor variance application is generally a less onerous process than a rezoning.</p> <p>The following responses address the comments related to 45 Yarmouth Street. If the 45 Yarmouth Street application came in under the proposed Downtown Zoning By-law, minor variances would be required for setback requirements and parking, instead of the rezoning undertaken under the current Zoning By-law.</p>

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				<p>Downtown Zoning By-law would have required that 57 bicycle parking spaces be provided.</p> <p>6. The 45 Yarmouth Street property is located within a Protected Public View Corridor to the Church of Our Lady as shown on Schedule D of the Downtown Secondary Plan.</p> <p>7. The 45 Yarmouth Street site has frontages on two roads making compliance with the Downtown Zoning By-law challenging specifically that, <i>"6.3.3.6.1 transformer and telecommunications vaults and pads shall not be located in the front or exterior side yard."</i></p> <p>8. The Downtown Zoning by-law requiring that <i>"6.3.3.6.2 air vents associated with a parking structure are not permitted in a front or exterior side yard unless located a minimum of 0.2 m below grade"</i> could be challenging to comply with for this site.</p> <p>9. The zoning of the subject property includes office as a permitted use however, city staff was able to support a residential use and did not feel that they had an obligation to maintain and protect office uses in the</p>	<ol style="list-style-type: none"> 1. An elevator or stairway penthouse is exempt from height restrictions in accordance with section 4.18 of Zoning By-law (1995)-14864. This is the current practice city-wide. 2. A site specific parking ratio was approved for 45 Yarmouth Street based on a peer reviewed parking study (site specific regulations have been carried forward in the recommended Downtown Zoning By-law). 3. The proposed standard D.1 zone has no minimum side yard setback. 4. The current Zoning By-law restricts the building height to 6 storeys and requires a 15 metre stepback above the 5th storey. The proposed Downtown Zoning By-law would require a 3-6 metre stepback above the 4th storey. Site specific stepbacks for 45 Yarmouth Street have been incorporated in the recommended Downtown Zoning By-law. 5. 45 Yarmouth Street has provided 52 long-term bicycle parking spaces and 7 short-term bicycle

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				downtown related to this specific property.	<p>parking spaces. This would comply with the proposed requirements of the Downtown Zoning By-law.</p> <p>6. The proposed building is located outside of the protected public view corridor.</p> <p>7. The proposed building at 45 Yarmouth Street is built lot line to lot line meaning a transformer and telecommunications vault would be required to be located on the right of way. Section 6.3.3.6.1 is proposed to be deleted from the proposed Downtown Zoning By-law.</p> <p>8. Regulation proposed to be deleted.</p> <p>9. 45 Yarmouth Street is designated Mixed Use 1 not Office/Institutional in the DSP, therefore office and commercial uses, as well as residential uses, are permitted.</p>
			b.	<p>Bicycle Parking</p> <p><i>"Table 6.3.3.5.3</i></p> <p><i>0.68 long term bicycle parking spaces per dwelling unit</i></p> <p><i>0.07 short term bicycle parking spaces per dwelling unit</i></p> <p><i>6.3.3.5.3.2 long term and short term bicycle</i></p>	<p>The DSP provides direction for the Zoning By-law to establish minimum bicycle parking regulations in office and apartment buildings (11.1.4.4.4). The bicycle parking ratios proposed are based on The Downtown Guelph Parking Supply Requirements Memorandum that</p>

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				<p><i>parking space dimensions 0.6m x 1.8m x 1.2m."</i></p> <p>The bicycle parking requirements should not be included in the Downtown Zoning By-law but remain in the Site Plan Guidelines where they can be applied to each application based on the specific circumstances of each proposal. The minimum bicycle parking sizes do not reflect the different storage solutions available.</p>	<p>was prepared by BA Group.</p> <p>In response to these comments staff have included an exemption for apartment buildings with 10 dwelling units or less.</p> <p>Long term and short term bicycle parking space dimensions have been removed from the recommended By-law and will be addressed through Site Plan.</p> <p>Staff Recommendation: Short term and long term bicycle parking space dimensions have been removed from the recommended Downtown Zoning By-law.</p>
			c.	<p>Transformer and Telecommunication Vaults and Pads</p> <p>"6.3.3.6.1 transformer and telecommunications vaults and pads shall not be located in the front or exterior side yard."</p> <p>The draft by-law proposes to prohibit at grade transformer and telecommunication vaults and pads within a front or exterior side yard. There may be no other technical option than to locate these utilities within a front or exterior side yard. This zoning</p>	<p>In response to these comments staff have reviewed and proposed to delete these regulations and implement this direction through Site Plan approval.</p> <p>Staff Recommendation: Regulation has been deleted.</p>

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				regulation should either be deleted or be revised to require landscape or other screening of any at grade transformer and telecommunication pads within a front or exterior side yard.	
			d.	<p>Air Vents "6.3.3.6.2 air vents associated with a parking structure are not permitted in a front or exterior side yard unless located a minimum of 0.2 m below grade." There should not be an air vent regulation in the Downtown Zoning By-law. The location of air vents should be considered at the time of Site Plan approval.</p>	<p>In response to these comments staff have reviewed and proposed to delete these regulations and implement this direction through Site Plan approval.</p> <p>Staff Recommendation: Regulation has been deleted.</p>
			e.	<p>Off-Street Parking "Table 6.3.3.5.1 1 parking space per dwelling unit required. (plus 0.05 parking spaces per dwelling unit for designated visitor parking) 1 parking space per 100 m² of retail GFA" The parking requirements in the Downtown Zoning By-law should be reconsidered in accordance with the Parking Justification and TDM Options Study prepared by Paradigm Transportation Solutions Limited dated August 2016, the peer review prepared by BA Group, the staff recommendation and Council approval of 0.8 parking spaces per</p>	<p>A site specific parking ratio was approved for 45 Yarmouth Street based on a peer reviewed parking study and the implementation of site specific transportation demand management measures.</p> <p>BA group reviewed the Downtown parking system and Recommended an appropriate parking ratio for the entire downtown taking into consideration typical demand for parking and the anticipated public supply of parking; see The Downtown Guelph Parking Supply</p>

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				apartment unit with no visitor parking and no retail parking being required for 45 Yarmouth Street.	Requirements Memorandum. Staff Recommendation: No change.
			f.	Affordable Housing Off-Street Parking Consistent with the recommendations of the City's Affordable Housing Report, a reduced off-street parking regulation for affordable housing units should be included in the Downtown Zoning By-law.	The October 11, 2016 Affordable Housing Strategy: Final Report put forward an action item to review modifications to parking requirements for multiple residential properties and mixed-use developments that include affordable residential as part of the City's comprehensive Zoning By-law. Staff Recommendation: No change. Review and consider as part of the comprehensive Zoning By-law review.
			g.	Senior Housing Off-Street Parking While the 45 Yarmouth Street application includes 55 two bedroom apartment units, typical senior apartment units have one bedroom units with reduced persons per unit. The Downtown Zoning By-law should include a reduced parking regulation for senior housing units consistent with the many specialized zoning regulations already approved by the City for senior housing on	Existing parking requirements for seniors housing are specialized zones, determined on a case by case basis. These zones largely pre-date the 1995 zoning by-law and are not consistent with contemporary zoning by-law best practices. This issue is not a downtown specific zoning issue. As noted in comment 5.f., parking ratios for affordable housing units, of which

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				this basis.	seniors apartments may be one example, will be reviewed through the comprehensive Zoning By-law. Staff Recommendation: No change. Site specific regulations could be assessed on a case by case basis through another Planning Act application, such as payment-in-lieu of off-street parking or minor variance application. Review and consider as part of the comprehensive Zoning By-law review.
			h.	Rear Yard Setback The Downtown Zoning By-law should revise the 10 m rear yard zoning regulation. The 45 Yarmouth Street application approved a 1.1 m side yard for a 12 storey building next to a heritage building. The 10 m rear yard regulation is not appropriate in the urban downtown environment.	The 10m rear yard setback is not required in the D.1 zone. This regulation applies to the D.2 zone. The intent of the D.2 10 metre rear yard setback is to assist in creating an opportunity for a parking area or rear yard amenity space. In addition, the setback provides a transition from the urban core to surrounding neighbourhoods. 45 Yarmouth Street is located in the D.1 zone. The D.1 zone requires a 0m setback from the rear and side yard. Staff Recommendation: No change.

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6.	Elbert van Donkersgoed		a.	Catholic Hill should be "taken out of" the present bylaw process and delayed until a focused study of its value, heritage and otherwise, has been completed. Catholic Hill has been defined as the hill that extends to Glasgow, Waterloo and Paisley.	<p>As outlined in the project scope, the Downtown Zoning By-law is not addressing Catholic Hill (as defined by Northumberland St. to the south, Dublin St. N to the west, Cork St. to the north and Norfolk St. to the east) or the residential area to the South towards Waterloo Avenue or west across Dublin Street.</p> <p>The Cultural Heritage Action Plan being undertaken will address actions for the conservation of cultural heritage resources in the downtown and city-wide including Catholic Hill.</p> <p>Staff Recommendation: No change.</p>
7.	Ian Flett on behalf of Guelph Old City Residents' Association Inc.		a.	Storeys should be defined with height limits in metres.	<p>Storeys are not currently regulated by height in metres in the City's comprehensive Zoning By-law. This is more appropriately reviewed city-wide as part of the comprehensive Zoning By-law review.</p> <p>Staff Recommendation: Review and consider as part of the comprehensive Zoning By-law review.</p>

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			b.	The use of height ranges with only angular plane control provides limited guidance about when the maximum height is justified (and when lesser than maximum heights may be appropriate).	<p>The intent of the recommended Downtown Zoning By-law is to permit the maximum height as of right and implement built form standards that will shape the building and provide appropriate transitions to adjacent land uses. This is done using angular planes, building setbacks and building setback requirements which ensure that the maximum height is appropriate.</p> <p>Staff Recommendation: No change</p>
			c.	There is no indication that the cultural heritage landscape potential of Catholic Hill was factored into the drafting of the D.1, D.1-1 and D.2 zones adjacent to Catholic Hill, nor that the regulations in these zones have accounted for the conservation of Catholic Hill as sought in the cultural heritage policies of the Provincial Policy Statement, 2014.	<p>The existing protected public view corridors to the Basilica have been carried forward in the recommended Zoning By-law. This will ensure that the Basilica remains a predominant feature in the city.</p> <p>Building heights adjacent to the Catholic Hill block were considered through the development of the DSP. The recommended Zoning By-law is now implementing the direction of the DSP.</p> <p>The Municipal Register of Cultural Heritage Properties lists designated and</p>

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					<p>non-designated cultural heritage resources within the city. Properties listed in the register are to be conserved using the provisions of the Ontario Heritage Act, the policies of the Guelph Official Plan and the Provincial Policy Statement. The City is undertaking a Cultural Heritage Action Plan that will identify cultural heritage resources across the city and provide recommendations as to whether properties should be designated under the Ontario Heritage Act individually or as a heritage conservation district or as a cultural heritage landscape.</p> <p>Staff Recommendation: No change to the recommended Zoning By-law. The cultural heritage of Catholic Hill continues to be protected through the Ontario Heritage Act, the Provincial Policy Statement and the City's Official Plan.</p>
			d.	Measures to step down intensity adjacent to low rise residential zones through metred heights and a maximum of three storeys (recognizing applicants may seek more through minor variances) would provide for a more logical and context-sensitive	The DSP and Downtown Built Form Standards reviewed appropriate building heights in the downtown and provided additional direction to ensure transition between downtown and adjacent neighbourhoods. This direction is being

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				approach to these adjacent zones.	implemented in the recommended Zoning By-law through the inclusion of transition regulations where Downtown zones are adjacent to residential properties. These include additional setbacks, angular planes (require additional building stepbacks), and use restrictions. Staff Recommendation: No change.
8.	Catherine Killen		a.	Suggest that a category of "transition corridor" be added to the zoning document. This category would take the policy description of "transition" and "compatibility" that exists in the DSP and provide zoning that would be specific to "transition corridors" in the Downtown area that are immediately adjacent to single family homes or sensitive institutional properties (for example along Norfolk, Dublin, lower Cork, Oxford / Paisley etc..)	Staff have considered transition regulations including setbacks, angular planes and buffer strips in the D.2 zone to address concerns with compatibility. The D.1 and D.2 zones contain 4 storey height limits adjacent to residential zones. This is considered compatible with adjacent R.1B zones that permit 3 storeys. In addition, D.1 and D.2 zones provide for more restrictive zoning (e.g. stepbacks and setbacks) adjacent to R.1, R.2, R.3 and institutional zones to provide for transition. Staff Recommendation: Additional setbacks for buildings adjacent to institutional uses have been added.

