

# COUNCIL PLANNING AGENDA



**Council Chambers, City Hall, 1 Carden Street**

**DATE July 8, 7:00 p.m.**

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

**O Canada  
Silent Prayer  
Disclosure of Pecuniary Interest and General Nature Thereof**

## **PUBLIC MEETING TO HEAR APPLICATIONS UNDER SECTIONS 17, 34 AND 51 OF THE PLANNING ACT**

<b>Application</b>	<b>Staff Presentation</b>	<b>Applicant or Designate</b>	<b>Delegations (maximum of 10 minutes)</b>	<b>Staff Summary</b>
5 Arthur Street South - Proposed Official Plan and Zoning By-law Amendments (File OP1302/ZC1305) - Ward 1	<ul style="list-style-type: none"><li>• Katie Nasswetter, Senior Development Planner</li></ul>	<ul style="list-style-type: none"><li>• Lee Piccoli</li><li>• Joe Lobko &amp; Megan Torza</li><li>• Dan Leeming</li></ul>	<ul style="list-style-type: none"><li>• Maria Pezzano, the Ward Residents' Association</li><li>• Marty Williams, Downtown Guelph Business Association</li></ul> <p><u>Correspondence:</u></p> <ul style="list-style-type: none"><li>• Allan Dyer &amp; Linda Reith</li></ul>	

## **SPECIAL RESOLUTIONS**

### **BY-LAWS**

Resolution – Adoption of By-laws (*Councillor Hofland*)

### **MAYOR'S ANNOUNCEMENTS**

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

### **NOTICE OF MOTION**

### **ADJOURNMENT**

# STAFF REPORT



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TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE July 8, 2013

**SUBJECT 5 Arthur Street South - Proposed Official Plan and Zoning By-law Amendments (File OP1302/ZC1305) Ward 1**

REPORT NUMBER 13-35

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## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide planning information on applications for Official Plan and Zoning By-law Amendments to permit a mixed use development at 5 Arthur Street South proposing 650-750 dwelling units and a range of commercial uses.

### KEY FINDINGS

Key findings will be reported in future, following staff review of the application and receipt of comments from agencies and the public.

### FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Planning, Building, Engineering and Environment recommendation report to Council.

### ACTION REQUIRED

Council will hear public delegations regarding the application, ask questions of clarification and identify planning issues. The report is to be received and no decisions are to be made at this time.

## RECOMMENDATION

1. That Report 13-35 regarding Official Plan and Zoning By-law Amendment applications by 5 Arthur Street Developments, to permit a mixed use, commercial and high density residential development at 5 Arthur Street South from Planning, Building, Engineering and Environment dated July 8, 2013, be received.

## BACKGROUND

Applications for an Official Plan and a Zoning By-law Amendment have been received for the property municipally known as 5 Arthur Street South from 5 Arthur Street Developments, 2278560 Ontario Inc. The applications would permit the development of a mixed use high density residential development, with 650-750

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dwelling units together with a range of potential commercial uses. The application was deemed complete on May 29, 2013.

## **Location**

The subject site is 3.26 hectares in size and is located on the west side of Arthur Street South, between Macdonnell Street and Cross Street, and bounded by the Speed River to the west (See location map in Attachment 1). The site is vacant; most of the former buildings used for manufacturing have been removed with the exception of the oldest buildings close to the river on the northern half of the site. Adjacent uses include a variety of single detached dwellings to the east, a low-rise apartment building and single detached residential to the south, the Speed River to the West and the CN rail line to the North. The Guelph Junction rail line also runs through the northern half of the site.

## **Official Plan**

At the time of application, the subject site was designated as 'Core Greenlands' and 'Special Policy Area/Floodplain' in the City's Official Plan. The Special Policy Area/Floodplain designation further specified the site as High Density Residential in the Schedule 8 Map of the Official Plan. The Special Policy Area illustrates a built-up portion of Guelph which is within the regulatory flood plain of the Speed and Eramosa Rivers. The Special Policy Area permits residential intensification within the flood plain provided that new buildings or structures meet certain design and floodproofing requirements. The policies of the "High Density Residential" land use designation and the Special Policy Area are included in Attachment 2.

## **OPA#43, The Downtown Secondary Plan**

The site is also within the Downtown Secondary Plan (OPA #43) which has been appealed to the Ontario Municipal Board. However, on June 18, 2013, the Ontario Municipal Board ruled that the Downtown Secondary Plan is in force and in effect as of the date of Council adoption (May 28, 2012) with the exception of specific portions which have been identified as being under appeal. The applications for 5 Arthur Street South are affected by this decision. Some of the Official Plan amendments proposed by the applications are no longer necessary because they are supported by policies within the Downtown Secondary Plan which have now been determined to be in effect. Review of the application's compliance with the policies within the Downtown Secondary Plan to affirm the necessary Official Plan amendments will form part of planning staff's analysis of the application.

Within the Downtown Secondary Plan, the northerly portion of the site is designated as Mixed Use 1 and the southerly portion of the site is designated as Residential 2, the mapping and policies associated with these designations are included in Attachment 2 of this report. In addition to these standard policies, the Downtown Secondary Plan also contains specific policies for the redevelopment of 5 Arthur Street which are also included in Attachment 2. All of these policies are in full force and effect will be the basis for the review of this application.

## **Zoning**

The majority of the subject site is zoned R.4B (H2), a high density apartment Zone with holding provisions, while the area immediately adjacent to the river on the easterly side of the site is zoned FL (Floodplain) and a small portion at the southerly end of the site is zoned P.2 (H2) Neighbourhood Park with the same holding conditions as the R.4B portion of the site. The R.4B Zone permits only apartment buildings with associated accessory uses and home occupations. The holding provisions are a series of conditions related to the development of the site in keeping with an earlier development proposal.

A zoning map of the site together with the R.4B, P.2 and FL standard zoning regulations, as well as the (H2) holding conditions are included in Attachment 3.

## **REPORT**

### **Proposed Development**

The applicant's proposed development concept is shown in Attachment 4. The applicant is proposing a mixed use development that includes high density residential uses (a total of 650-750 dwelling units) with a range of commercial uses. The applicant proposes five buildings across the length of the site consisting of residential apartment units with parking underneath, both underground and at grade. The most northerly building, at Macdonnell Street and Arthur Street, and the most southerly building fronting on Cross Street are also proposed to have a retail commercial component. The applicants have currently proposed two options, that either all five buildings are 12 storeys in height or that the two end buildings are 14 storeys high with the three interior buildings being 10 storeys high. Both of these options are expected to have the same range of residential units within.

Along the Arthur Street frontage south of the Guelph Junction rail line, townhouse units are proposed up to four storeys high, with units fronting both onto Arthur Street South and onto an interior private road facing the three interior apartment buildings.

The existing heritage buildings close to the river and south of the Guelph Junction rail line are proposed to be retained and redeveloped to permit a mix of uses together with an open plaza and surface parking from the east of the heritage building to Arthur Street South. Immediately along the river, a public walkway is proposed that would lead from Neeve Street to the retained heritage buildings.

### **Description of Proposed Official Plan Amendment**

The applicant is requesting the following site specific amendments to Official Plan policies, as shown in Attachment 5:

- Amend Policy 6.9.1.2 of the Official Plan to permit development to be set back a distance of 15 metres from the Speed River instead of the 30 metre requirement;

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- Amend Policy 7.2.26 of the Official Plan to remove the limit on the gross leasable area for commercial uses of 300 m<sup>2</sup> on the property, provided that individual commercial units south of the existing heritage building do not exceed a gross floor area of greater than 500 m<sup>2</sup> each; and,
- Amend Policy 7.2.41 and 7.2.43 of the Official Plan to permit a mixed use development in the form of Apartment Dwellings and other multiple unit residential buildings as well as commercial and other non-residential uses at an overall FSI of 2.0, exclusive of any bonusing provisions available to property under the Downtown Secondary Plan.
- Amend Policy 7.12.16 of the Official Plan to specify that up to 5% of the Subject Lands are to be dedicated for parkland purposes.

As noted, in light of the recent decision on OPA 43, the application will be reviewed and may be revised to reflect the in force Official Plan policies.

## **Description of Proposed Zoning Bylaw Amendment**

The applicant is requesting to rezone the R.4B (H2) and P.2 (H2) portions of the subject property to a specialized R.4B Zone which would permit both the standard high density apartment buildings and a mix of other housing types and commercial uses on the site. This zone is proposed to be further divided into Area A, which includes the existing heritage buildings and the northerly apartment building and Area B, which includes all the lands south of the existing heritage buildings. The site specific zoning proposed is shown in Attachment 6 and includes the following key specialized provisions:

- Additional permitted uses, including residential uses such as stacked and cluster townhouses and live/work units and a range of commercial, retail, service commercial and community uses (see Attachment 6 for the full list of uses proposed)
- Density measured at a maximum of 2.0 FSI
- Reduced Common Amenity Area and Minimum Landscaped Open Space Requirements
- Maximum Building Floorplate Sizes
- Reduced Minimum Building and Underground Parking Setbacks from streets and the river, together with additional building setbacks after the sixth storey
- Building heights ranging 4-14 storeys, as shown in Attachment 6
- Redefined regulations for distance between buildings
- Reduced off-street parking requirements and additional bicycle parking requirements
- Addition of a bonusing provision in accordance with the Downtown Secondary Plan and a severability provision which enables the site to continued to be zoned as whole if it is severed in the future.

## **Supporting Documents**

The following information was submitted in support of the application:

- Planning Rationale Report, prepared by The Planning Partnership, dated May 17, 2013.
- Urban Design Master Plan, prepared by DTAH, dated April 15, 2013.

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- Functional Service Report, prepared by Braun Consulting Engineers Ltd, dated April 12, 2013.
- Transportation Impact Study, prepared by Paradigm Traffic Solutions Limited, dated May, 2013.
- Scoped Environmental Impact Study, prepared by Stantec Consulting Ltd., dated April 2013.
- Updated Railway Safety Review, prepared by McCormick Rankin, dated April 12, 2013.
- Guelph Junction Railway/Arthur Street South Safety Crossing Assessment, prepared by McCormick Rankin, April 12, 2013.
- Environmental Noise Feasibility Assessment, prepared by Novus Environmental Inc, dated April 12, 2013.
- Railway Vibration Analysis, prepared by Novus Environmental Inc, dated April 12, 2013.
- Stage 1 Archeological Background Study, prepared by AMEC Earth & Environmental, dated September 28, 2011.
- Heritage Impact Study, prepared by ERA Architects Inc., dated May 24, 2013.
- Geotechnical Review, prepared by LVM, dated May 6, 2011.

## Staff Review

The review of these applications will address the following issues:

- Evaluation of the proposal's conformity to the Provincial Policy Statement;
- Evaluation of the proposal's conformity with Provincial Places to Grow Act
- Evaluation of the proposal's conformity with the Official Plan, including the Downtown Secondary Plan (OPA #43) and the applicant's proposed amendments to the Official Plan, along with any revisions to the application in light of the June 2013 OMB decision on OPA #43;
- Review of the proposed zoning, including all specialized regulations requested
- Review of all technical studies submitted
- Review of the proposed site design and building elevations;
- Review of how the development would be phased and constructed;
- Review of appropriate parkland dedication requirements
- Compatibility with surrounding lands; and
- Community Energy Initiative considerations.

Once the application is reviewed and all issues are addressed, a report from Planning, Building, Engineering and Environment with a recommendation will be considered at a future meeting of Council.

## CORPORATE STRATEGIC PLAN

**Strategic Direction 3.1:** Ensure a well designed, safe, inclusive, appealing and sustainable City.

## FINANCIAL IMPLICATIONS

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

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## COMMUNICATIONS

A notice was mailed to agencies and property owners within 120 metres on June 3, 2013 and included in the June 6<sup>th</sup>, 2013 edition of the Guelph Tribune. Any public comments received will be provided to Council at this meeting and be responded to in the future report recommending a decision on the applications.

## ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Existing Official Plan Designations, Related Official Plan and OPA#43, Downtown Secondary Plan Policies
- Attachment 3 – Existing Zoning Map and Regulations
- Attachment 4 – Site Concept
- Attachment 5 – Proposed Official Plan Amendment
- Attachment 6 – Proposed Zoning By-law Amendment

### Report Author

Katie Nasswetter  
Senior Development Planner

### Approved By

Sylvia Kirkwood  
Manager of Development Planning

Original Signed by:

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### Approved By

Todd Salter  
General Manager  
Planning Services  
519-822-1260, ext 2395  
todd.salter@guelph.ca

Original Signed by:

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### Recommended By

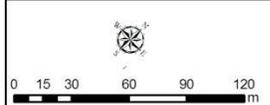
Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519-822-1260, ext 2237  
janet.laird@guelph.ca

## Attachment 1 Location Map



**Legend**

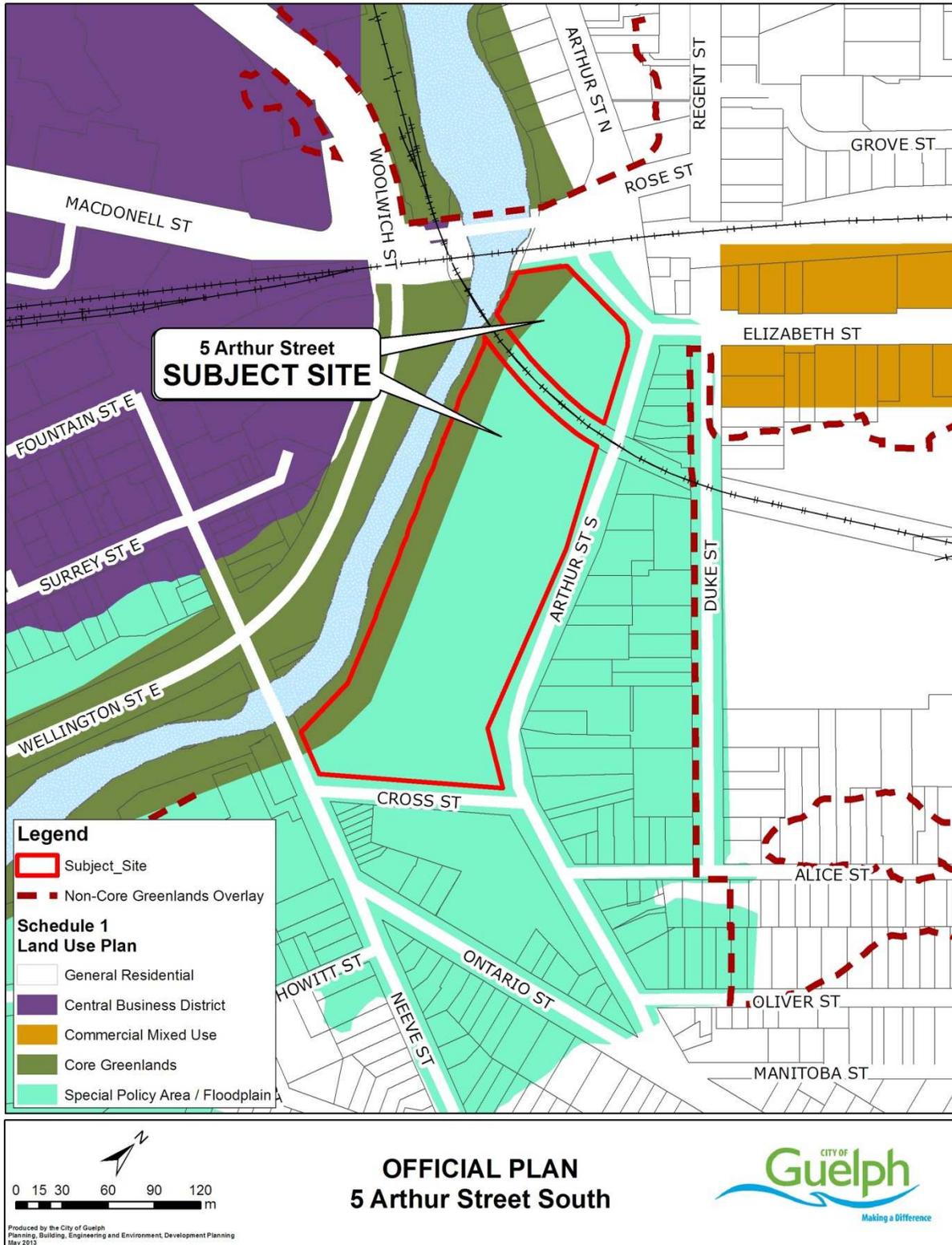
-  Subject Site
-  Parks



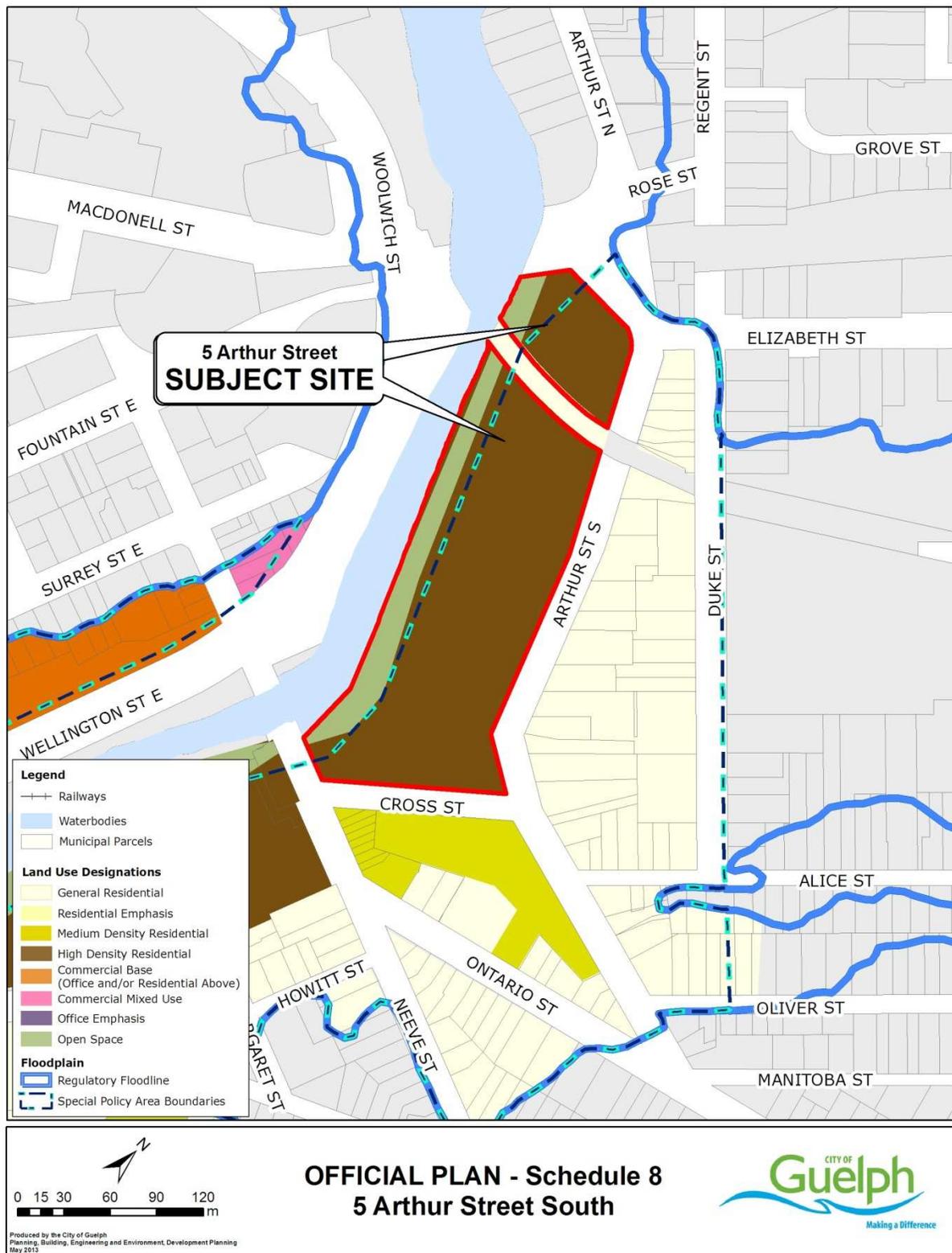
### 5 Arthur Street South

Produced by the City of Guelph  
Planning & Building, Engineering and Environment, Development Planning  
May 2013

## Attachment 2: Existing Official Plan Designations



## Attachment 2: Existing Official Plan Designations continued Land Use within the Special Policy Area Flood Plain



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## Attachment 2 (continued): Existing Official Plan Related Policies

### Special Policy Area (S.P.A.) Flood Plain

The "Provincial Policy Statement" generally prohibits development or redevelopment within the regulatory flood plain due to inherent dangers, such as loss of life, property damage and social disruption, should flooding occur. The "Policy Statement" does however, recognize there are special circumstances in historic communities where the general prohibition of new development/redevelopment is so onerous that it would degrade the community's vitality. Therefore, the "Provincial Policy" also makes provision for the designation of lands within the flood plain as a 'Special Policy Area.'

The 'Special Policy Area Flood Plain' area as generally designated on Schedule 1 and in more defined fashion denoted on Schedule 8 of this Plan illustrates a currently built-up portion of Guelph which is within the regulatory flood plain of the Speed and Eramosa Rivers. Development, redevelopment and rehabilitation of buildings and structures in this area is considered vital to the continued economic and social viability of the City. In addition, major relocation or complete acquisition by public authorities is not feasible. Strict enforcement of the "Provincial Policy Statement's" One Zone and Two Zone Flood Plain concepts in these areas would lead to the physical deterioration of the infrastructure and unnecessary hardship to the City.

