

# COUNCIL PLANNING AGENDA



**DATE**    **October 1, 2012 - 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>
Victoria Park Village – Proposed Redline Revision to an Approved Draft Plan of Subdivision and Associated Zoning By-law Amendment (Files: 23T-07506/ZC1206) – Ward 6	<ul style="list-style-type: none"> <li>Al Hearne, Senior Development Planner</li> </ul>	<ul style="list-style-type: none"> <li>Robert Walters, Planner</li> <li>Adam Nesbitt, Owner</li> </ul> <p>Available to answer questions:</p> <ul style="list-style-type: none"> <li>Adam Kristoferson</li> <li>Shari Muscat</li> </ul>		

## **CONSENT AGENDA**

"The attached resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda can be approved in one resolution."

<b>COUNCIL CONSENT AGENDA</b>			
<b>ITEM</b>	<b>CITY PRESENTATION</b>	<b>DELEGATIONS (maximum of 5 minutes)</b>	<b>TO BE EXTRACTED</b>
A-1) 161, 205 and 253 Clair Road East (Dallan): Proposed Draft Plan of Subdivision and Zoning By-Law Amendment (Files 23T-08503/ZC0803) – Ward 6		<p><u>Correspondence:</u></p> <ul style="list-style-type: none"> <li>Guelph Field Naturalists</li> </ul>	

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A-2) 927 and 1023 Victoria Road South: Proposed Draft Plan of Subdivision (Phase 3 of Kortright East Subdivision) and Zoning By-law Amendment (Files 23T-01508/ZC1007) – Ward 6			
A-3) 1274, 1280 and 1288 Gordon Street: Proposed Zoning By-law Amendment (File: ZC1109) – Ward 6		<u>Correspondence:</u> <ul style="list-style-type: none"><li>• John Valeriotte for owners of 1242 and 1250 Gordon Street and 9 Valley Road</li></ul>	
A-4) Proposed Demolition of 75 Cityview Drive North – Ward 1			

## **SPECIAL RESOLUTIONS**

### **BY-LAWS**

Resolution – Adoption of By-laws (Councillor Guthrie)

### **MAYOR’S ANNOUNCEMENTS**

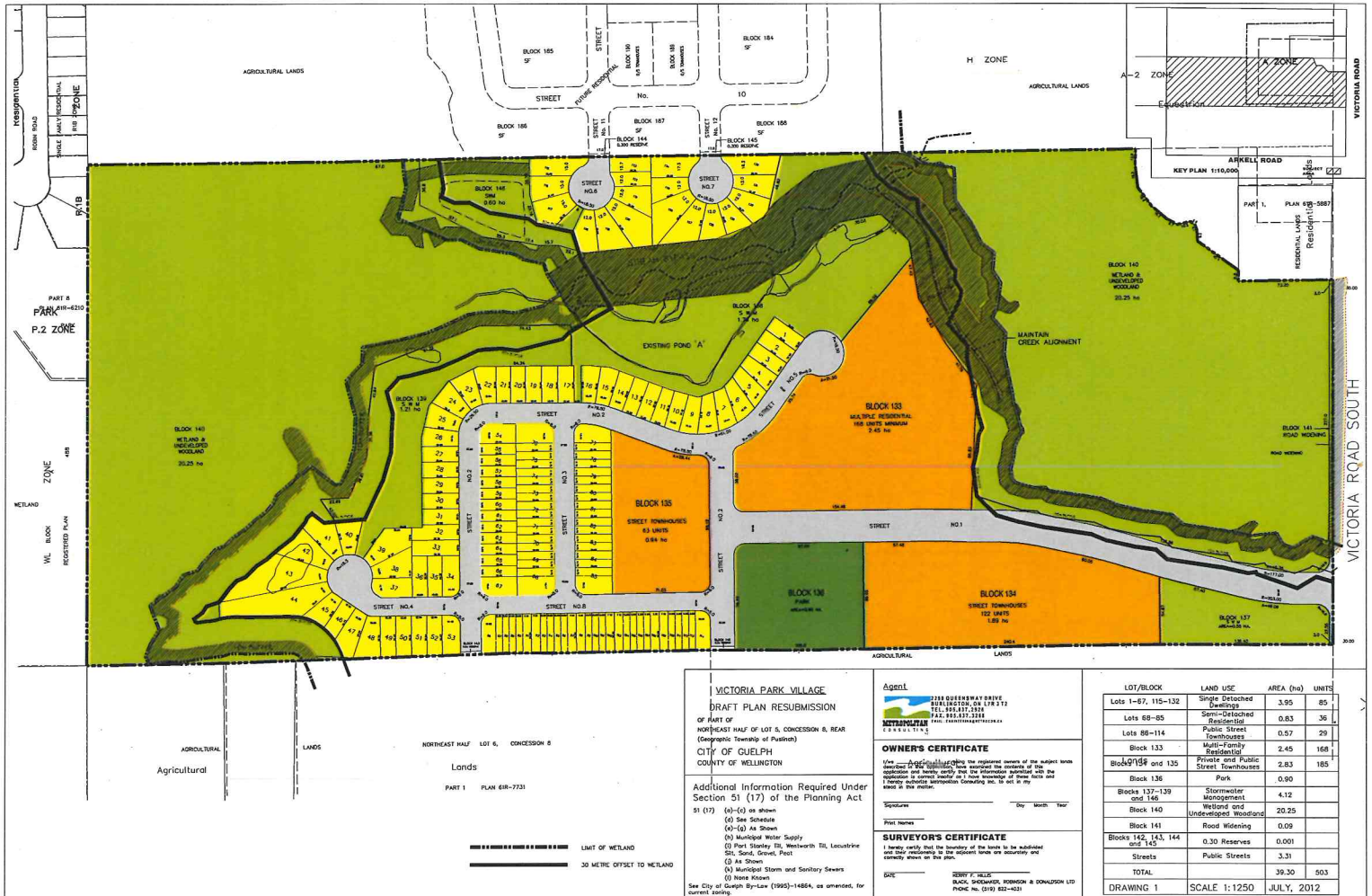
*Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.*

### **NOTICE OF MOTION**

### **ADJOURNMENT**



Submission From Robert Walters, Planner on behalf of the Applicant  
 Regarding: 1159 Victoria Road south (Victoria Park Village) – Proposed Redline  
 Revision to an Approved Draft Plan of Subdivision and Zoning By-law Amendment  
 (Files: 23T-07506/ZC1206) – Ward 6













































TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE October 1, 2012

**SUBJECT 1159 Victoria Road South (Victoria Park Village) –  
Proposed Redline Revision to an Approved Draft Plan  
of Subdivision and Zoning By-law Amendment (File:  
23T-07506/ZC1206)  
Ward 6**

REPORT NUMBER 12-86

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## SUMMARY

**Purpose of Report:** To provide information on an application made by Metropolitan Consulting Inc. on behalf of Victoria Park Village Ltd., requesting a red-line revision to an approved draft plan of subdivision and a zoning by-law amendment for the lands located at 1159 Victoria Road South.

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

## RECOMMENDATION

“THAT Report 12-86 regarding the application for redline revisions to an approved draft plan of subdivision and an associated zoning by-law amendment for lands legally described as Part of Northeast Half of Lot 5, Concession 8, (Geographic Township of Puslinch), municipally known as 1159 Victoria Road South, City of Guelph, from Planning, Building, Engineering and Environment dated October 1, 2012, be received”.

## BACKGROUND

The owner has made an application for red-line revisions to an approved plan of subdivision and an associated zoning by-law amendment for the property municipally known as 1159 Victoria Road South, City of Guelph. The property is legally described as Part of Northeast Half of Lot 5, Concession 8, (Geographic Township of Puslinch) (See Attachment 1).

The subject lands received draft plan of subdivision approval on January 14, 2011 and the related zoning by-law amendment was approved on February 28, 2011

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(See Attachments 3 and 4). Since then, the lands were conveyed to Victoria Park Village Ltd. The new owner is requesting revisions to the approved draft plan of subdivision in order to increase the number of lots, provide for the development of on-street townhouse units fronting on a condominium road and revised lot design to accommodate refinements to the proposed storm water management strategy. The application was received by the City of Guelph and deemed complete on July 9, 2012.

### **Location**

The subject lands are located on the west side of Victoria Road South, between Stone Road East and Arkell Road. The property is known as the Victoria Park West Golf Course lands, and has a total site area of 39.3 hectares (97.1 acres). The subject lands are bounded by the proposed Kortright Road East Subdivision lands (23T-01508/ZC1007) to the north; three existing single-detached residential dwellings (municipally known as 1095, 1103 and 1115 Victoria Road) and Victoria Road South to the east; agriculture and potential development lands to the south; and an existing wetland and woodlot to the west. The subject lands also include a segment of Torrance Creek that bisects the site in a southwest to northeasterly direction as it flows into Eramosa River further to the east of the subject site. (See Attachment 1)

### **Existing Official Plan Land Use Designation and Policies**

The subject lands are designated "General Residential" in the current City of Guelph Official Plan (See Attachment 2). The "General Residential" designation permits all forms of residential unit types to a maximum density of 100 units per hectare. The Torrance Creek and associated wetlands and woodlands on the subject lands are designated "Core Greenlands" and "Non-Core Greenlands overlay".

The City's Growth Plan Conformity Amendment (OPA #39), which is in full force and effect, identifies the subject lands as within the designated 'Greenfield Area' of the City. Development within the greenfield area must be compact and occur at densities that support walkable communities, cycling and transit. The policies of the Official Plan require that greenfield areas achieve an overall minimum density of 50 people and jobs per hectare.

Regard must also be had for Official Plan Amendment #42 (under appeal) and the City's new Natural Heritage System is consistent with the existing Official Plan and designates Torrance Creek and the associated wetlands and woodlands as "Significant Natural Area".

### **Existing Zoning**

As a result of the original draft plan of subdivision and associated zoning by-law amendment approved in 2011, the lands are currently zoned with a range of residential zones to permit single detached, semi-detached, townhouse and multiple residential units (See Attachment 4 for details). There is also a park block which is zoned P.2 (Neighbourhood Park). The wetlands and environmental features associated with Torrance Creek are zoned WL (Wetland), and the lands associated with stormwater management and associated setbacks and buffers are zoned P.1 (Conservation Land).

## REPORT

### Description of Proposed Revisions to Draft Plan of Subdivision

The owner is requesting revisions to the approved draft plan of subdivision in order to permit an increase in the number of single-detached, cluster and on-street townhouse lots while maintaining the general design of the plan (See Attachment 5). The proposed changes increase the total number of dwelling units from 489 to 503 and will also reduce the potential yield of multiple residential apartment units. The estimated density of the approved plan of subdivision is approximately 57.8 persons per hectare. The proposed revisions to the draft plan of subdivision will result in a net increase of 14 units and the estimated density of the proposed plan is approximately 60.4 persons per hectare.

The following table outlines the changes to the residential lots and blocks between the existing approved draft plan of subdivision and the proposed revised draft plan of subdivision:

	Approved Draft Plan				Proposed Draft Plan			Revised
Land Use	Lots/ Blocks	Area (ha)	Units	Land Use	Lots/ Blocks	Area (ha)	Units	
<i>Single Detached</i>	1-43, 87-115	3.99	72	<i>Single detached</i>	1-67, 115-132	3.95	85	
<i>Semi-Detached</i>	52-56, 65, 66, 76-86	0.68	36	<i>Semi-detached</i>	68-85	0.83	36	
<i>Public-Street Townhouses</i>	44-51, 57-64, 67-70, 72-74	0.55	23	<i>Public Street Townhouses</i>	86-114	0.57	29	
<i>Multi-Family Residential</i>	116 & 117	3.71	328	<i>Multiple Residential</i>	133	2.45	168	
<i>Cluster Townhouses</i>	118	0.68	30	<i>Private and Public Street Townhouses</i>	134 & 135	2.83	185	
<i>Total Residential</i>		9.61	<b>489</b>			10.63	<b>503</b>	

The proposed revisions also recognize changes to the stormwater management blocks as a result of the proposed incorporation of Pond A for stormwater management and refinements to the stormwater management plan. Adjustments in lot design are also proposed to add a trail access and access to the stormwater management facility on Street No. 4 between lots 39 and 40. The revisions also include the extension of lots 43 and 44 toward the 30 metre buffer to the wetlands (See Attachment 5).

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## **Description of Proposed Zoning By-law Amendment**

The purpose of the proposed zoning by-law amendment is to implement the proposed revisions to the draft plan of subdivision. The owner is requesting new specialized zoning regulations to various lots and blocks within the residential zoning categories of the draft plan in order to allow for greater density and more compact development (See Attachment 6). This includes regulations for reduced minimum lot areas and frontages, reduced minimum yards and increased maximum building coverage. Preliminary concept plans for Blocks 117 and 118 are included in Attachment 7.

## **Supporting Documents**

The application is supported by the following information:

- An Environmental Impact Assessment Addendum prepared by Stantec Consulting Ltd. Dated June 22, 2012; and
- An updated Servicing and Stormwater Management Report by Metropolitan Consulting Inc. dated June 2012.

## **Staff Review**

The review of the application will address the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Growth Plan;
- Evaluation of the proposal's conformity with the Official Plan including conformity with the "General Residential" designation and policies;
- Review of the proposed zoning including all of the uses permitted and the proposed specialized regulations;
- Review of the updated EIS and Servicing and Stormwater Management Reports to ensure the protection of Core Greenlands and proper servicing of the development;
- Consider the reconfirmation of the existing (former owner's) commitment to support the Community Energy Initiative.

Once the revised applications are 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**

**City Building - 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

The application was submitted during the late spring of 2012 and was deemed complete on July 9, 2012. The application was circulated to agencies and the public for comment and review on April 25, 2012, July 27, 2012 and August 15, 2012. The multiple circulations highlighted minor revisions to the proposal. The Notice of the Public Meeting was mailed and advertised in the Guelph Tribune on September 6, 2012.

## ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Existing Official Plan Land Use Designations and Policies
- Attachment 3 – Existing Approved Draft Plan of Subdivision
- Attachment 4 – Existing Zoning
- Attachment 5 – Proposed Draft Plan of Subdivision
- Attachment 6 – Proposed Zoning
- Attachment 7 – Block 117 and 118 Preliminary Concept Plans

### Prepared By:

MHBC Planning/Al Hearne  
Senior Development Planner  
519-837-5616, ext 2362  
al.hearne@guelph.ca

### Recommended By:

Sylvia Kirkwood  
Manager of Development Planning  
519-837-5616, ext 2359  
sylvia.kirkwood@guelph.ca

Original Signed by:

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### Recommended By:

Todd Salter  
General Manager  
Planning Services  
519-837-5616, ext 2395  
todd.salter@guelph.ca

Original Signed by:

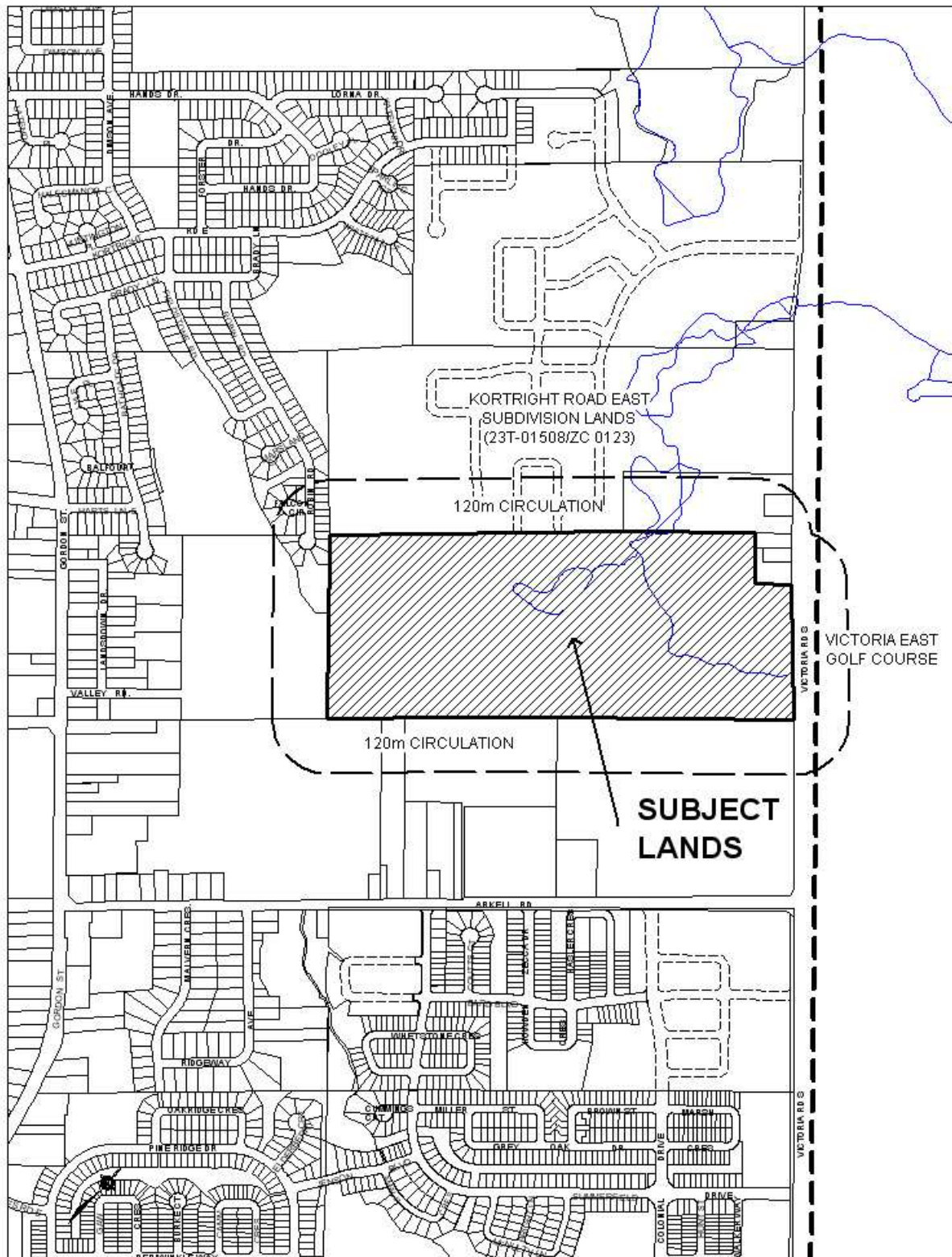
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### Recommended By:

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

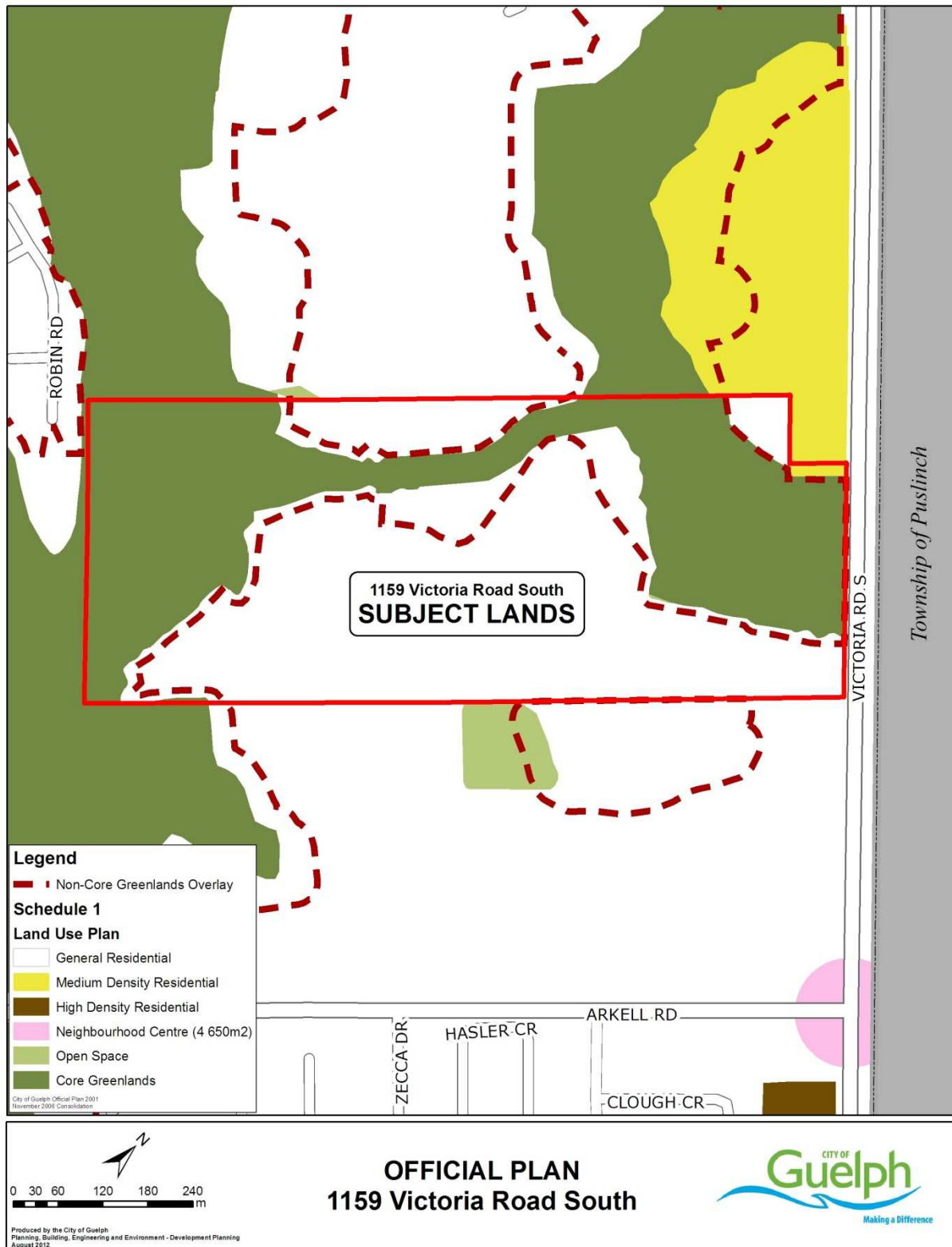


## ATTACHMENT 1 Location Map



## ATTACHMENT 2

### Existing Official Plan Land Use Designations & Polices



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## **ATTACHMENT 2 (continued)**

### **Existing Official Plan Land Use Designations & Policies**

#### **General Residential' Land Use Designation**

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

#### **7.12 Open Space Objectives**

- a) To develop a balanced distribution of open space and recreation facilities that are conveniently accessible and safe to meet the needs of all residents.
- b) To recognize a hierarchy of open space areas based on size, function and the population to be served.
- c) To develop a continuous linear open space system connecting diverse natural, cultural and recreational land uses within the City and with links to surrounding municipalities.
- d) To assist in protecting areas comprising *natural heritage features* and *cultural heritage resources*.

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- e) To encourage indigenous biological diversity in appropriate open space areas.
  - f) To co-operate with other public, quasi-public and private organizations in the provision of open space, recreation and cultural facilities.
  - g) To develop a walking and cycling trail system within the open space system that is accessible to the public utilizing paths, trails, streets and other public open spaces.
  - h) To provide for a wide range of cultural and fine arts facilities.
  - i) To promote tourism potentials and attractions in the City.

## **General Policies**

7.12.1 The predominant use of land designated 'Open Space' on Schedule 1 shall be for public and private recreational uses and facilities, parks, golf courses, conservation lands, school sites, and cemeteries. The designation is also intended to support the protection of natural heritage features and cultural heritage resource conservation.

7.12.2 Complementary uses that are compatible to, and which do not detract from or restrict, the primary function of the area, may be permitted within the 'Open Space' designation. Such complementary uses may include, but are not necessarily restricted to: forestry resources, horticulture, and public utilities. Other complementary uses for private and public recreational uses and facilities may include restaurants, club houses, pro shops, public halls and other accessory buildings and uses that are normally associated with the main recreational use.

7.12.3 Where any land designated 'Open Space' is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the Municipality or any other public agency.

1. Where lands designated 'Open Space' are in private ownership and application is made requesting a change to a land use other than open space, due consideration shall be given by Council to the following:
  - a) Council shall consider the acquisition of the subject lands, having regard for the following:
    - i. The provision of adequate open space and recreational areas, particularly in the vicinity of the subject lands;
    - ii. The existence of cultural heritage resources or natural heritage features on the site;
    - iii. The recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
    - iv. The possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
    - v. The ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space acquisition plan.
  - b) If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an 'Open Space' designation by such means as management agreements or easements, where applicable.
2. Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to

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secure the lands in an 'Open Space' designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated 'Open Space'.

- 7.12.4 When developing major recreation facilities such as indoor swimming pools, arenas, or major open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.

### **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.

### **Non-Core Greenlands Overlay**

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. The following natural features and their associated adjacent lands are found within the Non- Core Greenlands area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife

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habitat. In many instances these natural features also have hazards associated with them which serve as development constraints.

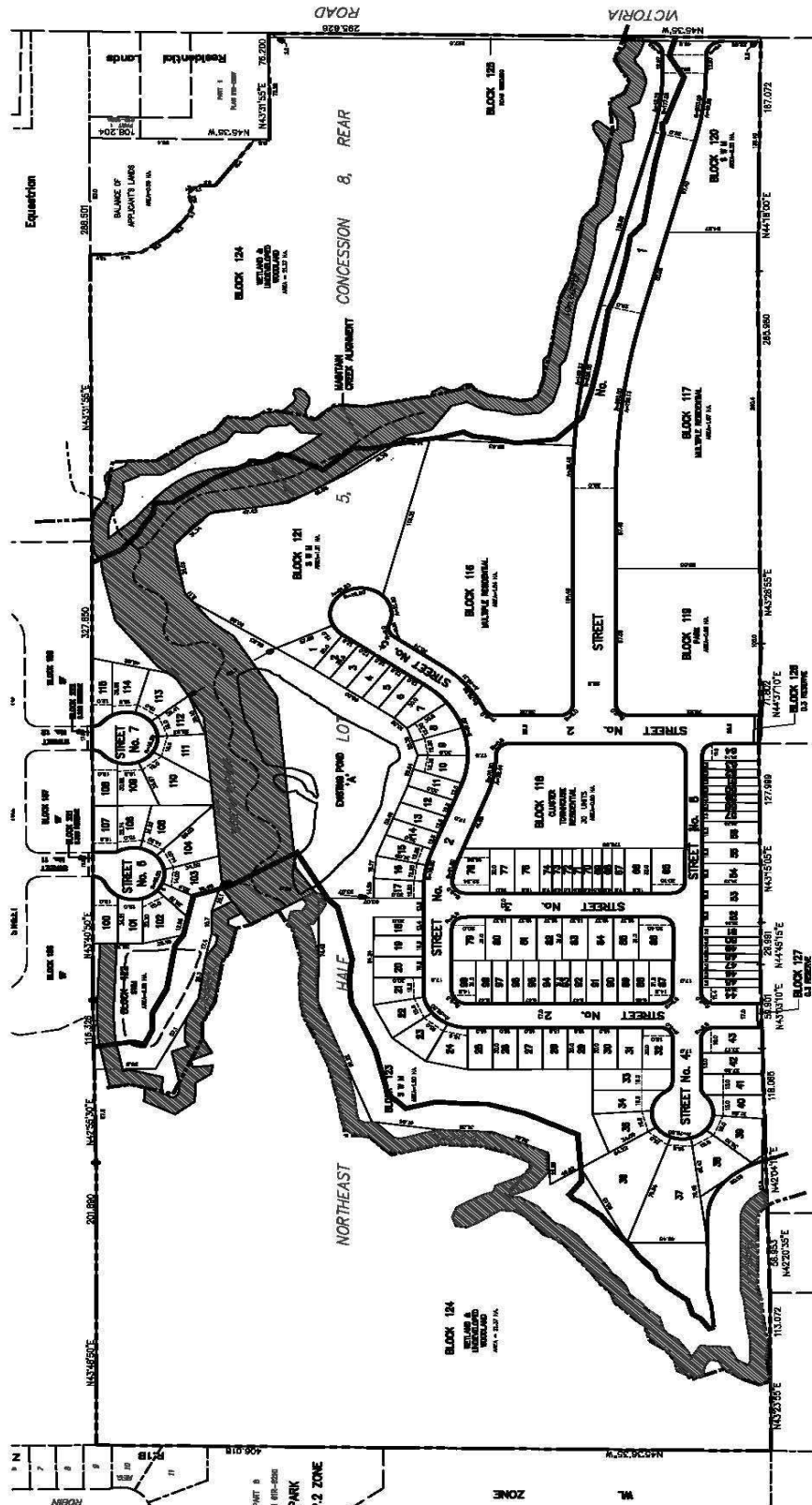
1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.
2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.

7.13.6 Development may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified natural heritage feature as part of such environmental impact study.

7.13.7 It is intended that the natural heritage features associated with the Non-Core Greenlands overlay are to be protected for their ecological value and function. The implementing Zoning By-law will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.

7.13.8 Development may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with hazard lands as noted in Section 5 can be safely addressed. In addition, development within the flood fringe areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.

# **ATTACHMENT 3** **Existing Approved Draft Plan of Subdivision**



**ATTACHMENT 3 (continued)**  
**Existing Approved Draft Plan of Subdivision**

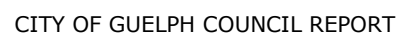
<b>LOTS/BLOCKS</b>	<b>LAND USE</b>	<b>ZONING</b>
Lots 1-43, 87-115 72 units	Single Detached Residential Dwellings Min Lot Frontage – 15, 12 & 9 m	R.1B, R.1C and R.1D
Lots 52-56, 65, 66, 76-86 36 units	Semi-Detached Residential Dwellings Min Lot Frontage – 7.5 m per unit	R.2
Lots 44-51, 57-64, 67-74 23 units	On-Street Townhouse Dwellings Min Lot Frontage – 6 m per unit	R.3B
Block 118 28 units	Cluster/Stacked Townhouse Dwellings *28 units minimum	Specialized R.3A-44
Blocks 116&117 330 units	(townhouse/stacked townhouse/apartment) Zone  Minimum Number of Dwellings: *Block 116 – 168 units minimum *Block 117 – 158 units minimum	Specialized R.4A-38 and 39
Block 119	Neighbourhood Park	P.2
Blocks 120-123	Stormwater Management Facilities	P.1
Block 124	Wetlands, Open Space, Undeveloped Woodlands, Buffers, Pedestrian Trails	WL & P.1
Block 125	3m road widening on Victoria Road	

The expected population of the existing subdivision plan is estimated at 1036 persons. The density of the existing 489 unit residential development, as calculated under Places to Grow legislation is 57.8 persons per hectare. This equates to 27.4 units per developable hectare.

The existing plan illustrates 72 lots in the R.1B, R.1C and R.1D (Single-Detached Residential) Zones, 23 lots in the R.3B (On-Street Townhouse) Zone, 18 lots in the R.2 (Semi-detached) Zone, 1 Block in the R.3A (Cluster Townhouse) Zone and 2 Blocks in Specialized R.4A (townhouse/stacked townhouse/apartment) Zones.



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**ATTACHMENT 4 (continued)**  
**Existing Zoning**

<b>Zoning</b>	<b>Permitted Uses</b>
<b>R.1B</b>	<i>Single detached dwelling, accessory apartment, bed and breakfast, day care, group home, home occupation, lodging house type 1.</i>
<b>R.1C</b>	
<b>R.1D</b>	
<b>R.2</b>	<i>Duplex, semi-detached dwelling, accessory apartment, bed and breakfast, group home, home occupation</i>
<b>R.3A-44</b>	<i>Maisonette dwelling, stacked townhouse, cluster townhouse, home occupation, accessory use With specialized regulations to permit a minimum of 28 dwelling units.</i>
<b>R.3B</b>	<i>On-street townhouse, home occupation, accessory use</i>
<b>R.4A-38</b>	<i>Apartment building, nursing home, home for the aged, retirement residential facility, maisonette, accessory uses, home occupation; With specialized regulations to permit stacked townhouses and cluster townhouses and require a minimum of 168 dwelling units.</i>
<b>R.4A-39</b>	<i>Apartment building, nursing home, home for the aged, retirement residential facility, maisonette, accessory uses, home occupation; With specialized regulations to permit stacked townhouses and cluster townhouses and require a minimum of 162 dwelling units.</i>
<b>P1</b>	<i>Conservation area, flood control facility, recreation trail, wildlife management area</i>
<b>P2</b>	<i>Neighbourhood park, conservation area, informal play area, municipal parkland, outdoor skating rink, outdoor sportsfield, picnic area, play equipment, public washroom, recreation trail, wading pool</i>
<b>WL</b>	<i>Wetland, flood control facility, recreation trail, wildlife management area</i>

LOT/FLOOR	NO. UNITS	AREA (sq.)	UNITS
Units 147-112	348	35	
Units 146-112	348	35	
Units 145-112	348	35	
Units 144-112	348	35	
Units 143-112	348	35	
Units 142-112	348	35	
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VICTORIA PARK VILLAGE  
DRAFT PLAN RESUBMISSION  
OF PART OF  
NORTHEAST HALF OF LOT 5, CONCESSION 8, RANGE 18  
(Geographic Township of Palliser)  
CITY OF GUELPH  
COUNTY OF WELLINGTON

Additional information Required Under Section 51 (17) of the Planning Act

51 (1)?	(b)-(d) as shown
	(e) See Schedule
	(e)-(f) As Shown
	(h) Municipal Water Supply
	(i) East Stanley Ttl, Newcastle Ttl, Uxbridge Ttl, Sand, Gravel, Patch
	(j) As Shown
	(k) Municipal Storm and Sanitary Sewers

**Agent**

Date: March 2023

30 METRE OFFSET TO WETLAND

**ATTACHMENT 5 (continued)**  
**Proposed Draft Plan of Subdivision**

LOT/BLOCK	LAND USE	AREA (ha)	UNITS
Lots 1–67, 115–132	Single Detached Dwellings	3.95	85
Lots 68–85	Semi–Detached Residential	0.83	36
Lots 86–114	Public Street Townhouses	0.57	29
Block 133	Multi–Family Residential	2.45	168
Blocks 134 and 135	Private and Public Street Townhouses	2.83	185
Block 136	Park	0.90	
Blocks 137–139 and 146	Stormwater Management	4.12	
Block 140	Wetland and Undeveloped Woodland	20.25	
Block 141	Road Widening	0.09	
Blocks 142, 143, 144 and 145	0.30 Reserves	0.001	
Streets	Public Streets	3.31	
TOTAL		39.30	503
DRAWING 1	SCALE 1:1250	JULY, 2012	