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9.	Guelph Coalition for Active Transportation		a.	The city needs to ensure that minimum bicycle parking standards remain intact in the bylaws. If the minimum standards are successfully reduced by one developer, others may follow suit and the integrity of the bylaw will be diminished.	Comments noted. Bicycle parking ratios are part of the proposed Zoning By-law.
10.	Comments from Astrid Clos on behalf of 1210831 Ontario Inc.	169-171 Woolwich Street (159-161 and 169 Woolwich Street according to City records)	a.	<p>The owner is requesting that a Specialized D.2 Zone be included in the new Downtown Zoning to recognize the existing permissions within the CDB.1 Zone.</p> <p>The Specialized D.2 - __ Zone for 169 - 171 Woolwich Street should include the following;</p> <p>In addition to the uses permitted by the D.2 Zone the following uses shall also be permitted;</p> <ul style="list-style-type: none"> • Financial Establishment • Service Establishment with no maximum G.F.A. • Restaurant with no maximum G.F.A. • Retail Establishment with no maximum G.F.A. <p>The D.2 Regulations shall apply with the following exceptions;</p>	<p>Staff has reviewed Schedule C, Land Use Plan of the DSP and note that the following properties along Woolwich St. are within the Mixed Use 1 designation: 159-161, 169, 173, 175-183 Woolwich St. and should therefore have a specialized D.1 zone. The draft By-law erroneously placed the property in the D.2 zone.</p> <p>The D.1-1 zone permits a Financial Establishment as well as a Service Establishment, Restaurant and Retail Establishment with no maximum G.F.A.</p> <p>The D.1-1 zone has a minimum 0 metre front, side, exterior side and rear yard setback requirement.</p> <p>Parking for commercial uses is not required in the D.1-1 zone. Off-street residential visitor parking is exempt for</p>

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				<ul style="list-style-type: none"> • Minimum Front, Side, Exterior Side and Rear Yards shall all be required to be 0m. • The Maximum Building Height shall be 6 storeys. • No off-street parking shall be required for commercial and service uses. • No off-street visitor parking spaces shall be required for residential uses. • The Maximum Building Coverage shall be 100% of the Lot Area. 	<p>buildings with 10 dwelling units or less.</p> <p>The maximum height established through the DSP for this property is 4 storeys, therefore a 6 storey height is not permitted for this site as it does not conform to the DSP.</p> <p>A Financial Establishment could be permitted in the D.2 zone as it would conform to the DSP.</p> <p>Staff Recommendation: The following properties are changed to a D.1-1 zone: 159-161, 169, 173, 175-183 Woolwich Street.</p> <p>A Financial Establishment use (to a maximum of 500m²) has been added to the permitted use table for the D.2 zone.</p>
			b.	<p>The setbacks proposed in the D.2 Zone of the Draft Downtown Zoning By-law of 3m to 10m are not appropriate in a downtown setting and do not reflect the setbacks of the current structures on the property. The existing grade of the property lends itself to accessing parking from Cardigan Street and the building footprint would benefit from the 0 metre setbacks and the 100% building</p>	<p>With the change to the D.1-1 zoning, there is a minimum setback requirement of 0 metres and no regulation for maximum building coverage.</p> <p>Note: A through lot would not have a rear yard.</p> <p>Staff Recommendation:</p>

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				coverage permitted by the existing zoning.	The following properties are changed to a D.1-1 zone: 159-161, 169, 173, 175-183 Woolwich Street.
			c.	In addition, bicycle parking, the location of transformer and telecommunication vaults and pads as well as the location of parking structure air vents should not be regulated in the Downtown Zoning By-law, but should instead be included in the City's Site Plan Guidelines to provide the flexibility to address site specific circumstances.	See previous responses: 5. b, c, d.
11.	Michael von Teichman	25 Wellington Street	a.	Split height proposed through the Downtown Zoning By-law for this property. Consider allowing 8 storeys across the 25 Wellington Street property as the Official Plan permits 8 storeys on the easterly half.	<p>The official plan height schedule boundaries have been applied to the downtown based on property fabric. The majority of the lot area for 25 Wellington Street is within the 4-8 storey height range.</p> <p>Staff Recommendation: Defined Area Map 67 has been amended to permit a minimum of 4 storeys and a maximum of 8 storeys on the entire 25 Wellington Street property. This is a reasonable refinement based on the intent of the DSP. A transition to neighbouring low rise residential properties will be maintained by the 45 degree angular plane requirement.</p>

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12.	Good Growth Guelph (GGG)		a.	<p>Encourage the planning department to ensure that provision is made to ensure that the heritage buildings are protected as intensification occurs in the downtown core.</p> <p>Tall buildings need to be compatible with the surrounding existing infrastructure – especially along the Heritage Rivers.</p>	<p>The Municipal Register of Cultural Heritage Properties lists designated and non-designated cultural heritage resources within the city. Properties listed in the register are to be conserved using the provisions of the Ontario Heritage Act, the policies of the Guelph Official Plan and the Provincial Policy Statement.</p> <p>Also, the City is undertaking a Cultural Heritage Action Plan (CHAP) that will identify cultural heritage resources across the city and provide recommendations as to whether properties should be designated under the Ontario Heritage Act individually or as a heritage conservation district or a cultural heritage landscape.</p> <p>Building height locations were studied and established through the DSP based on topography and on the principle of reconnecting with the river. In addition, OPA 48 contains policies for development adjacent to the river corridors.</p> <p>The DSP plans for taller buildings in specific locations where they would have</p>

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					<p>minimal impacts on existing neighbourhoods and the Downtown historic core, as well as being located outside of the protected public view corridors to the Basilica of Our Lady. For example, height regulations within the view corridors override any other height permission (e.g. some properties along Cork Street).</p> <p>Staff Recommendation: No change.</p>
13.	George Renninger & Cynthia Folzer		a.	Buildings outside the commercial core should be consistent with existing buildings in the neighbourhood.	<p>Transition regulations have been included where Downtown zones are adjacent to residential properties. These include additional setbacks, angular planes (require additional building stepbacks), and use restrictions. These regulations ensure appropriate transition from higher-density commercial, service and employment uses to the surrounding residential areas.</p> <p>Staff Recommendation: No change.</p>
			b.	Buildings should have a maximum height, rather than a maximum number of storeys.	<p>Building height is not currently regulated in metres in the City's comprehensive Zoning By-law. This is more</p>

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					<p>appropriately reviewed city-wide as part of the comprehensive Zoning By-law review.</p> <p>Staff Recommendation: No change. Review and consider as part of the comprehensive Zoning By-law review.</p>
			c.	<p>On p. 4 of the Staff Report, item (2), I read that "For example, proposed front yard stepback requirements (see Figure 1) ensure the heritage character of the street is maintained and limits the impact of taller buildings by creating a more comfortable public realm." According to Fig. 1, the setback requirement is for storey 4 (possibly) and higher. These are not front yard stepbacks.</p>	<p>Stepback, as defined in the Downtown Zoning By-law, means a portion of a building that is further set back from the building face in accordance with the requirements of this By-law. The requirement for a building stepback is above the fourth storey for properties in the historic core of Downtown.</p> <p>A setback is the minimum distance from a building or structure to a property line. The Downtown Zoning By-law outlines setback regulations within the zone requirements.</p> <p>Staff Recommendation: No change.</p>
			d.	<p>Visible in the perspective model for the future downtown, but not mentioned in the</p>	<p>St. George's Square design is not within the scope of this project and is not part</p>

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				by-law update, is a round-about where Quebec and Wyndham Streets meet. For the downtown to be pedestrian friendly, visitors need to be able to cross from one side of Wyndham to the other and cross Quebec Street where it meets Wyndham without difficulty. Roundabouts are known hazards to pedestrians.	of the Downtown Zoning By-law Update project. Staff Recommendation: No change.
14.	Julien Jacques		a.	Table 6.3.2 shows that there will no longer be allowed the construction of Single Detached homes in many areas.	The proposed By-law does not permit single detached and semi-detached dwellings in the D.1 zone (Table 6.3.2). The D.1 zone is largely the core of the Downtown. The purpose of this area as outlined in the DSP is to accommodate a broad range of uses in a mix of highly compact development forms. In addition, the D.1 zone replaces the existing Central Business District 1 (CBD.1) zone of the current Zoning By-law (1995)-14864. The existing CBD.1 zone does not permit single detached or semi-detached dwellings. As proposed in the By-law, single detached and semi-detached dwellings are permitted in the D.2 zone. These areas are historically mostly residential with a mix of housing styles that have evolved to accommodate a range of uses

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					in partially or fully converted houses. Staff Recommendation: No change
			b.	Section 6.3.3.5.1 states that 1 parking spot is required per unit. I think this should be 0.	BA group reviewed the Downtown parking system and Recommended an appropriate parking ratio for the entire downtown taking into consideration typical demand for parking and the anticipated public supply of parking; see The Downtown Guelph Parking Supply Requirements Memorandum Staff Recommendation: No change.

Attachment 6 Public Comment Letters



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL

September 9, 2016

Planning Division (Downtown Draft Zoning By-law)
Guelph City Hall
1 Carden Street
Guelph ON
N1H 3A1

Dear Sir/Madam:

**Re: City of Guelph Draft Downtown Zoning By-law
Preliminary Comments on Behalf of Ayerswood Development
Corporation
Guelph, ON
Our File: AYR/GPH/001**

We are the planning consultants for Ayerswood Development Corporation for the City of Guelph Draft Downtown Zoning By-law. Ayerswood Development Corporation is the owner of lands at 45 Yarmouth Street within the City of Guelph.

After reviewing the latest version of the Proposed Downtown Zoning By-law (September 2016), we again provide the following preliminary comments on behalf of Ayerswood Development Corporation, as outlined below.

At this time, our preliminary comments are as follows:

- There is an active Zoning By-law Amendment application currently under review by the City of Guelph on the subject lands. We respectfully request that the proposed site-specific zoning regulations be included within the final version of the Downtown Zoning By-law. Depending on the timing of the approval of the current Zoning By-law amendment application, and the approval of the Downtown Zoning By-law, amendments maybe required to the site-specific by-law in both the City's new and old zoning by-laws.

We appreciate your consideration of our comments, and we will continue to participate in the Draft Downtown Zoning By-law process. We may provide additional comments as required in the future.

September 9, 2016

Please also accept this letter as our request for notice or any decision made in respect to this matter. Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Dave Hannam, BRP
Senior Planner

Cc. John Camara, Ayerswood Development Corporation (Via Email)

ASTRID J. CLOS

PLANNING CONSULTANTS

December 13, 2016

Project No. 1630

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

Via email only.

Attention: David de Groot, MCIP, RPP, MUDS, Senior Urban Designer

Re: **Draft Downtown Zoning By-law – September 2016 - Skyline**

We appreciate the time that staff took to meet with us on October 13, 2016 to review the Draft Downtown Zoning By-law as it relates to the Skyline properties. Thank you for providing answers to our questions and responding to our comments. This has allowed us to create a short list of remaining zoning concerns and comments which are outlined in this letter.

130 MacDonell Street (Co-operators)

130 MacDonell Street is zoned CBD.1 Zone within the current Zoning By-law. The current Central Business District CBD.1 Zone permits dwelling units with permitted commercial uses in the same building. The CBD.1 Zone also permits uses such as Retail Establishment and Restaurant without a maximum GFA.

The proposed D.3-2 Zone for 130 MacDonell Street does not permit dwelling units and limits Retail Establishment and Restaurant each to a Maximum GFA 500 m².