7.14.4 Within the 'Special Policy Area (S.P.A.) Flood Plain', as generally designated on Schedule 1 and in more detailed fashion on Schedule 8 of this Plan, the City, the Grand River Conservation Authority and the Province of Ontario have agreed to accept a higher flood risk than would normally be acceptable. This higher flood risk permits the development of a limited amount of new buildings and structures on these lands in accordance with the following:

1. The permitted uses within the 'S.P.A. Flood Plain' are established by the land use designations shown on Schedule 8. In addition, policy 7.14.1 is applicable within the 'S.P.A. Flood Plain'.
2. Development/redevelopment is not permitted within the floodway.
3. Hotels and motels may be permitted in the applicable Schedule 8 land use designations of this Plan if the use can be floodproofed to the regulatory flood level and safe access can be provided.
4. Within the 'S.P.A. Flood Plain' land use designation, service stations, gas bars and other uses involving the manufacture, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.
5. Within the 'S.P.A. Flood Plain' land use designation, parking facilities shall be designed to the satisfaction of the City and the Grand River Conservation Authority so as to minimize flood damage and potential flood flow interference.

## Attachment 2 (continued): Existing Official Plan Related Policies

6. The City's implementing Zoning By-law will outline specific use and building regulations for lands within the 'S.P.A. Flood Plain' land use designation.
- 7.14.5 Floodproofing shall be required for all forms of building activity within the 'S.P.A. Flood Plain' land use designation to the satisfaction of the City and the Grand River Conservation Authority. The following sub-policies will give guidance to the floodproofing requirements:
1. Any new building or structure shall be designed such that its structural integrity is maintained during a regulatory flood. In spite of the lower minimum levels specified by the policies of this subsection, every attempt should be made to floodproof buildings and structures to the regulatory flood level.
  2. The various forms of floodproofing, as outlined in the "Implementation Guidelines of the Provincial Policy Statement on Flood Plain Planning" (October, 1988) may be used to achieve the necessary floodproofing requirements of this Plan.
  3. The replacement of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes will be permitted, provided the building or structure is not located within the floodway.

### 'High Density Residential' Land Use Designation

- 7.2.41 The predominant use of land within areas designated as 'High Density Residential' on Schedule 1 shall be for *multiple unit residential buildings*, generally in the form of apartments.
- 7.2.42 The 'High Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:
- a) High 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.
- 7.2.43 The *net density of development* shall not occur at less than 100 units per hectare (40 units/acre) and shall not exceed 150 units per hectare (61 units/acre), except as provided for in policy 7.2.10.
- 7.2.44 High density residential *development* proposals shall comply with the development criteria established for *multiple unit residential buildings* as outlined in policies 7.2.7 and 7.2.45 and shall be regulated by the *Zoning By-law*.

## Attachment 2 (continued): Existing Official Plan Related Policies

- 7.2.45 The establishment of a new high density residential use, not within a 'High Density Residential' designation on Schedule 1, will require an amendment to this Plan. When considering such amendments to this Plan, the criteria of policy 7.2.7 will be considered, as well as the following:
- a) That the proposal is located in proximity to major employment, commercial and institutional activities; and
  - b) That the proposal is located on an arterial or collector road.

### Core Greenlands

- 7.13.1 The 'Core Greenlands' land use designation recognizes areas of the Greenlands System which have greater sensitivity or *significance*. The following *natural heritage feature* areas have been included in the 'Core Greenlands' designation of Schedule 1: *provincially significant wetlands*, the *significant* portion of habitat of *threatened and endangered species*, and the *significant areas of natural and scientific interest (ANSI)*. *Natural hazard lands* including steep slopes, erosion hazard lands and unstable soils may also be associated with the 'Core Greenlands' areas. In addition, the *floodways* of rivers, streams and creeks are found within the 'Core Greenlands' designation.
1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.
  2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.
- 7.13.2 The *natural heritage features* contained within the 'Core Greenlands' designation are to be protected for the *ecological value and function*. *Development* is not permitted within this designation. Uses that are permitted include conservation activities, open space and passive recreational pursuits that do not *negatively impact* on the *natural heritage features* or their associated *ecological functions*.
- 7.13.3 The *natural heritage features* contained within the 'Core Greenlands' designation are outlined on Schedule 2 of this Plan. Where a *development* proposal is made on *adjacent lands* to these *natural heritage features*, the proponent is responsible for completing an environmental impact study in accordance with the provisions of subsection 6.3 of this Plan. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of *natural heritage features* within the 'Core Greenlands' designation as part of such an environmental impact study.
- 7.13.4 In implementing the Greenlands System provisions of this Plan, 'Core Greenland' areas shall be placed in a restrictive land use category of the implementing *Zoning By-law*, which prohibits *development* except as may be necessary for the on-going management or maintenance of the natural environment.

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Mixed Use 1 Areas

### 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.

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Mixed Use 1 Areas

- 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.

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## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Mixed Use 1 Areas

### 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.

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Residential 2 Areas

### 11.1.7.8 Residential 2 Areas

#### 11.1.7.8.1

Residential 2 areas are those areas within Downtown where, based on the location, size and configuration of properties, high density forms of housing are appropriate. The following uses may be permitted:

- a) multiple unit residential buildings, including apartments and townhouse dwellings;
- b) *convenience commercial* uses with a gross floor area not greater than 500 square metres;
- c) artisan studios;
- d) small-scale offices with a gross floor area not greater than 500 square metres including medically related uses;
- e) *live/work* uses;
- f) community services and facilities; and
- g) parks, including urban squares.

#### 11.1.7.8.2

The minimum floor space index (FSI) in Residential 2 areas shall generally be 1.0.

#### 11.1.7.8.3

In addition to the general policies of Section 11.1 7.2 of the Downtown Secondary Plan, the following built form policies shall apply to *development* in Residential 2 areas:

- a) Buildings shall be massed to minimize as much as is practical the extent and duration of shadows on parks, adjacent residential uses, other public open space, private amenity space and retail streets in the spring, summer and fall.
- b) Where buildings greater than 6 storeys are permitted, the portion of a building above the sixth storey shall be substantially stepped back, generally greater than 3 metres from the edge of the building fronting a public street or park.
- c) All buildings 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.
- d) Apartment buildings shall generally be limited in length, generally to not more than 60 metres long, and blocks of townhouses shall generally not be more than 40 metres long.
- e) Where apartment buildings are greater than 4 storeys in Residential 2 Areas they shall generally incorporate 1-2 storey grade-related units (e.g. townhouses).

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Site Specific Policies

### 11.1.7.11 Special Policies Applicable to St. Patrick's Ward Portion of the Planning Area

#### 11.1.7.11.1

The area east of the Speed River includes a portion of the St. Patrick's Ward community ("The Ward") containing a mix of land uses including existing and former industrial lands. The Ward's unique, diverse and eclectic qualities result from its origin as a neighbourhood where places of employment and working-class houses existed side-by-side. The Ward is characterized by a mix of small lots, modest homes and historic industrial buildings, interspersed with neighbourhood-scale commercial and institutional buildings. Although the viability of neighborhood-scale shopping has declined recently, its legacy remains in both the architecture and memories of residents. In addition, its fine-grained pattern of narrow streets, angled streets, trails and laneways contribute to its walkability. Existing and former industrial sites are planned for *redevelopment* to both support growth objectives for Downtown and enhance The Ward as a neighbourhood. As land uses evolve, the character of The Ward's existing residential areas should be maintained.

#### 11.1.7.11.2

As *redevelopment* adds more *compatible* uses and housing diversity to the neighbourhood, it should bring new public spaces, new connections for pedestrians, cyclists and vehicles, and other amenities. In considering *development* proposals in The Ward, the City shall have regard for the following overarching objectives for the community:

- a) relocate remaining heavy industrial uses;
- b) identify, conserve and re-use cultural heritage resources;
- c) clean-up contaminated sites;
- d) provide transitions to the general character of the low-rise areas of the community;
- e) ensure the use and form of *development* is *compatible* with its existing and planned surroundings;
- f) increase the quantity and quality of parkland and other public open spaces;
- g) improve connections through the neighbourhood, to the Downtown core, to the riverfront and along the riverfront for pedestrians and cyclists;
- h) minimize and mitigate traffic impacts from new *developments*; and
- i) ensure the community contains a mix of housing types, sizes and forms to accommodate households of all sizes and incomes.

#### 11.1.7.11.3

As identified in Schedule C, there are two large sites within The Ward neighborhood that represent significant opportunities for *redevelopment*: the 5 Arthur Street property and the properties at 64 Duke Street and 92 Ferguson Street. Each of these sites shall be developed based on comprehensive Urban Design Master Plans. Therefore, in addition to any other submissions required as part of a complete planning application, prior to the rezoning and/or site plan approval of either of these two sites or any portion thereof, an Urban Design Master Plan shall be prepared for the site by the applicant to the satisfaction of the City and in consultation with The Ward community as set out in Section 11.1.8.5.

#### 11.1.7.11.4

In addition to the provision of Section 11.1.8.5, the Urban Design Master Plan for the 5 Arthur Street property and subsequent *development* applications shall respond to the following principles:

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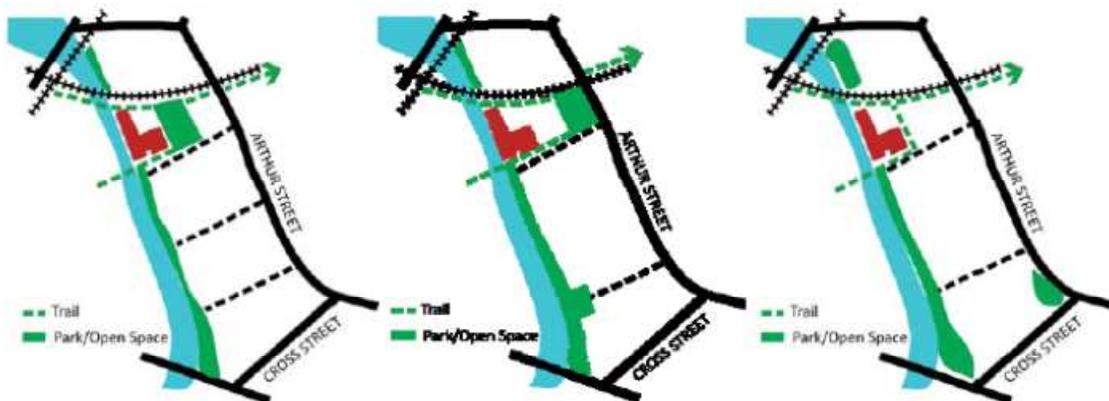
## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Site Specific Policies

- a) River's Edge Open Space – Create a substantial, functional and continuous public open space generally along the side of the river well connected to surrounding streets. The open space along the river may be composed of elements such as urban squares while providing for a continuous multi-use trail. It should encourage use by the public for a variety of appropriate uses. To this end, it should be configured to accommodate a range of park amenities and provide a sense of safety and comfort.
- b) Network of Connections – Establish a fine-grained network of publicly accessible open spaces and routes through the site, provide connections to the river, and allow for efficient pedestrian, bicycle and vehicular circulation. The plan should also create connections to the surrounding trails and open space system including anticipating a future pedestrian bridge adjacent to the Guelph Junction Railway bridge and another bridge across the river, generally aligned with a crossing of Wellington Street and connected to Arthur Street.
- c) Heritage Conservation and Interpretation – Reflect and respect the historic context of the neighbourhood. Conserve the historic stone building and other heritage resources on the site. Respect and complement the neighbourhood's heritage in the new built form. Interpret and respond to the previous industrial uses, for example, through public art or other interpretive elements.
- d) Public Views – Provide views through the site toward the river corridor and maintain key *public views*, including the view south along Arthur Street toward the Mill Lofts building. Take advantage of other desirable views, for example, views of the CN train bridge.
- e) Sensitive Built Form – New buildings should be massed and spaced to avoid a wall effect along the river and maintain sky views from public streets and open spaces as well as neighbouring properties. Buildings should vary in character, provide appropriate building breaks and articulation, step down to be compatible with existing nearby buildings and provide transition to the existing neighbourhood. Buildings should minimize shadow impacts on neighbouring properties.
- f) Pedestrian-Friendly Edges – Residential buildings should support the animation of surrounding streets and publicly-accessible open space by, for example, providing grade-related relationships where feasible such as many front doors and porches along public streets. Above-grade parking should be screened or concealed within the residential development. Surface parking should be limited and strategically located to minimize its visual impact. Waste, recycling and loading areas should also be internal to the site.
- g) Environmental Sustainability – *Development* should incorporate green energy strategies and other sustainable design features. The river corridor's ecological health should be enhanced while also balancing the need for recreational uses and heritage conservation along the river's edge.
- h) Housing Mix – *Development* should include a mix of unit types varying in size and affordability.

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Site Specific Policies

### 11.1.7.11.5

In addition to the provision of Section 11.1.8.5, the Urban Design Master Plan for the 5 Arthur Street property shall consider the arrangements of parks, open spaces, trails and publicly accessible routes. Three potential configurations are conceptually illustrated below however the actual configuration of the site's *public realm* elements, such as trails, urban squares and other open spaces may differ from these options and may be refined further as the site proceeds through the *development* approvals process. However, in addition to the trail proposed adjacent to the railway tracks, a minimum of two publicly accessible east-west connections will be provided between Arthur Street and the river at a dimension that ensures appropriate pedestrian comfort along the connections.



### 11.1.7.11.6

The general built form and land use policies of the Downtown Secondary Plan shall apply the 5 Arthur Street and 64 Duke Street and 92 Ferguson Street properties. In addition, the distance between the facing walls of portions of buildings greater than 6 storeys, shall be a minimum of approximately 25 metres.

### 11.1.7.11.7

The *Zoning By-law* based on the Urban Design Master Plan shall establish a maximum gross floor space index (FSI) for the 5 Arthur Street property of up to 2.0 FSI. The calculation of gross FSI shall include lands to be dedicated for public uses but shall not include structured parking or the historic stone building to be retained including minor additions. The City may consider allowing individual parcels of *development* within the site to vary from the FSI minimum and maximum, provided the applicant demonstrates to the City's satisfaction that the maximum and minimum gross FSI on the entirety of the 5 Arthur Street property will be achieved. In addition, density bonusing may be considered in accordance with section 11.1.8.4 of the Downtown Secondary Plan.

### 11.1.7.11.8

Notwithstanding policy 11.1.7.3.2 of the Downtown Secondary Plan, the following uses shall not be permitted in the Mixed Use 1 areas identified on the 5 Arthur Street property:

- entertainment and large-scale commercial recreation uses; and
- hotels.

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Site Specific Policies

### 11.1.7.11.9

Commercial uses on the 5 Arthur Street property south of the existing historic stone building shall generally be small in scale and oriented to the surrounding community.

### 11.1.7.11.10

Schedule D shows two height categories for the 5 Arthur Street property: 2-4 storeys along Arthur Street and 4-12 storeys along the river. Unlike other sites in the Downtown, the 12-storey limit along the river is a general limit. The City acknowledges the need for some flexibility regarding maximum building heights on the site to allow for further detailed analysis and refinement through the Urban Design Master Plan. The intent of the Urban Design Master Plan, in addition to satisfying other policies of the Secondary Plan, will be to identify appropriate building heights that ensure built form *compatibility* with the surrounding neighbourhood, minimize and mitigate adverse shadow and view impacts, and contribute to an inviting and comfortable public realm within and adjacent to the site. Flexibility regarding height limits is intended to allow the maximum permitted density on the site to be achieved in a built form that responds appropriately to the conditions of the site and its surroundings while ensuring consistency with the other policies of this Plan and specifically the principles of Policy 11.1.7.11.4. Where it has been demonstrated through the Urban Design Master Plan to the City's satisfaction that the principles in Policy 11.1.7.11.4 have been met, limited additional height above 12 storeys may be permitted on appropriate portions of the site provided there is a variety of building heights along the river, on the site. Such exceptions for height will be implemented in the *Zoning By-law* and shall not require an amendment to the Secondary Plan nor shall they be subject to the bonusing.

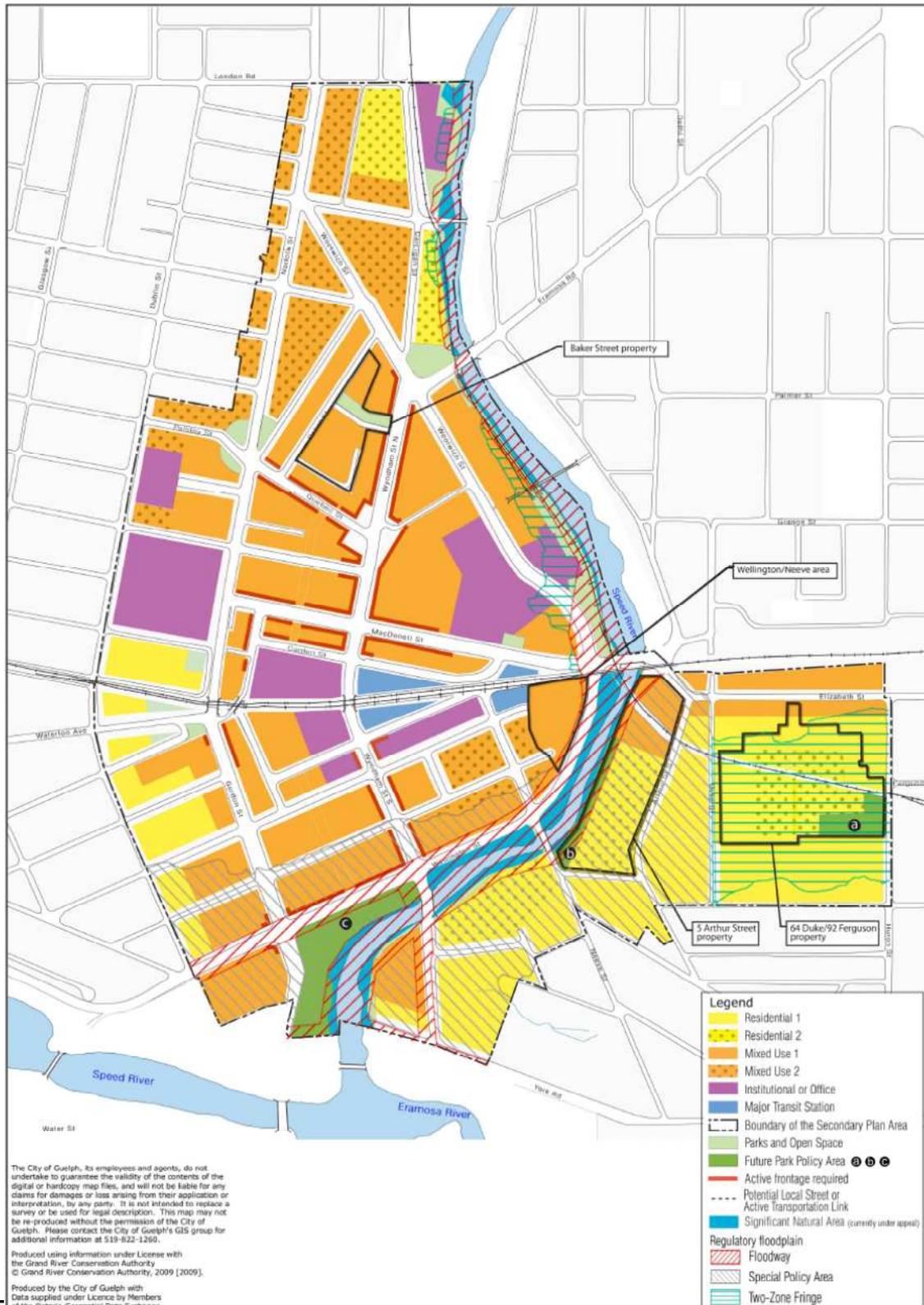
### 11.1.7.11.11

The *Zoning By-law* based on the Urban Design Master Plan shall set out the maximum gross floor space index (FSI) for the 64 Duke/92 Ferguson properties of up to 1.2 FSI. The calculation of gross FSI shall include lands to be dedicated for public uses but does not include the built heritage resource if retained or structured parking. The City may consider allowing individual parcels of *development* within the site to vary from the FSI minimum and maximum, provided the applicant demonstrates to the City's satisfaction that the maximum and minimum gross FSI on the entirety of the 64 Duke/92 Ferguson site will be achieved. In addition, height and density bonusing may be considered in accordance with section 11.1.8.4 of the Downtown Secondary Plan.

### 11.1.7.11.12

The 64 Duke Street property contains a built heritage resource, formerly the Partridge Rubber Company factory that faces Huron Street. This *Built Heritage Resource* is a 3-storey concrete, steel and brick factory that was built before 1916. Its location adjacent to the new park will provide an opportunity for the factory to become a prominent landmark. *Redevelopment* of this element of the property is strongly encouraged to retain and adaptively re-use this resource or significant portions of the resource subject to the Cultural Heritage Policies of the *Official Plan*. Prior to *redevelopment* the City may review and assess the cultural heritage value or interest of this building in accordance with the *Ontario Heritage Act*.

## Attachment 2 (continued): OPA #43, Downtown Secondary Plan, Land Use Designations



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## ATTACHMENT 3(continued) Existing Zoning Regulations – R.4B

### 5.4 RESIDENTIAL *APARTMENT* (R.4) ZONES

#### 5.4.1 PERMITTED *USES*

The following are permitted *Uses* within the Residential *Apartment* R.4 *Zones*:

##### 5.4.1.1 R.4A - General *Apartment Zone*

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*
  
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

##### 5.4.1.2 R.4B - High Density *Apartment Zone*

- *Apartment Building*
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

##### 5.4.1.3 R.4C - Central Business District *Apartment Zone*

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
  
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.
- 

##### 5.4.1.4 R.4D - Infill *Apartment Zone*

The R.4D *Zone* shall only be utilized within the boundaries indicated on Defined Area Map Number 66 of Schedule "A" of this *By-law*. The R.4D *Zone* shall permit the following:

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*
- 
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

## ATTACHMENT 3(continued) Existing Zoning Regulations – R.4B

### 5.4.2 REGULATIONS

Within the **Apartment R.4 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 Table 5.4.2, and the following:

#### 5.4.2.1 Minimum Side Yard - R.4A and R.4B Zones

Despite Row 8 of Table 5.4.2, where windows of a **Habitable Room** face on a **Side Yard**, such **Side Yard** shall have a minimum width of not less than 7.5 metres.