**RE**

## ATTACHMENT 6 Proposed Zoning

<b>Lots / Blocks</b>	<b>Existing Zoning</b>	<b>Uses</b>	<b>Proposed Zoning</b>	<b>Uses</b>
<b>1-53</b>	R.1B, R.1C	<i>Single detached dwelling</i>	<i>Specialized R.1C-?</i>	<i>Single detached dwelling</i>
<b>54-67</b>	R.1D	<i>Single detached dwelling</i>	<i>Specialized R.1D-?</i>	<i>Single detached dwelling</i>
<b>68-76</b>	R.2	<i>Semi-detached dwelling;</i>	<i>Specialized R.2-?</i>	<i>Semi-detached dwelling;</i>
<b>77-85</b>	R.2, R.3.B	<i>Semi-detached dwelling; Cluster townhouse;</i>	<i>Specialized R.2-?</i>	<i>Semi-detached dwelling;</i>
<b>86-114</b>	R.2, R.3B	<i>Semi-detached dwelling; On-street townhouse</i>	<i>Specialized R.3B-?</i>	<i>Street townhouses</i>
<b>115-132</b>	R.1C	<i>Single detached dwelling</i>	<i>Specialized R.1C-?</i>	<i>Single detached dwelling</i>
<b>133</b>	R.4A-38	<i>Apartment building; cluster townhouse; stacked townhouse</i>	<i>Specialized R.4A-?</i>	<i>Street Townhouses including back to back and fronting onto a private road</i>
<b>134</b>	R.4A-39	<i>Apartment building; cluster townhouse; stacked townhouse</i>	<i>Specialized R.4A-?</i>	<i>Street Townhouses including back to back and fronting onto a private road</i>
<b>135</b>	R3A-44	<i>Cluster Townhouses</i>	<i>Specialized R.3A-?</i>	<i>Street Townhouses including back to back and fronting onto a private road</i>
<b>136</b>	P.2	<i>Neighbourhood Park</i>	<i>P.2</i>	<i>Neighbourhood Park</i>
<b>137, 138, 139, 146</b>	P.1	<i>Conservation area; flood control facility; recreation trail;</i>	<i>P.1</i>	<i>Conservation area; flood control facility; recreation trail;</i>
<b>140</b>	WL	<i>Wetland</i>	<i>WL</i>	<i>Wetland</i>

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**ATTACHMENT 6 (continued)**  
**Proposed Zoning**

The requested specialized zoning regulations are as follows:

**Specialized R.1C-?:**

	<b>Required</b>	<b>Requested</b>
Minimum Exterior Side Yard	4.5 m	2.4 m
Minimum Front Yard	6 m	4.5 m, except 6.0 m to attached garage or carport
Minimum Lot Area	370 sq. m	360 sq m
Minimum Interior Side Yard	1.2 m	1.2 m on one side, 0.6 m on other side

**Specialized R.1D-?:**

	<b>Required</b>	<b>Requested</b>
Minimum Exterior Side Yard	4.5 m	2.4 m
Minimum Front Yard	6 m	4.5 m, except 6.0 m to attached garage or carport

**Specialized R.2-?:**

	<b>Required</b>	<b>Requested</b>
Minimum Exterior Side Yard	4.5 m	2.4 m
Minimum Front Yard	6 m	4.5 m, except 6.0 m to attached garage or carport
Minimum Lot Area	460 sq m /every two units 230 sq m / unit	400 sq m /every two units 200 sq m / unit
Minimum Lot Frontage	15 m /every two units 7.5 m / unit	13.4 m /every two units 6.7 m / unit
Max Driveway Area in Front Yard	40%	53%

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**Specialized R.3B-?:**

	<b>Required</b>	<b>Requested</b>
Minimum Exterior Side Yard	4.5 m	2.4 m
Minimum Front Yard	6 m	4.5 m, except 6.0 m to attached garage or carport
Minimum Lot Area	180 sq m / unit	165 sq m / unit
Minimum Lot Frontage	6 m	5.5 m
Rear Yard	7.5 m	7.0 m
Maximum Building Coverage	40%	45%
Maximum Number of Dwelling Units in a Row	8	6

**Specialized Use and Regulations for Specialized R.3B-? R.3A-? and R.4A-? zones for Street Townhouses on freehold lots fronting a private street (common element condominium street) or a public street:**

<b>Regulations for street townhouses (back to back and non-back to back)</b>	
Minimum Lot Area	72 sq m (back to back) 84 sq m (non back to back)
Lot Frontage	For the purpose of lot frontage, the Front Lot line may abut a private or public street
Minimum Lot Frontage	6 m
Minimum Side Yard	1.5 m
Minimum Rear Yard	0 m (back to back) 5.0 m (non back to back) 1.7 m (non back to back when 20 sq m of private amenity area provided)
Maximum height	3 storeys and as per section 4.1.6 and 4.1.8
Maximum building coverage	60% (back to back) 70% (non back to back)
Minimum landscaped open space	15%
Minimum distance between buildings	3 m
Maximum number of units in a row	6
Minimum private amenity area	0 m where a minimum 5.0 m rear yard is provided 20 sq. m where a minimum 5.0 m rear yard is not provided
Definition of private amenity area	Provisions of section 5.3.2.5.1 and section 5.3.2.5.2 shall not apply and such areas may comprise patios and

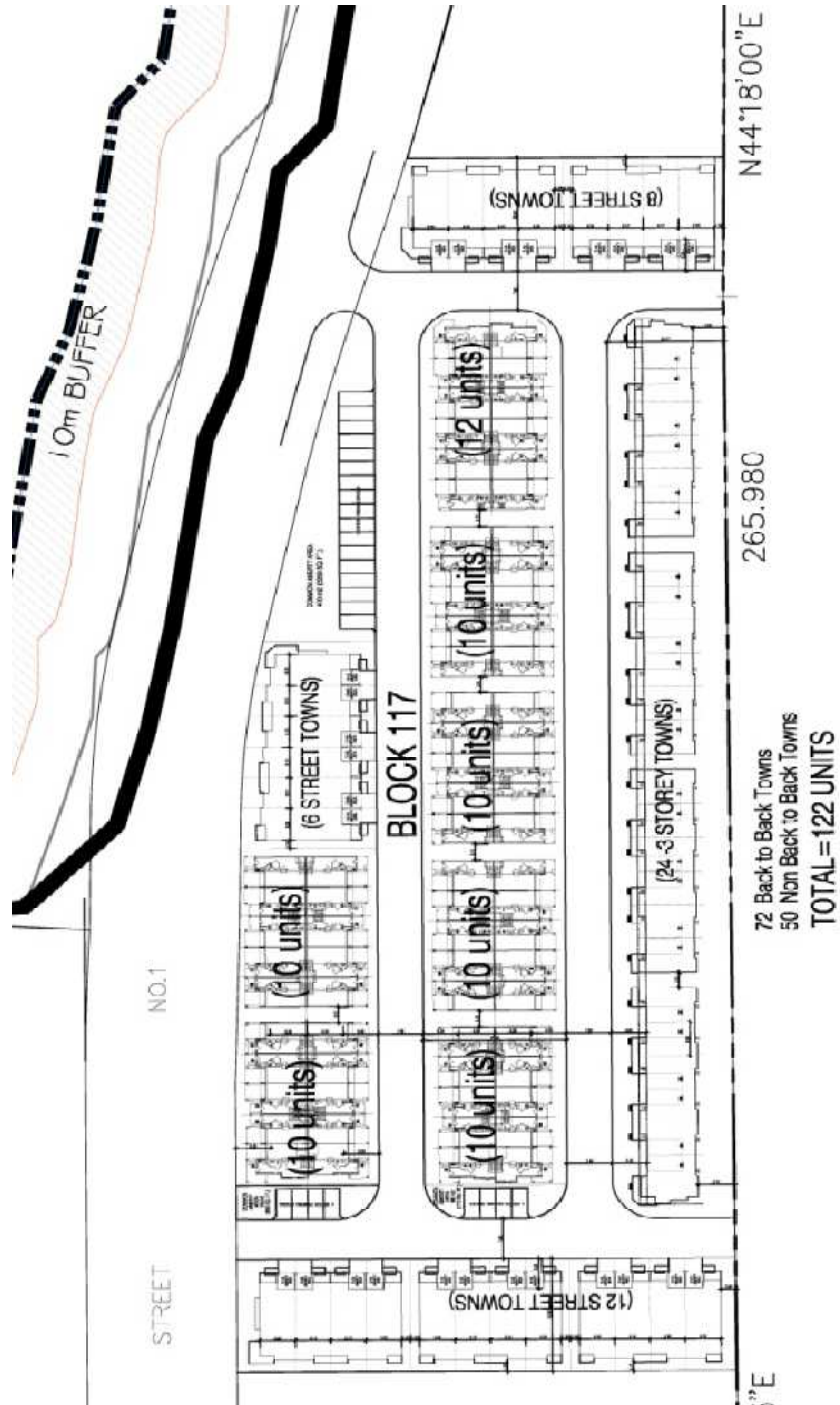
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	balconies combined and their location will be approved at the site plan control stage
Common amenity area	Provisions of section 5.3.2.4 shall not apply 0 m where a minimum 5.0 m rear yard is provided 5 sq m per unit in aggregated areas of not less than 50 sq m where a minimum 5.0 m rear yard is not provided and such common amenity area may be provided off the lot
Minimum number of dwelling units for entire block	Block 133: 168 units; Block 134: 122 units; Block 135: 63 units
Minimum visitor parking for a street townhouse dwelling with main entrance facing a private street	20% of the total required number of parking spaces for such dwellings within each of blocks 133, 134 and 135, and which may be provided off the lot within each block
Minimum visitor parking for a street townhouse dwelling with main entrance facing a public street	None required
Buffer Strip; fences; off-street parking; accessory buildings; garbage, refuse storage and composters; and maximum driveway width	As per requirements in table 5.3.2 for R.3B Zone (On Street Townhouses)



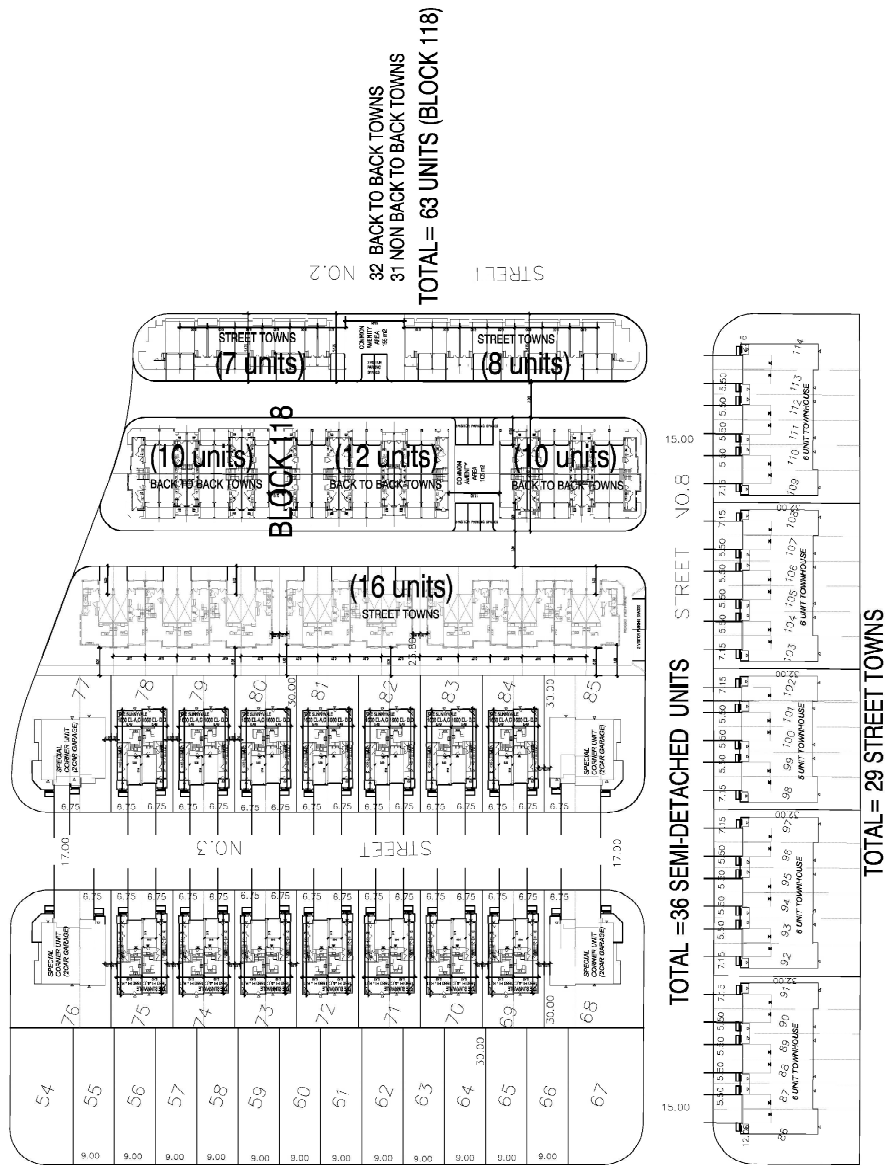
# **ATTACHMENT 7** **Block 117 and 118 Preliminary Concept Plans**

## Block 117



# **ATTACHMENT 7 (continued)** **Block 117 and 118 Preliminary Concept Plans**

## Block 118



## CONSENT AGENDA

October 1, 2012

Her Worship the Mayor  
and  
Members of Guelph City Council.

### **SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

#### **A REPORTS FROM ADMINISTRATIVE STAFF**

<b>REPORT</b>	<b>DIRECTION</b>
<p><b>A-1) 161, 205 AND 253 CLAIR ROAD EAST (DALLAN) - PROPOSED DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT (FILES: 23T-08503/ZC0803) – WARD 6</b></p> <p>THAT Report 12-85 regarding a proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for approval of the Dallan Subdivision applying to property municipally known as 161, 205 and 253 Clair Road East from Planning, Building, Engineering and Environment, dated October 1, 2012, be received;</p> <p>AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd, on behalf of Victoria Wood (Dallan) GP Inc. for approval of a proposed Draft Plan of Subdivision, applying to property municipally known as 161, 205 and 253 Clair Road East and legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch, be approved, subject to conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 12-85, dated October 1, 2012;</p> <p>AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd, on behalf of Victoria Wood (Dallan) GP Inc. for a Zoning By-law Amendment from the UR (Urban Reserve), H (Hazard) and A (Agriculture) Zones to the R.1C (Single-detached Residential), R.1C-? (Specialized Single-detached Residential), R.1D (Single-detached Residential), R.2 (Semi-detached Residential), R.3B-7 (Specialized On-street Townhouse), R.4A-? (Specialized General Apartment Residential), P.2 (Neighbourhood Park), P.1 (Conservation Lands) and WL (Wetland) Zones affecting the property municipally known as 161, 205 and 253 Clair Road East and</p>	<p>Approve</p>

legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch, be approved, in the form outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 12-85, dated October 1, 2012;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 161, 205 and 253 Clair Road East, as set out in Report 12-85 from Planning, Building, Engineering and Environment, dated October 1, 2012.

**A-2) 927 AND 1023 VICTORIA ROAD SOUTH: PROPOSED DRAFT PLAN OF SUBDIVISION (PHASE 3 OF KORTRIGHT EAST SUBDIVISION) AND ZONING BY-LAW AMENDMENT (FILES 23T-01508/ZC1007) – WARD 6**

Approve

THAT Report 12-87 dated October 1, 2012 regarding a proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for the properties known as 927 and 1023 Victoria Road South from Planning, Building, Engineering and Environment be received;

AND THAT the application by Black Shoemaker Robinson Donaldson Ltd. for approval of Phase 3 of a proposed Draft Plan of Subdivision, applying to property municipally known as 927 and 1023 Victoria Road South and legally described as Part of Lots 3 and 4, Concession 8, Geographic Township of Puslinch, to permit 215 residential dwelling units, be approved subject to conditions outlined in Schedule 2 of Planning, Building, Engineering and Environment Report 12-87 dated October 1, 2012;

AND THAT the application by Black Shoemaker Robinson Donaldson Ltd. for a Zoning By-law Amendment to amend the zoning on the lands from the Township of Puslinch A (Agriculture) Zone and H (Hazard) Zone to a Specialized R.1B-? (Single-detached Residential) Zone, R.1C (Single-detached Residential) Zone, R.1D (Single-detached Residential) Zone, Specialized R.1D-? (Single-detached Residential) Zone, Specialized R.2-? and Specialized R.2-?? (Semi-detached Residential) Zones, Specialized R.3B-7 (On-Street Townhouse) Zone, P.1 (Conservation Land / Park) Zone, P.2 (Neighbourhood Park) Zone and WL (Wetland) Zone, for property municipally known as 927 and 1023 Victoria Road South and legally described as Part of Lots 3 and 4, Concession 8 (Township of Puslinch), be approved in accordance with the regulations and conditions set out in Schedule 2 of Planning, Building, Engineering and Environment Report 12-87 dated October 1, 2012.

**A-3) 1274, 1280 AND 1288 GORDON STREET: PROPOSED**

Approve

## **ZONING BY-LAW AMENDMENT (FILE: ZC1109) – WARD 6**

THAT Report 12-88 dated October 1, 2012 regarding a proposed Zoning By-law Amendment for the lands municipally known as 1274, 1280 and 1288 Gordon Street from Planning, Building, Engineering and Environment be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of MRL Developments Inc., MTCM Developments Inc., and 2182805 Ontario Inc. for approval of a Zoning By-law Amendment to rezone the lands from the existing R.1B (Residential Single-Detached) Zone to an R.4A-? (Specialized General Apartment) Zone for the properties known municipally as 1274, 1280 and 1288 Gordon Street, legally described as Part Lot 6, Concession 8, formerly in the Township of Puslinch, now in the City of Guelph, be approved in accordance with the permitted uses, regulations and conditions outlined in Attachment 2 of the Planning, Building, Engineering and Environment Report 12-88 dated October 1, 2012;

AND THAT the request to demolish the two single-detached dwelling units located at 1274 and 1288 Gordon Street to allow the redevelopment of the subject lands be approved.

### **A-4) PROPOSED DEMOLITION OF 75 CITYVIEW DRIVE NORTH – WARD 1**

Approve

THAT Report 12-92 regarding the proposed demolition of a detached dwelling at 75 Cityview Drive North, legally described as Part Lot 31, Plan 53, Division C, As In R0767094; City of Guelph, from Planning, Building, Engineering and Environment dated October 1, 2012, be received;

AND THAT the detached dwelling at 75 Cityview Drive North be removed from the Municipal Register of Cultural Heritage Properties;

AND THAT the proposed demolition of the detached dwelling at 75 Cityview Drive North be approved;

AND THAT the applicant be requested to erect protective fencing at 1 metre from the dripline of existing trees on the property which are to be preserved prior to commencement of demolition and maintain the fencing during demolition activities;

AND THAT the applicant be requested to contact the General Manager of Solid Waste Resources, Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

Attach.