The existing permissions of the CBD.1 Zone including the ability to have residential units and commercial uses greater than a total maximum 500 m² of GFA are important to Skyline for a number of reasons.

Over time the existing office uses may transition to a hotel or dwelling units to match the market demand. Many urban markets have seen such a transition. Maintaining office as a permitted use protects this employment use over the long term, however, a vacant building in the downtown that is unable to have the flexibility to meet the market demand for other uses is not a benefit to the municipality. The City of Guelph Official Plan in section 2.4.6 Urban Growth Centre (Downtown Guelph) states that, "*Downtown Guelph will continue to be a focal area for investment in office-related employment, commercial, recreational, cultural, entertainment, and institutional uses while attracting a significant share of the City's residential growth.*" This request is to maintain the existing permissions in the current CBD.1 Zone while also continuing to allow office as a permitted use.

If the current building was converted to a hotel use, for example, the ground floor and second floor would be desirable as retail and restaurant uses without the 500 m² GFA maximum.

Alternatively, even if the building were not converted, it is not inconceivable that as the digital age continues to evolve, the existing or a replacement office tenant or tenants could remain in the building but no longer require all of the existing office space. By way of specific example, if

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Phone (519) 836-7526 Fax (519) 836-9568 Email astrid.clos@ajcplanning.ca

the existing meeting space on the main floor were no longer required and released back to the landlord, the landlord would need to find an alternate use for such space. It is possible that given the nature of the building (otherwise fully tenanted) and the nature of available space (formerly meeting room space at ground level), the landlord may not be in a position to re-lease such space as office. The existing zoning provides flexibility within the downtown to allow uses such as a restaurant and retail uses to provide services for the employees in the building. Since the GFA of the ground floor of the property exceeds the proposed restrictions for restaurant and retail uses, this option would not be available under the proposed change to the Downtown Zoning.

Maintaining the ability for unrestricted restaurant and retail space is an important flexibility consideration. The success of the current CBD Zones lie in the flexibility to permit the evolution of building uses over time to respond to market changes.

In summary, for 130 MacDonell Street Skyline is requesting that the proposed D.3-2 Zone permit dwelling units with permitted commercial uses in the same building and that Retail Establishment and Restaurant uses be permitted without a maximum GFA to reflect the existing permissions in the CBD.1 Zone now enjoyed by the subject property.

In addition, the existing building is 8 storeys in height. Defined Area Map No. 67 – Downtown Minimum and Maximum Building Height appears to show part of this property within the 3 to 6 storey height and another part of this property in the 4 to 8 storey height. If this is the case please revise the zoning mapping to include the entire property within the 4 to 8 storey height.

70 Fountain Street

70 Fountain Street is zoned Central Business District CBD.1-1 within the current Zoning By-law. The current CBD.1-1 Zone permits dwelling units with permitted commercial uses in the same building. The CBD.1-1 Zone also permits uses such as Retail Establishment and Restaurant without a maximum GFA.

The proposed D.3-1 Zone for 70 Fountain Street does not permit dwelling units and limits Retail Establishment and Restaurant each to a Maximum GFA 500 m².

The existing permissions of the CBD.1-1 Zone including the ability to have residential units and commercial uses greater than a total maximum 500 m² of GFA are important to Skyline for a number of reasons. Over time the existing office uses may transition to a hotel or dwelling units to match the market demand. Many urban markets have seen such a transition. Maintaining office as a permitted use protects this employment use over the long term, however, a vacant building in the downtown that is unable to have the flexibility to meet the market demand for other uses is not a benefit to the municipality. The City of Guelph Official Plan in section 2.4.6 Urban Growth Centre (Downtown Guelph) states that, *"Downtown Guelph will continue to be a focal area for investment in office-related employment, commercial, recreational, cultural, entertainment, and institutional uses while attracting a significant share of the City's residential growth."* This request is to maintain the existing permissions in the current zoning by-law while continuing to allow office as a permitted use. If the current building was converted to a hotel use, for example, the ground floor and second floor would be desirable as retail and restaurant uses without the 500 m² GFA maximum.

In addition, based on the GFA of the ground floor of this building, similar considerations to those expressed above in relation to 130 MacDonell are relevant to continuing to allow complementary retail and restaurant uses in the downtown without the 500 m² GFA maximum even if the building were not converted and remained primarily for office use.

In summary, for 70 Fountain Street, Skyline is requesting that the proposed D.3-1 Zone permit dwelling units with permitted commercial uses in the same building and that Retail Establishment and Restaurant uses be permitted without a maximum GFA to reflect the existing permissions in the CBD.1-1 Zone now enjoyed by the subject property.

55 Yarmouth Street

This property includes 51 to 59 Yarmouth Street and 60 to 68 Baker Street based on the addressing map provided by the City of Guelph. The proposed Zoning for this property on the Downtown Zoning Update Map does not appear to include the entire property within the D.1-5 Zone. A portion of this property appears to have been included within the D.1-1(H30) Zone in error. Please confirm the limit of the D.1-5 Zone and correct the zoning mapping as applicable.

The current CBD.1-5 Zone permits the required parking spaces to be located within 23 metres of that Building in a Zone "which permits a parking lot". This regulation should be carried forward verbatim to the proposed D.1-5 Zone.

5 Douglas Street (Gummer Building)

Skyline has entered into agreements including timelines with the City related to this building. Skyline would like to confirm that once the timelines in any agreement expire there will not be any new zoning regulations applied to what is existing development. For example, the existing CBD.1 Zone applicable to this property does not include a requirement to provide parking or visitor parking. The proposed D.1 Zone requires both parking and visitor parking. There should be a notwithstanding regulation included in this proposed D.1 Zone for 5 Douglas Street to exempt it from the proposed parking and visitor requirements.

The current CBD.1 Zone permits a Maximum building Coverage of 100% of the Lot Area. The proposed D.1 Zone changes this in Table 6.3.3.8 Row 1 by requiring a minimum 1m setback from the lot line abutting a lane. Please revise the wording to require a 1m setback from a public lane only, and not a private lane.

Thank you for the opportunity to provide these comments. Should you wish to discuss this request, I can be reached at 519-836-7526.

Yours truly,



Astrid Clos, RPP, MCIP

cc: Jason Ashdown, Skyline
Karyn Sales, General Counsel, Skyline

From: Siobhan Hanley
Sent: February-01-17 2:28 PM
To: Downtown Plan
Cc: 'Siobhan Hanley'
Subject: RE: Downtown Zoning By-law Update

Hello from Siobhan Hanley
know exactly where things are on the map.

Please put all the street names on the maps so we

From: Bill Harvie
Sent: February-16-17 1:48 PM
To: Downtown Plan
Subject: Re: Downtown Zoning By-law Update

Hello David,

Thank you for the opportunity to comment. As noted to your group in the past, I own [redacted] and am broadly supportive of the proposed zoning changing to D2.

I have only one suggestion - that for the section Paisley Street between Norfolk and Dublin, there be no on-property parking required for *non-residential* uses and it be treated in the same manner as CBD1.

Lifting this parking restriction for non-residential use will allow this distinct row of properties to reach its full potential as a graceful commercial transition into the downtown core. It is not difficult to imagine how this section of Paisley could become as desirable an urban feature as Halifax's Hydrostone Market - <http://hydrostonemarket.ca/about/>

To use some local examples - removing the proposed minimum parking requirement for this section of Paisley Street could allow for the next *With the Grain* to establish. Especially with Guelph's pursuit of a Green and walkable community, there is no reason to hang-on to the notion that each property requires its own parking lot in order to allow the public to stop by and purchase a loaf of bread, or sit down at a cafe table and enjoy a lunch. Not only does such a parking restriction present a deterrent for such businesses to establish in the first place, but should they establish, it can subsequently encourage what must be seen as undesirable actions - acquiring adjacent property to fall trees and demolish buildings, in order to satisfy bylaw requirements for minimum parking requirements.

Another local example is Folkway Music. I am sure you are familiar with the story, but the below quotation says it all:

"It was about parking," he explains. "You need a certain number of parking spots for 'X' square footage of retail space and for my shop, I needed eight spaces but few of those buildings have those. So, basically, I couldn't find a place in Guelph that was suitable for my needs and the City wasn't terribly amenable about making it happen. Certainly they'd put it through the adjustments process but it wasn't going to happen quickly enough to buy a building."

from *The reason why Guelph lost Folkway Music is hard to fathom* -
<https://www.guelphmercury.com/opinion-story/6896360-the-reason-why-guelph-lost-folkway-music-is-hard-to-fathom/>

Despite the many positive and progressive aspects of the overall Downtown Zoning By-Law Update, the proposed D2 parking requirements for commercial will leave this high-potential section of Paisley Street in a zoning no-man's-land...where on paper there is a nice vision, but in practice commercial uses are impossible, unless wrecking balls are swung to make way for pavement on what are very small lots, largely occupied by existing buildings.

Finally, even the modest concept of "live-work" use in D2 will be crippled by unneeded minimum parking restrictions. The one resident/family that occupies the "live" portion of a unit, should have a parking space. However, additional parking requirements for the "work" portion should not be slapped on. Certain requirements of live-work use make good sense - for example, to have separate entrance to the "work" portion of let's say a pottery studio and a separate entrance to the "live" section of the potter/entrepreneur. But to require even one additional "work" parking space would ironically deter a the live-work use that the city presumably supports by virtue of this proposal. It seems ridiculous that the lack of as little as one parking space could prevent a business from establishing, but on the small lots that are typical of the older downtown core (that principally comprises the D2 areas), this will be the inevitable result.

It is as if the city fancies its self-image as a walkable community, but then creates rules that suggest it does not actually trust its citizens are willing to walk. To have this zoning update make as positive an impact as possible, please do more to decouple us from cars and leave it to the public to decide for themselves if they are willing to walk, bike or take transit to visit any given D2 business, and conversely, let prospective D2 business owners determine if people will be willing to walk, bike or bus to their place of business...a business with potentially zero commercial parking spaces.

Thank you for your great work and for the opportunity to comment.

Sincerely,
Bill Harvie

ASTRID J. CLOS

PLANNING CONSULTANTS

February 27, 2017

Project No. 1227

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

Via email only.

Attention: David de Groot, MCIP, RPP, MUDS, Senior Urban Designer

Re: Draft Downtown Zoning By-law – September 2016

These comments are provided on behalf of Tom Lammer, the owner of a number of properties located in downtown Guelph. We would be pleased if the suggested changes could be made to the Downtown Zoning By-law prior to the by-law being presented to Council for approval.

The Downtown Secondary Plan is intended to ***“encourage private development and reinvestment downtown.”*** Section 11.1.8.1.4 of the Downtown Secondary Plan states that;

*“the City recognizes the need to be somewhat flexible and allow for well-designed buildings that respond appropriately to the conditions of their site and its surroundings and are consistent with the principles of this Plan. Where ***“generally”*** is used to qualify a built form policy found in Section 11.1.7 of this Plan, it is the intent that the policy requirement shall be met except where an applicant has demonstrated to the City’s satisfaction that site specific conditions warrant considerations of alternatives, and that the proposed alternative built form parameters meet the general intent of the policy. ***Such exceptions shall not require an amendment to this Secondary Plan.”****

As an example, on February 13, 2017 staff recommended and City Council approved a new development application for the downtown located at 45 Yarmouth Street. This is one of the first downtown development applications approved since the Downtown Secondary Plan came into effect. This application doubled the zoning “as of right” building height from 6 up to 12 storeys, permitted a parking ratio of 0.8 parking spaces per apartment unit with no visitor parking spaces and no parking for the commercial unit being provided. It should be noted that the mechanical penthouse provided for this building was not counted as a 13th storey and no specialized zoning regulation was required in the site specific zoning to accommodate it. This application at 45 Yarmouth also approved a 1.1m side yard for a 12 storey building next to the heritage building located at 37 Yarmouth Street and a building setback of 2.25 m where the Downtown Secondary Plan policies recommend a setback of 3 to 6 m. This application provided 52 bicycle parking spaces where the Draft Downtown Zoning By-law would have required that 57 bicycle parking spaces be provided. However, no specialized zoning request was required since the Downtown Zoning By-law was not yet in effect. The 45 Yarmouth Street site also has frontages on two roads making compliance with the Downtown Zoning By-law challenging specifically that, ***“6.3.3.6.1 transformer and telecommunications vaults and pads shall not be located in the front or exterior side yard.”***

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Email astrid.clos@ajcplanning.ca

The 45 Yarmouth Street property is located within a Protected Public View Corridor to the Church of Our Lady as shown on Schedule D of the Downtown Secondary Plan. In addition, the Downtown Zoning by-law requiring that “6.3.3.6.2 *air vents associated with a parking structure are not permitted in a front or exterior side yard unless located a minimum of 0.2 m below grade*” could be challenging to comply with for this site. The zoning of the subject property includes office as a permitted use however, city staff was able to support a residential use and did not feel that they had an obligation to maintain and protect office uses in the downtown related to this specific property.