#### 5.4.2.2 Minimum Distance Between Buildings- R.4A and R.4B Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.2.1 The distance between the face of one **Building** and the face of another **Building** either of which contains windows of **Habitable Rooms**, shall be one-half the total height of the two **Buildings**, and in no case less than 15 metres.

5.4.2.2.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 15 metres.

#### 5.4.2.3 Minimum Distance Between Buildings - R.4C and R.4D Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.3.1 The distance between the faces of two **Buildings** which contain windows of **Habitable Rooms** shall be one-half the **Building Height** to a maximum of 30 metres and a minimum of 5 metres.

5.4.2.3.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 5 metres.

#### 5.4.2.4 Minimum Common Amenity Area

5.4.2.4.1 An amount not less than 30 m<sup>2</sup> per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m<sup>2</sup> of **Common Amenity Area** shall be provided and aggregated into areas of not less than 50 m<sup>2</sup>.

5.4.2.4.2 **Amenity Areas** shall be designed and located so that the length does not exceed 4 times the width.

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## ATTACHMENT 3(continued) Existing Zoning Regulations – R.4B

- 5.4.2.4.3 A **Common Amenity Area** shall be located in any **Yard** other than the required **Front Yard** or required **Exterior Side Yard**.
- 5.4.2.4.4 **Landscaped Open Space** areas, **Building** roof tops, patios, and above ground decks may be included as part of the **Common Amenity Area** if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).
- 5.4.2.5 Additional **Building** Regulations - R.4B **Zone**
- 5.4.2.5.1 Despite Row 10 of Table 5.4.2, properties **Zoned** R.4B or specialized R.4B as defined by this **By-law** within the "Older Built-Up Area Outside the CBD" as indicated on Defined Area Map Number 68 shall have a maximum **Building Height** of 6 **Storeys** and shall be in accordance with Sections 4.16 and 4.18.
- 5.4.2.5.2 Properties **Zoned** R.4B or specialized R.4B as defined by this **By-law** within the "Older Built-Up Area Outside the CBD" as indicated on Defined Area Map Number 68 shall use the R.4C **Zone** regulations as specified in Table 5.4.2 for the following: minimum **Front** and **Exterior Side Yard**, minimum **Side Yard**, minimum **Rear Yard**, minimum distance between **Buildings**, minimum **Common Amenity Area**, minimum **Landscaped Open Space**, and **Floor Space Index** (F.S.I.).

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

## ATTACHMENT 3(continued) Existing Zoning Regulations – P.2

Permitted Uses:

### 9.1.2 Neighbourhood Park (P.2) **Zone**

#### **Conservation Area**

Informal Play Area

**Municipal Parkland** or recreation area

Outdoor skating rink

#### **Outdoor Sportsfield Facilities**

Picnic areas (consisting of a maximum of 4 tables)

Play Equipment

Public washroom

#### **Recreation Trail**

Wading pool and/or water spray area

**TABLE 9.2 - REGULATIONS GOVERNING THE P.2, P.3, P.4 AND P.5 ZONES**

Row 1	Park Zones	Neighbourhood (P.2) Park	Community (P.3) Park	Regional (P.4) Park	Commercial Recreation (P.5) Park
2	Minimum Lot Area	----			1,200 m <sup>2</sup>
3	Minimum Lot Frontage	50 metres. Despite this minimum, a <b>Lot Frontage</b> calculation formula of 1 metre of frontage for every 100 m <sup>2</sup> of park space is required.			30 metres
4	Minimum Side and Rear Yard	7.5 metres.			
5	Minimum Front Yard	6 metres from the <b>Street Line</b> and as set out in Section 4.24.			
6	Off-Street Parking	In accordance with Section 4.13 and the following:  Off-Street parking shall be a minimum of 7.5 metres from the <b>Street Line</b> .			In accordance with Section 4.13.
7	Off-Street Loading	In accordance with Section 4.14.			
8	Accessory Buildings or Structures	In accordance with Section 4.5.			
9	Fences	In accordance with Section 4.20. Despite the preceding, Sections 4.20.2 and 4.20.3 shall not apply to fence screens associated with <b>Outdoor Sportsfield Facilities</b> .			

## ATTACHMENT 3(continued) Existing Zoning Regulations – FL Excerpts

### 12.2 FLOODWAY (FL) ZONE

The **Floodway (FL) Zone** applies to **Floodway** lands within the **City**. No permanent **Structures** or **Buildings** are permitted in this **Zone**. The following permitted **Uses** are intended to provide for **Development** of low impact recreational facilities which have limited **Structures** and **Buildings** and require locations within or adjacent to the Speed and Eramosa Rivers.

#### 12.2.1 Permitted Uses

The following are permitted **Uses** within the **Floodway (FL) Zone**:

##### **Conservation Area**

##### **Flood Control Facility**

Municipal services and public utilities, excluding essential emergency services such as: police department, fire department and ambulance service

**Outdoor Sportsfield Facilities** (approved by the Grand River Conservation Authority)

Picnic Area (no limit on number of tables)

##### **Recreation Trail**

##### **Wildlife Management Area**

#### 12.2.2 Regulations

12.2.2.1 No **Buildings** or **Structures** or placement of fill is permitted within the **Floodway (FL) Zone** except when associated with **Flood** or erosion control measures approved by the Grand River Conservation Authority.

12.2.2.1.1 Notwithstanding Section 12.2.2.1, **Buildings** or **Structures** associated with a municipal sewage treatment facility shall be permitted within the **Floodway (FL) Zone** subject to the approval of the Grand River Conservation Authority.

12.2.2.2 Any expansion, reconstruction, or extension of any existing **Use** shall be subject to the “Fill, Construction and Alteration to Waterways” regulations of the Grand River Conservation Authority, and in consultation with the Ministry of Natural Resources.

12.2.2.3 **Buildings** and **Structures** within the **Floodway (FL) Zone** which existed legally prior to the passage of this **By-law** shall be deemed legal non-conforming.

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## ATTACHMENT 3(continued) Existing Zoning Regulations – FL Excerpts

### 12.4 REGULATIONS FOR LANDS WITHIN THE SPECIAL POLICY AREA (S.P.A.)<sup>2</sup>

Despite Section 4.2, no lands which have a shading pattern indicating Special Policy Area on the Defined Area Maps shall be **Used** and no **Building** or **Structure** shall be erected, located or **Used** thereon except in accordance with the regulations prescribed in this **By-law** for the **Zone** in which such lands are located and the regulations prescribed below:

#### 12.4.1 Restricted Uses

12.4.1.1 **Development** or **Redevelopment** is not permitted within the **Hydraulic Floodway**.

12.4.1.2 **Hotels** may be permitted if the **Use** can be **Floodproofed** to the **Regulatory Flood** level and **Safe Access** can be provided.

12.4.1.3 Within the S.P.A., **Vehicle Service Stations**, **Vehicle Gas Bars** and other **Uses** involving the **Manufacture**, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.

12.4.1.4 Within the S.P.A., **Parking Facilities** shall be designed to the satisfaction of the **City** and the Grand River Conservation Authority.

#### 12.4.2 General Floodproofing Requirements

**Floodproofing** shall be required for all forms of **Building** activity within the S.P.A. to the satisfaction of the **City** and the Grand River Conservation Authority.

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<sup>2</sup> Anyone who proposes to undertake the development or redevelopment of lands which are shaded on the Defined Area Zoning Maps is reminded that the approval of the Grand River Conservation Authority pursuant to regulations made under the Conservation Authorities Act, R.S.O. 1990, Chapter C.27, or any successor thereof, may be required in addition to any requirements of this by law.

## ATTACHMENT 3(continued) Existing Zoning Regulations – FL Excerpts

- 12.4.2.1 Any new **Building** or **Structure** shall be designed such that its structural integrity is maintained during a **Regulatory Flood**.
- 12.4.2.2 All forms of **Floodproofing**, as outlined in the “Implementation Guidelines of the Provincial Policy Statement on Flood Plain Planning”, may be **Used** to achieve the necessary **Floodproofing** requirements of this **By-law**.
- 12.4.3 **Floodproofing Requirements for Residential Uses**
- The following regulations apply to the **Renovation** of, intensification of, **Conversion** to, and **Development** or **Redevelopment** of residential **Uses**:
- 12.4.3.1 **Renovation** of existing residential **Buildings** shall be permitted provided any new **Habitable Floor Space** is not lower than the elevation of the existing ground floor level.
- 12.4.3.2 Residential intensification, comprising the **Building** of a new **Single Detached, Semi-Detached** or **Duplex Dwelling** on an existing vacant **Lot**, or adding an additional unit to an existing **Single Detached, Semi-Detached**, or **Duplex Dwelling** or the creation of a new **Lot** for a **Single Detached, Semi-Detached**, or **Duplex Dwelling**, shall be permitted provided that the new **Building** or **Structure** is **Floodproofed** to an elevation no lower than 1 metre below the **Regulatory Flood** level; and
- 12.4.3.2.1 the **Habitable Floor Space** is constructed to an elevation equal to, or greater than the elevation of at least one of the adjacent **Buildings** but in no case lower than 1 metre below the **Regulatory Flood** level;
- 12.4.3.2.2 basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of 1 metre below the **Regulatory Flood** level. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing;
- 12.4.3.2.3 mechanical, electrical and heating equipment will be located no lower than 1 metre below the **Regulatory Flood** level; and
- 12.4.3.2.4 access is available to an elevation no lower than 1 metre below the **Safe Access** level.
- 12.4.3.3 **Conversion** of a non-residential **Building** to a residential **Use** will be permitted provided the **Building** is **Floodproofed** to an elevation no lower than 1 metre below the **Regulatory Flood** level; and

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## ATTACHMENT 3(continued) Existing Zoning Regulations – FL Excerpts

- 12.4.3.3.1 the **Habitable Floor Space** elevation of any new residential unit is located at an elevation no lower than 1 metre below the **Regulatory Flood** level;
- 12.4.3.3.2 mechanical, electrical and heating equipment will be located no lower than 1 metre below the **Regulatory Flood** level; and
- 12.4.3.3.3 access is available to the site at an elevation no lower than 1 metre below the **Safe Access** level.
- 12.4.3.4 **Development** and **Redevelopment** of new Residential Units shall be permitted provided that the new **Building** and related **Structures** are **Floodproofed** to the **Regulatory Flood** level; and
- 12.4.3.4.1 the **Habitable Floor Space** of any new residential unit is constructed to an elevation equal to or greater than the **Regulatory Flood** level;
- 12.4.3.4.2 windows, doors and other **Building** openings for any new residential unit will be located above the **Regulatory Flood** level;
- 12.4.3.4.3 mechanical, electrical and heating equipment for any new residential unit will be located above the **Regulatory Flood** level;
- 12.4.3.4.4 access is available to the site at an elevation no lower than 1 metre below the **Safe Access** level; and
- 12.4.3.4.5 unenclosed **Parking Facilities** shall be located at or above an elevation of the **100 Year Flood** level. Enclosed facilities shall be **Floodproofed** to the **Regulatory Flood** level.
- 12.4.4 **Floodproofing Requirements for Non-Residential Uses**
- In addition to the requirements of Section 12.4.2, the **Renovation** of, **Conversion** to, and **Development** and **Redevelopment** of non-residential **Uses** shall be permitted provided that:
- 12.4.4.1 the **Building** or **Structure** is **Floodproofed** to a minimum elevation no lower than 1 metre below the **Regulatory Flood** level;
- 12.4.4.2 The minimum elevation of any floor area is at or above the **100 Year** level.

## ATTACHMENT 3(continued) Existing Zoning Regulations – (H2) Conditions

### 2.9.1(ii) (H2) 5 Arthur Street South (Defined Area Map #38)

#### Purpose:

To ensure that high density apartment and parkland development does not occur until the completion of certain conditions to the satisfaction of the *City*.

#### Interim Uses:

*Manufacturing, Tradesperson's Shop, Warehousing and Repair Service.*

Prior to the removal of the holding symbol "H", the owner shall complete the following conditions to the satisfaction of the *City*:

#### 1. Infrastructure Study

An infrastructure Study satisfactory to the *City* must be completed to assess the impacts of this proposal. The Study will assess the traffic impacts of this proposal with respect to road, sidewalk and signal requirements and will evaluate sewer and water system demands and capacities along with the structural condition of the existing services. It will also recommend works required to provide adequate infrastructure necessary for the development and make recommendations with respect to the phasing and financing of the required work.

#### 2. Decommissioning

The owner will be required to complete the decommissioning of the lands in accordance with the Ministry of the Environment and Energy's "Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended from time to time, or any successor thereto.

#### 3. Noise and Vibration Study

The owner will be required to conduct a Noise and Vibration Study as provided for in the Official Plan for the City of Guelph for the lands adjacent to the CN lines and a similar study as it relates to the Guelph Junction Railway lands provided the said lands have not been officially abandoned for railway purposes.

#### 4. Heritage Resources

The owner agrees to negotiate reasonably with Guelph LACAC, the City of Guelph, and the Grand River Conservation Authority to determine what portions of the exterior of the existing limestone buildings, as shown on "Illustration of Heritage Building, 5 Arthur Street South" Section 2.9.1 (ii), are of historical or architectural significance and should be retained, and

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## ATTACHMENT 3(continued) Existing Zoning Regulations – (H2) Conditions

to further review and determine to what uses those said portions of the existing limestone building should be put as part of the redevelopment of the property and whether further zoning amendments to permit additional **Uses** may be desirable.

The owner further agrees that for a period of one year from the Ontario Municipal Board endorsement of the executed Minutes of Settlement or until a successful settlement as set out above has been negotiated, whichever occurs first, the owner will not demolish or materially alter the exterior portions of the **Building** and agrees to maintain the said exterior portions of the existing **Building** in a safe and secure condition.

### 5. Site Plan

The owner shall submit to the **City**, in accordance with Section 41 of The Planning Act, R.S.O. 1990 c.P.13, as amended from time to time or any successor thereof, a fully detailed site plan (complete with the **Building** elevations) to the satisfaction of the Director of Planning and Business Development, the Director of Works, the Director of Community Services, and the Grand River Conservation Authority and the owner shall enter into a satisfactory Site Plan Agreement with the **City**, which Agreement shall include, in addition to the usual Site Plan matters, the following conditions:

- a) The owner will be responsible for the cost of all road improvements and traffic control devices recommended by the Infrastructure Study, which are attributable to this development.
- b) The owner will be required to provide road widenings to accommodate the road improvements recommended by the Infrastructure Study, which are attributable to this development.
- c) The owner will be responsible for the cost of all improvements required to the municipal services identified by the Infrastructure Study, which are attributable to this development.
- d) The owner will be responsible for the cost of all service laterals required.
- e) The owner will be required to have a Professional Engineer design a grading plan and storm water management system for the site incorporating a control flow weir and a connection to the storm sewer, satisfactory to the Director of Works.
- f) The owner will be required to grade, develop and maintain the site including the storm water management facilities designed by a

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## ATTACHMENT 3(continued) Existing Zoning Regulations – (H2) Conditions

Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the Director of Works.

Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the **City** that he or 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.

- g) The owner will be required to fence the property line between the sites and the Guelph Junction Railway lands with eighteen hundred (1800mm) millimetre black vinyl coated chain link **Fence** unless the lands have been officially abandoned by the Guelph Junction Railway for railway purposes, in which case the property shall be demarcated in accordance with the **City's** Property Demarcation Policy.
- h) The owner shall provide a road widening of approximately 1.5 metres in width across the frontage of Elizabeth Street as indicated as Part 22 on the proposed reference plan submitted by the owner.
- i) The owner will be required to pay the cost to reconstruct the deteriorated sections of the curb and gutter and sidewalk along the property's frontage along Cross Street, Arthur Street and Elizabeth Street to the satisfaction of the Director of Works.
- j) The owner will be required to provide six (6m) metre wide easements for each of the storm and sanitary sewers located on the property.
- k) The owner will be required to remove the existing industrial railway siding where it crosses Arthur Street.
- l) The owner shall obtain permission for any additional railway crossings proposed from the Guelph Junction Railway and any other agencies with authority.
- m) The owner shall meet all requirements of the Special Policy Area of the Official Plan.
- n) The owner will be required to incorporate noise and vibration attenuation measures in the development in accordance with the recommendations contained in the required Noise and Vibration Study.

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## ATTACHMENT 3(continued) Existing Zoning Regulations – (H2) Conditions

- o) The owner will be required to pay development charges to the **City** in accordance with Development Charges By-law (1994)-14553, as amended from time to time, or any successor thereof, prior to the issuance of a building permit, at the rate in effect at the time of the issuance of a building permit.
  - p) The **City** will, for a period of two (2) years after the passage of the by-law removing the holding symbol (H), reserve water supply and sewage treatment plant capacity for the lands, equivalent to the volume of the current industrial **Use** (as of January 6, 1997). If the owner has not applied for a building permit for residential development on the lands within two (2) years following the removal of the holding symbol (H), water supply and sewage treatment capacity will then be made available on the same basis as for other projects in the **City**.
  - q) The owner shall construct a sidewalk along the frontage of Arthur Street from Elizabeth Street to Cross Street, including sufficient boulevard. To do this the owner may be required to provide a widening across the frontage of this property. The widened street line shall be located 4.5 metres behind the back of the existing curb in order to provide a 2 metre wide boulevard and a 1.5 metre wide sidewalk located one metre from the street line.
  - r) The owner shall meet all requirements of Guelph Hydro, including the provision of easements and agreements with Guelph Hydro, in order to provide the subject property with hydro services to the satisfaction of Guelph Hydro.
6. Deed to the **City**  
The owner shall make arrangements satisfactory to the **City** providing for a quit claim deed to the **City**, for the portion of the said lands under the Speed River.
7. Parkland Dedication  
The owner shall make arrangements satisfactory to the **City** providing for a deed to the **City** for land for a public walk from the lands known municipally as 5 Arthur Street South, to be constructed by the Owner and maintained by the **City**.

The owner agrees that the location of the said public walk shall be satisfactory to the Director of Community Services and extend from the Speed River to a point at least fifteen (15m) metres from the top of the bank, and shall contain a minimum of 0.662 hectares, excluding the limestone **Building**, which shall be part of the parkland dedication to the **City** in accordance with By-law (1989)-13410, as amended from time to

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## ATTACHMENT 3(continued) Existing Zoning Regulations – (H2) Conditions

time or any successor thereof for the properties known municipally as 5 Arthur Street South.

The owner further agrees to construct an eight (8) foot wide asphalt walk and to grade, topsoil, sod and demarcate the park block at the owner's expense, according to the Recreation & Park's Parkland Development Specifications and the **City's** Property Demarcation Policy to the satisfaction of the Director of Community Services, prior to the occupancy of any future development or redevelopment on the said lands.

8. Phasing

The owner shall enter into agreement(s) respecting phasing of the development of the said lands to the satisfaction of the **City**.

9. Agency Circulation and Information Meeting

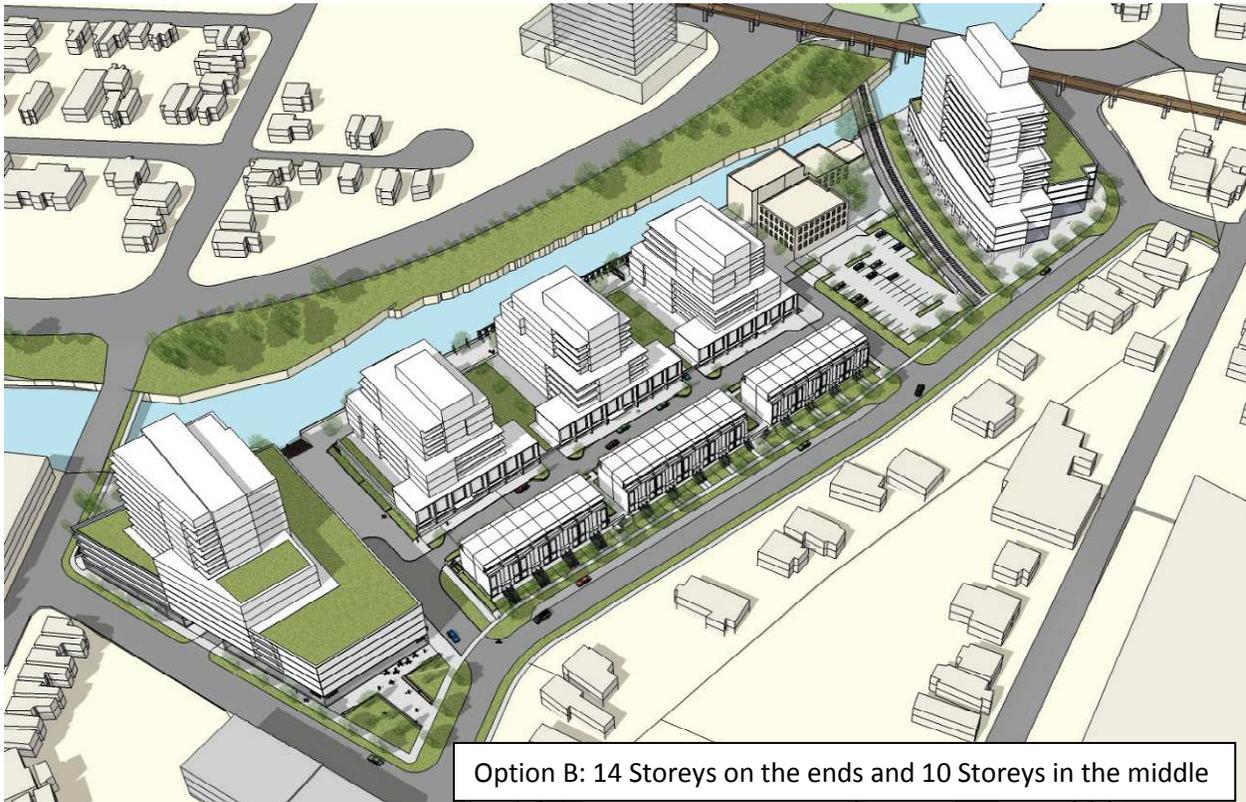
An application to remove the holding symbol (H) shall be circulated for comment and review to such persons, public bodies, and agencies as the **City** considers appropriate.