## **GUELPH FIELD NATURALISTS**

**P.O. Box 1401, Guelph, Ontario N1H 6N8**

Mayor Farbridge and City Councillors  
Guelph City Hall,  
Guelph, Ontario.

September 26, 2012

**Re: 161, 205 & 253 Clair Road East (Dallan Lands) Proposed Plan of Subdivision  
and Zoning By-law Amendment**

Dear Mayor Farbridge & City Councillors,

The Guelph Field Naturalists have been involved in this planning application from the beginning of the planning process in 2008. Regrettably, we still have concerns with the recommended Draft Plan of Subdivision. In order to keep you informed of our concerns, we feel compelled to submit to you the following comments for your information and consideration.

**FOR THE RECORD:**

- The Dallan Lands application is being reviewed under the existing City Official Plan as OPA #42 Natural Heritage policies are not yet in force. The City staff report (pg. 4) notes that staff reviewed the application against the policies of OPA #42 and note that the Environmental Impact Study (EIS) written by Stantec is reflected in the Natural Heritage Policies and mapping.

However, changes to the natural heritage designations and mapping for this property from the original report, "Guelph Natural Heritage Strategy, Phase 2: Terrestrial Inventory & Natural Heritage System, Final Report, March 2009", were made by City staff prior to a review by the Environmental Advisory Committee (EAC) and obviously prior to the approval of this application. Draft maps of the Recommended Natural Heritage System circulated by the City dated January 2010 and March 3, 2010, show a wide, centrally located wildlife corridor

on the subject property. Then, a draft map dated April 19, 2010, shows the current proposed narrowed corridor along the western property boundary. EAC's first review of this application was June 9, 2010 (pg. 3 of staff report). The final map for the OPA #42 Natural Heritage System approved by Council August 5, 2010, also shows the narrowed westerly corridor.

Consequently, the OPA#42 Natural Heritage designations for this property were apparently changed solely on the recommendations of the Stantec EIS. As outlined below, we believe the Stantec EIS is deficient in this regard.

It should be pointed out that the June 9<sup>th</sup> EAC meeting did not have quorum and only one biologist was present at that meeting. City Council referred the application back to EAC for further review.

- The Stantec EIS identified the wetland near Clair Road as Significant Wildlife Habitat (**Seasonal Concentration Areas** for wildlife) as per the Provincial Policy Statement (PPS). The EIS notes that "there is a vibrant amphibian community with exceptionally strong choruses at this location". The PPS also includes **Animal Movement Corridors** amongst its criteria for designating Significant Wildlife Habitat. Stantec did not survey or document amphibian movement or dispersal of young across the property. The PPS was not met in this regard.

In Section 7.3 of the Significant Wildlife Habitat Technical Guide (SWHTG) (a supporting document of the PPS), guidelines to identify **Animal Movement Corridors** include the most probable linkages to and from known Significant Wildlife Habitat such as amphibian breeding ponds. For the Dallan Lands, this would be the linkages between the forests and wetlands of the Hall's Pond Wetland Complex to the south and the wetland identified as Significant Wildlife Habitat near Clair Road. The Stantec EIS did not document this. The Significant Wildlife Habitat Ecoregion Criteria Schedules, a working draft addendum to the SWHTG dated January 2009, states that "animal movement corridors must be determined when amphibian breeding habitat is confirmed as Significant Wildlife Habitat".

The location and width of the narrowed, westerly corridor as currently proposed was determined without any supporting data. In fact, the EIS states "The intent of this buffer is not to allow the movement of entire breeding amphibian populations" and "it is not unrealistic to assume that many species will utilize yards and open space for migration through the site". Obviously, this does not support the width or location of the proposed wildlife corridor on the property. The credibility of the EIS was further diminished by stating that the originally recommended 10 metre wide corridor along the western edge of the property was adequate. Both the GRCA and our group, the Guelph Field Naturalists, challenged that "adequacy." An Internal Technical Review by the GRCA Aquatic & Terrestrial Ecologist dated Nov. 10, 2009, noted that the wildlife corridor proposed along the western property boundary may not address the habitat requirements of amphibians and waterfowl breeding in the Clair Road wetland.

- The second EAC meeting that dealt specifically with the wildlife corridor was held October 12, 2011. Only one biologist was present at this meeting. The Minutes of the meeting indicate that 2 members were opposed and 4 members were in favour.
- Discussions with the District Planner at the Guelph Ministry of Natural Resources office informed us that it is the responsibility of the Municipality to ensure that the policies of the Provincial Policy Statement are met. There is no provincial oversight.

It is unfortunate that this planning application has taken over 4 years to get to this point. We can appreciate the frustration that the proponent of this proposed development must feel. It is our belief that the City and the proponent's environmental consultant must share the blame for the delay. All but one of the City's planning staff members involved at the start of this application have left the City. The EIS written by Stantec is deficient and lacks credibility with respect to wildlife corridors as we have pointed out over the years. The policies of the Provincial Policy Statement dealing with Significant Wildlife Habitat have not been fully addressed by the EIS.

We believe that the significant natural heritage features of this property will not be fully protected with the proposed Draft Plan of Subdivision, specifically the amphibian population found in the Provincially Significant Wetland at Clair Road. The Provincial Policy Statement clearly states that "Development and site alteration shall not be permitted on *adjacent lands* to Significant Wildlife Habitat unless the ecological function of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*".

The Paris-Galt Moraine lands contain significant natural heritage features that are different from other areas in the City. These moraine lands require more specific attention to ensure the long-term protection of these natural heritage features.

Thank you for your consideration of this matter.

Sincerely,

Peter Kelly, President  
 Carol Koenig, Past President  
 Charles Cecile, Environment Committee

Guelph Field Naturalists



TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE October 1, 2012

**SUBJECT 161, 205 and 253 Clair Road East (Dallan) - Proposed Draft Plan of Subdivision and Zoning By-law Amendment (File: 23T-08503/ZC0803) Ward 6**

REPORT NUMBER 12-85

## SUMMARY

**Purpose of Report:** This report provides a staff recommendation to approve a residential Draft Plan of Subdivision and associated Zoning By-Law Amendment to permit the development of a residential subdivision.

**Council Action:** Council is being asked to approve the proposed Draft Plan of Subdivision with a three year lapsing provision and the associated Zoning By-law Amendment for the subject lands.

## RECOMMENDATION

"THAT Report 12-85 regarding a proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for approval of the Dallan Subdivision applying to property municipally known as 161, 205 and 253 Clair Road East from Planning, Building, Engineering and Environment, dated October 1, 2012, be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd, on behalf of Victoria Wood (Dallan) GP Inc. for approval of a proposed Draft Plan of Subdivision, applying to property municipally known as 161, 205 and 253 Clair Road East and legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch, BE APPROVED, subject to conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 12-85, dated October 1, 2012;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd, on behalf of Victoria Wood (Dallan) GP Inc. for a Zoning By-law Amendment from the UR (Urban Reserve), H (Hazard) and A (Agriculture) Zones to the R.1C (Single-detached Residential), R.1C-? (Specialized Single-detached Residential), R.1D (Single-detached Residential), R.2 (Semi-detached Residential), R.3B-7 (Specialized On-street Townhouse), R.4A-? (Specialized General Apartment Residential), P.2 (Neighbourhood Park), P.1 (Conservation Lands) and WL

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(Wetland) Zones affecting the property municipally known as 161, 205 and 253 Clair Road East and legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch, be approved, in the form outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 12-85, dated October 1, 2012;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 161, 205 and 253 Clair Road East, as set out in Report 12-85 from Planning, Building, Engineering and Environment, dated October 1, 2012."

## **BACKGROUND**

### **Location**

The subject site is a 23.1 hectare parcel located on the south side of Clair Road East, east of the intersection of Gordon Street and Clair Road East.

The area surrounding the subject site consists of a residential subdivision (Westminster Woods) to the north, rural residential estate lots to the east, agricultural and environmentally sensitive lands to the south and a draft approved subdivision to the west of the site (Pergola, 23T-03507). (See Location Map in Attachment 1).

### **Application History**

A summary of the application process to date is provided below:

- Original application was received on October 16, 2007 and deemed to be complete on May 1, 2008. The proposed draft plan consisted of a total of 303 proposed residential units: 148 single detached, 24 on-street townhouse, 34 cluster townhouse, and 97 apartment units (See Attachment 4).
- Initial subdivision proposal was circulated to area residents and agencies on May 12, 2008 for review and comment.
- Statutory Public Meeting held by City Council on June 3, 2008 (Council received staff information Report 08-62 that provided background information on this application).
- 1<sup>st</sup> revision of the proposed draft plan of subdivision (see Attachment 4) received on August 28, 2009. The revised plan consisted of a total of 413 proposed residential units: 74 single detached, 26 semi-detached, 55 on-street townhouse, 45 cluster townhouse, and 213 apartment units.
- Revised draft plan circulated to area residents and agencies on October 2, 2009 for review and comment.
- Second Statutory Public Meeting held by City Council on November 2, 2009 (Council received staff information Report 09-84) that provided background information on this application).

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- 2<sup>nd</sup> revision of the proposed draft plan was submitted on November 12, 2009. This version attempted to address concerns raised by the Guelph Field Naturalists, but planning staff did not support the proposed layout (see Attachment 4).
  - 3<sup>rd</sup> revision of the proposed draft plan of subdivision, as shown in Attachment 4, was received on January 19, 2010.
  - Draft plan and related documents, including Environmental Impact Study, reviewed and approved by the Environmental Advisory Committee (EAC) on June 9, 2010.
  - Notice of Decision Meeting to be held at Council on April 4, 2011 circulated on March 15, 2011.
  - Decision meeting held on April 4, 2011 (with Report 11-39). At this meeting, Council passed the following resolutions:
    - "THAT the matter of the 161, 205 and 253 Clair Road East (Dallan, Phase 1) – Proposed Draft Plan of Subdivision and Zoning By-law Amendment be referred back to the Environmental Advisory Committee for their recommendations regarding the recommended width and location of the corridor and whether any studies are required to make their determinations;
    - AND THAT staff report back to Council as soon as possible with their recommendations;
    - AND THAT the issue of the width of the buffer along the property to the east of 161, 205 and 253 Clair Road East (Dallan, Phase 1) be referred to staff in conjunction with the migration (wildlife) corridor matter;
    - AND THAT staff report back to council as soon as possible."
  - 4<sup>th</sup> revision of proposed draft plan of subdivision was submitted on April 8, 2011. Following the Council Meeting on April 4, 2012, the applicant modified their plans to further widen the natural corridor on the west side of the site (as shown in Attachment 3), submitted them to City staff for review and met with representatives of the Guelph Field Naturalists and Sierra Club to discuss the proposed changes to the plan.
  - In June 2011, the Ministry of Natural Resources notified the applicant and the City that an additional year of monitoring was needed to ensure that there was no habitat for Jefferson Salamanders on the site.
  - The revised draft plan of subdivision and related documents, were reviewed and approved by EAC on October 12, 2011 (see Attachment 5 for EAC resolutions).

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- Applicant completed additional monitoring for salamanders in the Spring of 2012. On June 28, 2012, a letter was received from the Ministry of Natural Resources confirming that appropriate monitoring had taken place and no evidence of Jefferson Salamanders was found (see Attachment 6).
  - Notice of Decision Meeting to be held at Council on October 1, 2012 circulated on September 7, 2012.

### **Revisions to the Draft Plan of Subdivision Proposal**

The applicant's current draft plan of subdivision application, shown on Attachment 3, has incorporated minor revisions from the previous draft plan proposal that was presented at the second public meeting on November 2, 2009 and the draft plan proposal that was shown at the April 4, 2011 Council Meeting for decision (see previous plans in Attachment 4). These revisions include:

- An increase in open space, specifically a wider natural corridor along the westerly side of the property (originally 10 metres wide, now 50 metres wide).
- A reduction in four residential units overall (from 413 to 409 in total) to accommodate the wider natural corridor on the westerly side.
- A modification of the number of units by type. The previous plan included 74 single detached, 26 semi-detached, 55 on-street townhouse, 45 cluster townhouse, and 213 apartment units. The current proposal consists of a total of 79 single detached, 26 semi-detached, 53 on-street townhouse, 47 cluster townhouse, and 204 apartment units.

### **Official Plan Designation**

As a result of the timing of the application submission, the existing Official Plan land use designations that apply to the subject lands are "General Residential" and "Core Greenlands." A "Non-Core Greenlands Overlay" also applies to the subject site. The relevant Official Plan Land Use Map and policies are included in Attachment 7.

In July 2010, Council adopted Official Plan Amendment Number 42 (OPA#42) which incorporates new Natural Heritage policies into the current Official Plan. On February 22, 2011, the Ministry of Municipal Affairs and Housing approved OPA#42 with modifications and appeals have been received subsequent to Ministry approval.

This application was considered complete on May 1, 2008, ahead of the adoption of OPA #42 by City Council. Staff have evaluated this proposal against the Natural Heritage policies in OPA#42 as well as the policies in place at the time of application. Information from the Environmental Impact Study, which is supported by staff and the Environmental Advisory Committee, is reflected in the Natural Heritage policy designations and mapping.

### **Existing Zoning**

The subject lands are currently zoned UR (Urban Reserve) and WL (Wetlands) in Guelph's Zoning By-law (1995)-14864 and zoned A (Agriculture) and H (Hazard) in the Township of Puslinch Zoning By-law 19/85 (see Attachment 8).

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## REPORT

### **Proposed Draft Plan of Subdivision**

The proposed draft plan of subdivision and associated details are included in Attachment 3. The draft plan of subdivision includes a total of 409 residential units, consisting of 79 single detached dwellings, 26 semi-detached dwellings, 100 townhouse units and 204 apartment units. Additional lands within the subdivision plan contain a park, stormwater management blocks and open space.

A wide range of housing types are provided in this plan. Two apartment blocks with a total of 204 units are situated adjacent to Clair Road East, west of proposed public street 2. South of the apartment blocks are four blocks of street-fronting townhouses consisting of 30 units and a block of cluster townhouses containing 47 units (Block 100). Further south and across Street 1 are three additional blocks of on-street townhouses containing 23 units.

To the east of Street 2, a small street of single detached dwellings is proposed (Street 3) and an existing detached dwelling, built in 1987, is proposed to be retained (lot 14). Further, south along the easterly side of Street 2, 26 lots for semi-detached dwellings are proposed. Single-detached dwellings are proposed to front along Street 8 and the west side of Street 7 in the southerly portion of the site.

On the westerly side of the site, north of Street 1, a park block is proposed for a neighbourhood scale park (Block 103). Block 107 is open space that wraps around the east, south and westerly sides of the site, containing open meadow, wooded and wetland areas and the natural corridor meant for wildlife movement on the westerly side of the site. A trail is proposed along portions of the open space block on the south and easterly sides of the site but not near the wildlife corridor. Blocks 104 and 105 are lands provided for stormwater management.

The proposed plan provides a functional street network using the main access point to the subdivision at the intersection of Clair Road East and the southerly extension of Beaver Meadow Drive (Street 2). The second access is proposed to align with the street shown in the draft approved Pergola subdivision to the west (Street 1). Street 1 to Street would also provide a logical transit route.

Overall residential development is proposed on 8.8 hectares of the entire site, or approximately 38% of the subject site. A large portion of the site, approximately 10.5 hectares or 45% of the total site contains natural features, open space, and stormwater management areas that are not proposed to be developed.

In 2011, the proposed draft plan of subdivision was brought forward for draft plan approval in phases in keeping with the Development Priorities Plan and the City's phasing policy. Now, the entire plan is being considered for draft plan approval, which aligns with the 2012 Development Priorities Plan, where future servicing capacity has been considered for the whole plan. If approved, registration of the plan would still be phased in accordance with the City's phasing policy and existing servicing requirements at the time.

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Based on the “Places to Grow” density calculation, the total subdivision achieves a density of 66 persons per hectare.

In support of this application, the applicant submitted the following studies:

1. Preliminary Servicing and Stormwater Management Report. Prepared by K.J. Behm & Associates. September 2007.
2. Environmental Impact Statement. Prepared by Stantec Consulting Ltd. October 2007.
3. Hydrogeological Assessment. Prepared by Stantec Consulting Ltd. October 2007.
4. Traffic Impact Study. Prepared by Paradigm Transportation Solutions. February 2008.
5. Preliminary Servicing and Stormwater Management Report, prepared by K.J. Behm & Associates Inc. August 2009.
6. Hydrogeological Assessment, prepared by Stantec Consulting. August 2009.
7. Environmental Impact Study Addendum Report prepared by Stantec Consulting. August 2009.
8. General Tree Inventory prepared by Stantec Consulting. August 2009.

### **Proposed Zoning By-law Amendment**

To implement the proposed draft plan of subdivision, the owner wishes to rezone the subject property from the current Urban Reserve (UR) Zone and Township of Puslinch A (Agriculture) and H (Hazard) Zones (see Attachment 8) to the:

- R.1C (Single-detached Residential) Zone;
- R.1C-? (Specialized Single-detached Residential) Zone;
- R.1D (Single-detached Residential) Zone;
- R.2 (Semi-detached Residential) Zone;
- R.3B-7 (Specialized On-street Townhouse) Zone;
- R.4A-? (Specialized General Apartment) Zone;
- P.2 (Neighbourhood Park) Zone;
- P.1 (Conservation Land) Zone;
- WL (Wetland) Zone.

The proposed zoning concept is also provided in Attachment 8.