The 45 Yarmouth Street application had fewer challenges being approved without the Draft Downtown Zoning By-law being in effect. This is contrary to the intent of the Downtown Zoning By-law to be flexible and to encourage private development reinvestment in the downtown. Including very specific regulations in the Downtown Zoning by-law, rather than allowing these as conditions to be satisfied through the Site Plan approval process, as was done for 45 Yarmouth Street, is contrary to the purpose and intent of the Downtown Secondary Plan.

Bicycle Parking

“Table 6.3.3.5.3

*0.68 long term bicycle parking spaces per dwelling unit
0.07 short term bicycle parking spaces per dwelling unit*

6.3.3.5.3.2 *long term and short term bicycle parking space dimensions 0.6m x 1.8m x 1.2m.”*

The bicycle parking requirements should not be included in the Downtown Zoning By-law but remain in the Site Plan Guidelines where they can be applied to each application based on the specific circumstances of each proposal. The minimum bicycle parking sizes do not reflect the different storage solutions available.

Transformer and Telecommunication Vaults and Pads

“6.3.3.6.1 transformer and telecommunications vaults and pads shall not be located in the front or exterior side yard.”

The draft by-law proposes to prohibit at grade transformer and telecommunication vaults and pads within a front or exterior side yard. There may be no other technical option than to locate these utilities within a front or exterior side yard. This zoning regulation should either be deleted or be revised to require landscape or other screening of any at grade transformer and telecommunication pads within a front or exterior side yard.

Air Vents

“6.3.3.6.2 air vents associated with a parking structure are not permitted in a front or exterior side yard unless located a minimum of 0.2 m below grade.”

There should not be an air vent regulation in the Downtown Zoning By-law. The location of air vents should be considered at the time of Site Plan approval.

Off-Street Parking

"Table 6.3.3.5.1

1 parking space per dwelling unit required.
(plus 0.05 parking spaces per dwelling unit for designated visitor parking)
1 parking space per 100 m² of retail GFA"

The parking requirements in the Downtown Zoning By-law should be reconsidered in accordance with the Parking Justification and TDM Options Study prepared by Paradigm Transportation Solutions Limited dated August 2016, the peer review prepared by BA Group, the staff recommendation and Council approval of 0.8 parking spaces per apartment unit with no visitor parking and no retail parking being required for 45 Yarmouth Street.

Affordable Housing Off-Street Parking

Consistent with the recommendations of the City's Affordable Housing Report, a reduced off-street parking regulation for affordable housing units should be included in the Downtown Zoning By-law.

Senior Housing Off-Street Parking

While the 45 Yarmouth Street application includes 55 two bedroom apartment units, typical senior apartment units have one bedroom units with reduced persons per unit. The Downtown Zoning By-law should include a reduced parking regulation for senior housing units consistent with the many specialized zoning regulations already approved by the City for senior housing on this basis.

Rear Yard Setback

The Downtown Zoning By-law should revise the 10 m rear yard zoning regulation. The 45 Yarmouth Street application approved a 1.1 m side yard for a 12 storey building next to a heritage building. The 10 m rear yard regulation is not appropriate in the urban downtown environment.

Thank you for the opportunity to provide these comments. Should you wish to discuss this request, I can be reached at 519-836-7526.

Yours truly,



Astrid Clos, MCIP, RPP

cc: Tom Lammer

February 28, 2017

David de Groot, Senior Urban Designer
Infrastructure, Development and Enterprise Services
Planning, Urban Design and Building Services
City of Guelph

Hello David de Groot,

RE: Downtown Zoning bylaw

A few thoughts confirming my views about the future of Guelph's downtown.

Catholic Hill is not just another piece of the downtown periphery. It needs its own development concept enshrined in the bylaw. I define Catholic hill as the topographical hill that extends to Glasgow, Waterloo and Paisley.

The uniqueness of Catholic Hill is underrated in the present draft of the bylaw. New buildings have a tendency to be built with exteriors that are artificial (gray and glass) rather than natural stone. This characteristic alone sets it off from what is likely to come to the downtown in the future.

The visual impact of change on immediate neighbours or on the many appreciative Guelphites who cherish the view where they live, work and walk on the hill should be central.

Catholic Hill is an iconic tourist attraction and central to Guelph's tourism future. But the tourist factor should not overshadow the community's own appreciation of the site. Its neighbours deserve more consideration in the bylaw.

Change will come to the hill. When finalized, this bylaw will be guiding the city in a time of drones, ebikes and self-driving cars; each of which will change how we live near or use the downtown. The value of the hill needs clear recognition now or we will be at risk of constant competition from other economic/development interests as we have already experienced for 75 Dublin. I do not support any construction over three stories on the slopes of the hill.

Bottom-line, Catholic Hill should be "taken out of" the present bylaw process and delayed until a focussed study of its value, heritage and otherwise, has been completed. I could live with simply putting an "Holding" designation on the hill until studies are completed but clearly sending it on its own path is strongly preferred. Leaving the zoning of the hill as is until studies are done is the more comfortable option.

My background in agriculture and food leads to one additional observation. Guelph has a long history with Ontario's agricultural sector. But agriculture has left the downtown, except for the farmers market. Meanwhile a lot of agriculture related groups have offices on the periphery of the city, Stone Road and farther out. I suspect that the offices I worked from in the 80s and 90s was the last farm group in the downtown. The National Farmers Union had offices in the Gummer building until the early 80s. We need a facility in the downtown that brings in the energy of agriculture and food (likely to be the largest economic sector in the province).

Please give these concerns your full attention.



Elbert van Donkersgoed P. Ag. (Hon.)
Curator/Editor, Local Food News



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Email: iflett@gillespielaw.ca

February 28, 2017

Delivered by email
clerks@guelph.ca

Mr. Stephen O'Brien
City Clerk
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. O'Brien:

Re: Comments concerning Draft Downtown Zoning By-law

We are the lawyers for the Guelph Old City Residents' Association Inc., ("GOCRA") a group that is generally concerned with planning matters in Guelph's downtown with a special emphasis on the preservation of the City's cultural heritage.

We have reviewed the Draft Downtown Zoning By-law and provide the following comments on GOCRA's behalf:

- Heights
 - Heights designated in storeys is ambiguous without metered height limits. A 12 storey building with 2.43 metre ceiling heights compared to a 12 storey building with 3 metre ceiling heights would have an overall height difference of 6 metres.
 - The use of height ranges with only angular plane control provides limited guidance about when the maximum height is justified (and when lesser than maximum heights may be appropriate).
- While OPA 43 calls for the Church of Our Lady's to be most prominent in the downtown, the Draft Downtown Zoning By-law provides insufficient guidance in the D.1, D.1-1 and D.2 areas adjacent to the Church lands.
 - OPA 43 policy 11.1.7.2.3 (h) demands the prominence of the Church of Our Lady, but few policies in the above referenced zones address how that is achieved.

- This is problematic given Heritage Guelph's intention to recommend the designation of Catholic Hill as a cultural heritage landscape, measures should be taken to avoid wide-spread applications in advance of a heritage study in this area;
- There is no indication that the cultural heritage landscape potential of Catholic Hill was factored into the drafting of the D.1, D.1-1 and D.2 zones adjacent to Catholic Hill, nor that the regulations in these zones have accounted for the conservation of Catholic Hill as sought in the cultural heritage policies of the Provincial Policy Statement, 2014.
- It is unclear that regulations in the zones adjacent to low-rise residential zones account for the maintenance and enhancement of those nearby residential zones. Without metred height limits any as of right limit expressed in storeys has the potential to destabilize lower-density residential zones.
 - Measures to step down intensity adjacent to low rise residential zones through metred heights and a maximum of three storeys (recognizing applicants may seek more through minor variances) would provide for a more logical and context-sensitive approach to these adjacent zones.
 - Further, while the uses proposed in these adjacent areas are generally compatible with residential uses, nursing homes and apartment buildings with as of right permissions of up to 4 storeys without metered limits present the potential for a destabilizing impact on the nearby residential zones.
- Finally, we recommend that the City of Guelph require a 5 year review of how the final form of downtown zoning regulations are achieving the goals of the OPA 43.

Thank you for this opportunity to provide comments on GOCRA's behalf. Please do not hesitate to contact us in the event you have any questions.

Yours very truly,

ERIC K. GILLESPIE
PROFESSIONAL CORPORATION

Per:



Ian Flett

C: David de Groot, Senior Urban Designer, City of Guelph
 Client

From: Catherine Killen
Sent: March 1, 2017 1:00 PM
To: Stacey Laughlin; David deGroot
Cc: Susan Watson
Subject: DOWNTOWN ZONING

Hello David and Stacey,

I enjoyed meeting with you and your colleagues on February 24th, and I have spent some time render my suggestions into written form with respect to the proposed downtown zoning by-law which I shared verbally at the meeting.

I know I am a day late, but I hope my comment can still be considered since the suggestions put forth here have been (for the most part) shared verbally before the deadline for comment.

I think that the provisions of the Downtown Secondary Plan (DSP) that describe and assure "transition", "sensitivity" and "compatibility" with residential, historic and sensitive institutional areas need to be better reflected in the zoning documentation.

I appreciate that you have introduced provisions to help to mitigate the overall size of all buildings in the downtown area. However, where these maximum sizes are placed directly beside two story single family homes or small cottages or sensitive institutional areas (including schools, historic sites and churches) I believe that these provisions are not requiring (or encouraging) "transition" or "compatibility" to the level that is described in the DSP.

Therefore, I suggest that a category of "transition corridor" be added to the zoning document. This category would take the policy description of "transition" and "compatibility" that exists in the DSP and provide zoning that would be specific to "transition corridors" in the Downtown area that are immediately adjacent to single family homes or sensitive institutional properties (for example along Norfolk, Dublin, lower Cork, Oxford / Paisley etc..)

Perhaps a zoning requirement outlining a "percentage larger or smaller" principal could be applied to "Transition strips"? You might provide that new developments next to a single family home or sensitive institutional area could be restricted to increasing in size by, for example, 25%. Or another percentage that would limit or mitigate the juxtaposition of new larger development beside existing development.

In other words, the "transitional corridor" zoning would be added to provide a meaningful buffer between the low intensity existing development and the higher intensity development that is envisioned for downtown.

I believe providing this additional zoning category will result in a significant decrease in the potential for conflict as new development is proposed and will be appreciated by residents, the City and developers in the long run.

Sincerely,
Catherine Killen,

From: Active Guelph [<mailto:activeguelph@gmail.com>]

Sent: March 2, 2017 6:36 AM

To: David deGroot

Subject: Bicycle parking minimums in proposed Downtown Zoning Bylaw Amendment



Dear Mr. Degroot,

Guelph Coalition for Active Transportation, (GCAT) is pleased that the [proposed Downtown Zoning Bylaw Amendment](#) mandates bicycle parking minimums. Since GCAT's mission is to increase the quantity, quality and safety of active transportation in Guelph, we are encouraged when we see bylaw amendments that address the need for improved cycling infrastructure in the downtown area.