Prior to the removal of the holding symbol (H) and after a Site Plan has been provided to the **City** in accordance with Clause 1, a public Information Meeting of Council shall be held with notice given to such persons, public bodies and agencies as the **City** considers appropriate.

## Attachment 4 Site Concept



## Attachment 4 continued Site Concept – 3D Views



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## Attachment 5 Proposed Official Plan Amendment

Amend the Official Plan text by the addition of a new site specific sub-policy for the property municipally known as 5 Arthur Street South.

- XXX. Despite Section 6.9.1.5(b) of the Plan, the setback of development on the site known municipally as 5 Arthur Street shall be 15 metres from the stream edge of the Speed River. Located within the 15 metre setback will be municipal parkland, a trail for pedestrians and cyclists, landscaping and landscaping features, minor encroachments from adjacent development (eaves, stairs, etc.) and an existing heritage building any minor additions thereto and features of former industrial buildings located on the property.
- XXX. Despite Sections 7.2.41 and 7.2.43 of the Plan, the site shall be permitted to have a mixed use development on the site with a maximum overall density of 2.0 FSI, exclusive of an existing heritage structure, any above grade parking structure and any density bonusing provisions available to property under the applicable Secondary Plan. Despite Section 7.2.26 of the Plan, commercial uses shall be permitted on the Subject Property in accordance with the applicable Secondary Plan. Individual commercial units located on the portion of the property south of the existing heritage building shall not exceed a gross floor area of 500 m<sup>2</sup> per unit.
- XXX. Despite any other provisions or bylaws to the contrary, up to 5% of the land area within the boundary of the property known as 5 Arthur Street South will be applicable for parkland dedication as such dedication relates to the development of the said subject lands.

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## Attachment 6 Proposed Zoning By-law Amendment

- (1) By adding the following definitions that shall apply in the R.4B-X (Specialized High Density Apartment Zone):

**"R.4B-X - Area A"** means the portion of the lands zoned R.4B-X generally located north of and including the existing Heritage Building as shown on Schedule B to this By-law.

**"R.4B-X - Area B"** means the portion of the lands zoned R.4B-X generally located south of and excluding the existing Heritage Building as shown on Schedule B to this By-law.

**"Common Amenity Area"** means an **Amenity Area** which is located inside, outside or above a **Structure** including open landscaped areas, **Building** rooftops, patios, terraces, above ground decks, swimming pools, tennis courts and other open space, landscaped or recreational areas on the Lot.

**"Floor Space Index"** is an index that, when multiplied by the total land area of the Lot, calculated prior to any dedication, conveyance, taking or purchase of any portion of the land by the City, indicates the maximum permissible Gross Floor Area for all Buildings on the Lot, excluding an underground or covered parking Structure located at or above grade, floor space located in the basement, any existing space within the existing heritage building located on the Lot and including minor additions thereto.

**"Landscaped Open Space"** means the area of a **Lot** which is at grade or above grade and **Used** for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping and includes any buffer strip, surfaced walk, surface patio, swimming pool or similar area, but does not include any access **Driveway**, ramp, **Parking Area** or any open space beneath or within any **Building** or **Structure**;

## Attachment 6 continued Proposed Zoning By-law Amendment

A “**Live/Work Unit**” shall mean a grade-related **Unit**, which may be used as a business establishment and/or a **Dwelling Unit**.

- (2) By adding to Section 5.4.3.2 – Restricted Defined R.4B Areas – Specialized R.4B Zones the following Section and provisions:

5.4.3.2.X            **R.4B-X**  
5 Arthur Street  
As shown on Defined Area Map Number 38 of Schedule  
“A” to this **By-law**:

5.4.3.2.X.1        Permitted **Uses**:

- 5.4.3.2.X.1.1     Residential Units:
- One or more **Apartment Buildings**
  - **Dwelling Units** located within the existing heritage building or minor additions thereto
  - **Maisonettes**
  - **Stacked Townhouses**
  - **Cluster Townhouses**
  - **On-Street Townhouses**
  - Live/work units
  - A **Home Occupation**
  - **Amenity Area**;
  - **Private Amenity Area**
  - **Common Amenity Area**
  - A **Building** or **Use Accessory** to the foregoing permitted **Uses**
  - Parking Structures
  - A real estate sales office or sales centre
  - Non-residential units as permitted by this **By-law** when located on the **First Floor** or **ground floor of an Apartment Building** or within the existing heritage building

- 5.4.3.2.X.1.2     Non-Residential Units:
- **Agricultural Produce Market**
  - **Art Gallery**
  - **Artisan Studio**
  - **Bake Shop**
  - **Boutique**
  - Brew Pub or Micro-Brewery
  - **Commercial School**
  - Community services and facilities
  - **Convenience Store**

## Attachment 6 continued Proposed Zoning By-law Amendment

- *Courier Service*
- Cultural, educational and institutional uses
- *Day Care Centre*
- *Dry Cleaning Outlet*
- Entertainment and Commercial Recreation Uses (not permitted in Area B)
- *Financial Establishment*
- *Florist*
- *Home Occupation*
- Live/work units
- *Laundry*
- *Medical Office*
- *Medical Clinic*
- *Municipal Parkland* or *private common parkland*
- *Office*
- *Parking Area*
- *Parking Facility*
- Parking Structures
- Parks and Urban Squares
- *Personal Service Establishment*
- *Pharmacy*
- *Postal Service*
- *Print Shop*
- Real estate sales office or sales centre
- *Recreation Centre*
- *Restaurant*
- *Restaurant (take-out)*
- *Retail Establishment*
- *Tavern*
- *Video Rental Outlet*
- A *Building* or *Use Accessory* to the foregoing permitted *Uses*.
- Any other commercial establishment where goods or ancillary services are offered or retail or personal services are rendered, except an *Amusement Arcade*, an *Adult Entertainment Parlour*, or a Body-rub Parlour

5.4.3.2.X.1.3

Commercial uses located in the R.4B - Area B shall not exceed 500 square metres of Gross Floor Area in size per unit.

## Attachment 6 continued Proposed Zoning By-law Amendment

5.4.3.2.X.1.4	Office uses located in the R.4B - Area B shall not exceed 500 square metres of Gross Floor Area in size per unit.	
5.4.3.2.X.2	<b>Regulations:</b> Despite Section 5.4.2, only the following regulations shall apply to the R.4B-X Zone:	
5.4.3.2.X.2.1	Maximum Density (FSI):	2.0 FSI
5.4.3.2.X.2.2	Minimum Common Amenity Area Available to Residents	5 m <sup>2</sup> per Unit
5.4.3.2.X.2.3	Minimum Landscaped Open Space Area	20% of Lot
5.4.3.2.X.2.4	Maximum Building Floor Plate Above 6 <sup>th</sup> Storey Above 8 <sup>th</sup> Storey Maximum Dimensional Floor Plate Restriction (Above 8 <sup>th</sup> Storey Only)	1,200 m <sup>2</sup> 1,000 m <sup>2</sup> 1.5:1.0
<b>5.4.3.2.X.2.5</b>	<b>Yards</b>	
5.4.3.2.X.2.5.1	Minimum Front Yard From Arthur Street From Elizabeth Street From Cross Street	3 m 3 m 1 m
<b>5.4.3.2.X.2.6</b>	<b>Setbacks</b>	
5.4.3.2.X.2.6.1	Minimum Setback of an Underground Parking Structure from the property line	0 m
5.4.3.2.X.2.6.2	Minimum Setback of a Building from the edge of the River (excluding the existing heritage building)	15 m
<b>5.4.3.2.X.2.7</b>	<b>Building Heights</b>	
5.4.3.2.X.2.7.1	Minimum and Maximum Building Heights on the Lot Shall be in Accordance with the Building Heights as Shown on Schedule C to this By-law.	
5.4.3.2.X.2.7.2	Minimum Ground Floor Ceiling Height for Apartment Buildings Containing Ground Floor Non-Residential Units	4.5 m
<b>5.4.3.2.X.2.8</b>	<b>Minimum Distance Between Buildings</b>	

## Attachment 6 continued Proposed Zoning By-law Amendment

- |                  |  |      |
|------------------|--|------|
| 5.4.3.2.X.2.8.1  | Minimum Distance Between the Principal Building Face of One Apartment Building and the Principal Face of Another Apartment Building (at or below 6 storeys)  | 18 m |
| 5.4.3.2.X.2.8.2  | Minimum Distance Between the Principal Building Face of One Apartment Building and the Principal Face of Another Apartment Building (above 6 storeys)  | 25 m |
| 5.4.3.2.X.2.8.3  | Minimum Distance Between the Principal Face of One Apartment Building and the Principal Face of Another Building Other Than an Apartment   | 18 m |
| 5.4.3.2.X.2.8.4  | Minimum Distance Between Existing Heritage Building and Any Other Residential Building   | 18 m |
| 5.4.3.2.X.2.8.5  | Minimum Distance Between Side Walls of Buildings Other Than Apartment Buildings  | 5 m  |
| 5.4.3.2.X.2.9    | <b>Setbacks of Upper Storeys of Apartment Buildings</b>  |      |
| 5.4.3.2.X.2.9.1  | Additional Minimum Setback for the Portion of an Apartment Building Above the 6 <sup>th</sup> Storey Facing a Street or the River  | 3 m  |
| 5.4.3.2.X.2.10   | <b>Angular Planes</b>  |      |
| 5.4.3.2.X.2.10.1 | Despite Section 4.16, Angular Planes, of this By-law Shall Not Apply to any building or structure on the Lot   |      |
| 5.4.3.2.X.2.11   | <b>Off Street Parking:</b>   |      |
| 5.4.3.2.X.2.11.1 | A minimum of 0.75 <b>Parking Spaces per Dwelling Unit</b> for residents shall be provided within an underground garage or an above-grade parking structure or on the surface of the Lot.           |      |
| 5.4.3.2.X.2.11.2 | A minimum of 0.10 <b>Parking Space per Dwelling Unit</b> for visitors shall be provided within an underground garage or an above-grade parking structure or on the surface of the Lot for visitors |      |

## Attachment 6 continued Proposed Zoning By-law Amendment

- 5.4.3.2.X.2.11.3 A minimum of 1 **Parking Space** for each 33 square metres of gross floor space shall be provided for other non-residential uses within an underground garage, an above-grade parking structure or on the surface of the Lot
- 5.4.3.2.X.2.11.4 Required parking for uses within the existing heritage building shall have a parking standard equivalent to 50% of the normally required standard for such uses
- 5.4.3.2.X.2.11.5 The surface parking lot adjacent to the existing heritage building may be located within the Front Yard provided that it is set back a minimum of 3 metres from the Lot Line.
- 5.4.3.2.X.2.12 **Bicycle Parking:**
- 5.4.3.2.X.2.12.1 Bicycle Parking shall be provided on the same lot as the use of the building for which it is required for.
- 5.4.3.2.X.2.12.2 Bicycle Parking may be provided for by a combination of racks at the surface, within a basement or garage of an apartment dwelling, a secure supervised parking area, room or enclosed container, or in a home or within a storage locker.
- 5.4.3.2.X.2.12.3 Bicycle Parking Shall be provided at the ratio of 0.4 bicycle parking spaces per dwelling unit on the Lot.
- 5.4.3.2.X.2.13 **Garbage, Refuse and Storage**
- 5.4.3.2.X.2.13.1 Garbage and refuse storage shall occur in accordance with 4.9, except that garbage and refuse storage for the existing heritage building may be located within a rear or side yard provided that it is within a screened or fenced enclosure.
- 5.4.3.2.X.2.14 **Bonus Provision**
- 5.4.3.2.X.2.14.1 Despite any provision to the contrary, the as-of-right density of 2.0 FSI and the building heights on the Lot Shall be permitted to increase where a satisfactory agreement is entered into with the City for the provision of public benefits under the applicable policies of the Official Plan and the Secondary Plan and in accordance with the Planning Act.
- 5.4.3.2.X.2.15 **Severability Provision**
- 5.4.3.2.X.2.15.1 The provisions of this By-law shall continue to apply collectively to the whole of the lands identified on Schedule "A" as R.4B-X despite any future severance, conveyance, taking, widening, partition or division for any purpose

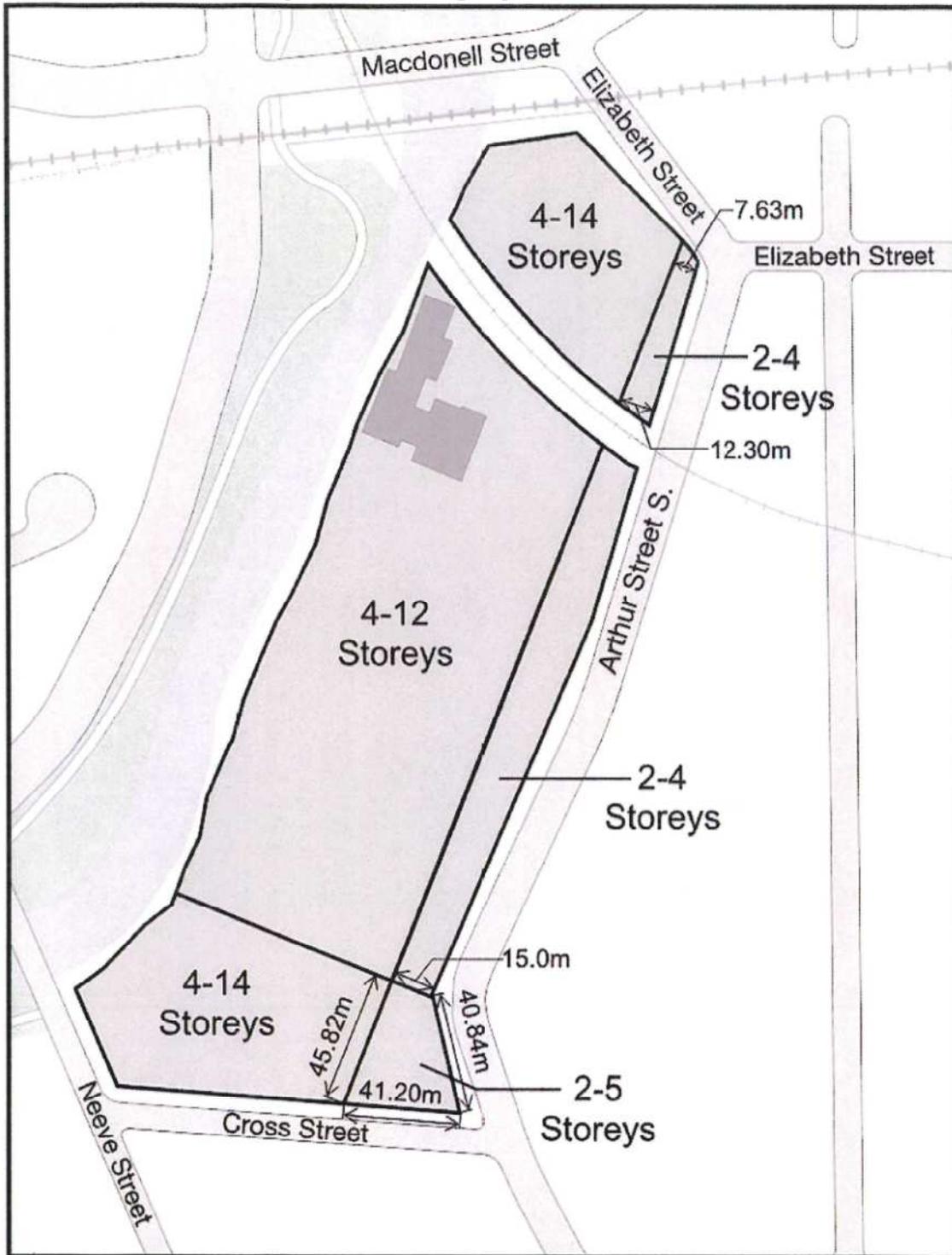
**Attachment 6 continued  
Proposed Zoning By-law Amendment**



**Draft Schedule B**

Permitted Uses - Area A and Area B, subject to By-law 2013-xxx

**Attachment 6 continued  
Proposed Zoning By-law Amendment**



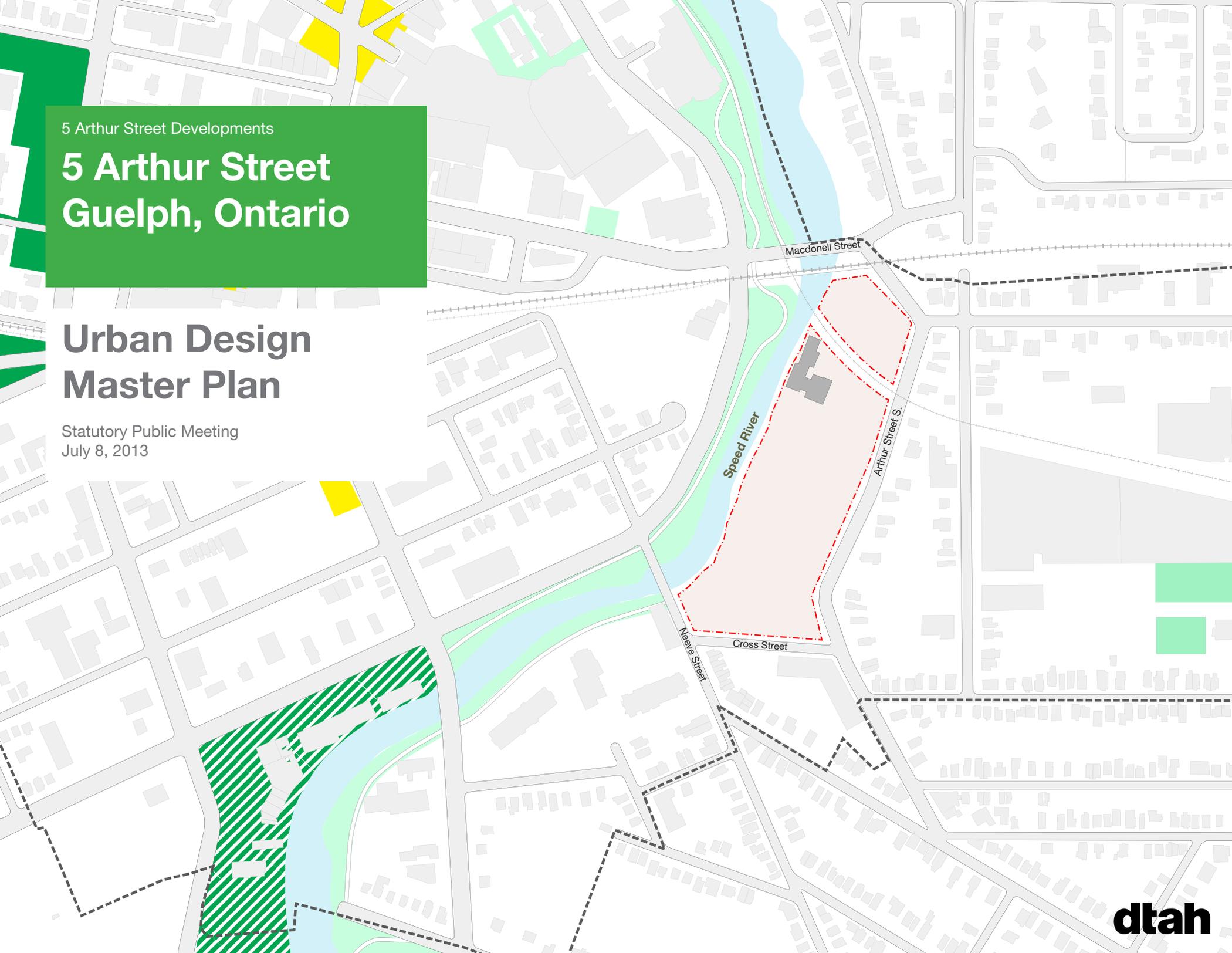
**Draft Schedule C**  
Permitted Heights, subject to By-law 2013-xxx

5 Arthur Street Developments

# 5 Arthur Street Guelph, Ontario

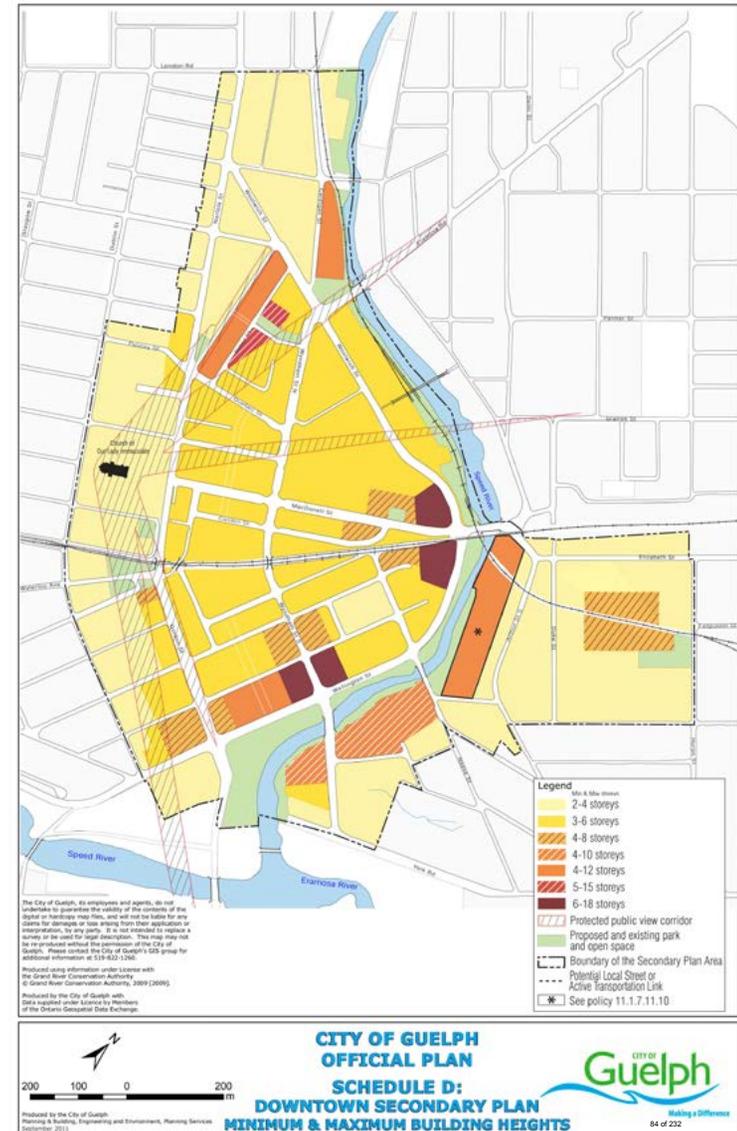
## Urban Design Master Plan

Statutory Public Meeting  
July 8, 2013



# Downtown Secondary Plan

- Provides key principles and guidelines for development on the 5 Arthur Street site
- Highlight's St. Patrick's Ward unique, diverse and eclectic qualities and its mixed-use character.
- Development of formerly industrial lands within the Ward are seen to both support the growth objectives of the Downtown and enhance the Ward as a neighbourhood.