### **Planning Issues**

Planning staff review of the proposed plan of subdivision and associated zoning by-law amendment includes analysis of the following criteria:

- Review of the proposal against Section 51(24) of The Planning Act (subdivision control).
- Evaluation of the proposal against the General Residential, Core Greenlands and Non-Core Greenlands policies of the Official Plan.
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation.
- Review of the proposed zoning and need for specialized zones.
- Review timing in relation to the Development Priorities Plan and phasing policy.

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- Review of proposed site layout and energy consumption in relation to the Community Energy Plan.

The staff review also addresses issues raised at the both public meetings, including:

- Location of the stormwater management ponds
- Building heights and expected interface along Clair Road
- Status of truck routes
- Opportunities to connect to the south
- Removal of existing houses
- Whether the application is premature in context of recent and impending policy changes (Natural Heritage Strategy, Greenbelt expansion, South Guelph Community Plan)
- Impact on the Paris/Galt Moraine
- Need for public access to the natural heritage features
- Possible opportunities to retain trees
- Need for alternative design standards
- Concerns regarding Natural Heritage by the Guelph Field Naturalists
- How to open up the environmental features to public view and access
- How the change in density impacts the site

### **Planning Analysis**

The planning analysis section of this report is included in Attachment 9 and provides Planning staff's response to all issues identified through the development review process, which includes both public meetings held on this application.

### **Response to Council Resolution from April 4, 2011**

After the Council meeting in April, 2011, the applicant chose to further revise their plans to widen the wildlife corridor on the westerly side of the site. The revised plans were reviewed by the Environmental Advisory Committee (EAC) in October 2011 and EAC was satisfied and supportive of the width and location of the wildlife corridor as proposed (See EAC resolutions in Attachment 5).

### **Staff Recommendation**

Planning staff are satisfied that the issues raised have been resolved and support approval of the proposed draft plan of subdivision application and associated zoning by-law amendment in accordance with the regulations and conditions in Attachment 2 of this report. Staff are recommending draft plan approval based on the plan of subdivision proposal shown on Attachment 3.

### **COMMUNITY ENERGY INITIATIVE**

In general, the proposed development is an efficient use of land at a density that will support local transit and in a location close to services for pedestrians and cyclists. The developer has agreed to build all residential units in the proposed subdivision to the Energy Star standard. In addition, the developer has committed that additional energy conservation measures will be incorporated into the apartment and cluster townhouse blocks, including water efficiency, energy conservation and the use of local materials. The full list of energy conservation measures proposed is found in Attachment 10. These measures are included in the draft plan of subdivision conditions (Condition 57) in Attachment 2.

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## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

Based on a maximum of 409 residential units:

### **Projected Taxation**

- \$1,349,700 per year (estimated at \$3,300 per unit)

### **Development Charges**

- \$6,829,666 (Residential)

## **DEPARTMENTAL CONSULTATION**

A summary of the public and agency comments received during the review of the application are outlined in Attachment 11. Actual comments received are included in the April 4, 2011 decision report to Council (Report #11-34).

## **COMMUNICATIONS**

Key dates for the public process regarding this planning application are included in Attachment 12.

## **ATTACHMENTS**

Attachment 1: Location Map

Attachment 2: Regulations and Conditions

Attachment 3: Proposed Draft Plan of Subdivision

Attachment 4: Previous Versions of the Draft Plan of Subdivision

Attachment 5: Environmental Advisory Committee Resolutions

Attachment 6: Letter of Confirmation from the MNR

Attachment 7: Existing Official Plan Land Use Designations and Related Policies

Attachment 8: Existing and Proposed Zoning

Attachment 9: Planning Staff Analysis

Attachment 10: Proposed CEI Initiatives

Attachment 11: Agency and Public Comments Summary

Attachment 12: Key Dates for Public Consultation

### **Prepared By:**

Katie Nasswetter  
Senior Development Planner  
519.822.1260, ext. 2356  
katie.nasswetter@guelph.ca

### **Reviewed By:**

Sylvia Kirkwood  
Manager of Development Planning  
519.822.1260, ext. 2359  
sylvia.kirkwood@guelph.ca

Original Signed by:

Original Signed by:

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### **Recommended By:**

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

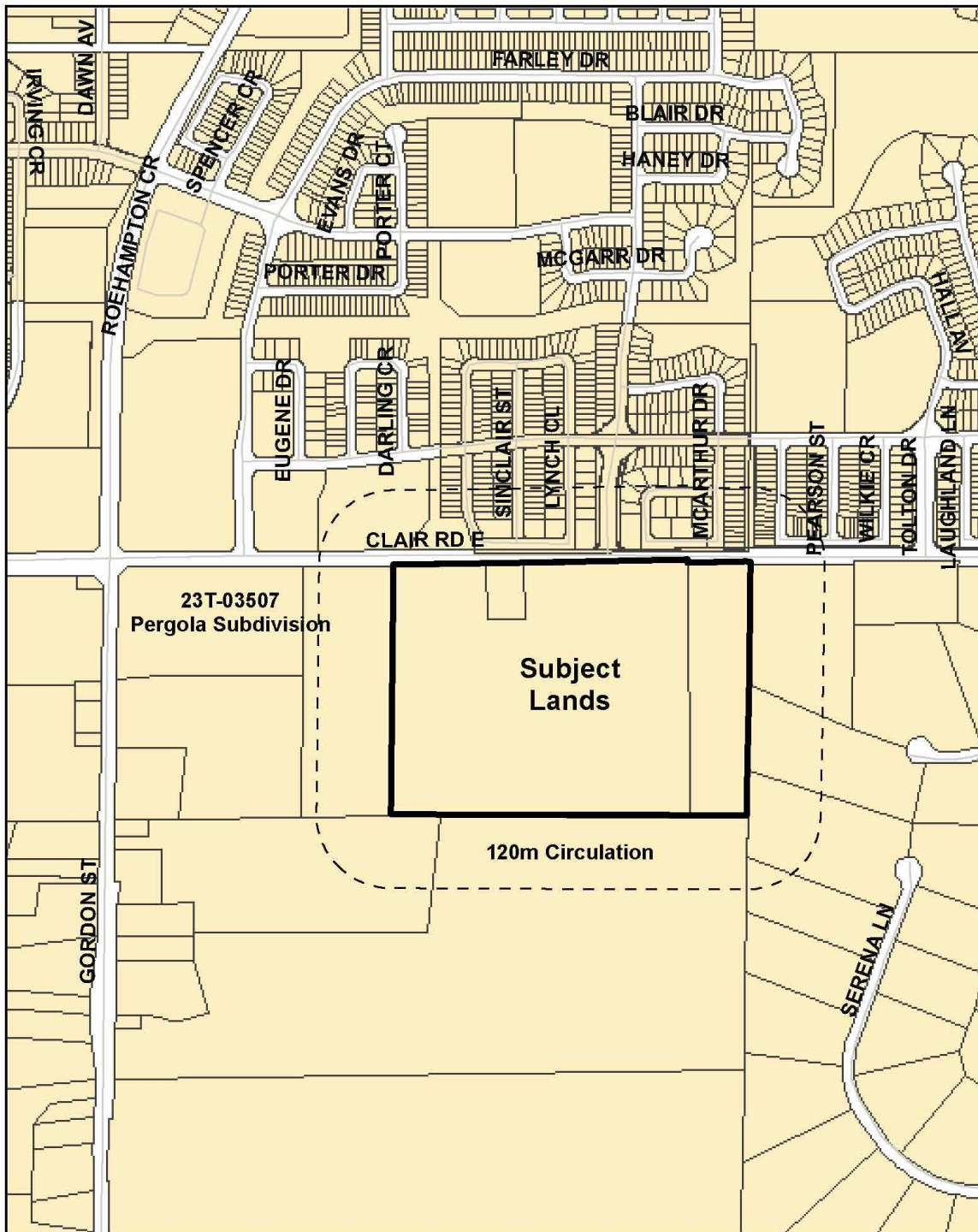
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### **Recommended By:**

Janet Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519.822.1260, ext. 2237



## ATTACHMENT 1 Location Map



The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of this official or unofficial map. This map is for informational purposes only and should not be used for any other purpose. It is not intended to replace a survey or to be used for legal descriptions. It is not a warranty and is not a guarantee. The City of Guelph is not responsible for any errors or omissions. Please contact the City of Guelph for additional information at 519-825-5100.



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Community Design & Development Services

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## ATTACHMENT 2

### Draft Plan of Subdivision (23T-08503) Conditions and Zoning Regulations

#### Part A: Draft Plan of Subdivision Conditions

"That the application by Black, Shoemaker, Robinson & Donaldson Ltd. on behalf of Victoria Wood (Dallan) GP Inc. for a proposed Draft Plan of Subdivision and associated Zoning By-law Amendment (23T08503/ZC0803) applying to property municipally known as 161, 205 and 253 Clair Road East and legally described as Southwest Part Lot 8, Concession 11, former Township of Puslinch, **be approved**, subject to the following conditions:

#### CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by Black, Shoemaker, Robinson and Donaldson Ltd, dated April 8, 2011, to include the development of 409 residential units as shown in **Attachment 3**, subject to the following revisions:
  - a. Addition of a 0.3 metre reserve along the Clair Road frontage of Blocks 101 and 102.
  - b. Addition of a 0.3 metre reserve along the south side of Blocks 93, 94 and 95
  - c. That the radii of Street 2 be 12 metres wide to align with existing Beaver Meadow Drive to the north.

#### **Conditions to be met prior to any grading or site alteration**

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.

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6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
  7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
  8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
  9. The Developer shall retain a qualified **environmental inspector**, satisfactory to the General Manager of Planning Services to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The inspector shall report on their findings to the City.
  10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described. Low impact development should be considered for the apartment blocks.
  11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
  12. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
  13. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.
  14. The Developer shall prepare and implement an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). Such a report will include:

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- a. A comprehensive monitoring plan, including a monitoring program to assess the performance of the storm water management facilities.
  - b. The information and implementation process to get details to the homeowners concerning the storm sewer and storm water management process.
  - c. The items identified in the Environmental Advisory Committee (EAC) resolutions dated June 9, 2010 and October 12, 2011, as well as the EAC supported Environmental Impact Study Addendum Report dated August 2009
  - d. The GRCA letter dated July 27, 2010
  - e. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and the GRCA.

### **Conditions to be met prior to execution of subdivision agreement**

- 15. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
- 16. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
- 17. With the exception of any share determined by the City to be the City's share in accordance with City by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.

The Developer shall be responsible for:

- a) a share of the cost of the existing 400mm diameter Clair Road watermain to the satisfaction of the City Engineer;
  - b) a share of the actual cost of the reconstruction of Clair Road to the satisfaction of the City Engineer;
  - c) a share of the costs of turn lanes and traffic signals at the intersection of Street 2/Clair/Beaver Meadow to the satisfaction of the City Engineer;
- 18. The Developer agrees that no development will be permitted on the lands unless the grading plan prepared for the subdivision and approved by the City Engineer indicates that the maximum proposed elevation on the lots and blocks to be developed is less than an elevation of 344 metres or until the City Engineer confirms that adequate **water pressure** is available to service

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the lands. All costs associated with location, design, construction, operation and maintenance of a water booster pump system will be the responsibility of the developer.

19. The Developer agrees that no development will be permitted on the lands unless there is adequate **sanitary sewer capacity** in the downstream sanitary system. All costs associated with any required upgrades or twinning of existing downstream sewers in order to accommodate the flow from these lands will be the responsibility of the developer.
20. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
21. The Developer shall submit a **Traffic Impact Study** to the satisfaction of the City Engineer addressing vehicular and pedestrian site access, the potential impact of the development on the existing road network, sight lines, traffic signage and traffic calming measures.
22. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
23. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City.
24. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
25. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
26. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
27. The Developer shall **phase the subdivision** to the satisfaction of the City of Guelph. Such phasing shall conform to the current Development Priorities Plan.
28. The Developer shall dedicate **Block 103 as parkland** in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-law (2007)-18225 or any successor thereof.
29. The Developer shall be responsible for the cost of design and development of the **"Basic Park Development"** as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading and sodding for any phase containing a Park block to the satisfaction of the Executive Director of Operations and Transit. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the Basic Park

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Development for the Park Block to the satisfaction of the Executive Director of Operations and Transit.

30. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of a 2 year warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Operations and Transit. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Operations and Transit.
31. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Executive Director of Operations and Transit. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Executive Director of Operations and Transit.
32. The Developer shall design and develop the **Storm Water Management Facility Landscaping** in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Executive Director of Operations and Transit and the City Engineer. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the General Manager of Planning Services.
33. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Executive Director of Operations and Transit and the City Engineer. This shall include the submission of drawings completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the General Manager of Planning Services.
34. The Developer shall provide Planning, Building, Engineering and Environment with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks.

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### **Conditions to be met prior to registration of the plan**

35. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
36. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination. (Legal)
37. If contamination is found, prior to the City accepting any real property interests, the Developer shall:
- a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Reality Services;
  - b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
  - c) file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City (Legal)
38. The Developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
39. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
40. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the



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roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".

41. That all **easements, blocks** and **rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.

42. The Developer shall pay any **outstanding debts** owed to the City.

43. The Developer shall pay **development charges** to the City in accordance with By-law (2009)-18729, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.

44. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall." The sign is to be resistant to weather and vandalism.

45. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title :

"Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."

"Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."

"Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Clair Road and Streets 1 and 2 at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."

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"Purchasers and/or tenants of all lots or units are advised that Clair Road may be used as a truck route"

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

"Purchasers and/or tenants of all lots or units are advised that the boundaries of the park block and stormwater management blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy."

"Purchasers and/or tenants of all lots or units are advised that the stormwater management ponds have been vegetated to create a natural wetland setting. The City will not carry out routine maintenance such as grass cutting."

"Purchasers and/or tenants of all lots or units advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."

"Purchasers and/or tenants of all lots or units are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out routine maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."

"Purchasers and/or tenants of all lots or units are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."

"Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to lot numbers **1 to 19, 24 to 42, 76 to 92** and block numbers **100 and 101.**" The Developer shall also send written notification of proposed demarcation to any existing homeowners in lots adjacent to open space, stormwater management and park blocks.

46. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.

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47. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
48. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
49. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.
50. The Developer shall pay to the City the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook** to all future residents within the Plan with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
51. The Developer shall **dedicate Block 103 for park purposes** in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof.

**Conditions to be met prior to the issuance of a building permit**

52. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
53. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
54. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
55. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.
56. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to the ENERGY STAR standard that promotes **energy**

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**efficiency** standards in order to comply with the Community Energy Initiative, to the satisfaction of the General Manager of Planning Services.

**Conditions to be met prior to site plan approval**

57. The owner shall, to support the **Community Energy Initiative** to the satisfaction of the General Manager of Planning Services, prior to the issuance of site plan approval, provide the City with evidence that dwelling units will be constructed to the standard set out in **Attachment 10** of Planning, Building, Engineering and Environment Report 12-85, dated October 1, 2012.

**AGENCY CONDITIONS**

58. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:

- a) A final storm water management report in accordance with the Preliminary Site Servicing and Stormwater Management Design Report.
- b) An erosion and siltation control plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.
- c) Detailed lot grading and drainage plans
- d) The approval and issuance of a Permit from the GRCA for any development within the regulated areas on the subject lands pursuant to Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

59. That the **subdivision agreement** between the owners and the municipality contain provisions for:

- a) The completion and maintenance of the works in accordance with the approved plans and reports contained in condition 58.
- b) The maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction.

60. The Owner shall make satisfactory arrangements for the electrical servicing of the subject lands to the satisfaction of the Technical Services Department of **Guelph Hydro Electric Systems Inc.**, prior to the registration of the plan.

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61. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
62. That **traffic signals** be installed at the intersection of Clair Road and Beaver Meadow Drive to provide safe pedestrian access for students crossing to the new school.
63. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school.”
64. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
65. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
66. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
67. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.

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68. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 53 and 60 have been satisfied.
69. That prior to the registration of all, or any portion of, the plan, the **Grand River Conservation Authority** shall advise the City in writing, how Conditions 10, 14 and 58 have been satisfied.
70. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 61-64 have been satisfied.
71. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 65 has been satisfied.
72. That prior to the registration of all or any portion of the plan, the **telephone service and cable TV service** (if provided) shall advise the City in writing how conditions 46 and 66 have been satisfied.
73. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 67 has been satisfied.

**Note to Draft Plan Approval:**

1. That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of Draft Plan approval.

AND

**PART B: Zoning Regulations**

"That the Zoning By-law Amendment application be approved and that City staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to change the subject lands from the current UR (Urban Reserve) Zone and A (Agriculture) and H (Hazard) Zones from the Township of Puslinch to the following zoning categories:

<b>Zone</b>	<b>Land Use</b>	<b>Lot/Block #</b>
R.1C	Single Detached Residential (12m frontage)	76-84
R.1C-?	Specialized Single Detached Residential (Specialized to allow coach houses over detached garages)	43-57

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R.1D	Single Detached Residential (9m frontage)	1-21, 36-42, 58-75, 84-92
R.2	Semi-detached Residential	22-34
R.3A	Cluster Townhouse	100
R.3B-7	On-Street Townhouse (Specialized regulations for exterior side yards and lot coverage, proposed with rear land access)	93-99
R.4A-?	Apartment Specialized Regulation added for Minimum Density (Minimum density of 90 units per hectare)	101 & 102
P.2	Neighbourhood Park	103
P.1	Stormwater Management	104 & 105
P.1	Conservation Lands	106 & 107
WL	Wetlands	106

### Specialized Regulations

#### R.1C-?? Zone

As shown on Defined Area Map Number 73 of Schedule "A" of this *Bylaw*.

#### Permitted Uses

In addition to the permitted *Uses* outlined in Section 5.1.1 of this *By-law*, the following permitted *Use* shall be allowed:

- a *Garden Suite* occupying the second *Storey* of a *Detached Garage*.