We are especially encouraged that the proposed Downtown Zoning By-Law amendment is requiring a minimum of .68 bicycle spots per long term residential units, as well as .68 spots for dwelling units in mixed use buildings. The amendment also requires .085 spots for retail, and .17 spots for office uses per 100 metre squared. We are also pleased that 4% of required parking for other non residential uses must be dedicated to bicycle parking

These minimum standards for bicycle parking are reasonable. Because they are reasonable, the city needs to ensure that these minimums remain intact in the bylaws. If the minimum standards are successfully reduced by one developer, others may follow suit and the integrity of the bylaw will be diminished. As a result, the city's efforts toward increasing cycling modal share, encouraging people to reduce car use, and reaching energy efficiency goals will all be minimized.

Please ensure that going forward, that when these reasonable regulations are tested by developers who may want to lower these minimum bike parking standards, that they are maintained in the Bylaws so that we can achieve the healthy, vibrant, livable city that we all desire.

Sincerely,

Yvette Tendick

President, Guelph Coalition for Active Transportation



March 16, 2017

Project No. 1708

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

Via email only.

Attention: David de Groot, Senior Urban Designer

Re: **Draft Downtown Zoning By-law – June 2016**
169 - 171 Woolwich Street (Lots 1 and 2, Registered Plan 175)
1210831 Ontario Inc.

I am the planning consulting for 1210831 Ontario Inc., owner of the properties municipally addressed as 169 - 171 Woolwich Street. These properties also have frontage on Cardigan Street. We appreciate the opportunity to provide these comments to allow the Downtown Zoning By-law to be revised prior to it being presented to Council for consideration on May 8, 2017.

These parcels are currently in the CBD.1 Zone and were purchased by the owner on the basis on the redevelopment potential provided by the CBD.1 Zone. The parcels have frontage on two roads and are unusual in that they are in a triangular configuration.

The D.2 Zone in the Draft Downtown Zoning By-law proposes a considerable downzoning of these parcels. The owner is requesting that a Specialized D.2 Zone be included in the new Downtown Zoning which will recognize the existing permissions within the CDB.1 Zone.

The Specialized D.2 - __ Zone for 169 - 171 Woolwich Street should include the following;

In addition to the uses permitted by the D.2 Zone the following uses shall also be permitted;

- Financial Establishment
- Service Establishment with no maximum G.F.A.
- Restaurant with no maximum G.F.A.
- Retail Establishment with no maximum G.F.A.

The D.2 Regulations shall apply with the following exceptions;

- Minimum Front, Side, Exterior Side and Rear Yards shall all be required to be 0m.
- The Maximum Building Height shall be 6 storeys.
- No off-street parking shall be required for commercial and service uses.
- No off-street visitor parking spaces shall be required for residential uses.
- The Maximum Building Coverage shall be 100% of the Lot Area.

The setbacks proposed in the D.2 Zone of the Draft Downtown Zoning By-law of 3m to 10m are not appropriate in a downtown setting and do not reflect the setbacks of the current structures on the property. The existing grade of the property lends itself to accessing parking from Cardigan Street and the building footprint would benefit from the 0 metre setbacks and the 100% building coverage permitted by the existing zoning.

In addition, bicycle parking, the location of transformer and telecommunication vaults and pads as well as the location of parking structure air vents should not be regulated in the Downtown Zoning By-law, but should instead be included in the City's Site Plan Guidelines to provide the flexibility to address site specific circumstances.

The Draft Downtown Zoning By-law, as it is proposed for the subject properties, considerably reduces the redevelopment potential and the value of these parcels. We look forward to the opportunity to meet and discuss these zoning requests with you. Please advise when you have availability for a meeting.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Astrid Clos'.

Astrid Clos, RPP, MCIP

cc: Jeff Neumann, 1210831 Ontario Inc.

From: M von Teichman [<mailto:mike@grandviewpma.com>]
Sent: March 21, 2017 3:04 PM
To: David deGroot; Nancy Shoemaker; M von Teichman
Subject: 25 Wellington- Downtown By Law Update

David

Hope this finds you well. I was hoping it was possible to provide feedback for the Proposed Downtown By-Law update that is currently taking place. I believe the deadline is the end of March. We have waived conditions and will close on 25 Wellington Street this fall. Since the Official Plan permits 8 storey buildings on the easterly half of 25 Wellington, we would like the zoning to reflect this permission rather than being restricted to a lesser height which is what the D1 Zone specifies for this property.

Please let me know if you need anything else to support this request.

Thanks

Mike

Michael von Teichman
Grandview Property Management
Mike@GrandviewPMA.com
416-817-3337
178 St. George Street
Toronto, Ontario
M5R 2M7

May 23, 2017

Delivered by email
David.deGroot@guelph.ca

Mr. David DeGroot
David de Groot, MCIP, RPP, MUDS | Senior Urban Designer
City of Guelph

Dear David:

Re: Comments concerning Draft Downtown Zoning By-law

Please find attached the comments concerning the draft downtown zoning by-law from
Good Growth Guelph

Lin Grist
for Good Growth Guelph

Comments concerning Draft Downtown Zoning By-law Good Growth Guelph

Organizational Context

Good Growth Guelph (GGG) is a citizen-led group formed initially with the purpose of ensuring Guelph residents' perspective on the proposed Growth and Greenbelt Plans of the province contributed to that review. The mandate and focus of the group is on the **how** of growth to meet the needs of its current and future residents. The 3 over-arching principles of the organization are:

Quality of life of all Residents of Guelph

- What do we want to maintain?
- How and What do we want to grow?
- How are we going to manage costs?

Comments

GGG was not formed until the late summer of 2016, so was not involved in stages one, two and three of the Downtown Secondary plan, but is aware that the city provided opportunities to all sectors of the community to provide input and advice on the plan. The Downtown Zoning By-law Amendment (DZBA) is designed to implement the City of Guelph's Downtown Guelph Urban Growth Centre (UGC) as mandated by the Province under the Places to Grow legislation. The Downtown Secondary Plan (DSP), which was approved by the Ontario Municipal Board in 2012 provides the vision for the Urban Growth Centre.

While Good Growth Guelph is commenting rather late in this very lengthy process, we trust that our comments will prove useful to city planners on stage four of the Downtown Secondary plan – the DZBA.

GGG is general in agreement with the provisions made in this zoning amendment to encourage downtown:

- Building intensification
- More Employment
- More People to live and/or work

Comments concerning Draft Downtown Zoning By-law Good Growth Guelph

In addition we are pleased to see that the zoning encourages infill to meet intensification targets in addition to new builds and that provision has been made to encourage more bicycle and pedestrian use.

We note that the planning department has made it clear that natural heritage features are under the purview of the province; as Mr. De Groot said in his presentation to council on September 12, 2016 “it’s a special policy of the province”. Given that there are two national heritage tributaries which run through Guelph, as part of the Grand River watershed, it is encouraging to know that the planning department will ensure the protection of these and other natural heritage features within the city boundaries.

The downtown area, is also home to many of Guelph’s heritage buildings, and while, there is a Heritage Committee which gives advice to council on all matters related to heritage buildings, we note that Guelph, unlike many other cities, does not have a heritage register. We would encourage the planning department to ensure that provision is made to ensure that the heritage buildings that have made Guelph an attractive economic choice for business and commercial interests are protected even as intensification occurs in the downtown core.

We are encouraged that the zoning permits live-work units in the downtown core, this means, apart from anything else, that the downtown will not be hollowed out at night, thus encouraging more retail and restaurants to migrate to the downtown.

We note that the downtown zoning allows for increased building heights, and while we agree that there is room for this type of intensification, we would caution the planning department that such buildings need to be compatible with the surrounding existing infrastructure – this is especially true in the boundary areas around the downtown zone and along the Heritage Rivers. If the downtown area is to become a vibrant live/work area, then it needs to be accessible and walkable for both its immediate residents and people coming into the downtown core.

Active frontage (and we note that the zoning encourages this) to encourage a continuous commercial street wall that is interesting for pedestrians will support retail vitality in the downtown.

Since a greater portion of the growth both in the established provincial growth plan and the more recent proposed provincial growth plan is to be on brownfield sites and further that the city will not be expanding its boundaries – the how of development takes on a greater role.

**Comments concerning Draft Downtown Zoning By-law
Good Growth Guelph**

This is new territory for the City of Guelph, and we recommend that the city include a requirement in its DZBA that at the 5 year mark, a review be undertaken by staff to assess the effectiveness of the by-law and how the final form of downtown zoning regulations are achieving the goals of the OPA 43.

Lin Grist
on behalf of Good Growth Guelph

Email: goodgrowthguelph@gmail.com
February 28th 2017

Comments on behalf of George Renninger & Cynthia Folzer

Comments on DSP amendment (Downtown Zoning By-law update)

- (1) My major concern is that, outside the commercial core, buildings should be consistent with existing buildings in the neighbourhood. In neighbourhoods where buildings are a maximum of 2 storeys, new buildings should be restricted in height to correspond to the maximum in the neighbourhood. If a restriction of 4 stories is imposed by by-law, we now know from a recent example that a developer may regard that as a minimum and ask for a variance to build higher. If that is not granted, the developer has the option of making a case to the OMB.
- (2) The height of a storey is variable. Perhaps buildings should have a maximum height, rather than a maximum number of stories.
- (3) On p. 4 of the Staff Report, item (2), I read that “For example, **proposed front yard setback** requirements (see **Figure 1**) ensure the heritage character of the street is maintained and limits the impact of taller buildings by creating a more comfortable public realm.” According to Fig. 1, the setback requirement is for storey 4 (possibly) and higher. These are not front yard setbacks.
- (4) Visible in the perspective model for the future downtown, but not mentioned in the by-law update, is a round-about where Quebec and Wyndham Streets meet. For the downtown to be pedestrian friendly, visitors need to be able to cross from one side of Wyndham to the other and cross Quebec Street where it meets Wyndham without difficulty. Roundabouts are known hazards to pedestrians.
- (5) Although not part of this by-law amendment, but certainly affected by it through its adjacency is Catholic Hill, the one feature of the City that is recognized by its citizens and everyone who visits as the principal architectural complex by which the City is known. I strongly urge the City to do nothing which would compromise this feature and I urge the City and Heritage Guelph to proceed quickly to issue a heritage designation for this complex. We have seen how easy it is for a developer to threaten this feature of the City: this must be absolutely prohibited for any development in the vicinity.

Hi,

My name is Julien and I'm a local resident of Guelph. I attended UoG, and majored in real estate. I currently own a home in Guelph as well.

I'm reviewing the downtown plan and there are a few things that I am concerned about and would like to find out how I can appeal the proposed changes that are being made to the downtown plan.

1st. Table 6.3.2

It shows that there will no longer be allowed the construction of Single Detached homes in many areas. This is a real issue for property prices. By preventing all future single detached, and semi-detached homes from being constructed, this will increase the value of these types of dwellings, making it even more difficult to purchase a single detached home, and arguably increasing the price of condominiums. How can I change this?

2nd. Section 6.3.3.5.1

This section states that 1 parking spot is required per unit. I think this should be 0. Many, tenants and even owners don't own a car, and would rather not have a car. Requiring a parking spot makes it more difficult for homes that do not have parking spots to convert to apartments, and provide cheaper rents to people who don't care about owning a car.

How can we change these rules?