Guelph Downtown Secondary Plan (2012): minimum and maximum building height diagram

# **Vision: 5 Arthur Street**

**Celebrate the Site's Rich History**

**Create a Vibrant New Community**

**Reconnect with the River**

**Make it Easy to Move Around**

**Embody Guelph's Green Ambitions**

**Build Beautifully**





# Master Plan Strategies

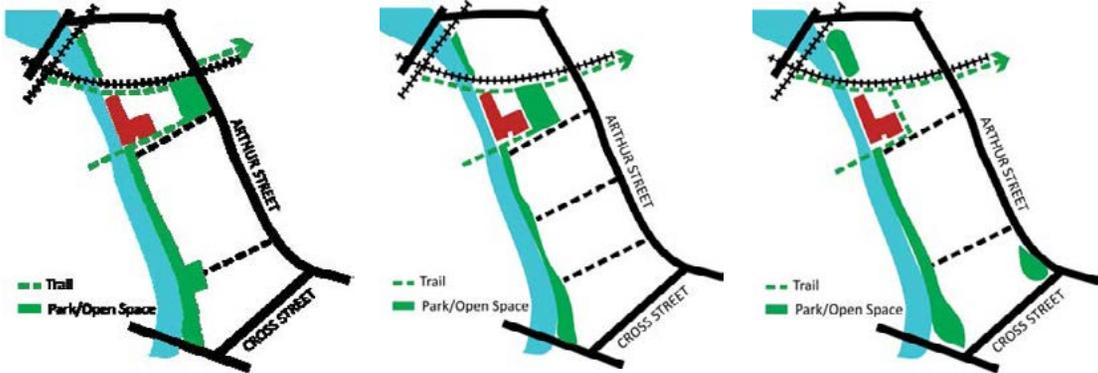
1. **Public Realm Framework**
2. **Views through and around the Site**
3. **Adjacent Streets**
4. **Internal Street and Pedestrian Connectivity**
5. **Built Form Framework**
6. **Character**
7. **Frontages**
8. **Parking / Loading**
9. **Heritage Conservation and Interpretation**
10. **Sustainability**

# Strategy 1: Public Realm Framework

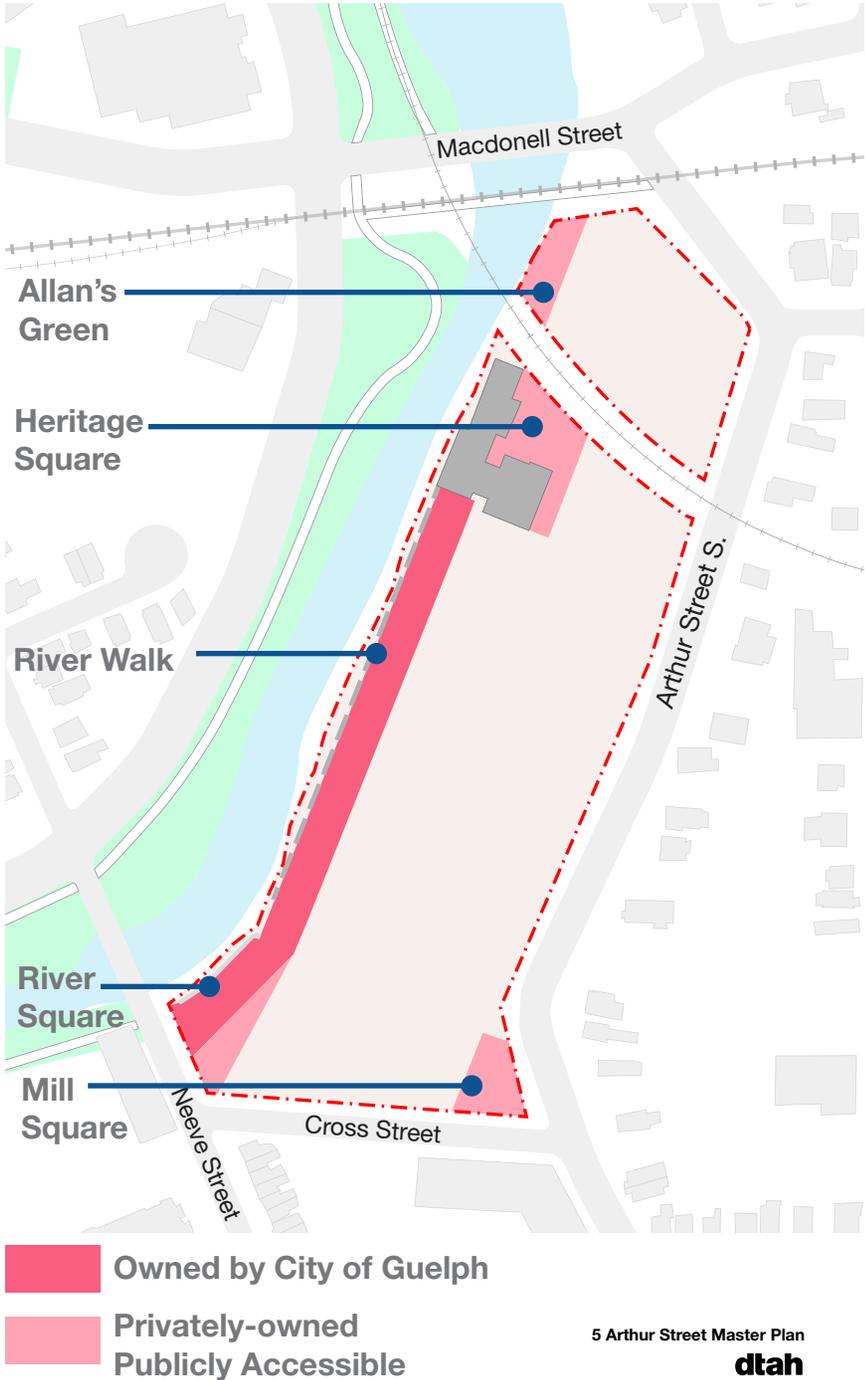
## Open Spaces

from Secondary Plan:

- Urban Design Master Plan to consider the arrangements of parks, open spaces, trails and publically accessible routes.
- Establish a fine-grained network of publicly accessible open spaces.
- Residential buildings should support the animation of surrounding streets and publicly-accessible open space by, for example, providing grade-related relationships where feasible.



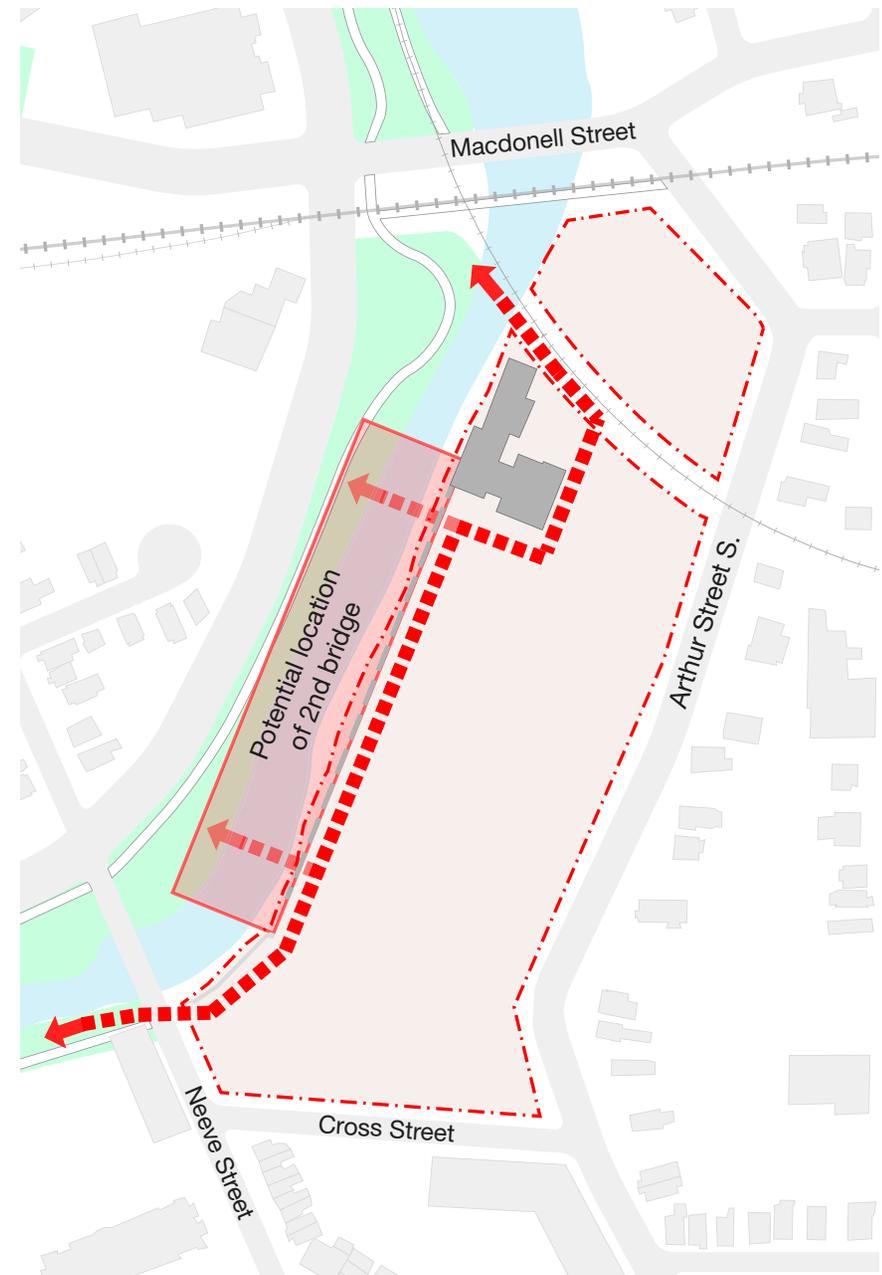
Park/Open Space diagrams: Secondary Plan



## Strategy 1: Public Realm Framework Pedestrian Bridges

*from Secondary Plan:*

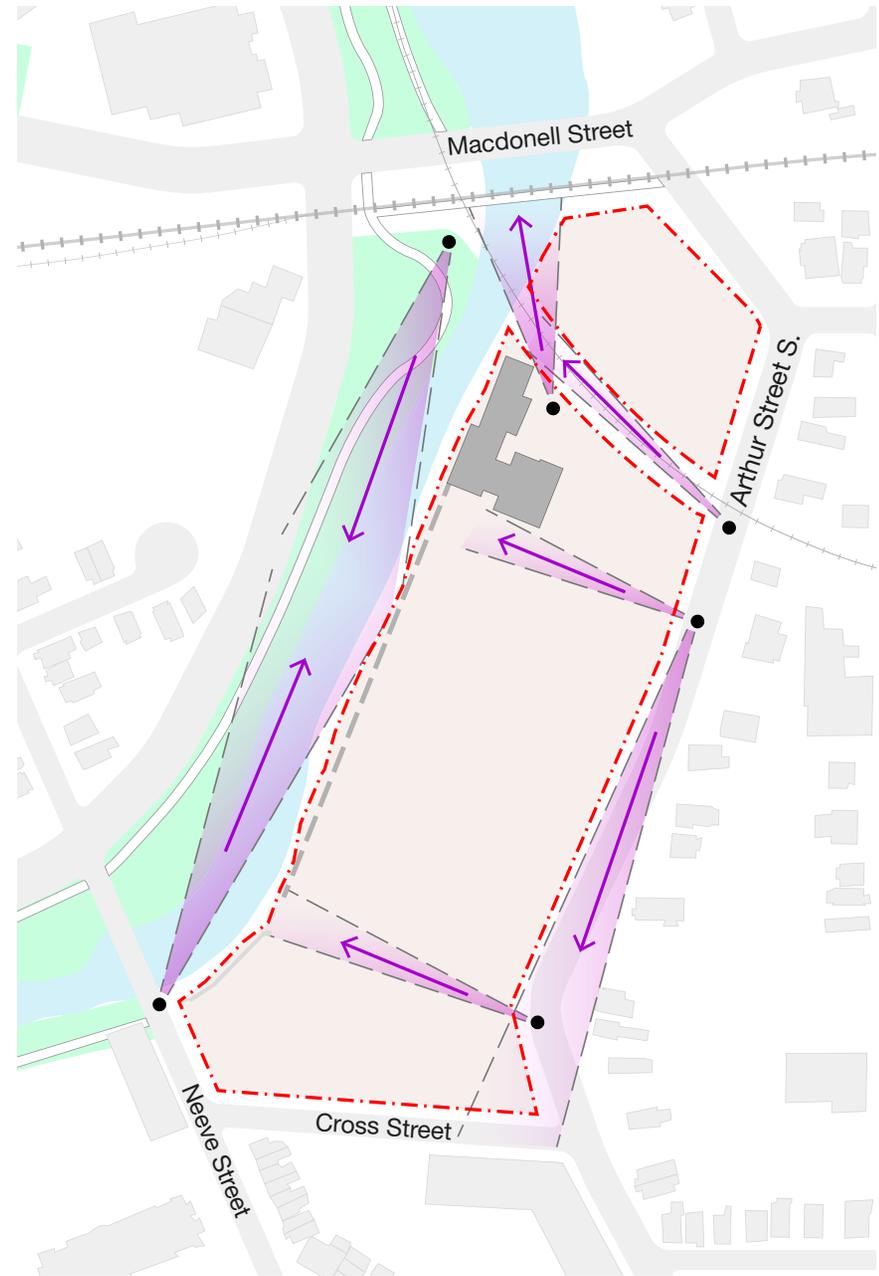
- Plan should create connections to the surrounding trails and open space system including anticipating a future pedestrian bridge adjacent to the Guelph Junction Railway bridge and another bridge across the river, generally aligned with the crossing of Wellington Street and connected to Arthur Street.



## Strategy 2: Public Views

from Secondary Plan:

- Provide views through the site toward the river corridor and maintain key public views, including the view south along Arthur Street toward the Mill Lofts building.
- Take advantage of other desirable views, for example, views of the CN train bridge.

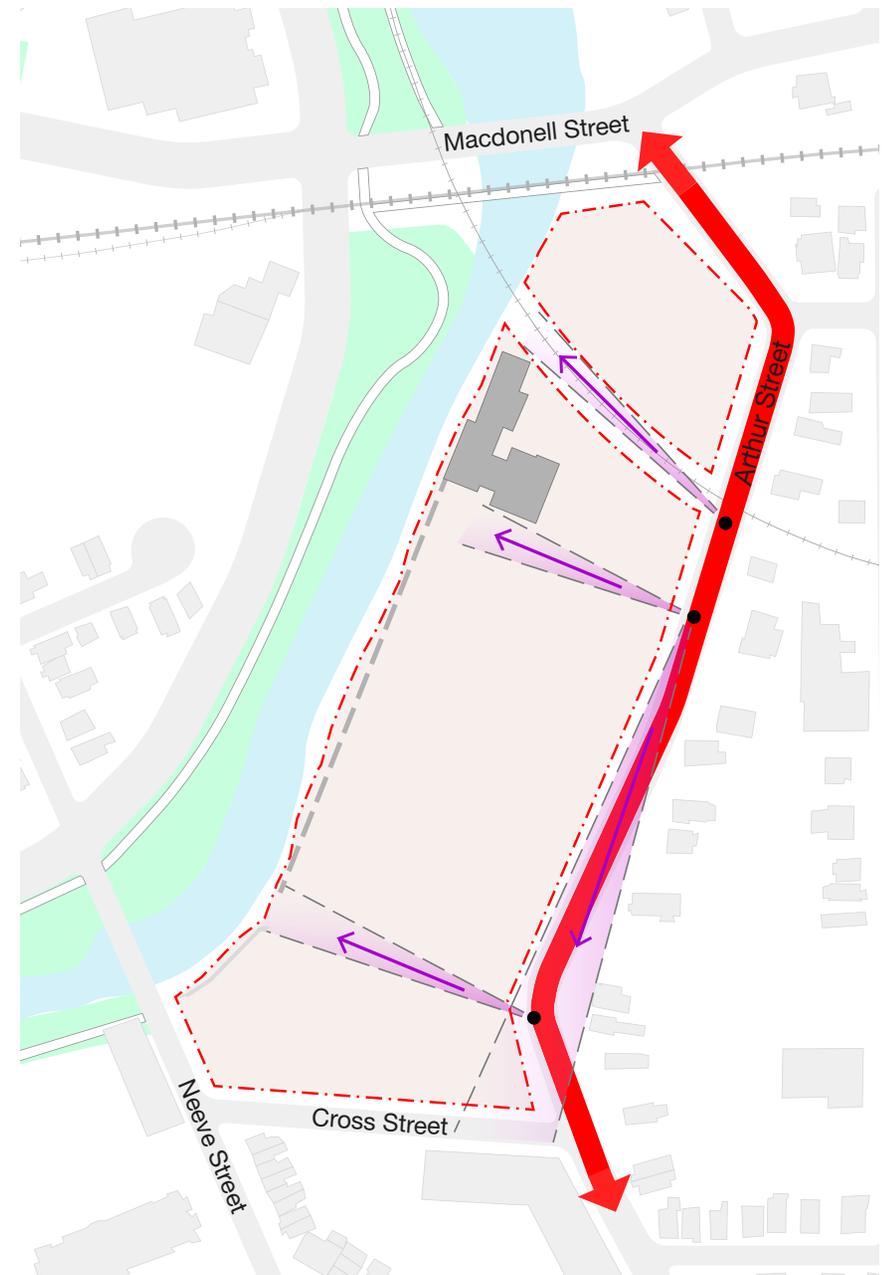


## Strategy 3: Adjacent Streets

### Arthur Street

*the future Arthur Street should provide:*

- a pedestrian-friendly edge to the 5 Arthur Street site, reflecting the change of the site's use from industrial to mixed-use
- sidewalks and planted boulevards on both sides of the street
- limited on-street parking on the west side where appropriate