#### Regulations

##### 1. Off-Street Parking Location

- a) Despite Section 4.13.2.1 and Section 4.5.1, an off-*Street Parking Space* located in a *Detached Garage* can be located 5.5 metres from the *Street Line*, when the driveway is located between the *Street Line* and the *Detached Garage*.
- b) Despite Section 4.13.2.1 and Section 4.5.1, an off-*Street Parking Space* located in a *Detached Garage* can be located 3.0 metres from the *Street Line*, when no portion of the driveway is between the *Street Line* and the *Detached Garage*.

##### 2. Accessory Buildings or Structures

- a) Despite Section 4.5.1, a *Detached Garage* located behind the detached dwelling shall have a minimum *Front Yard* setback of 3.0 metres.



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b) Despite Section 4.5.1.1, a maximum area of 42% of the *Front Yard* where a *Detached Garage* is located between the *Street Line* and the nearest foundation wall of the Main Residential *Building* facing the public *Street Line* can be occupied by *Buildings* and *Structures*.

For all *Uses* outlined in Section 5.1.1 of this *By-law*, the regulations in Section 5.1.2 shall apply, with the following exception:

*Minimum Front Yard*

Despite Table 5.1.2, Row 6, the Main Residential *Building* shall be 4.5 metres from the *Street Line* with no vehicular access to that *Street*.

For a *Garden Suite* occupying the second *Storey* of a *Detached Garage*, the regulations in Section 5.1.2 shall apply with the following exceptions and additions:

1. Despite Section 4.5.2.1, a *Detached Garage* with a *Garden Suite* shall have a maximum *Building Height* of two *Storeys* and a maximum of 7.6 metres.
2. Despite Section 4.5.3, a *Garden Suite* may occupy the second *Storey* of a *Detached Garage Building* and be used for human habitation, provided that there is not an *Accessory Apartment* in the Main Residential *Building*.
3. On a property with a *Garden Suite* in a *Detached Garage*, an *Accessory Apartment* will not be permitted in the Main Residential *Building*.

R.4A-?? Zone

In accordance with the provisions of Section 5.4.2 of Zoning ***By-law*** (1995)-14864, as amended, with the following exceptions and additions:

1. Maximum Density  
Notwithstanding the provisions of Table 5.4.2, Row 5, the minimum Density shall be 90 units per hectare and the Maximum Density shall be 100 units per hectare.

[illegible]



**b. 1<sup>st</sup> Revision: August 28<sup>th</sup>, 2009**



**c. 2<sup>nd</sup> Revision: November 12, 2009**



**d. 3<sup>rd</sup> Revision: January 19, 2010**



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**ATTACHMENT 5**  
**Environmental Advisory Committee Resolutions**

**a. From October 12, 2011**

“That the Environmental Advisory Committee support the proposed size and location of the corridor located on the Dallan lands, based on all associated materials prepared by Golder Associates considering the following:

- That the size of the proposed corridor will be, at minimum, 64m wide;
- That the proposed corridor location will allow for the linkage to remain undisturbed throughout the construction of the development;
- That the corridor will provide a connection between the natural areas on and adjacent to the site;
- That the proposed linkage conforms to applicable policies including City of Guelph Draft Natural Heritage Strategy (OPA 42);
- That the proposed corridor does follow the guidelines identified within the Significant Wildlife Habitat Technical Guide; and
- That the Environmental Advisory Committee recommends Council direct staff to establish long term monitoring to determine the effectiveness of the corridor in maintaining amphibian use of the wetland adjacent to Clair Road”

**Motion Carried**

**Unanimous-**

**b. From June 9, 2010**

“That the Environmental Advisory Committee support the Environmental Impact Study prepared by Stantec Consulting for the Dallan Subdivision, with the following conditions:

- That items identified in the EIS to be included in the forthcoming EIR must include the following:
  - a) Details with regards to the vegetated swale proposed for the conveyance of storm water runoff to the wetland area south of Clair Road;
  - b) Identification of associated induced impacts with trail implementation as well as details on the trail design;
  - c) Proposed timing for vegetation removals or associated activities. These activities must take place outside of associated breeding seasons;
  - d) A detailed tree preservation/compensation plan including number of trees to be removed and proposed compensation for the removals as well as species identified for transplant on site;
  - e) Details surrounding the proposed wildlife culvert located beneath Road 1.
- That, as it pertains to the Western Chorus frog:



- 
- a) Protective buffers are maintained as no touch and associated mitigation measures must be implemented to ensure construction or related activities do not impede the species habit;
  - b) That the document speaks to the adequacy of the buffers provided on the wetland and how it conforms to the 2008 COSEWIC Recovery Strategy for the species.
  - That further explanation on the purpose, design and technical rationale and overall benefit of the amphibian stop over pond be provided;
  - That the use of native species for compensation plantings should be specified on all appropriate plans due to the ecological sensitivity of the site;
  - That buffers remain no touch areas;
  - That the EIR identifies the locations of the relocated rock piles need to be identified, and prior to moving the rock piles, they should be assessed for potential species utilizing the habitats;
  - That further detail, location, and planting plans for the proposed amphibian pond within the wildlife corridor must be identified in the EIR;
  - That details surrounding the wildlife corridor, including any proposed planting plans, fencing options, staging and timing, and educational signage be outlined in the EIR;
  - Establishment of a minimum 50 metre wide habitat corridor split between the Dallan property and the immediately adjacent property, designed to accommodate the needs of the target species found in the wetland adjacent to Clair Road, to be conveyed to the City;
  - Address strategies to mitigate salt impacts on the wetlands;
  - Implement best design practices to facilitate biological movement across Street #1 within the habitat corridor (e.g. culverts, speed bump, vegetation to the road verge, signs, reduced lighting etc.)
  - Educational package for residents, include the Enviroguide.”

**Motion Carried**

**Unanimous-**

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**ATTACHMENT 6**  
**Letter of Confirmation from the MNR**

**Ministry of  
Natural Resources**

**Ministère des  
Richesses naturelles**

Guelph District  
1 Stone Road West  
Guelph, Ontario  
N1G 4Y2

Telephone: (519) 826-4955  
Facsimile: (519) 826-4929



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GUE-2012-024

Nicholle Smith  
Golder Associates Ltd.  
2390 Argentia Road  
Mississauga, Ontario, Canada  
L5N 5Z7

June 28, 2012

Dear Ms Smith,

In 2011 the Ministry of Natural Resources undertook a review of the salamander studies completed on the Victoria Woods Dallan Lands property. With respect to Jefferson Salamander the MNR recommend an additional year of study be conducted in 2012. In March and April 2012 Golder Associates undertook minnow trapping for salamanders and provided the results in the technical memorandum on June 5<sup>th</sup>, 2012. After reviewing the technical memorandum MNR Guelph District staff are of the opinion that the study was completed in accordance with the recommendations provided by the Ministry of Natural Resources. If Jefferson Salamander was breeding in the ponds in 2012 they would have been detected. Therefore we are confident that the Victoria Woods Dallan Lands property does not provide habitat for this endangered species.

Thank you for your cooperation over the past year.

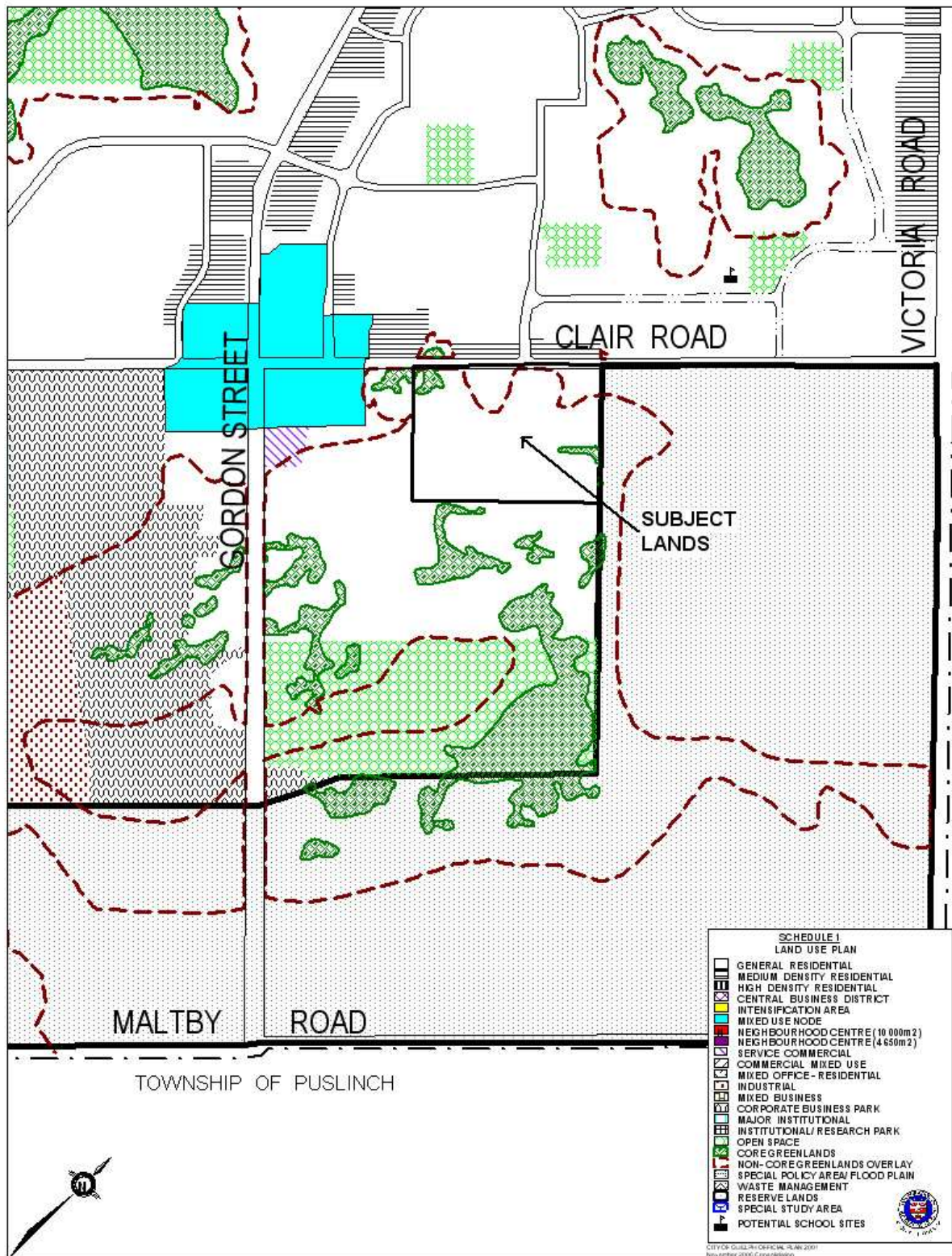
Sincerely,

Ian Hagman  
District Manager  
Ministry of Natural Resources – Guelph District  
1 Stone Road West  
Guelph ON  
N1G 4Y2

In order for us to serve you better, please call ahead to make an appointment with our staff.

## ATTACHMENT 7

### Official Plan Designations



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## **ATTACHMENT 7 continued Related Official Plan Policies**

### **General Residential' Land Use Designation**

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy.

7.2.7. Residential care facilities, lodging houses, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the net density of development shall not exceed 100 units per hectare (40 units/acre).

1. In spite of the density provisions of policy 7.2.32 the net density of development on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

7.2.34 Residential lot infill, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed development is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot infill shall be compatible with adjacent residential environments with respect to the following:

- a) The form and scale of existing residential development;
- b) Existing building design and height;
- c) Setbacks;
- d) Landscaping and amenity areas;
- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

7.2.35 Apartment or townhouse infill proposals shall be subject to the development criteria contained in policy 7.2.7.

### **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

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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.

### **Non-Core Greenlands Overlay**

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. The following natural features and their associated adjacent lands are found within the Non- Core Greenlands area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife habitat. In many instances these natural features also have hazards associated with them which serve as development constraints.

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.

- 
- 7.13.6 Development may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no negative impacts will occur on the natural features or the ecological functions which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified natural heritage feature as part of such environmental impact study.
- 7.13.7 It is intended that the natural heritage features associated with the Non-Core Greenlands overlay are to be protected for their ecological value and function. The implementing Zoning By-law will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.
- 7.13.8 Development may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with hazard lands as noted in Section 5 can be safely addressed. In addition, development within the flood fringe areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.

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## **ATTACHMENT 7 continued**

### **Natural Heritage Strategy Excerpt (OPA#42)\***

\*These policies were approved by Council on July 27, 2010 but are currently under appeal by several parties at the Ontario Municipal Board.

#### **6.1.3 General Policies**

1. The City shall ensure the long term protection of the *Natural Heritage System* and associated *ecological* and *hydrological functions*.

#### **Significant Natural Areas**

2. Development or site alteration shall not be permitted within Significant Natural Areas or their minimum buffers, as illustrated on Schedule 2. Exceptions are identified in the General Permitted Uses listed below and within the Significant Natural Areas policies.

3. Development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided it has been demonstrated through an Environmental Impact Study (EIS) or Environmental Assessment (EA) that there will be no negative impacts on the protected natural heritage features or their associated ecological functions. Exceptions are identified in the General Permitted Uses listed below and within the Significant Natural Areas policies.

#### **Natural Areas**

4. Development or site alteration may be permitted within all or parts of identified Natural Areas, provided it has been demonstrated through an EIS or EA that all, or parts of such areas do not meet the criteria in Section 6.1.6 that require their protection. Exceptions are identified in the General Permitted Uses listed below and within the Natural Areas policies.

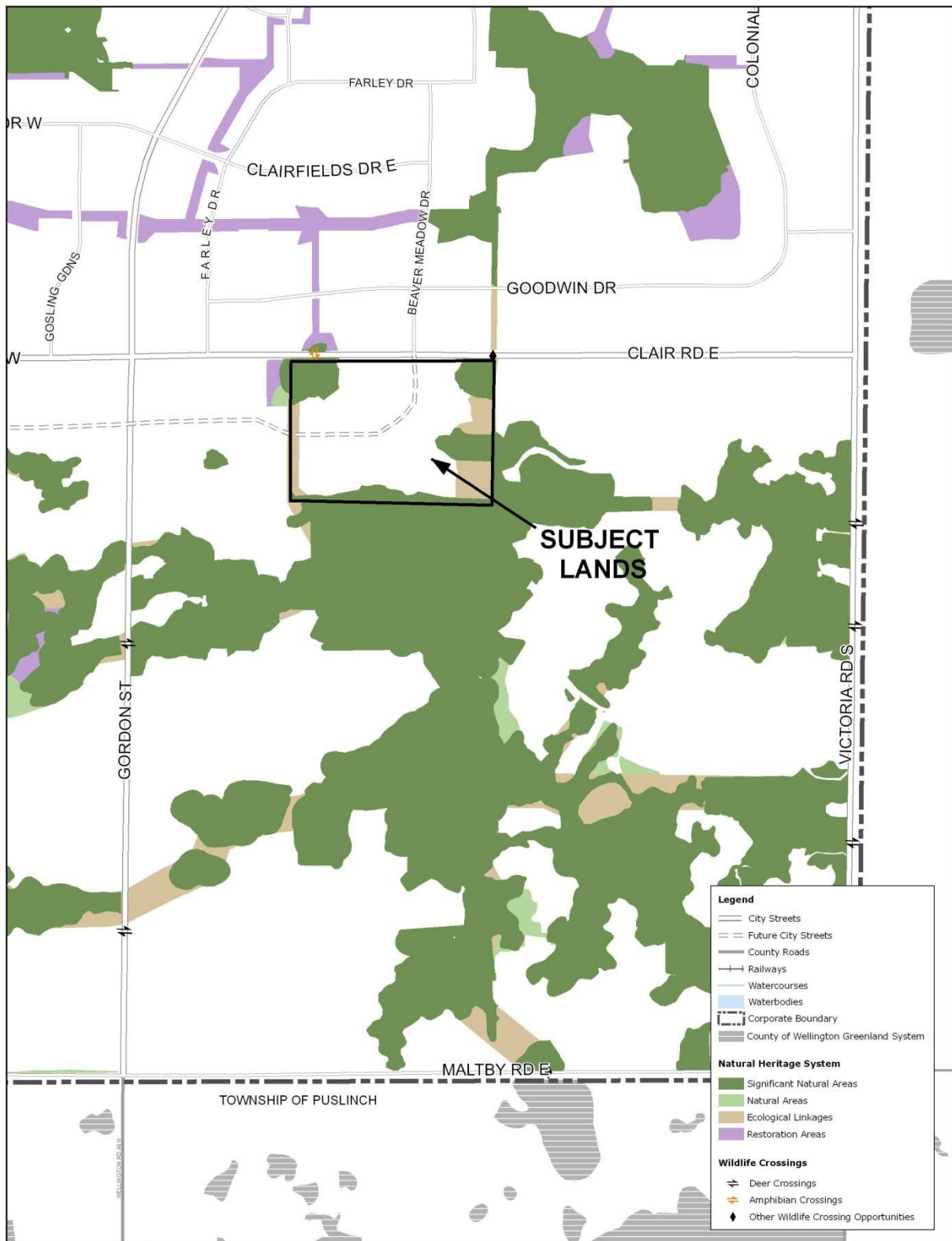
5. Development or site alteration may be permitted within the adjacent lands of Natural Areas provided it has been demonstrated through an EIS or EA that there will be no negative impacts on the protected natural heritage features or their associated ecological functions. Exceptions are identified in the General Permitted Uses listed below and within the Natural Areas policies.

6. If, through the preparation and review of a development application, it is found that important Natural Heritage features or functions have not been adequately identified or new information has become available, the applicant may be required by the City to prepare a scoped EIS of the natural heritage features and functions in consultation with the City of Guelph, and where appropriate the OMNR and the GRCA. If the Natural Heritage features or functions meet the criteria of the Natural Heritage System, the applicable Natural Heritage policies shall apply.