Let me know,

Julien Jacques

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
1.	Grand River Conservation Authority		a.	No objections to the proposed zoning by-law amendment.	Staff Recommendation: No change.
2.	Guelph Hydro Electrical Systems Inc.		a.	Guelph Hydro disagrees with the restriction imposed on the placement of distribution equipment. In some cases the front or exterior side yard placement may be the only practical option for transformers, vaults and pads.	In response to other concerns raised, this regulation is recommended to be deleted from the Zoning By-law (see comment 5.c.) and will be addressed through site plan approval. Staff Recommendation: Delete proposed regulation.
			b.	Guelph Hydro would like the opportunity to comment on the suitability of hydro services within and for zones with the "h" holding symbol in place.	The Municipal Services Review will be scoped by the City and may include hydro services as noted in the holding symbol. Staff Recommendation: No change.
3.	Upper Grand District School Board (red text submitted by Respondent)		a.	Requesting that zoning regulation 6.3.3.1.4 (now 6.3.3.1.3) be revised to expand the stepback requirements when a property is abutting a school or secondary school use. ...Stepbacks shall be measured from the Building face of the 3rd Storey facing a Street or any lot line with a school or secondary school use including active and passive use areas for school activities.	DSP policy 11.1.7.3.6 provides directions for stepbacks to be provided from a public street or park and does not include reference to school sites. Staff do not recommend additional stepbacks for a building where a lot line abuts a school property. Additional stepbacks could create opportunities for rooftop, balcony, terrace outdoor amenity space, thereby creating issues

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
					with overlook to the school property. Staff Recommendation: No change.
			b.	<p>Requesting that zoning regulation 6.3.3.3.1.4 be revised to expand the 45 degree angular plane required for R.1, R.2 or R.3 zones to include school or secondary school uses.</p> <p>Where a Lot Line of a Downtown Zone abuts a R.1, R.2, R.3 Zone or school or secondary school use including active and passive use areas for school activities, Building Heights shall not exceed an Angular Plane of 45 degrees in accordance with the following:...</p>	<p>Angular plane requirements in the existing Zoning By-law (1995)-14864 are applied to street lines and parks.</p> <p>The staff recommended angular plane regulations are based on Performance Standard #15 in the City's Downtown Built Form Standards which provides direction for rear yard angular planes where a transition to adjacent low-rise development occurs.</p> <p>Staff do not recommend an angular plane for a building where a lot line abuts a school property. Angular planes may create opportunities for rooftop, balcony, terrace outdoor amenity space, thereby creating issues with overlook to the school property.</p> <p>The proposed setbacks along with the required buffer and height limit will create appropriate built form adjacent to school properties.</p> <p>Staff Recommendation: No change.</p>

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
			c.	Further, request that the definition of Angular Plane include the requirement for the measurement of the angular plane should be taken from the property line, where the property abuts a school or secondary school use including active and passive use areas for school activities, not from the building face. A modified graphic representation of this suggested change would be required.	The Council approved Downtown Built Form Standards provide direction on how to measure rear yard angular planes. This direction provides the basis and justification for the proposed zoning by-law regulation. Staff Recommendation: No change.
			d.	Map 67 identifies D.2 zones as having a height of 2 to 4 storeys. However, there is no definition for the height of a storey. The by-law should specify the average height of a storey to place a limit on the overall building height. Suggested wording: The maximum height in metres of any Building within the D.2 zone shall be defined as three (3) times the height shown on the Map 67 i.e. where no numerical suffix is provided, the maximum height of any building shall be twelve metres (12.0 m) and shall not exceed four (4) Storeys. Any building height above the minimum specified, shall require an evaluation of the impact on adjacent property including, but not limited to compatibility, shadow cast, and wind.	Storeys are not currently regulated by height in metres in the City's comprehensive Zoning By-law. This is more appropriately reviewed city-wide as part of the comprehensive Zoning By-law review. Staff Recommendation: Review and consider as part of the comprehensive zoning by-law review.

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
			e.	<p>Further, we suggest that a maximum height of mechanical equipment should be defined, and the maximum % of a roof area that may be used to accommodate mechanical equipment should be specified. For example:</p> <p>In the D.2 zone, the following equipment and structures on the roof of a building may exceed the permitted maximum height for that building by no more than 20% of a roof area and within the angular plane :</p> <p>a) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment;</p> <p>b) structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities</p>	<p>The height of mechanical equipment is exempt from maximum building height in accordance with Section 4.18 of the existing Zoning By-law.</p> <p>The maximum height of a building including mechanical equipment is more appropriately reviewed city-wide through the comprehensive Zoning By-law review.</p> <p>Staff Recommendation: Review and consider as part of the comprehensive Zoning By-law review.</p>
			f.	<p>Additional clarification with respect to the definition of a storey could be provided as follows:</p> <p>"storey" means that portion of a building between any floor and the roof or ceiling next above such floor, provided that any portion of a building partly below the ground shall be deemed a storey if its ceiling height is one-point-eight metres (1.8m) above the average elevation taken from the centerline</p>	<p>Storey is defined in the City's comprehensive Zoning By-law. Any changes to the definition are more appropriately considered city-wide.</p> <p>Staff Recommendation: Review and consider as part of the comprehensive Zoning By-law review.</p>

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
				of the street.	
			g.	6.3.3.5.1 Parking requirements for residential buildings in the D.1 or D.2 Zone should not be reduced below 1 space per residential dwelling unit.	Comment noted. The parking requirement is recommended to remain at 1 space per residential unit. Staff Recommendation: No change.
			h.	6.3.3.5.2.1.1 An underground Parking Area shall be permitted in any Yard and may be located within 3 metres of a Lot Line , <i>except where it abuts a R.1, R.2, R.3 Zone or school or secondary school use including active and passive use areas for school activities where the building setback has been increased as a result of the calculation of the angular plane.</i>	The regulation proposed by Staff is carried forward from and consistent with the current Zoning By-law (1995)-14864. Since this regulation is for underground parking, the concern related to school property is not understood. Staff Recommendation: No change.
			i.	6.3.3.5.2.1.2 Expand to include any school or secondary school use: Where an unenclosed Parking Area is located within 1 metre of any Lot Line adjacent to a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, On-Street Townhouse , or <i>any school or secondary school use including active and passive use areas for school activities</i> it is to be screened along those Lot Lines with a minimum 1.5 metre high solid	Visual screening (minimum 1.5 metre high solid fence) of an unenclosed parking area within 1 metre of a lot line abutting a school is not consistent with the I.1 zone city-wide. Institutional zones for schools permit unscreened parking areas adjacent to school playgrounds. This issue is more appropriately addressed through the Comprehensive Zoning By-law review. Staff Recommendation:

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
				Fence.	Review and consider as part of the comprehensive Zoning By-law review.
			j.	6.3.3.5.2.1.4.5 (now 6.3.3.5.2.1.5.5) Recommendation that "required" be removed. Including required suggests that parking beyond the required minimum may be located closer to the street.	This regulation is only applicable to single detached dwellings and semi-detached dwellings across the City. Staff Recommendation: No change.
			k.	6.3.3.6.1 (# no longer exists) Expand to include any yard abutting a school or secondary school use. Notwithstanding Section 4.2 of this By-law , transformer and telecommunications vaults and pads shall not be located aboveground in the Front Yard or Exterior Side Yard or <i>any yard abutting a school or secondary school use including active and passive use areas for school activities.</i>	In response to other concerns raised, this regulation is recommended to be deleted from the Zoning By-law and will be addressed through site plan approval. Staff Recommendation: Delete proposed regulation.
			l.	6.3.3.6.2 (# no longer exists) Expand to include any yard abutting a school or secondary school use. Air vents associated with a parking Structure are not permitted in a Front Yard or Exterior Side Yard or <i>any yard abutting a school or secondary school use including active and passive use areas for school activities</i> unless it is at or within 0.2 metres above or entirely below Finished Grade or above the first Storey .	In response to other concerns raised, this regulation is recommended to be deleted from the Zoning By-law and addressed through site plan approval. Staff Recommendation: Delete proposed regulation.

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
			m.	Table 6.3.3.8 (now 6.3.3.7) Row 3 Include school or secondary school use in exception b) b) Where a Lot Line abuts a R.1, R.2, R.3, <i>or school or secondary school use including active and passive use areas for school activities</i> , the minimum Setback shall be 3 metres on the abutting side.	The by-law includes adding a 3 metre side yard setback regulation to the D.1 zone when a property abuts a R.1, R.2, R.3, institutional, park or wetland zone. Schools/secondary schools are typically zoned institutional, therefore the 3 metre setback will apply. Staff Recommendation: A 3 metre side yard setback has been added to the By-law where a D.1 zone abuts a R.1, R.2, R.3, institutional, park or wetland zone. Reference to the buffer strip requirement has been added to Table 6.3.3.7, Row 3.
			n.	Table 6.3.3.8 (now 6.3.3.7) Row 4 (Minimum Rear Yard) Include school or secondary school use in exception b) b) Where a Lot Line abuts a R.1, R.2, R.3, <i>or school or secondary school use including active and passive use areas for school activities</i> , the minimum Setback shall be 7.5 metres on the abutting side.	Staff propose a 3 metre buffer strip abutting an institutional properties which results in a setback that visibly separates one use from another use or to shield or block noise, lights, or other nuisances. 3 metres is adequate for this purpose. Staff Recommendation: No change.
			o.	Table 6.3.3.9 (now 6.3.3.8) Row 1 The Board continues to disagree that the average setback cannot be determined for a vacant corner lot, and recommends that:	This regulation has been reworded for clarity and ease in interpretation from the existing Zoning By-law and is consistent with the regulation for the older built up area of the City as defined

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
				<p>The average setback shall be determined as follows, if a lot is:</p> <p>a) beside one lot, and that abutting lot has a building fronting on the same street, the required minimum front yard setback is the front yard setback of that building on the abutting lot; and</p> <p>b) between two abutting lots in the, each with a building fronting on the same street, the required minimum front yard setback is the average of the front yard setbacks of those buildings on the abutting lots.</p>	<p>by Map 66. The School Board's proposed revisions would lead to inconsistencies in application in the older built up areas of the city.</p> <p>Staff Recommendation: No change.</p>
			p.	<p>Requesting changes to Table 6.3.3.9 (now 6.3.3.8)</p> <p>Row 2</p> <p>b) Where the D.2 Zone abuts a Residential, Institutional, Park or Wetland Zone the minimum Side Yard shall be 3 metres on the abutting side.</p> <p><i>Where a D.2 zone abuts a school or secondary school use including active and passive use areas for school activities, the minimum Side Yard shall be ½ the height of the building and in no case less than 7.5 m.</i></p>	<p>As indicated in staff's response to comment 3. n., staff proposed to include a 3 metre side yard setback when a property abuts an institutional zone. This additional setback provides an opportunity for additional plantings to allow for a more compatible transition.</p> <p>Staff Recommendation: No change.</p>
			q.	<p>Specifications with respect to landscape buffering are recommended as follows:</p> <p><i>Within the D.2 zone, there shall be a minimum three metre (3.0 m) Landscaped Buffer adjacent to any Lot line Abutting a</i></p>	<p>Buffer strip is defined in the City's Zoning By-law. This definition applies to Downtown zones. The recommended D.2 zone (Table 6.3.3.8, Row 8) requires the buffer strip to be 3 metres. The definition</p>

Attachment 7- Summary and Analysis of Agency Comments

	Respondent	Address		Summary of Comments Provided (see attached letters for full comments)	Response
				<p><i>school or secondary school use including active and passive use areas for school activities which shall be maintained in healthy condition and good repair by the owner.</i></p> <p><i>The Landscaped Buffer shall be an average depth of 3.0 metres (3.0 m) and at no point less than 1.5 metres (1.5 m).</i></p> <p><i>The Landscaped Buffer shall contain plant materials that form a visual screen and are not less than 1.5 metres (1.5 m) in height.</i></p>	<p>describes the purpose of the buffer strip as shielding or blocking noise, lights, or other nuisances. The specific design measures to be incorporated into a buffer strip are determined at the Site Plan stage.</p> <p>Staff Recommendation: No change. These concerns are addressed by the existing zoning regulations and definitions.</p>

Attachment 8 Agency Comment Letters



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

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

September 15, 2016

David de Groot
Senior Urban Designer
City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Dear Mr. de Groot:

RE: City of Guelph – Downtown Zoning By-law Amendment (ZC1612)

The GRCA has reviewed the Downtown Zoning By-law amendment and have no objections to the proposed zoning by-law amendment. No impacts on the floodplain or associated Natural Heritage features within the riverine corridor are expected as a result this amendment.

Should you have any questions or require additional information, please contact Ashley Rye at 519-621-2763 ext. 2320.

Yours truly,

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

Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
FN/ar



395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4719
Fax: 519-822-4963
Email: mwittmund@guelphhydro.com
www.guelphhydro.com

September 16, 2016

David de Groot
Planning, Urban Design & Building Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Re: City-initiated Downtown Zoning By-law Amendment (File No. ZC1612)

Guelph Hydro Electric Systems Inc. has the following comments regarding the Draft Downtown Amending Zoning By-Law as posted on the City of Guelph website and referred to in the August 19, 2016 Notice of Public Meeting:

Regarding section 6.3.3.6.1:

"6.3.3.6 Location of Mechanical Servicing 6.3.3.6.1 Notwithstanding Section 4.2 of this By-law, transformer and telecommunications vaults and pads shall not be located aboveground in the Front Yard or Exterior Side Yard."