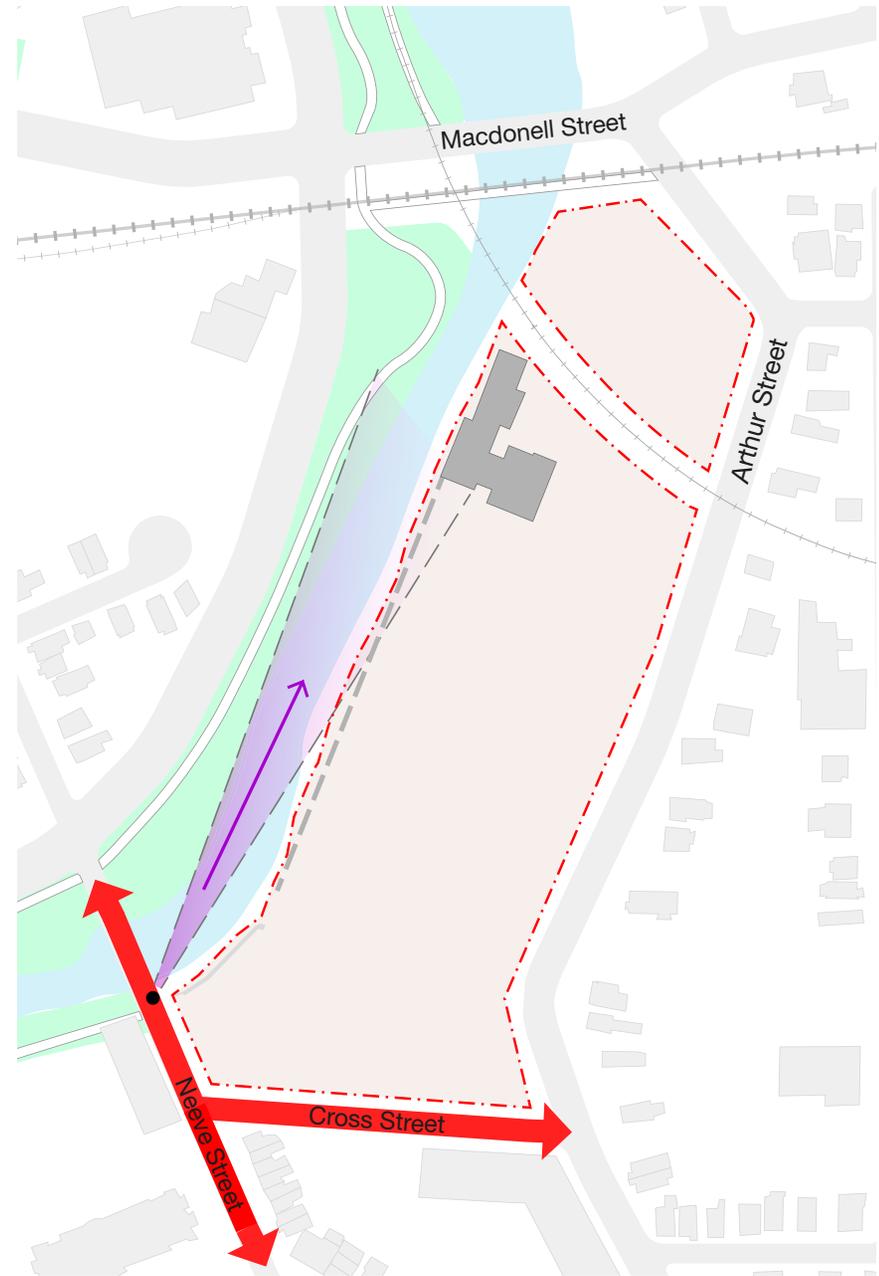


## Strategy 3: Adjacent Streets

### Cross Street / Neeve Street

*the future Cross Street should provide:*

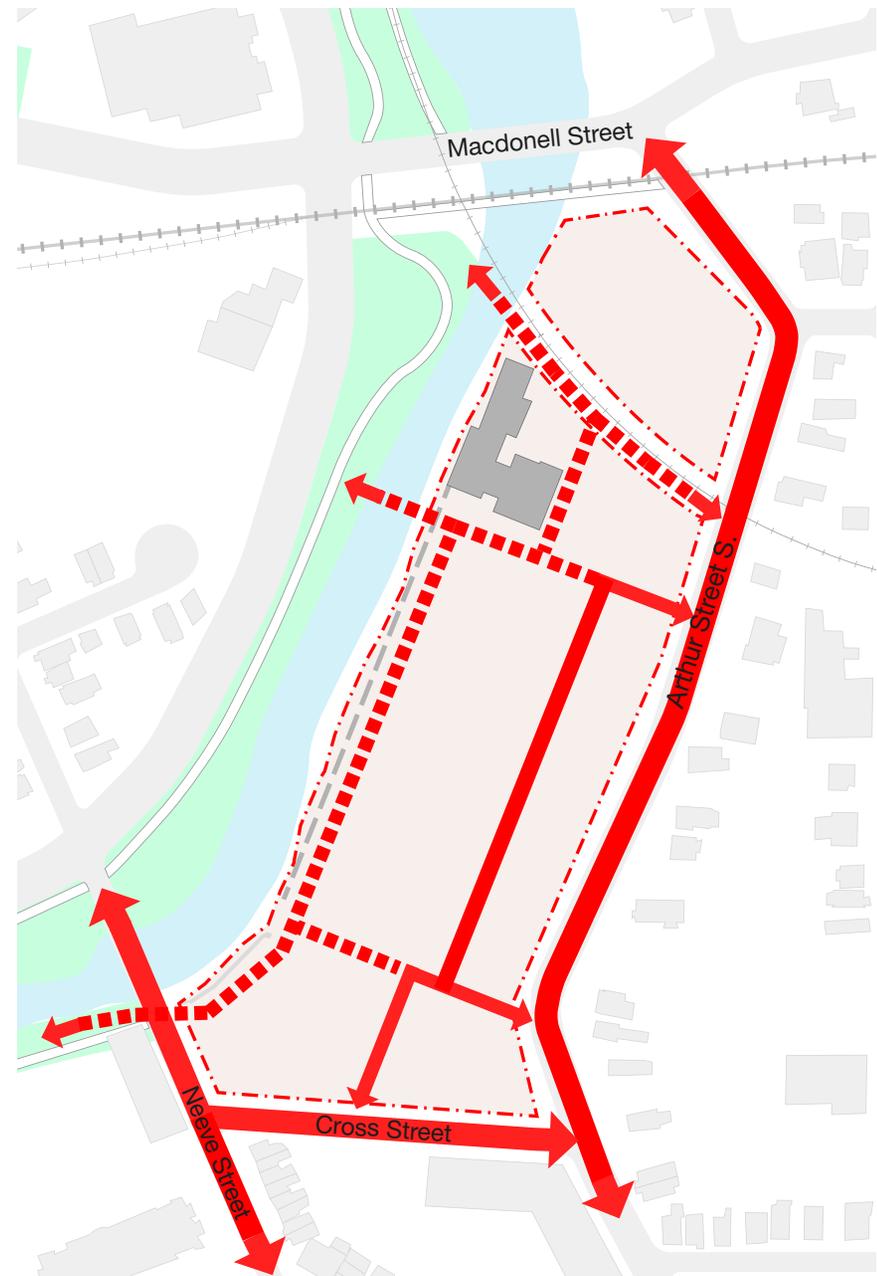
- a pedestrian-friendly edge to the 5 Arthur Street site, reflecting the change of the site's use from industrial to mixed-use
- sidewalks and planted boulevards on both sides of the street



## Strategy 4: Internal Street and Pedestrian Connectivity Streets, Mews, Rail Trail

from Secondary Plan:

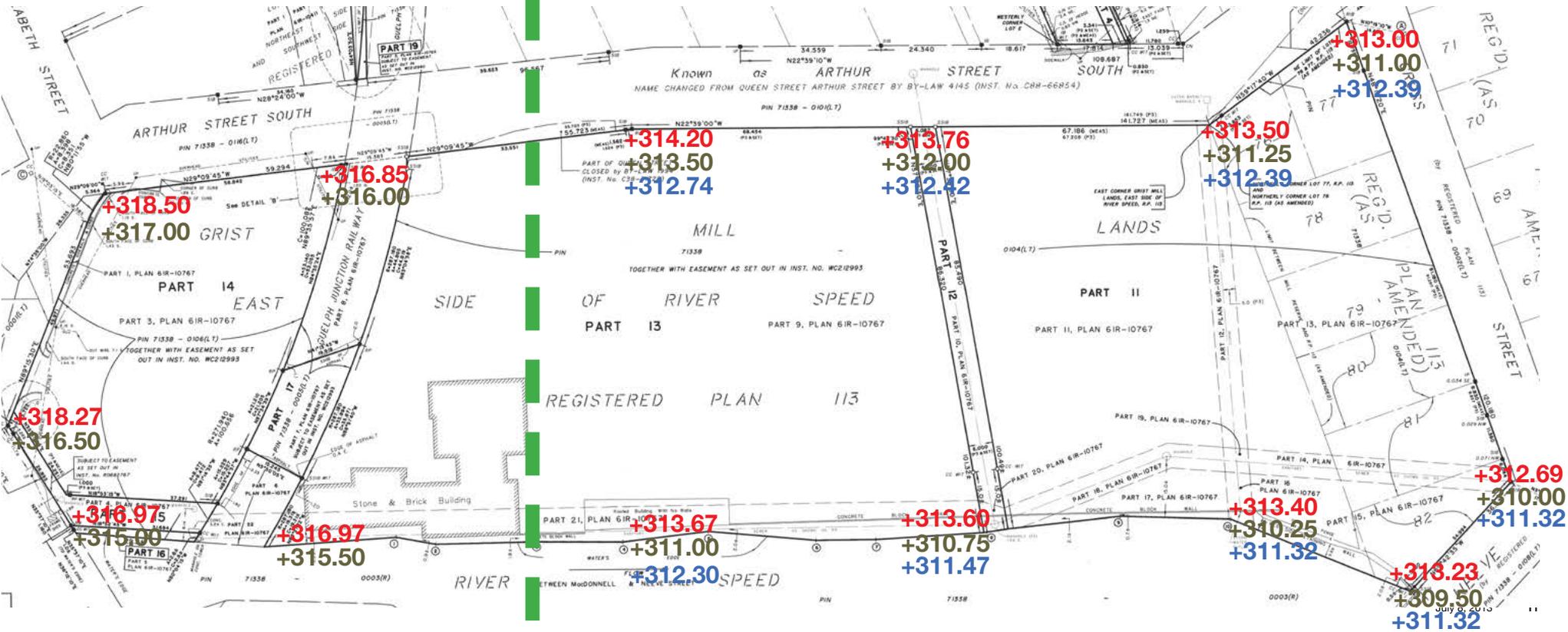
- Establish a ***fine-grained network*** of publicly accessible open spaces and routes through the site, provide connections to the river, and allow for efficient pedestrian, bicycle and vehicular circulation.
- Secondary Plan states that a minimum of two publicly accessible east-west connections will be provided between Arthur Street and the River, not including the Guelph Junction Railway.



# Strategy 4: Internal Street and Pedestrian Connectivity

## Grading / Bedrock / Groundwater / Environmental

- Surface elevations (red) slope to the south by approximately 3.0m. along the length of the property
- Bedrock elevations (brown) shallowest at north end, drops with grade to the south
- Recommended minimum floor slab elevations (blue) located above groundwater
- Environmental constraints south of heritage building (green dashed line)



## Strategy 4: Internal Street and Pedestrian Connectivity

### Flooding Restrictions / Requirements

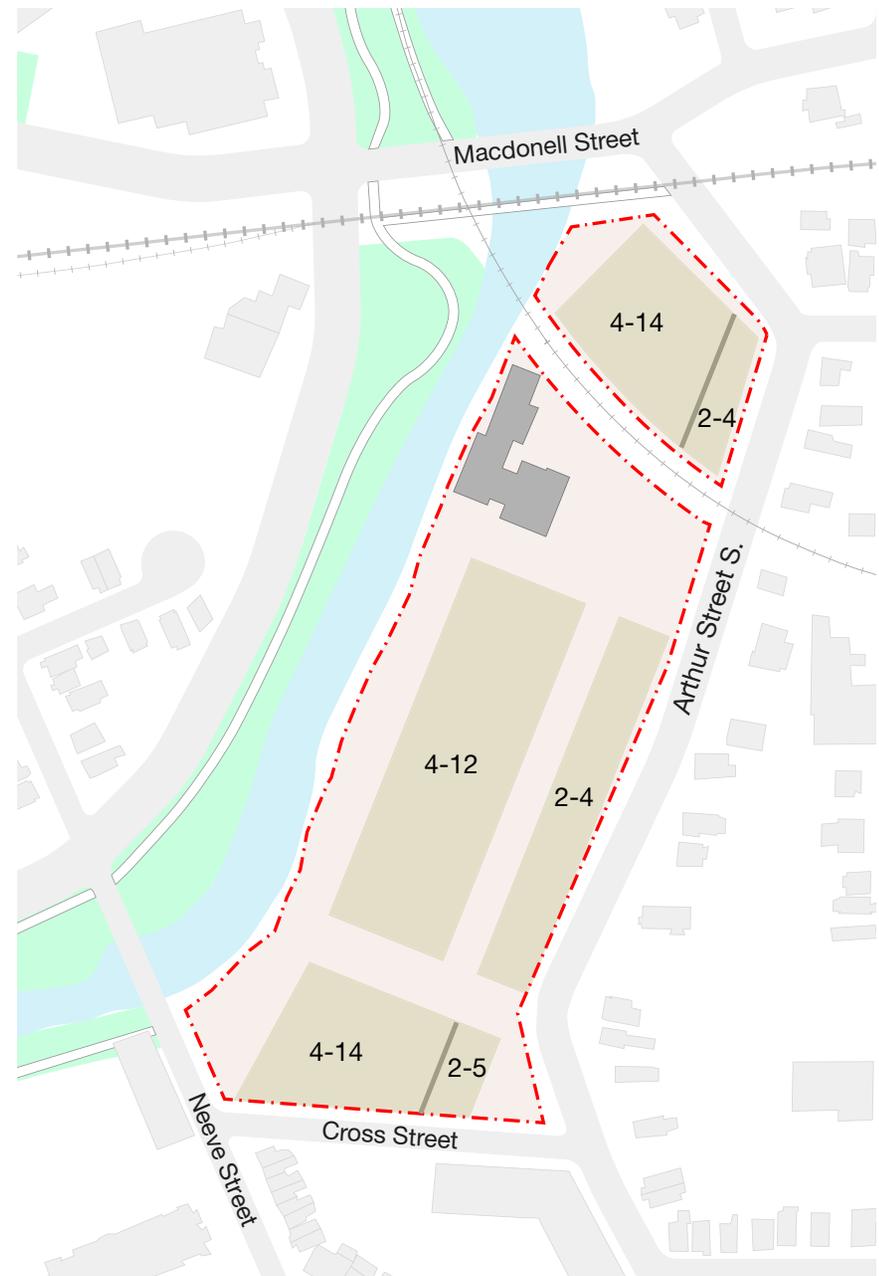
- “Safe access” to be provided to all buildings on site. Defined as: “unobstructed direct, or elevated access for pedestrians or vehicles”
- Safe access elevation approximately 314.30m
- Lower portion of site currently below safe access elevation - connection needs to be provided at the safe access elevation to access these buildings
- Residential occupancy must be located at 315.10m or above



## Strategy 5: Built Form Framework

from Secondary Plan:

- buildings should be massed and spaced to **avoid a wall effect along the river** and to maintain sky views
- buildings should vary in character, provide appropriate building breaks and articulation, step down to be compatible with existing nearby buildings and **provide transition** to the existing neighbourhood
- buildings should **minimize shadow impacts** on neighbouring properties
- floor plate restrictions including scale and proportion controls above 6 storeys as well as facing distance minimums for all new buildings
- ground floor height minimum of 4.5m to accommodate a variety of uses over time.



# Strategy 6: Character

## Architectural Character

LIMESTONE



ROWHOUSES



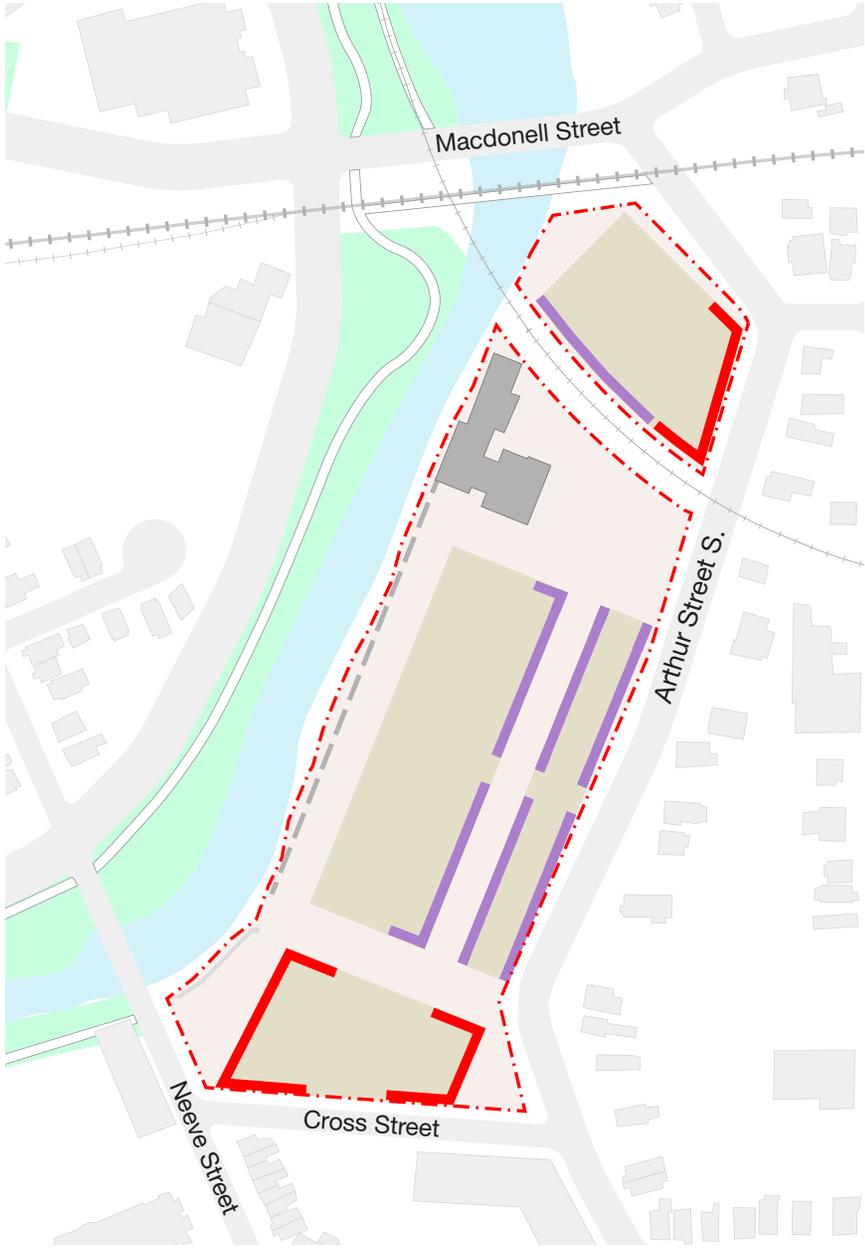
INDUSTRIAL  
HERITAGE



# Strategy 7: Frontages

from Secondary Plan:

- Residential buildings should support the *animation of surrounding streets and publicly-accessible open space.*



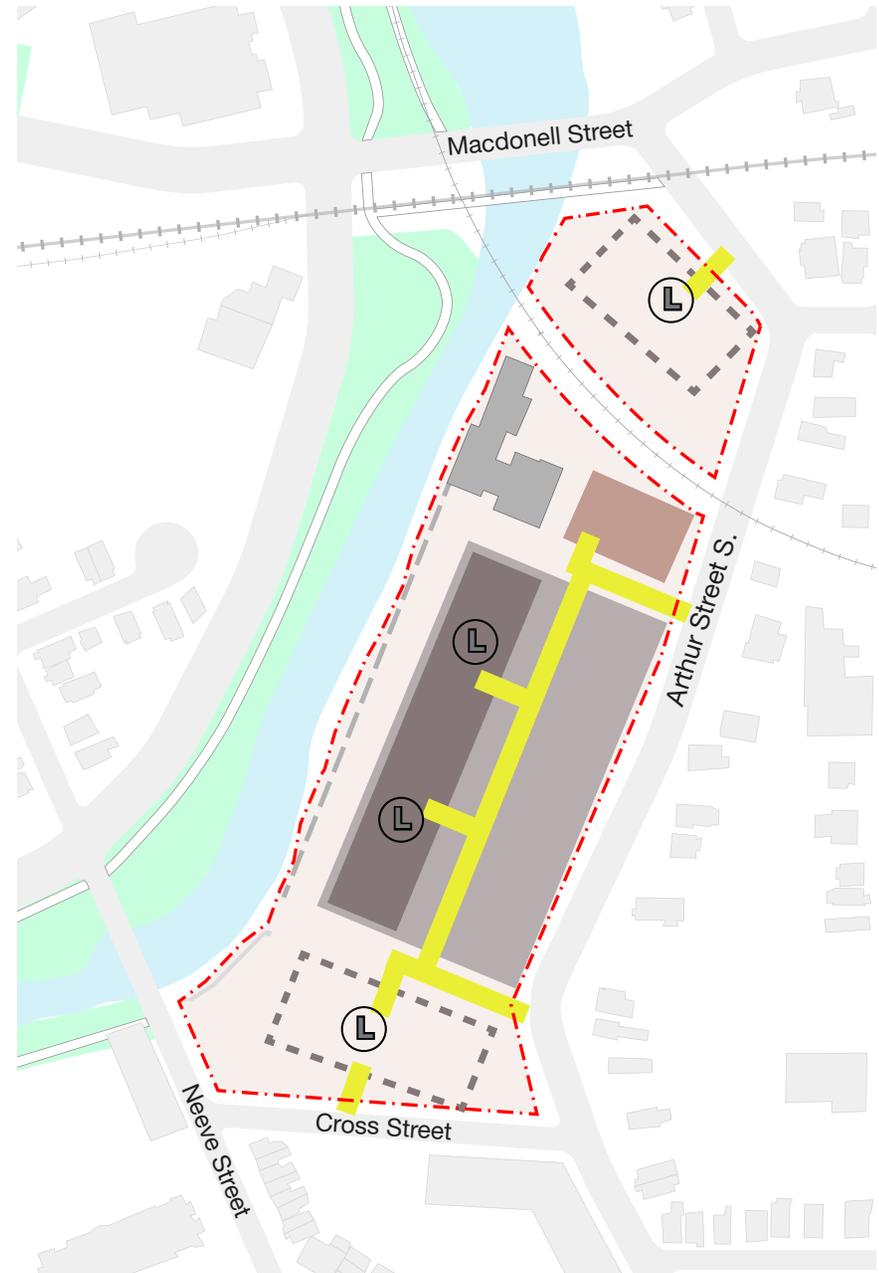
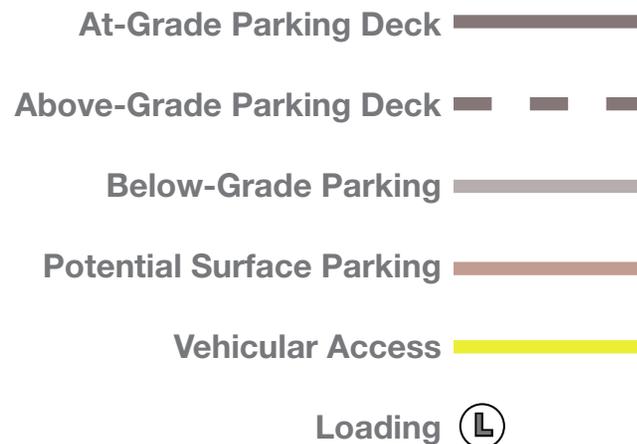
Active Frontages 

Residential Frontages 

## Strategy 8: Parking / Loading

from Secondary Plan:

- Above-grade ***parking should be screened*** or concealed within the residential development.
- Surface parking should be limited and strategically located to ***minimize its visual impact***.
- Waste, recycling and loading areas should also be internal to the site.