7. The City will work with the County to maintain connectivity between the Natural Heritage System within the City and the County.

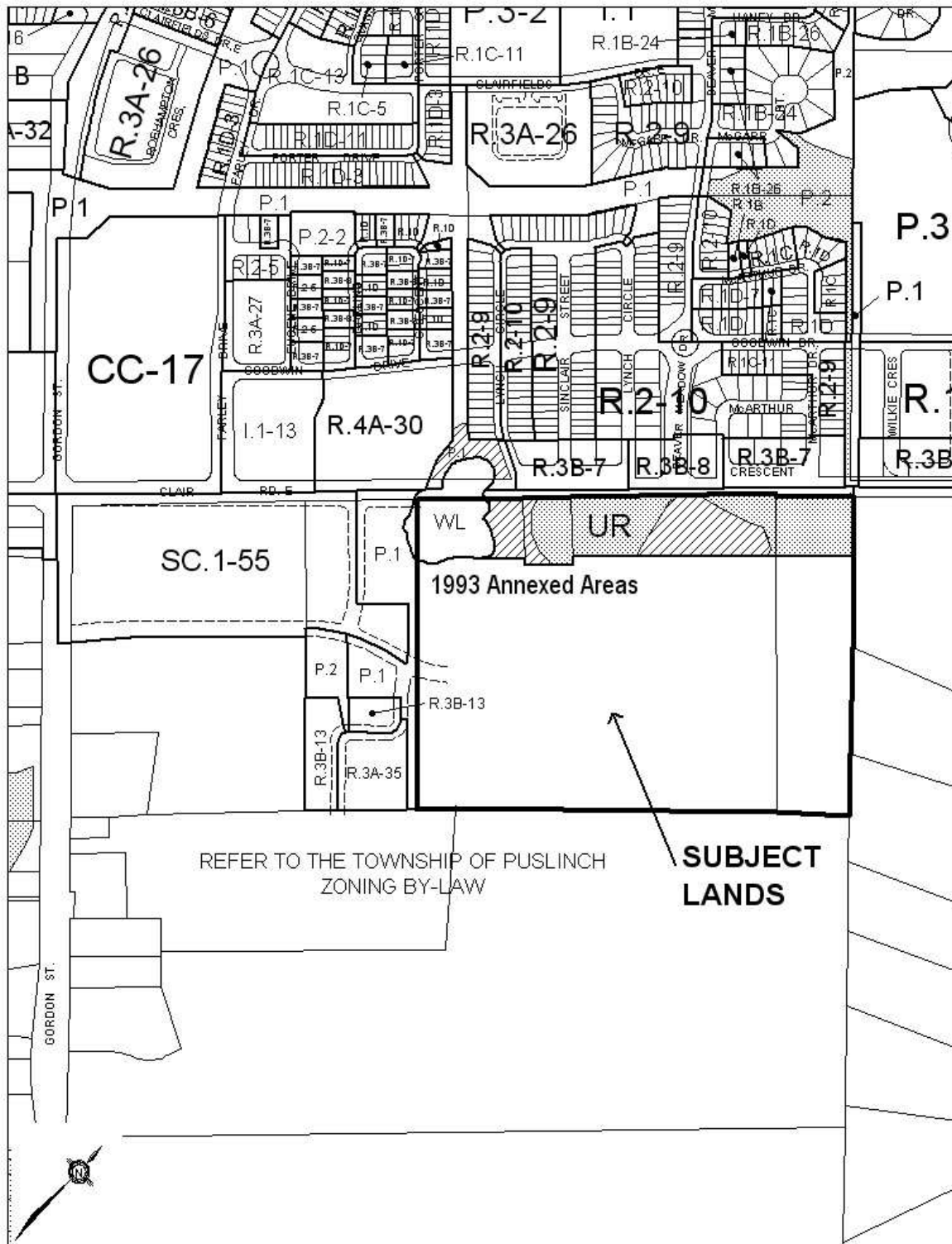


**ATTACHMENT 7 continued**  
**Associated Natural Heritage Mapping (OPA#42)**



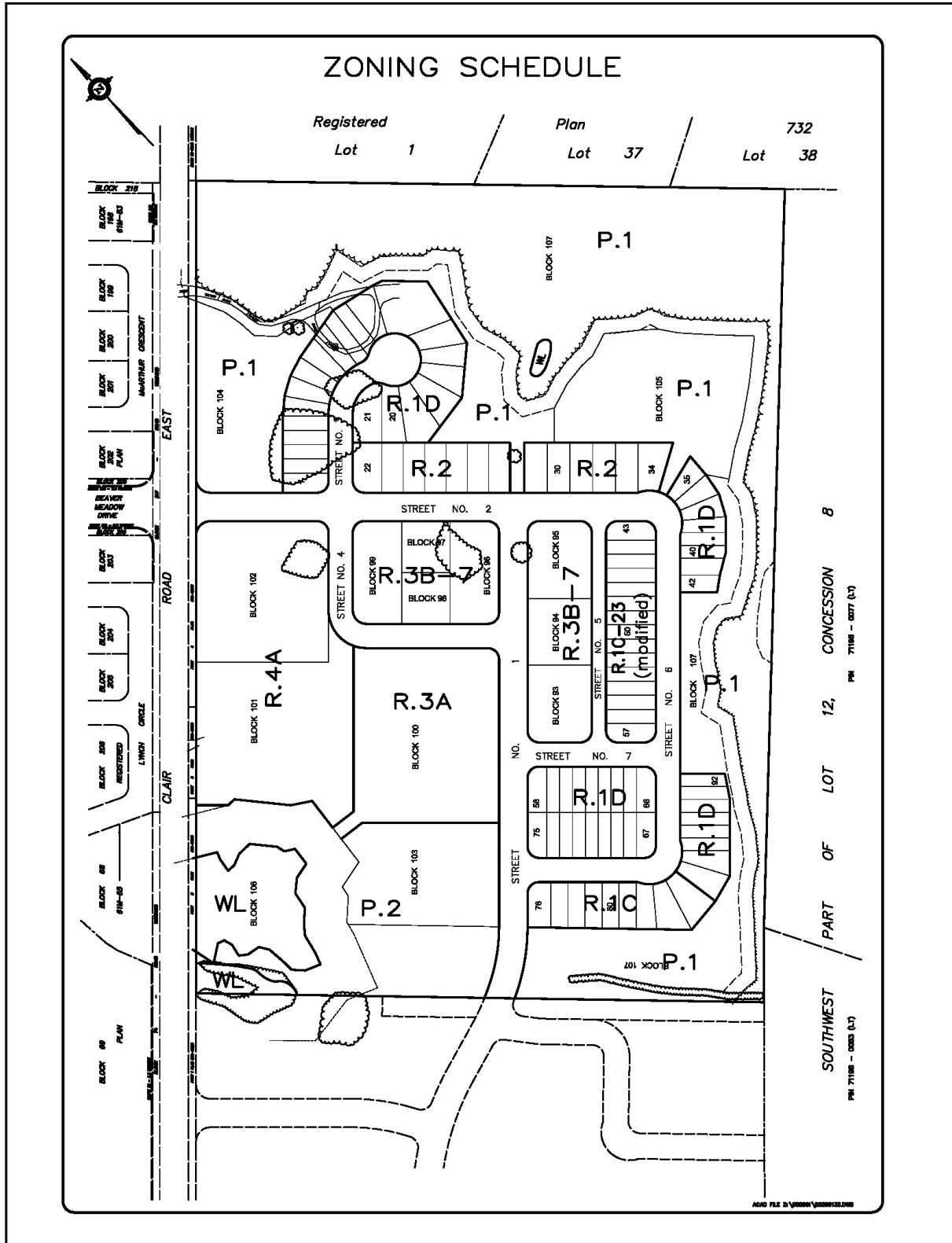


**ATTACHMENT 8**  
**a. Existing Zoning**



## ATTACHMENT 8 continued

### b. Proposed Zoning



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## **ATTACHMENT 9**

### **Planning Analysis**

#### **Criteria outlined in Section 51(24) of The Planning Act (subdivision control).**

In considering a draft plan of subdivision, regard shall be had, among other matters to a list of criteria outlined in Section 51(24). The criteria listed ensure that the proposed subdivision addresses the health, safety, convenience, accessibility and welfare of the present and future inhabitants of the municipality and that provincial interests are addressed.

Staff have considered the planning criteria during the review of the proposal and included the attached conditions in the Attachment 2 recommendation to ensure various related matters are addressed, in particular servicing, environmental protection, energy efficient construction, zoning and land use compatibility.

#### **Provincial Policy Statement Conformity**

The application supports the Provincial Policy Statement (PPS) and specifically addresses Section 1.1.3 that encourages the development of strong communities through the promotion of efficient, cost-effective development and land use patterns. The proposed subdivision will accommodate a range of housing types (Section 1.4 of the PPS) and a density that is efficient in terms of land use and servicing and supportive of public transit. Commercial services are available in close proximity at the intersection of Gordon Street and Clair Road. The application conforms to Section 1.5 'Public Spaces, Parks and Open Space' by the dedication of land for a neighbourhood park and an adjoining public trail system. Section 2.1 'Natural Heritage' is addressed by the retention of natural features, the large portion of the site dedicated to natural heritage preservation and function and the accepted environmental and servicing reports. Also, Section 2.6 of the PPS regarding Heritage Resources and Archaeology, will be met by the requirement (Condition 37 in Attachment 2) for an archeological assessment prior to development of the site.

#### **Places to Grow Conformity**

The subject site is located in the designated "Greenfield Area" under the Places to Grow legislation. The total plan of subdivision for the site proposes development at a density of approximately 66 persons per hectare, which would contribute to meeting the 50 persons and jobs per hectare requirement of the Places to Grow legislation.

#### **Official Plan Conformity**

The proposed draft plan conforms to the policies and land use schedules of the current Official Plan. The site is designated General Residential, with two Core Greenland areas identified on the site and a Non-Core Greenlands Overlay over the majority of the site.

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The subdivision provides for a range of housing types to meet a variety of housing needs, including opportunities for affordable housing. Single detached, semi-detached, townhouse and apartment dwellings are proposed in the draft plan, which is in conformity with the General Residential Official Plan designation. In the entire plan, 25 percent of the total units are single or semi-detached dwellings and the remaining 75 percent are multiple dwellings in townhouse or apartment units.

The application meets specific criteria in the Official Plan regarding multiple unit residential buildings in the General Residential designation, including building form compatibility, traffic accommodation and availability of local amenities and municipal services (See Official Plan policies in Attachment 7) The apartment block and townhouse blocks are proposed in the northern portion of the plan to provide increased density along Clair Road East and the main streets running through the proposed subdivision (Street 1 and Street 2) where access to transit and the proposed neighbourhood park will be available. Amenities in terms of a range of commercial services will be available within walking distance at the nearby intersection of Gordon Street and Clair Road.

**Natural Heritage Policies: Current Official Plan Policies and OPA#42**

Portions of the site are designated Core Greenlands and within a Non-Core Greenlands Overlay in the Official Plan because of significant natural features including wetland and woodland areas. These areas will remain intact along with portions of the Non-Core Greenlands functioning as protective buffers from the areas of the site expected to be developed.

The Core Greenlands designation (OP Section 7.13.1, see Attachment 7) recognizes areas that have greater sensitivity or significance. Natural heritage features located in these areas are to be protected due to their ecological significance, and no development is to be permitted within these areas. The Core Greenland areas identified in the OP on the property are the Halls Pond wetland located along Clair Rd. in the northwest corner of the site, as well as the wetland complex located to the south of the site. These features have been proposed to be retained since the beginning of the application process, along with appropriate buffers to further protect the integrity of the natural feature.

The Non-core Greenlands Overlay is also shown on the site. The areas covered by the overlay in the OP may contain natural heritage features, be adjacent to lands designated as Core Greenlands and natural hazard lands that should be protected from development. Development may occur on lands associated with the Non-core Greenlands overlay where an Environmental Impact Study (EIS) has been completed and demonstrates that no negative impacts will occur. An EIS was completed for the site demonstrating how the proposed development would occur and how any potential impacts to the natural features would be mitigated, and therefore not impede function of the natural heritage features on or immediately adjacent to the site.



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At the first public meeting, a question was raised as to whether this subdivision application was premature in the context of potential City policies changes, especially regarding newly proposed policies for the Natural Heritage Strategy (now known as OPA#42). When these applications were deemed to be complete, these policies were not in effect, and therefore they do not apply to the application. The existing Official Plan policies regarding Core Greenlands and the non-Core Greenlands overlay continue to be rigorously applied and need to be met by this application. After careful analysis, the applications meet the requirements outlined in those policies by protecting significant natural heritage features, such as Provincially Significant Wetlands with buffer areas and developing a new natural corridor along the westerly side of the site, including a wildlife culvert under Street 1, to facilitate wildlife movement through the site.

Staff have also reviewed this application against the new policies in OPA#42 in addition to the Official Plan policies which existed at the time of application.

OPA#42, as approved, identifies Significant Natural Areas on the site, which coincides with the existing Core Greenlands. The areas identified are the Halls Pond Wetland located at Clair Rd in the northwest corner of the site and a wetland complex to the south of the site. There is no development proposed to occur within these areas of the property and they will be maintained with appropriate buffers to ensure their integrity.

The property also contains an identified ecological linkage along the western property boundary. The NHS Ecological Linkage policies read that "Ecological Linkages should be at least 50m wide but ideally closer to 100m except where existing narrower linkages have been approved or identified on Schedule 10". The linkage as identified in the Natural Heritage Policies of OPA #42 is the same width as proposed in this draft Plan of Subdivision. The linkage is currently proposed to be 64 metres wide, with 50 metres on the subject site and 14 metres on the adjacent site to the west. The draft plan of subdivision approved on the site to the west (Pergola) is expected to be revised and there is potential for the ecological linkage to be expanded to 75 metres in total at that time.

In 2009, initial mapping work that is the basis of the new Natural Heritage policies identified a large portion of the property to be "Areas Subject to Further Study", where development could be permitted should an Environmental Impact Study demonstrate no net impacts on the natural features. Information from the Environmental Impact Study, which was reviewed and supported by staff and the Environmental Advisory Committee, is reflected in the final Natural Heritage policy designations and mapping.

Staff are satisfied that these applications conform to both current Official Plan policies and the new Natural Heritage policies in OPA#42.

#### **Official Plan Amendment #48 (2012)**

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is subject to Ministerial approval and is not yet in effect. Further, since the applications for the subject property were submitted prior to adoption of OPA

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48, they are not required to conform to the plan. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

OPA 48 designates the site a combination of "Significant Natural Area", "Low Density Greenfield Residential" and "Medium Density Residential. The portion designated "Significant Natural Area" reflects the lands shown in the draft plan of subdivision as conservation lands and the wildlife corridor. The majority of the developable area of the site is designated "Low Density Greenfield Residential" which permits a range of housing types, including multiple unit buildings. This designation applies to residential areas within the greenfield area of the City, which is planned to achieve an overall minimum density target of 50 persons and jobs per hectare. In order to provide flexibility to achieve this minimum density target, the Low Density Greenfield designation in OPA 48 establishes a maximum net density of 60 units per hectare and a minimum net density of 20 units per hectare. The proposed draft plan provides a net density of residential development of 29 units per hectare and provides a density of 66 persons per hectare under "Places to Grow" legislation which is appropriate to contribute to meeting the Growth Plan's Greenfield density requirement of 50 persons and jobs per hectare. A small portion of the northwest of the site, along Clair Road East is designated as "Medium Density Residential" which requires a density between 35 and 100 units per hectare. This portion of the site is proposed to be zoned for apartments with a specialized regulation requiring the density to be between 90 and 100 units per hectare, which meets the density required in the this designation.

### **Phasing Policy for Large-Scaled Subdivisions**

The phasing policy for large-scaled subdivisions requires that draft plan approval of new large scale residential subdivisions containing more than 200 potential dwelling units or 10 hectares (25 acres) be brought forward for consideration in phases. Because of this policy, staff initially asked the developer to phase the proposed draft plan of subdivision for this site, when it went for decision in April 2011. Capacity was allocated in the 2011 Development Priorities Plan (DPP) for the first phase of the plan; however, the plan was delayed from returning to Council in 2011 because of additional monitoring requirements. In the 2012 DPP, additional capacity was allocated for the second phase, so there is capacity in the Development Priorities Plan (DPP) for the entire plan to be draft approved and staff support this position.

Condition 28 in Attachment 2 will require registration of the plan in accordance with the approved DPP.

### **Proposed Road Network and Traffic**

The proposed subdivision provides an integrated public road network. The main access to the site is provided by extending Beaver Meadow Drive to the south of Clair Road East. The westerly access (Street 1) is aligned with the street shown in the subdivision plan to the west (Pergola, 61M-165/23T03507).

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The applicant submitted a traffic impact study in support of the subdivision application. This traffic study was reviewed and supported by engineering staff provided that a condition of the draft plan approval is that further traffic information be provided regarding site access, sightlines, traffic signage and traffic calming measures, (see condition 21 in Attachment 2) prior to execution of the subdivision agreement.

### **Status of Truck Routes**

The section of Clair Road East along this site is currently designated in the Official Plan as a four lane arterial road and is a designated truck route. Arterials are intended to move moderate volumes of traffic over moderate distances within the City and to collect traffic and feed it to the expressway and Provincial highway system.

### **Proposed Zoning**

Staff are satisfied with the zoning as proposed (see Attachment 8), which permits a variety of housing types along with conservation, open space and park lands. Specialized zones have been requested for the on-street townhouse blocks and the single-detached lots that are proposed along the north side of Street 6 with rear lane access.

The R.3B-7 Zone has been requested for the on-street townhouse blocks. The specialized regulations in this zone would permit a minimum exterior side yard of 4.5 metres despite the standard regulation requiring different setbacks depending on road widths and off-street parking spaces, and a maximum building coverage of 50 percent of the lot area in lieu of the standard requirement for 40 percent coverage.