Guelph Hydro Electric Systems Inc. disagrees with the restriction imposed by this clause on placement of distribution equipment. In some cases front yard or exterior side yard placement may be the only practical option for transformers, vaults and pads. For example, within the active frontage area identified in the draft amendment, there are currently approximately 240 transformers owned and operated by Guelph Hydro Electric Systems Inc., 76% of which are above ground (either padmounted or pole mounted). Relocating transformers wholly below grade is expensive and the capital cost of which is not accounted for in current rates set out by the Ontario Energy Board. Furthermore, below grade transformers have poorer reliability and higher ongoing maintenance and operations costs.

Additionally, Guelph Hydro Electric Systems Inc. is not able to provide three phase service from below grade transformers and due to the restrictions in clause 6.3.3.6.1, a number of building owners and developers would be required to construct engineered in-building transformer vaults in order to relocate three phase servicing out of front or side yards. This may be prohibitive to many developers in that it would place a large financial burden on their development and severely restrict available gross floor area in cases where the vault cannot be located below grade. In cases of existing buildings this

may be completely impractical (these rooms are on average approximately 400 sq ft and must have access from outside the building of sufficient size and capacity to remove and install equipment, in addition to enhanced fire protection, oil containment, sump pumps, grounding systems and ventilation, among other requirements). Guelph Hydro Electric Systems Inc. also has concerns with the reduced factor of safety for its staff when working with in-building transformer vaults which confined-space or restricted-space entry work practices such as the use of fall-arrest and rescue harnesses, designated observers, entry permits, hazardous gas detection equipment, and arc-flash exposure risks.

Safety, Reliability and Efficiency are part of Guelph Hydro Electric Systems Inc.'s core values and for the reasons noted above, our preference is to find safe and appropriate locations for above-grade equipment wherever possible. We feel that such locations can be established without detriment to the city scape envisioned in this draft zoning by-law amendment.

Regarding section 2.9.1 (xxix):

"Prior to the removal of the Holding symbol "H" a municipal services review shall be completed to the satisfaction of the City. The scope and boundary of the municipal services review will be determined by the City and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services. a) Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the City, the "H" may be lifted; or, b) Should the municipal services review determine that all necessary municipal services are not adequate and available, then prior to the "H" being lifted, the owner shall:

- secure, where appropriate and in a manner satisfactory to the City, the actual design and construction costs of any required municipal services; and,*
- demonstrate that any required municipal services have been designed to the satisfaction of the City; and,*
- demonstrate that any required municipal services are to be constructed to the satisfaction of the City prior to the intensification of the lands."*

Could you please provide details regarding the municipal services review process? Guelph Hydro Electric Systems Inc. would like the opportunity to comment on the suitability of hydro services within and for zones with the "H" holding symbol in place. Due to the future increases in urban density within the downtown area that may result from this plan, careful planning is required to ensure sufficient capacity in the electricity supply to satisfy development. As this expertise can only be provided by the local electricity distribution company, in this case Guelph Hydro Electric Systems Inc., we ask

that a letter from Guelph Hydro Electric Systems Inc. be required noting adequate servicing or capacity is in place, or plans to put the same are in place in order to satisfy the municipal services review and prior to removing the "H" symbol.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.



Michael Wittemund, P.Eng.
Director of Engineering
MW/gc



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

Martha C. Rogers
Director of Education

February 28, 2017

PLN: 17-16
File Code: R14
Sent by: mail & email

David de Groot, MCIP RPP
Senior Urban Designer
Planning, Urban Design and Building Services
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1
david.degroot@guelph.ca

Dear Mr. de Groot;

Re: Comments on the Draft Downtown Zoning By-law

Planning staff at the Upper Grand District School Board have reviewed the City of Guelph draft Downtown Zoning By-law, dated September 2016.

Our specific comments are included in the table on the following page.

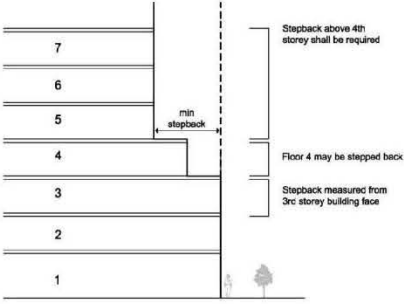
We request notice of the passing of any zoning by-law pursuant to this process, as well as notice of any public meetings to decide the matter before Council or its committees.

Sincerely,
Upper Grand District School Board

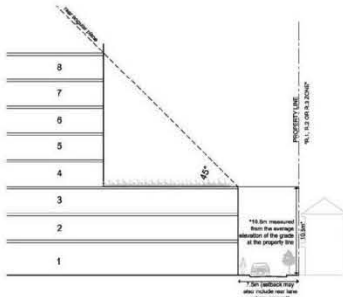
Jennifer Passy, BES, MCIP RPP
Manager of Planning

cc: Martha Rogers, Director of Education, UGDSB
Linda Busuttil, Trustee, Chair of Property Committee, UGDSB
Glen Regier, Superintendent of Finance, UGDSB
Alan M. Heisey, Papazian Heisey Myers Barristers & Solicitors
Bob Dragicevic, WND Associates

Draft Downtown Zoning By-law Comments - February 2017

Section	Proposed Downtown Zoning By-law September 2016	UGDSB Comments
6.3.3.1.4	<p>The minimum Stepback shall be 3 metres and shall be required for all portions of the Building above the 4th Storey. Stepbacks shall be measured from the Building face of the 3rd Storey facing a Street.</p> 	<p>Expand the stepback requirements when a property is abutting a school or secondary school use.</p> <p>...Stepbacks shall be measured from the Building face of the 3rd Storey facing a Street or any lot line with a school or secondary school use including active and passive use areas for school activities.</p>
6.3.3.3.1.4	<p>In addition to Defined Area Map 67, an Angular Plane establishes the maximum Building Height as follows: Where a Lot Line of a Downtown Zone abuts a R.1, R.2 or R.3 Zone, Building Heights shall not exceed an Angular Plane of 45 degrees in accordance with the following:</p>	<p>Expand the 45 degree angular plane required for R.1, R.2 or R.3 zones to include school or secondary school uses.</p> <p>Where a Lot Line of a Downtown Zone abuts a R.1, R.2, R.3 Zone or school or secondary school use including active and passive use areas for school activities, Building Heights shall not exceed an Angular Plane of 45 degrees in accordance with the following:...</p> <p>Further, we ask that the definition of Angular Plane include the requirement for the measurement of the angular plane should be taken from the property line, where the property</p>

Draft Downtown Zoning By-law Comments - February 2017

Section	Proposed Downtown Zoning By-law September 2016	UGDSB Comments
		<p>abuts a school or secondary school use including active and passive use areas for school activities, not from the building face.</p> <p>A modified graphic representation of this suggested change would be required.</p>
Map 67		<p>Map 67 identifies D.2 zones as having a height of 2 to 4 storeys. However, there is no definition of which includes the height of a storey. The by-law should specify the average height of a storey to place a limit on the overall building height.</p> <p>Suggested wording:</p> <p>The maximum height in metres of any Building within the D.2 zone shall be defined as three (3) times the height shown on the Map 67 i.e. where no numerical suffix is provided, the maximum height of any building shall be twelve metres (12.0 m) and shall not exceed four (4) Storeys. Any building height above the minimum specified, shall require an evaluation of the impact on adjacent property including, but not limited to compatibility, shadow cast, and wind.</p> <p>Further, we suggest that a maximum height of mechanical equipment should be defined, and the</p>

Draft Downtown Zoning By-law Comments - February 2017

Section	Proposed Downtown Zoning By-law September 2016	UGDSB Comments
		<p>maximum % of a roof area that may be used to accommodate mechanical equipment should be specified. For example:</p> <p>In the D.2 zone, the following equipment and structures on the roof of a building may exceed the permitted maximum height for that building by no more than 20% of a roof area and within the angular plane :</p> <ul style="list-style-type: none"> a) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment; b) structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities <p>Additional clarification with respect to the definition of a storey could be provided as follows:</p> <p>"storey" means that portion of a building between any floor and the roof or ceiling next above such floor, provided that any portion of a building partly below the ground shall be deemed a storey if its ceiling height is one-point-eight metres (1.8m) above the average elevation taken from the centerline of the street.</p>
6.3.3.5.1		Parking requirements for residential buildings in the D.1 or D.2 Zone should not be reduced below 1 space per residential dwelling unit.
6.3.3.5.2.1.1	Parking Areas shall not be permitted in the Front Yard or Exterior Side Yard . Notwithstanding any Yard regulations, Parking Areas shall be permitted in the Rear Yard and Side Yard . No part of a Parking Space is located closer than 3 metres to a Street Line .	An underground Parking Area shall be permitted in any Yard and may be located within 3 metres of a Lot Line , except where it abuts a R.1, R.2, R.3 Zone or school or secondary school use including active and passive use areas for school activities

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	An underground Parking Area shall be permitted in any Yard and may be located within 3 metres of a Lot Line .	<i>where the building setback has been increased as a result of the calculation of the angular plane.</i>
6.3.3.5.2.1.2	Where an unenclosed Parking Area is located within 1 metre of any Lot Line adjacent to a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling or On-Street Townhouse it is to be screened along those Lot Lines with a minimum 1.5 metre high solid Fence .	Expand to include any school or secondary school use: Where an unenclosed Parking Area is located within 1 metre of any Lot Line adjacent to a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, On-Street Townhouse , or any school or secondary school use including active and passive use areas for school activities it is to be screened along those Lot Lines with a minimum 1.5 metre high solid Fence .
6.3.3.5.2.1.4.5	Every required Parking Space shall be located a minimum distance of 6 metres from the Street Line and to the rear of the front wall of the main Building .	Recommendation that "required" be removed. Including required suggests that parking beyond the required minimum may be located closer to the street.
6.3.3.6.1	Notwithstanding Section 4.2 of this By-law , transformer and telecommunications vaults and pads shall not be located aboveground in the Front Yard or Exterior Side Yard .	Expand to include any yard abutting a school or secondary school use. Notwithstanding Section 4.2 of this By-law , transformer and telecommunications vaults and pads shall not be located aboveground in the Front Yard or Exterior Side Yard or any yard abutting a school or secondary school use including active and passive use areas for school activities.
6.3.3.6.2	Air vents associated with a parking Structure are not permitted in a Front Yard or Exterior Side Yard unless it is at or within 0.2 metres above or entirely below Finished Grade or above the first Storey .	Expand to include any yard abutting a school or secondary school use. Air vents associated with a parking Structure are not permitted in a Front Yard or Exterior Side Yard or any yard abutting a school or secondary school use including active and passive use areas for school activities unless it is at or within 0.2 metres above or entirely below Finished Grade or above the first Storey .