## Strategy 9: Heritage Conservation and Interpretation

from Secondary Plan:

- **Reflect and respect** the historic context of the neighbourhood.
- Conserve the historic stone building and other heritage resources on the site.
- **Interpret and respond to the previous industrial uses**, for example, through public art or other interpretive elements.



## Strategy 10: Sustainability

### Concepts to consider at 5 Arthur

#### Social/Cultural: Enhance Guelph's Riverfront Character

- Provide a diversity of uses, new destinations and public spaces with direct access to the Speed River

#### Economic: Intensification

- Provide a range of housing and mixed-use options that support a diverse mix of year round uses and local retail

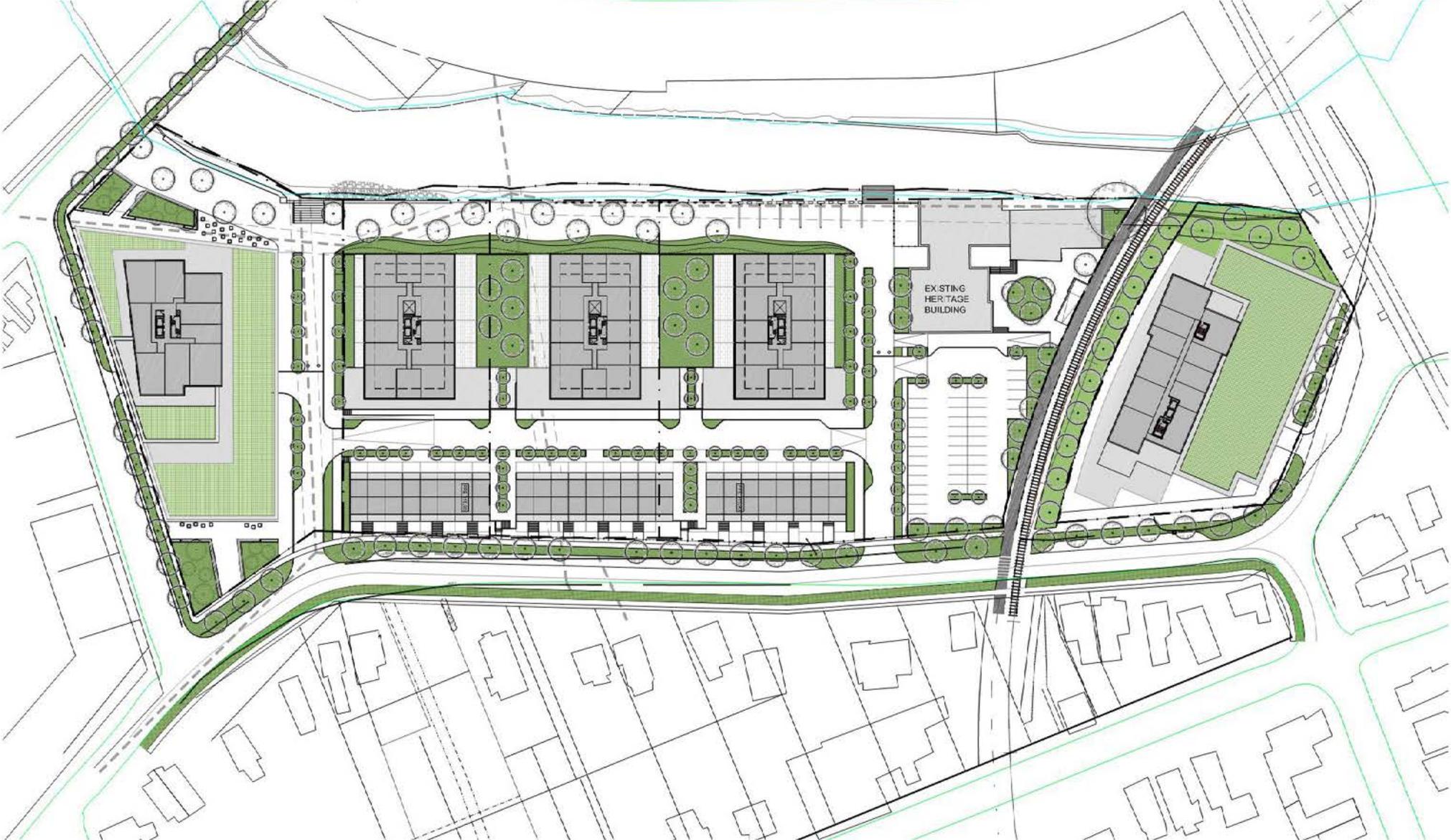
#### Environmental: Green building and environmentally sustainable design

- Improve water quality through sustainable drainage and storm-water management strategies
- Consider greening and opportunities for increased plantings at grade as well as on rooftops throughout development