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Section	Proposed Downtown Zoning By-law September 2016	UGDSB Comments
Table 6.3.3.8 Row 3	Minimum Side Yard 0 m The following exceptions apply: a) Where a Lot Line abuts a lane, the minimum Setback shall be 1 metre from the Lot Line . b) Where a Lot Line abuts a R.1, R.2 or R.3 Zone , the minimum Setback shall be 3 metres on the abutting side.	Include school or secondary school use in exception b) b) Where a Lot Line abuts a R.1, R.2, R.3, or school or secondary school use including active and passive use areas for school activities, the minimum Setback shall be 3 metres on the abutting side.
Table 6.3.3.8 Row 4	Minimum Rear Yard 0 m The following exceptions apply: a) Where a Lot Line abuts a lane, the minimum Setback shall be 1 metre from the Lot Line . b) Where a Lot Line abuts a R.1, R.2 or R.3 Zone , the minimum Setback shall be 7.5 metres on the abutting side.	Include school or secondary school use in exception b) b) Where a Lot Line abuts a R.1, R.2, R.3, or school or secondary school use including active and passive use areas for school activities, the minimum Setback shall be 7.5 metres on the abutting side.
Table 6.3.3.9 Row 1	Minimum Front Yard or Exterior Side Yard The minimum Front Yard or Exterior Side Yard shall be the average of the Setbacks of the adjacent properties but in no case shall be less than 3 metres. Where the average of the Setbacks of the adjacent properties cannot be determined, the minimum Setback required shall be 3 metres. In accordance with Section 4.6 In accordance with Section 4.24. The following exception applies: a) Where a Lot Line abuts a lane, the minimum Setback may be reduced to 1 metre from the Lot Line .	The Board continues to disagree that the average setback cannot be determined for a vacant corner lot, and recommends that: The average setback shall be determined as follows, if a lot is: a) beside one lot, and that abutting lot has a building fronting on the same street, the required minimum front yard setback is the front yard setback of that building on the abutting lot; and b) between two abutting lots in the, each with a building fronting on the same street, the required minimum front yard setback is the average of the front yard setbacks of those buildings on the abutting lots.
Table 6.3.3.9 Row 2	Minimum Side Yard	b) Where the D.2 Zone abuts a Residential, Institutional , Park or

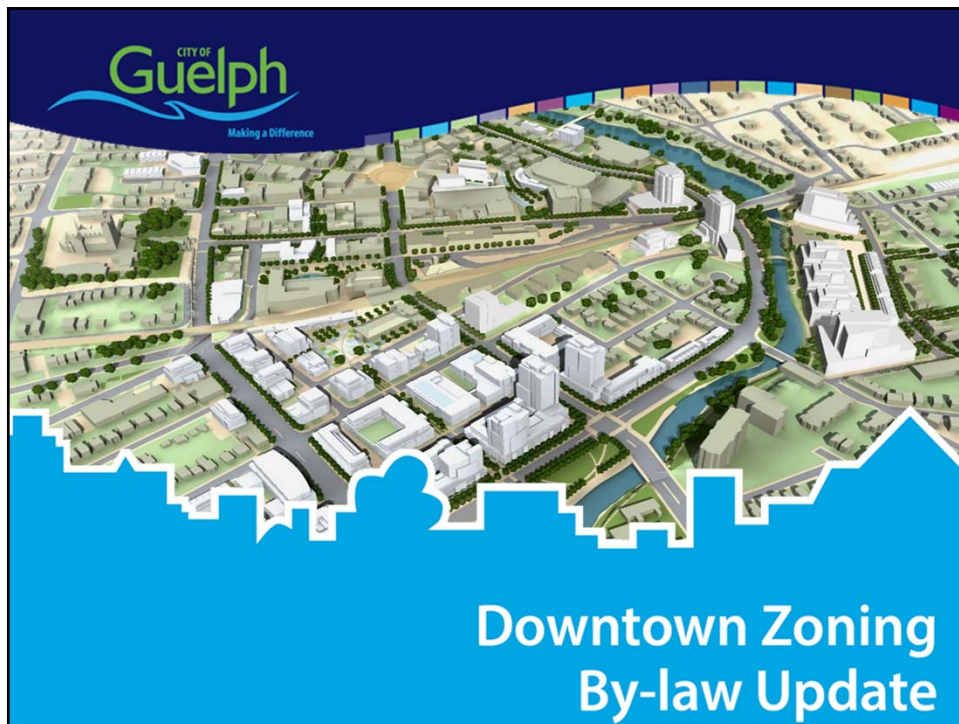
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Section	Proposed Downtown Zoning By-law September 2016	UGDSB Comments
	<p>1.5 m</p> <p>The following exceptions apply:</p> <p>a) Where a Lot Line abuts a lane, the minimum Setback may be reduced to 1 metre from the Lot Line.</p> <p>b) Where the D.2 Zone abuts a Residential, Institutional, Park or Wetland Zone the minimum Side Yard shall be 3 metres on the abutting side.</p>	<p>Wetland Zone the minimum Side Yard shall be 3 metres on the abutting side.</p> <p><i>Where a D.2 zone abuts a school or secondary school use including active and passive use areas for school activities, the minimum Side Yard shall be ½ the height of the building and in no case less than 7.5 m.</i></p>
		<p>Specifications with respect to landscape buffering are recommended as follows:</p> <p><i>Within the D.2 zone, there shall be a minimum three metre (3.0 m) Landscaped Buffer adjacent to any Lot line. Abutting a school or secondary school use including active and passive use areas for school activities which shall be maintained in healthy condition and good repair by the owner.</i></p> <p><i>The Landscaped Buffer shall be an average depth of 3.0 metres (3.0 m) and at no point less than 1.5 metres (1.5 m).</i></p> <p><i>The Landscaped Buffer shall contain plant materials that form a visual screen and are not less than 1.5 metres (1.5 m) in height.</i></p>

Attachment 9

Public Notification Summary

June 22, 2015	Project Charter approved by Council
April 20, 2016	Draft Discussion Paper presented to Council
June 9 & 16, 2016	Notice of Open House advertised in Guelph Tribune
June 22, 2016	Downtown Zoning By-law Open House
August 18, 2016	Notice of Public Meeting advertised in Guelph Tribune
August 19, 2016	Public Meeting notice mailed to prescribed agencies and interested parties requesting to remain informed
September 12, 2016	Statutory Public Meeting of City Council
June 15, 2017	Notice of Decision Meeting sent to interested parties that commented at the Public Meeting or requested notice
June 15, 2017	Notice of Decision Meeting advertised in Guelph Tribune
July 10, 2017	City Council meeting to consider staff recommendation



Downtown Secondary Plan Background

- Approved and in force and effect
- Represents a vision of more people, jobs, buildings & activities in Downtown
- Envisions a transformation of identified renewal areas (i.e. area south of CN rail line) into a more urban place

PURPOSE & INTENT

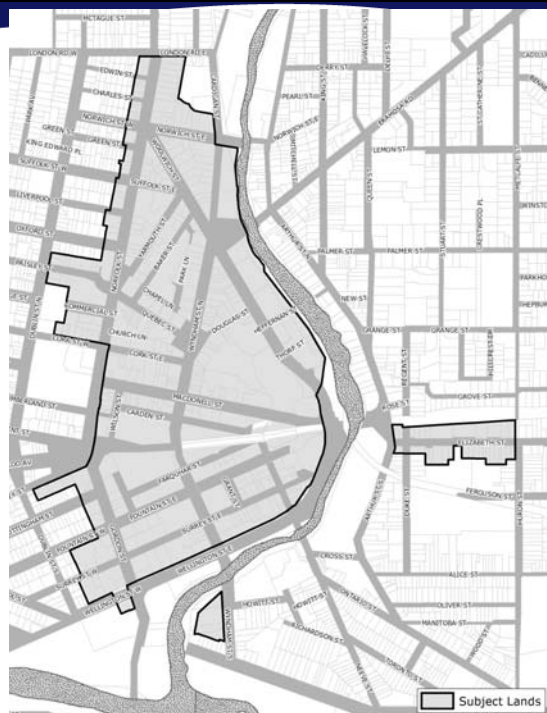
The purpose of the Downtown Zoning By-law Update is to:

- align the Zoning By-law regulations with the DSP;
- support investment and development in the Downtown;
- streamline the work of development review staff;
- modernize zoning regulations; and,
- establish a level playing field for all who want to develop in the Downtown.

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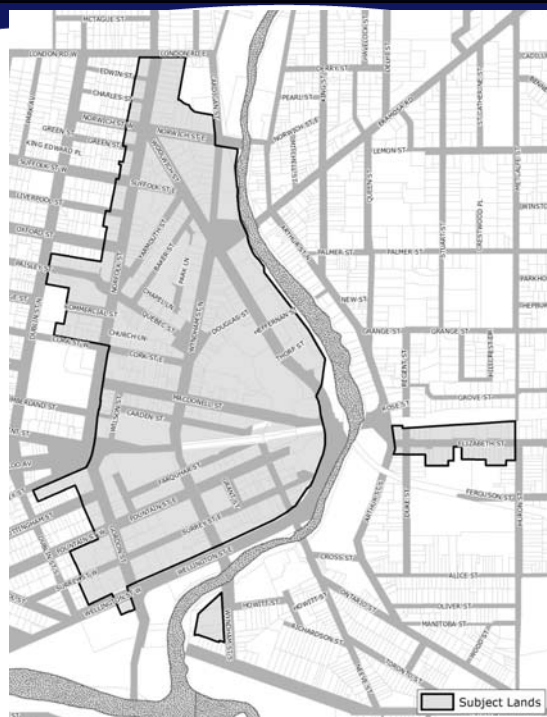
SCOPE

- Project scope includes:
 - Existing CBD.1, CBD.2, OR, and other commercial zones within project boundary
 - New zone titles
 - Building height & FSI
 - Urban design regulations (i.e. building massing, building setbacks, active frontage requirements)
 - Parking regulations

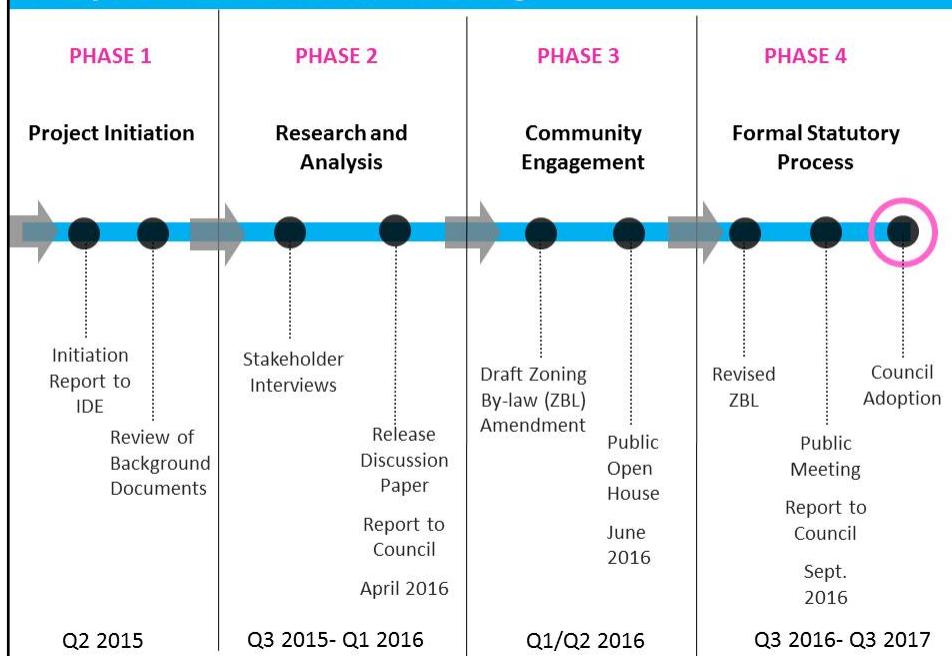


SCOPE

- Project scope does not include:
 - Changes to public view corridors
 - Building material regulations
 - Review of downtown bar regulations
 - Residential zones
 - 75 Dublin Street North



Project Timelines/Phasing



REVISIONS TO IMPROVE THE BY-LAW

- Removed the following regulations and will implement through site-plan:
 - bicycle parking space dimensions (bicycle parking ratios remain)
 - transformer/telecommunication vault location
 - air vent location regulations
 - maximum building length
- Additional terms defined, e.g. “transparent window,” “automated parking system”

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REVISIONS TO IMPROVE THE BY-LAW

- Like the D.2 zone, staff have added a setback buffer requirement where D.1 abuts and Institutional Zone as requested
- Added specialized zones to recognize existing approvals that conform to the Downtown Secondary Plan

Other Modifications:

- Grammatical and administrative corrections
- Mapping Corrections
- Technical changes

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CONCLUSION

- Planning staff are satisfied that the recommended ZBL is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan.
- The ZBL conforms to the objectives and policies of the Official Plan, which incorporate the policies of the DSP (OPA 43).

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STAFF RECOMMENDATION

- That the City-initiated Downtown Zoning By-law Amendment be approved in accordance with the zoning regulations outlined in Attachment 1 of IDE Report 17-77, dated July 10, 2017
- No further notice under the *Planning Act* is deemed necessary

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