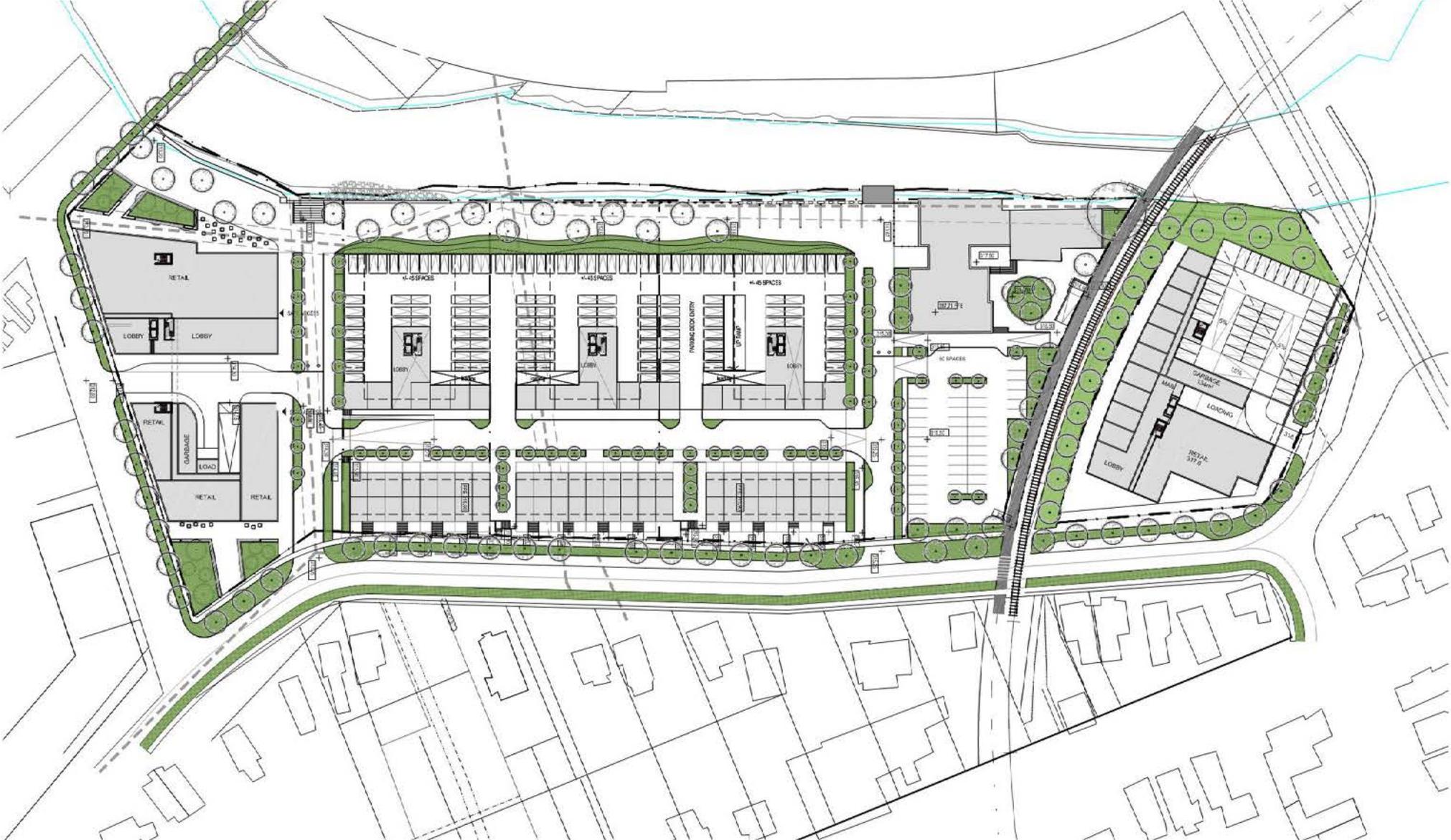
# Demonstration Plan

## Site Plan



# Demonstration Plan

## Ground Floor Plan



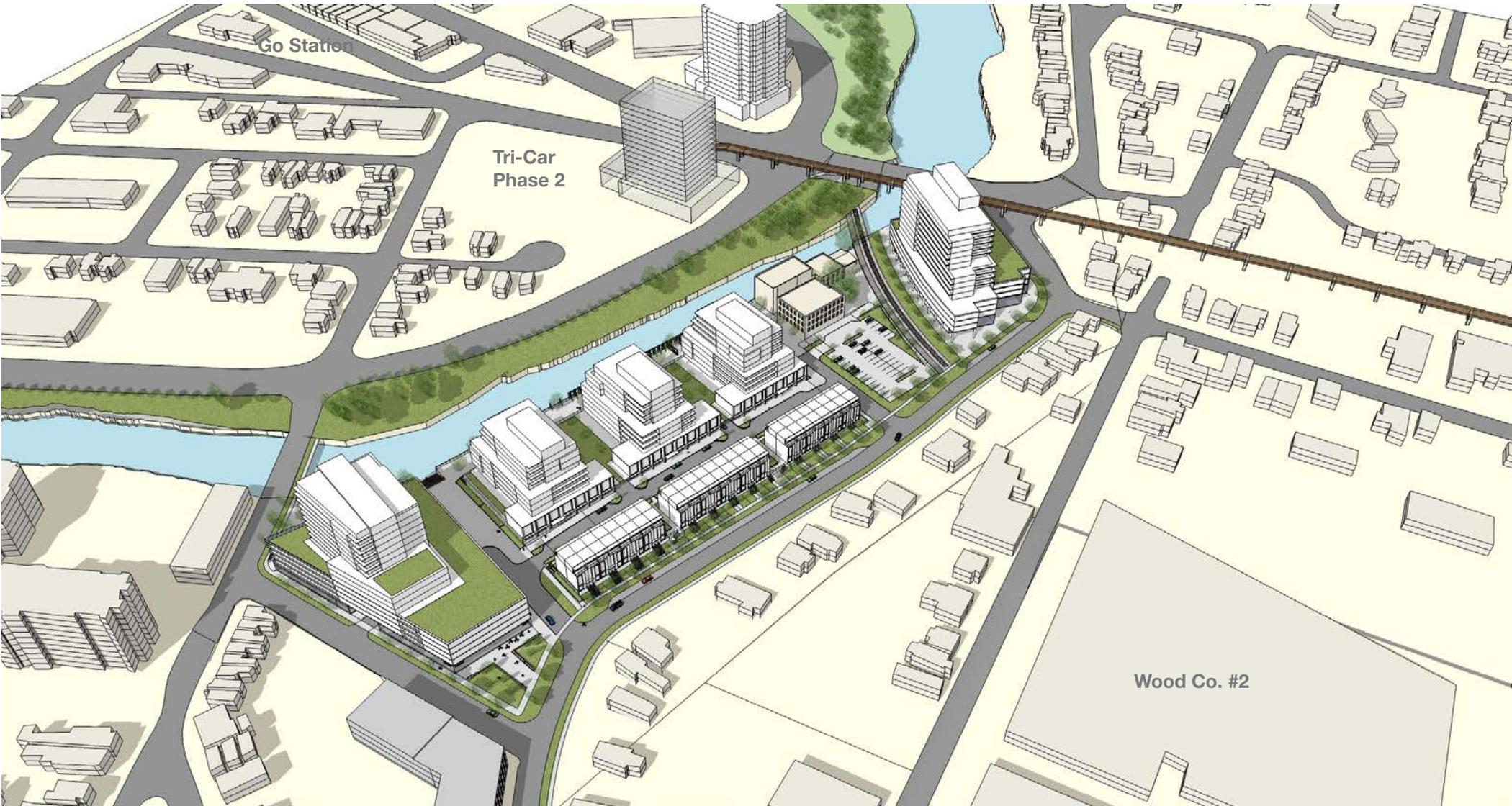
# Demonstration Plan

## Lower Parking Level Plan



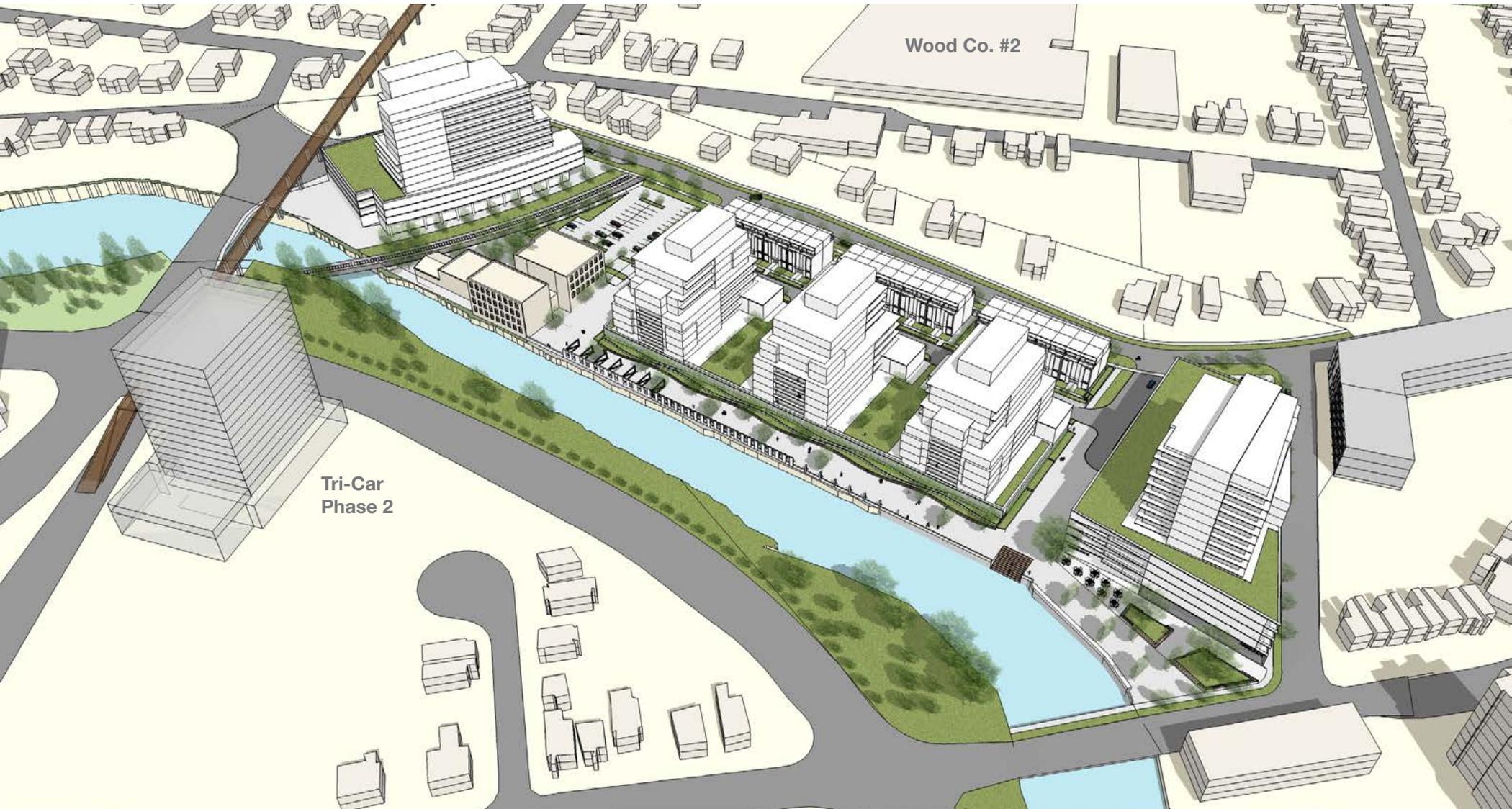
# Demonstration Plan

Overview - Option B: 10 storeys in centre, 14 storeys at ends



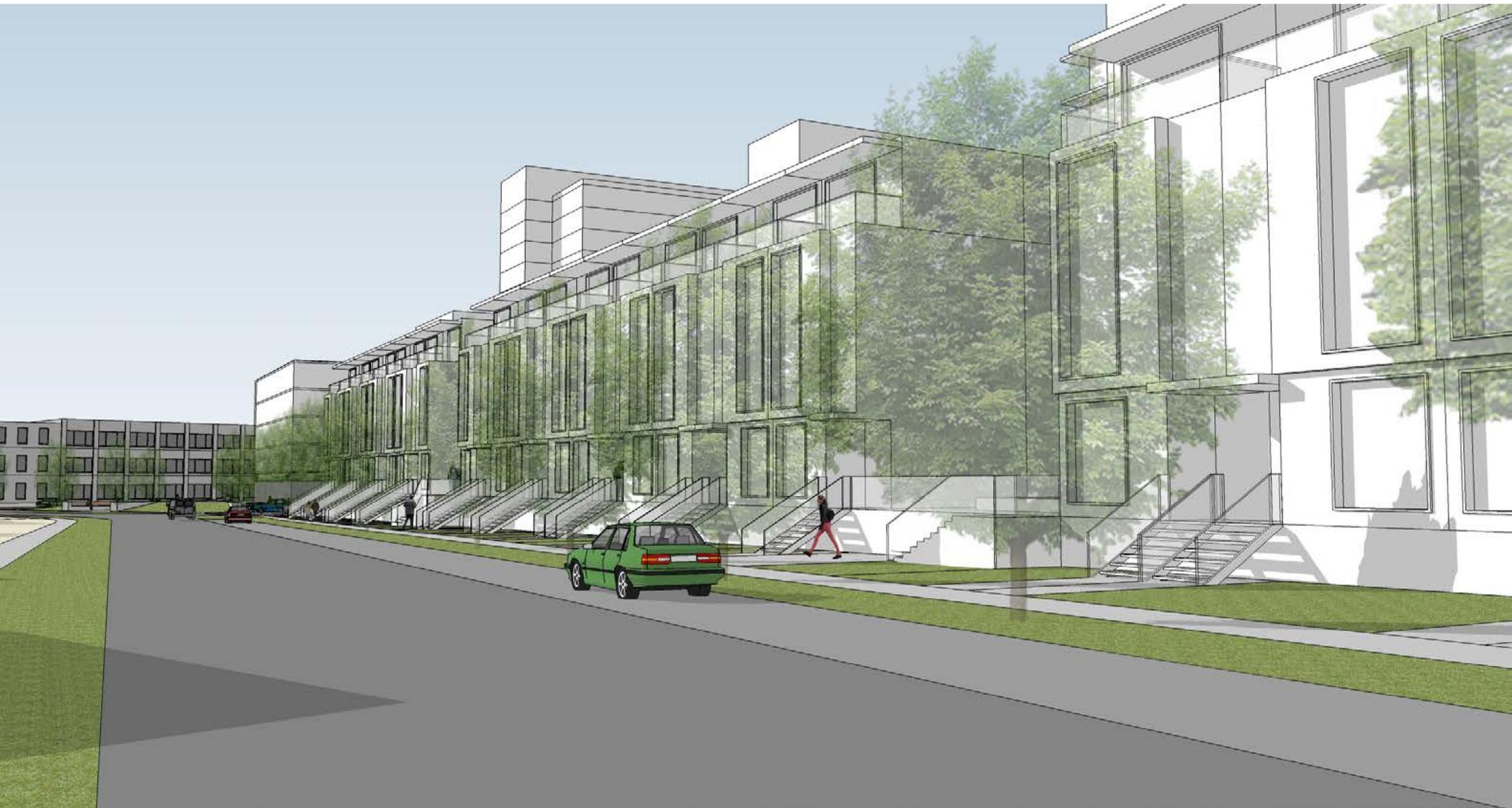
# Demonstration Plan

## Overview - Option B: 10-storeys in centre, 14 storeys at ends



# Demonstration Plan

## View from Arthur Street - Option B: 10 / 14 storeys



# Demonstration Plan

## View from Arthur Street - Option B: 10 / 14 storeys



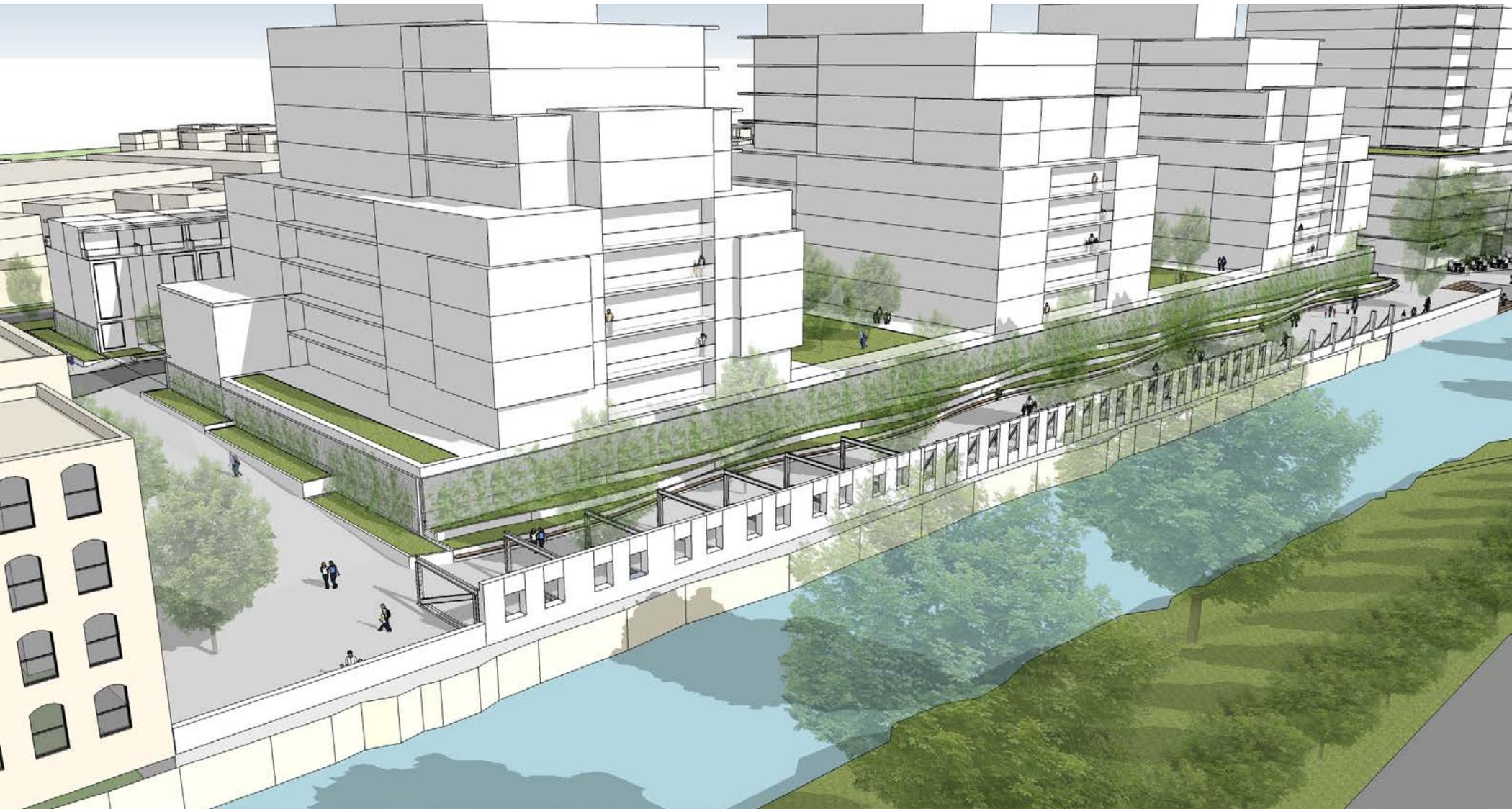
# Demonstration Plan

View from new Internal Street looking South - Option B: 10 / 14 storeys



# Demonstration Plan

## View of River Walk - Option B: 10 / 14 storeys



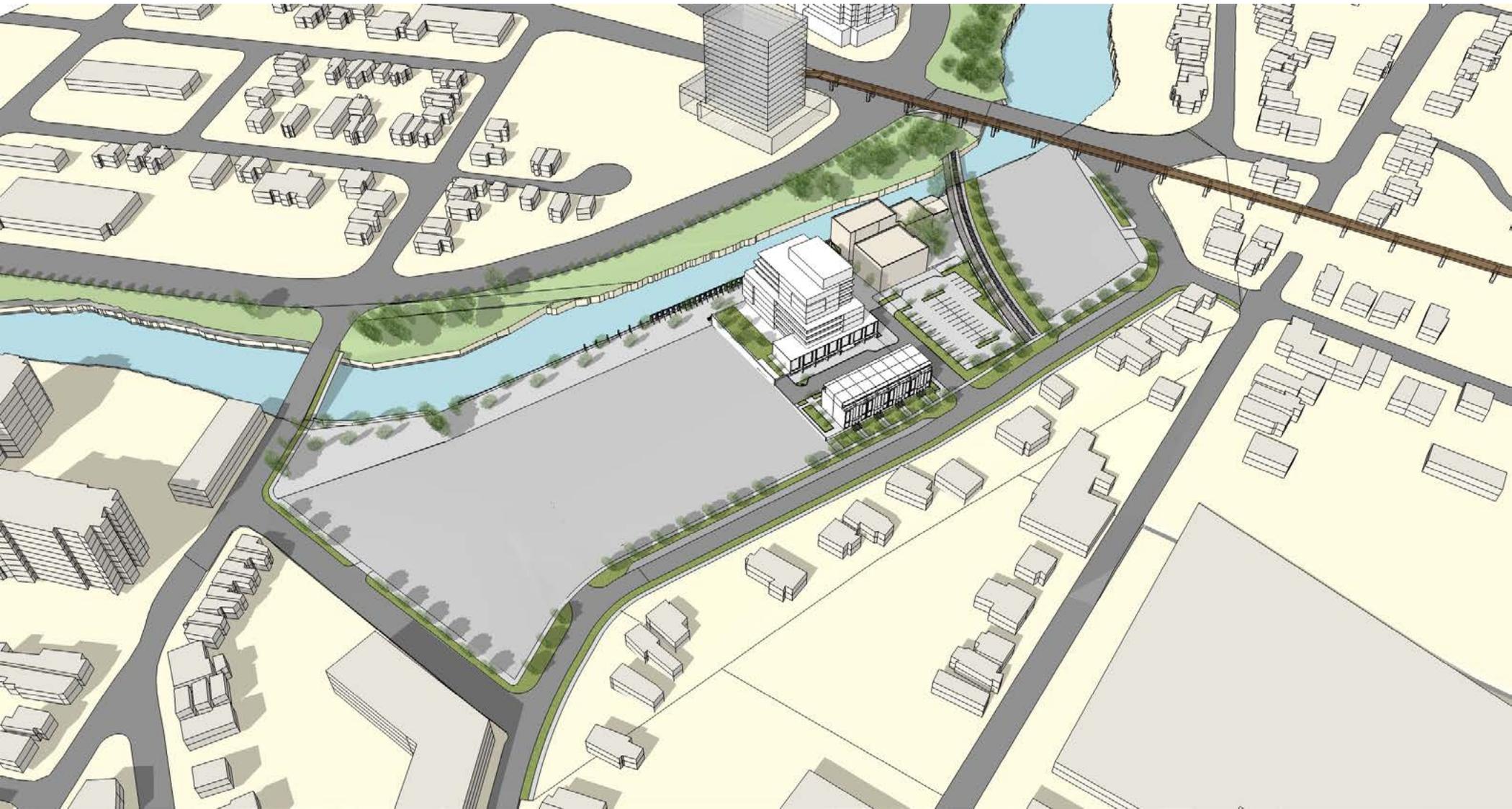
# Demonstration Plan

View along River Walk looking North - Option B: 10 / 14 storeys



# Demonstration Plan: Phasing Strategy

## Phase 1



# Demonstration Plan: Phasing Strategy

## Phase 2



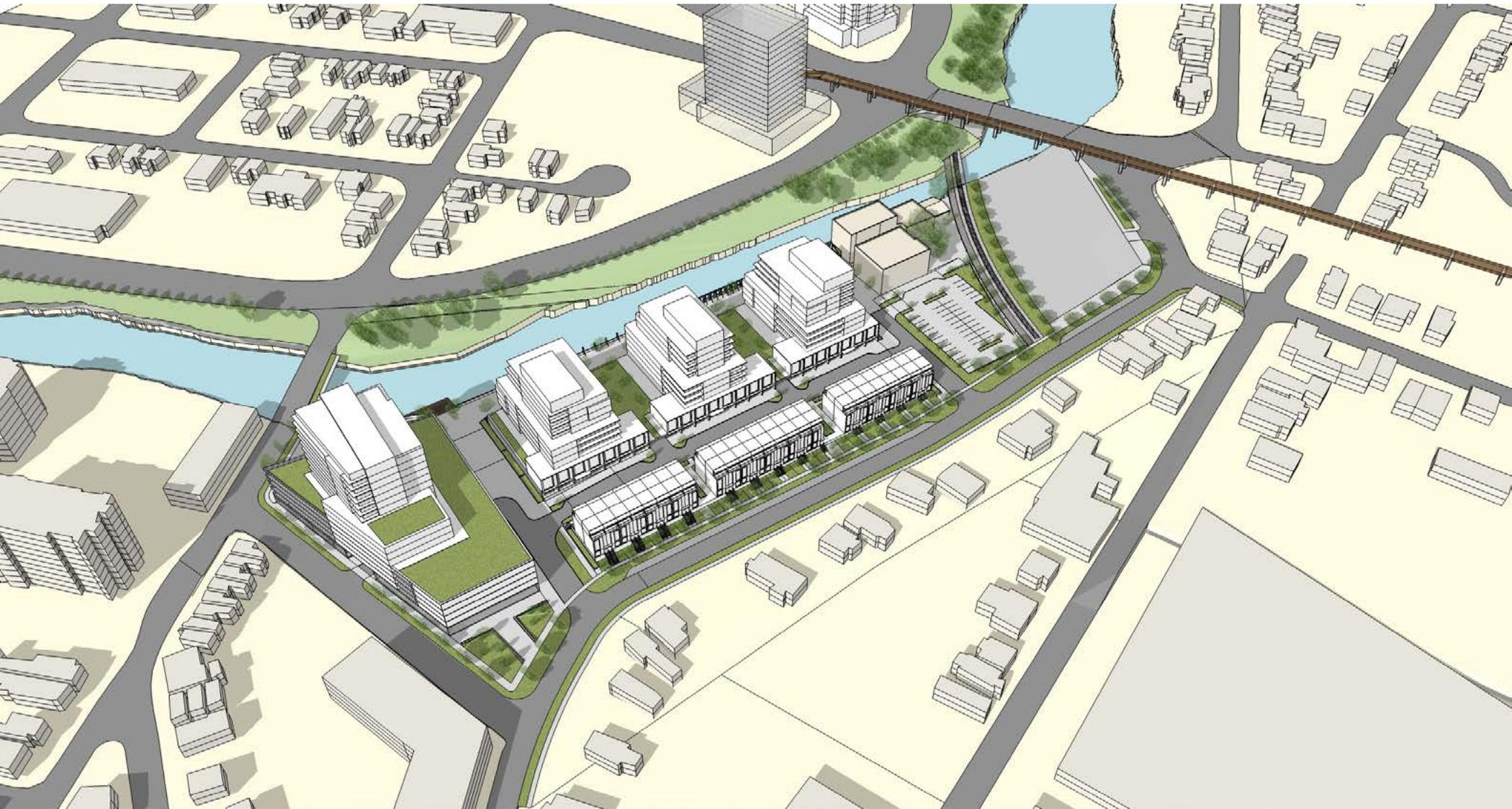
# Demonstration Plan: Phasing Strategy

## Phase 3



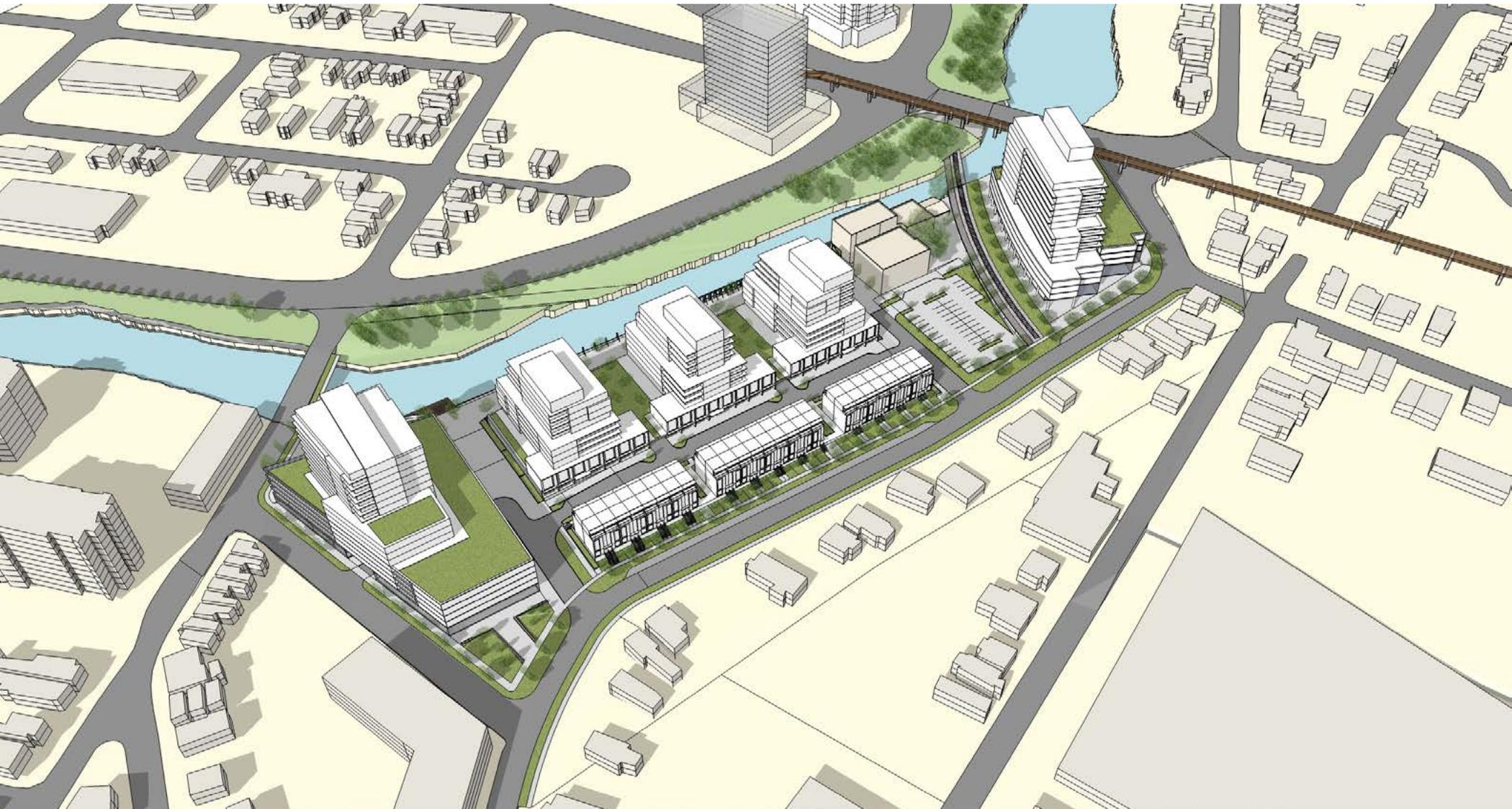
# Demonstration Plan: Phasing Strategy

## Phase 4



# Demonstration Plan: Phasing Strategy

## Phase 5



# Demonstration Plan

## Statistics



### Option B: 10 /14 storeys

**Phase 1:** 120-130 units / 150-163 parking  
**Phase 2:** 115-130 units / 144-163 parking  
**Phase 3:** 115-130 units / 144-163 parking  
**Phase 4:** 145-165 units / 181-206 parking  
**Phase 4 Retail:** 23,500 SF / 71 parking  
**Phase 5:** 165-185 units / 206-231 parking  
**Phase 5 Retail:** 8,514 SF / 26 parking  
**TOTAL** 660-740 units / 922-1023 parking

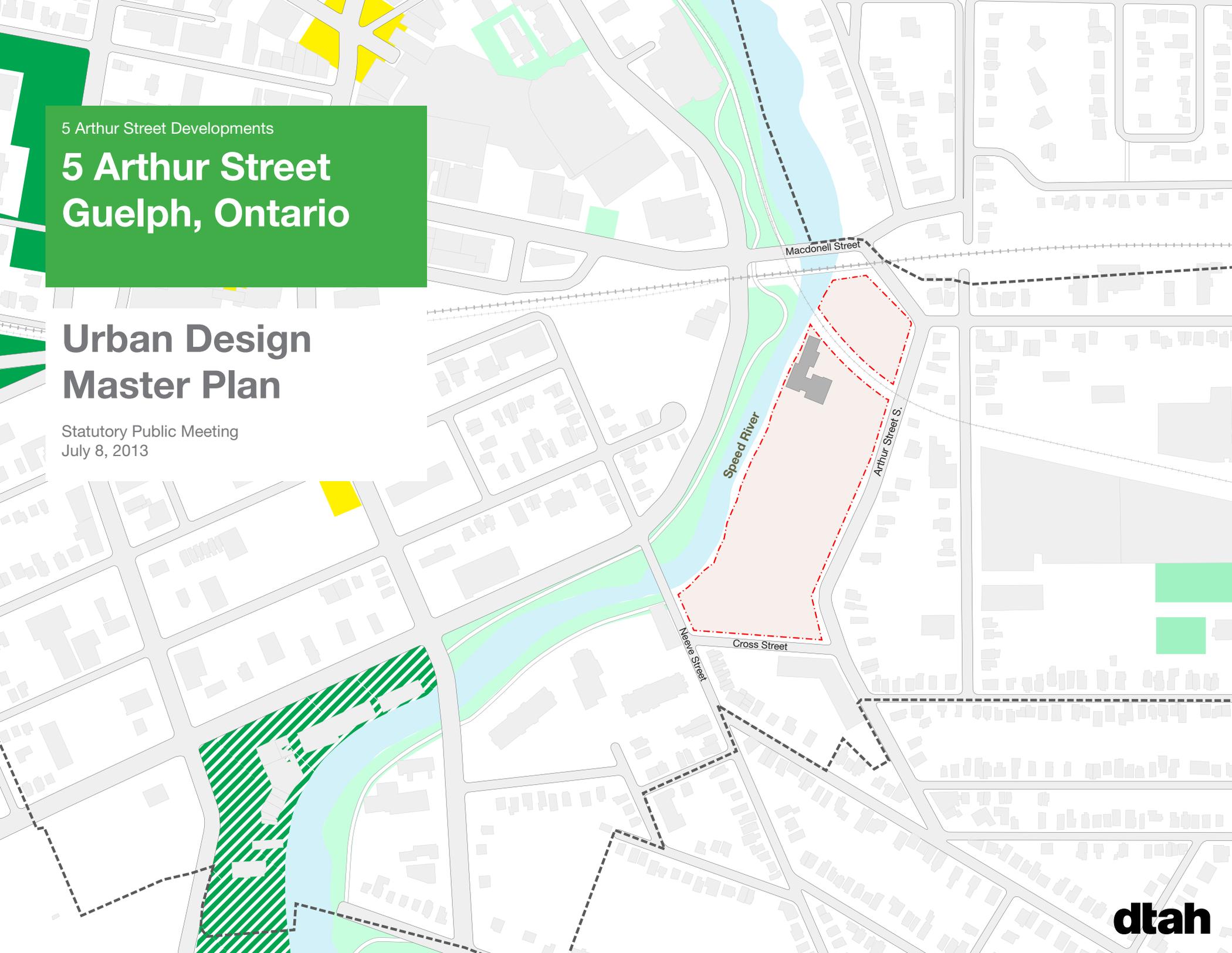
**FSI = 2.0**

5 Arthur Street Developments

# 5 Arthur Street Guelph, Ontario

## Urban Design Master Plan

Statutory Public Meeting  
July 8, 2013



**From:** Allan Dyer  
**Sent:** June 17, 2013 10:09 AM  
**To:** Mayors Office; Jim Furfaro; Bob Bell; Ian Findlay  
**Cc:** [lreith](#)  
**Subject:** FW: 5 Arthur Street South (File:OP1302/ZC1305)

Mayor Karen Farbridge, Councillor Jim J. Furfaro, Councillor Bob Bell, Councillor Ian Findlay

I have reviewed the proposal for the above site and am in agreement with the overall proposal.

I have some concerns with the following areas:

- One of the Zoning By-Law amendments focuses on reduced parking requirements. I do not agree with any reduction in parking. Insufficient parking for visitor parking is the norm with these large developments. They generally provide parking for their tenants (i.e. chargeable parking) and limited parking to visitors and guests. I regularly visit a friend in an apartment on Neeve St. and have to park on the Cross Street. With 700 units in the new development, that will mean a lot of people will be like me and it will put a lot of pressure on the surrounding area streets. With 2 events centres in the area, the pressure for parking during these times will be very high.

- How many parking places are being provide for visitor parking?
- How is this number calculated?
- Will overnight parking for visitors be provided?

- With the development, traffic will increase at the Macdonell St., Elizabeth St. and Arthur St. N. corner and the Macdonell St. and Wellington St corner. The current level of traffic leads to frustration during the rush hours. This frustration is reflected in increased horn usage, loud motors sounds, loud music, tire noise and poor driving habits. Although the study indicates that the intersection will physically handle the traffic, the frustration and noise levels are not addressed. It is clear that traffic noise will increase with the increased traffic. We live on the Macdonell St., Elizabeth St. and Arthur St. N. corner and this is a major concern to our enjoyment of the area. This is an greater concern in the summer when we spend more time outside.

The River House development and the proposed development on the Marsh Tire site will also increase traffic pressure on the area. These developments were not included in the study. A wider study of traffic flow is important to the area.

- What work has been done with the proposed development to move traffic flow away from these busy intersections?
  - To reduce traffic on the two busy intersections, the city should install “No Left Turn” signs (during morning and evening rush hour) on Arthur St. S. at Elizabeth St. corner.

- What can be done to reduce traffic noise?
- I noticed in the traffic study that traffic flow in and out of phase 5 will be limited (Only right hand entry and right exit from that phase.)
  - Due to this concern, the size of the phase 5 area should be reduced. Other areas of the proposal may be increased to balance [this reduction](#).
- The yellow brick wall does not inhence the area. I would highly recommend that the wall be removed or the size of it be reduced to a minimum.

Thank you for your consideration of these concerns

Allan Dyer and Linda Reith