The R.1C-?? Zone is proposed to be a specialized single-detached residential zone to permit a coachhouse or accessory dwelling unit to occupy the second storey of a detached garage. These lots would locate the garage in the rear yard of the dwelling unit, accessed by a rear lane. This regulation would permit detached garages or coachhouses, with the potential for additional living space above. The intent is that an accessory apartment could be created in the space above the detached garage if wanted (or within the single-detached house, but not both). The specialized regulations for this zone are included in Attachment 2. Fifteen lots for single-detached dwellings are proposed to have this zoning.

In addition, for the proposed apartment blocks (Blocks 101 and 102) in this plan, staff recommend the addition of a minimum density or unit count for each block (Attachment 2). This additional regulation will result in the creation of specialized R.4A zoning on these blocks, but will ensure that the Places to Grow density requirements are met during the site plan approval process. The regulations would require that the apartment block density be between 90 and 100 apartment units per hectare, which would work out to 102 and 114 units in Block 101 and 81 to 90 units in Block 102.

### **Building Heights and Interface with Clair Road**

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Two apartment blocks are proposed on the northerly portion of the site adjacent to Clair Road East. The proposed zoning for the site is R.4A (General Apartment) zone which permits up to 8 storeys in height and the maximum density for the blocks would be 114 apartment units in Block 101 and 90 apartment units in Block 102. The height of the standard apartment zone is appropriate for this site because it has space to transition to other uses, with a street network on three sides of the site and being on the northern portion of the site which limits the potential for shadowing concerns for adjacent residential uses. The apartment sites proposed are also close to the commercial and service area, centered at the intersection of Clair Road and Gordon Street, and next to a park and open space, so the location is a reasonable place to have higher density residential forms. Therefore, staff are satisfied that this location next to Clair Road is suitable for an apartment building and any apartment building proposed for the site would be subject to site plan approval.

### **Removal of Existing Houses**

There are two existing houses on the site. One existing house would be removed and the other would be retained. The house on the easterly side of the site would be retained and incorporated as a lot fronting onto Street 3 as proposed. The house in the centre of the site along Clair Road would be removed as part of the second phase of the proposed draft plan of subdivision for the second proposed apartment block. Neither house is on the heritage registry or is of interest from a heritage perspective.

### **Change in Proposed Density**

In the original plan submitted, the applicant proposed a density of 50 persons and jobs per hectare. Staff discussed the plans with the applicant and encouraged the applicant to increase the density on the site where possible to use the land more efficiently. In the revised plans, the applicant has increased density on the site to 66 persons per hectare and at the same time increased the amount of lands conserved as open natural space. Staff are supportive of the proposed density.

### **Environmental Review**

The applicant submitted an Environmental Impact Study, Tree Conservation Plan and Preliminary Storm water and Servicing Plans as part of their original application for review by the City's Environmental Planner, the Environmental Advisory Committee and the Grand River Conservation Authority. Following the revision of plans, prior to the second public meeting, the applicant submitted addendums and revised reports for consideration with the application.

Through comments received by the public and stakeholder groups, the following topic areas were raised regarding the environmental features and potential impacts related to the development of the site.

### **Location of the storm water management ponds**

In the initial proposed plan of subdivision, the storm water management ponds were shown in the same areas as the current plan but much smaller than currently proposed (see Attachments 3 and 4). In subsequent plans, these storm water management areas were enlarged in those locations. Staff have no objection to the



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location of the storm water management ponds and conditions have been included in Attachment 2 requiring the approval of the final design of the storm water management system by the City and the GRCA.

### **Concern about Species at Risk**

Public concern was raised at a meeting of the Environmental Advisory Committee that potential impact of the development to Species at Risk were not adequately addressed in the applicant's Environmental Impact Study.

Staff review has determined that Species at Risk have been monitored and there are proposed mitigation measures for those that require it. The main species of concern are the Western Chorus Frog (THR by COSEWIC) and the Jefferson Salamander (THR by MNR).

- Western Chorus Frog: This species is listed by COSEWIC as being threatened but is not listed by the MNR. Therefore it is not considered a threatened species in the context of the PPS. The wetland which was identified as containing the species is being retained and adequately buffered. The proposed wildlife corridor on the western side of the site is being enhanced to facilitate frog movement by including frog stop over ponds that will facilitate movement from the Halls Pond Complex to the wetland south of the property.
- Jefferson Salamander: Surveys were undertaken for Jefferson's salamanders based on a historical record of them being found within the area. Trapping and egg mass searches were done over the span of 2006, 2008 and 2010 but no Jefferson Salamanders were found. The three years of surveying generally satisfies the requirements for the recovery strategy. In this case, the MNR reviewed the studies and recommended that an additional year of monitoring be completed. To accommodate this, the applicant provided additional monitoring in the Spring of 2012 which the MNR found acceptable (see Attachment 6)

For these reasons, staff are satisfied that Species at Risk have been adequately evaluated and proper mitigation measures have been taken.

### **Opportunities to Connect to Lands South of the Subject Site**

Lands in the southerly portion of the site and to the south of the site contain significant natural features. As such, these areas will be conserved as open space and therefore, there are no opportunities to connect the site to lands to the south for future development. Natural areas are connected, by way of the retained treed lands along the entire easterly side of the site and the wildlife corridor which runs along the westerly side of the site. Both connect to conservation lands to the south.

### **Impact on the Paris/Galt Moraine**

The property is located on lands that are part of the Paris-Galt Moraine. The Paris-Galt Moraine extends across the southern-most part of the City of Guelph and Puslinch Township. Currently work is underway by the province to secure a portion of the Paris-Galt Moraine in Puslinch Township as an Earth-Science ANSI (Area of Natural and Scientific Interest) as a way of preserving this landform. A key significance of the Paris-Galt Moraine is its ability to recharge groundwater. In

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terms of impact of development, any Greenland areas that are developed limit the ability for groundwater recharge. In this specific case, 45% or nearly half of the lands on this site will remain as conservation lands, meaning that they will remain undeveloped and retain the ability to recharge groundwater. In addition, there is a large park block as well as the rear and side yards of the residential lots and blocks that will also benefit groundwater recharge. Through the planning review process and comments by City departments, the City's Environmental Advisory Committee and the Grand River Conservation Authority, Staff are satisfied that the site has reached a balance between efficient development and natural heritage conservation and that opportunities are provided for adequate groundwater recharge and water balance maintenance on the site.

### **Need for Public Access to Natural Heritage Features**

In the initial subdivision plan submitted by the applicant, residential lots along the southerly street backed onto the natural area to the south, which limited any public access to this area. The applicant revised their plans to have a large portion of the current Street 6 fronting on the natural area, providing public street views of the natural area. Given the sensitive nature of the natural features in this area, direct public access into the natural area to the south will be discouraged.

In addition, pedestrian trails near natural features have been proposed. From Clair Road, opposite a trail connection in Westminster Woods to the north, a trail is proposed along the easterly side of the site into the developed portion aligning with Street 2 that leads to the park and Street 6 that runs along the natural open space on the southerly portion of the site. There is also a trail proposed from the Park block to the buffer area around the wetland in the northwest corner of the site. These trails provide public access to areas of natural features on the site.

### **Opportunities to Conserve Existing Trees**

Following the first public meeting, the applicant submitted a tree conservation plan that was reviewed by the City's Environmental Planner and Environmental Advisory Committee (EAC). Existing trees in the portion of the site to be developed will need to be removed but a large number of trees on the site will remain as part of the conservation lands, including a significantly treed portion along the easterly side of the site. The consultants (Stantec) that completed the tree conservation plan report that there are approximately 1600 trees on the site and that approximately 580 would need to be removed for the development of the lands. Exact tree removals and required compensation for tree removals, will be included in the required Environmental Implementation Report, which will be reviewed and approved by staff and the Environmental Advisory Committee. The Environmental Implementation Report is required by Condition #14 in Attachment 2, the proposed conditions of draft plan of subdivision approval.

### **Involvement and Concerns of the Guelph Field Naturalists**

The Guelph Field Naturalists have noted several concerns with the proposed development throughout the public process for this application. Their initial concerns brought forward at the first public meeting on the application included:

- Potential impact on the Paris-Galt Moraine
- Impact on the Halls Pond Wetland Complex to the south

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- That the application is premature and does not comply with the Hanlon Creek Watershed Plan

Following the first public meeting, the applicant significantly revised their plans, based on both staff comments and comments from the Guelph Field Naturalists. They also provided an addendum to their original Environmental Impact Statement addressing concerns raised by staff and the Guelph Field Naturalists. A meeting was held by staff with the applicant and Field Naturalists to discuss the revised proposal on October 27, 2009. Staff thought the meeting was positive, resulting in a narrowing of environmental issues and potential to improve the plan.

The main concern of the Guelph Field Naturalists at this meeting was the width and location of the proposed natural corridor, meant for wildlife movement between the wetland complex south of the site and Hall's Pond in the northwestern corner of the site. The Guelph Field Naturalists asked the applicant to look at options for aligning a wider corridor between the wetland in the northwest corner of the site (Block 106) and the wetland at the centre of the southerly side of the site. The benefit from this layout would be easier amphibian movement between the wetlands. The applicant agreed to revise their plans to attempt to accommodate this request.

In November 2009, the applicant submitted revised plans to the City showing the natural corridor running diagonally across the park block and to the south of the site at the backs of single-detached housing (See proposed plan in Attachment 4). Staff reviewed these significant changes to the plan, but had concerns with the location of the revised corridor. The revised corridor used the park block, meant to be active and regularly maintained recreational area for local residents, which could limit or impact wildlife movement through the corridor. Having the corridor run through the centre of the site towards the park also meant that many houses backed onto it, and it could be difficult to keep local residents from using the corridor as a way to access the park, for recreational purposes or potentially having rear yards encroaching on these lands. For these reasons, staff suggested returning the corridor to the western side of the site, but making it wider, especially at the southwest corner of the site where it turns towards the wetland area.

The applicant revised their plans again to address staff concerns and moved the wildlife corridor back to the west side of the site. The corridor was widened and the applicant has proposed that small ponds be created along the corridor to encourage the movement of amphibians through this area. This is the plan that staff support and is shown in Attachment 3. The corridor was originally 10 metres wide on the western side of the property and is now 50 metres wide. Furthermore, a 14 metre wide strip of land has been retained on the adjacent subdivision to the west (Pergola) to create a 64 metre wide corridor. This phase of the Pergola subdivision is expected to be redesigned, so there may be opportunities to widen this corridor further on those lands, up to 25 metres, or a total of 75 metres wide. To further facilitate wildlife movement through the proposed corridor there is a wildlife culvert proposed under Street 1 of the proposed draft plan. The culvert is intended to allow amphibians using the corridor to travel under the road and avoid traffic.

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Following the resubmission of the plans, staff met again with the Guelph Field Naturalists to explain the changes and the reasons for staff support of the current plan. The Guelph Field Naturalists preferred the submission with the centre corridor and continued to have concerns with the corridor on the westerly side of the site. Staff, the Environmental Advisory Committee and the Grand River Conservation Authority are supportive of the current plans and conditions have been included to ensure that site details are addressed through the Environmental Implementation Report, prior to the development of the subdivision.

# ATTACHMENT 10

## CEI Commitment

### Victoria Wood Ltd. Commitment Dallan Subdivision – 23T-08503

**In addition to the owner's commitment to build all the residential units in the subdivision to ENERGY STAR specifications and certification, the following list of energy conservation measures will also be incorporated into the cluster townhouse and apartment sites within this development.**

		<b>Standard Specification</b>
<b><u>Sustainable Sites- Entire Property</u></b>		
<b>Urban Development</b>	A compact and well utilized site helps contain urban sprawl	X
<b>Urban Development-erosion and sedimentation control</b>	A comprehensive erosion and sedimentation control plan is in effect throughout redevelopment of the site.	X
<b>Existing &amp; Proposed Trees</b>	New tree planting contributes to the overall rejuvenation of the urban forest.	X
<b>Site Lighting</b>	The project incorporates exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operation controlled by light sensors.	X
<b>Alternative Transportation</b>	Planned bus route along Clair Road and Poppy Drive. Bicycle racks will be provided for apartment sites. Walking trails incorporated throughout development and adjacent open space area.	X
<b>Landscape and Exterior Design</b>	The project will incorporate the use of light colored surface paving and terrace/balcony materials where practical to increase reflectivity & decrease heat island effect	X

#### **Water Efficiency**

<b>Water efficient Landscaping</b>	Drought resistant soft landscape material will be specified as much as possible	X
<b>Landscape Irrigation</b>	Automated drip irrigation systems which maximize utility of applied water are specified and only in areas where it would be essentially required	X
<b>Storm Water Management</b>	Controlled roof drains provided to control flow rate of storm water	X
<b>Reduced Water Consumption</b>	Low flow faucets and showerheads and low volume flush toilets(HET high efficiency toilets) where possible	X

#### **Energy & Atmosphere for Apartment Building**

<b>Design Features</b>	Project will comply with ban on ozone-depleting refrigerant gases	x
<b>Design Features-mechanical systems</b>	Building's HVAC systems are centralized and heat recovery ventilators (HRV's or ERV's) are incorporated in the majority of the central air return systems.	X
<b>Design Features</b>	Low E windows will reduce heat gains and heat loss	X
<b>Design Features-mechanical systems</b>	High efficiency boilers will be used to save natural gas.	X
<b>Design Features-mechanical systems</b>	Cooling equipment will be min 10.9 seer capacity efficiency. This exceeds the MNEC and OBC requirement.	X
<b>Design Features-</b>	Lighting for residences will be min 75% CFL (or comparable energy efficient lighting alternative)	x



<b>Electrical</b>		
<b>Design Features-Mechanical Systems</b>	Sealed supply and return plenums will be specified in majority of units. Ensures efficient distribution of heating/cooling ventilation.	x
<b>Electrical Metering and Controls</b>	Individual real-time energy metering for gas and electrical. Makes occupants aware/conscious of energy use (kW & \$).	x
<b>Electrical Metering and Controls</b>	Occupancy sensors provided in service rooms with intermittent occupancy to reduce hydro consumption	X

### **Materials & Resources**

<b>Regional Materials</b>	The vast majority of materials utilized are available locally (800km radius as defined in the LEED standard) limiting environmental impact on source supply transportation.	X
<b>Low Emitting Materials</b>	Low VOC emitting materials where possible. Examples include, low VOC paints, recycled content carpet, etc.	X
<b>Collection of Recyclables</b>	In compliance with City by-laws	X
<b>Building Materials</b>	High recycled content material to be specified wherever possible	X
<b>Construction Waste Management</b>	A construction waste management plan will be implemented	X

### **Indoor Environmental Quality**

<b>System Controllability</b>	Each resident will have access to individual controls for the Heating, Cooling, Lighting and Ventilation	X
<b>Natural Ventilation</b>	All occupied spaces have access to an operable window	X
<b>Low VOC emitting materials</b>	See above (materials)	X
<b>Natural Light</b>	The building provides natural light to 100% of regularly occupied spaces	X

### **Innovation & Design Process**

<b>Sustainable Consultants</b>	The design firm is a member of the Green Building Council of Canada  Residences and units will be designed/developed with input from accredited "sustainable" consultants (i.e. LEED AP's, Energy Auditors, etc)	x
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February 15, 2011

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**ATTACHMENT 11**  
**Circulation Comments Summary**

<b><u>RESPONDENT</u></b>	<b><u>NO OBJECTION OR COMMENT</u></b>	<b><u>CONDITIONAL SUPPORT</u></b>	<b><u>ISSUES/CONCERNS</u></b>
Planning		✓	Subject to Attachment 2
Engineering		✓	Subject to Attachment 2
Parks Planning		✓	Subject to Attachment 2
Corporate Manager of Community Energy		✓	Subject to Attachment 2
GRCA		✓	Subject to Attachment 2
Environmental Advisory Committee		✓	Subject to Attachment 2
Upper Grand District School Board		✓	Subject to Attachment 2
Guelph and Wellington Development Association	✓		
Guelph Field Naturalists			Natural corridor width and function, function of wetland and associated amphibian habitat
Judy Martin on behalf of the Sierra Club			Environmental concerns sent to EAC
Marilyn Dautovich			Concern about apartment site height and location.
Dave Sills, on behalf of the Guelph Council of Canadians			Loss of tree canopy, wetlands, water recharge

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## **ATTACHMENT 12**

### **Public Notification Summary**

May 1, 2008	Application considered complete by the City of Guelph
May 12, 2008	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres
June 3, 2008	Public Meeting of City Council
October 2, 2009	Notice of 2 <sup>nd</sup> Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
November 2, 2009	2 <sup>nd</sup> Public Meeting of City Council
March 15, 2011	Notification provided to persons providing comments or signed attendees at the Public Meetings that the matter will be on the Council meeting for a decision
April 4, 2011	City Council Meeting to consider staff recommendation
September 7, 2012	Notification provided to persons providing comments or signed attendees at the Public Meetings that the matter will be on the Council meeting for a decision
October 1, 2012	City Council Meeting to consider staff recommendation

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE October 1, 2012

**SUBJECT 927 and 1023 Victoria Road South (Phase 3 of Kortright East Subdivision) – Proposed Draft Plan of Residential Subdivision and Zoning By-law Amendment (File: 23T-01508/ZC1007) Ward 6**

REPORT NUMBER 12-87

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## SUMMARY

**Purpose of Report:** This report provides a staff recommendation to approve a residential Draft Plan of Subdivision and associated Zoning By-law Amendment to permit the development of a residential subdivision.

**Council Action:** Council is being asked to approve the proposed Draft Plan of Subdivision with a three year lapsing provision and the associated Zoning By-law Amendment for the subject lands.

## RECOMMENDATION

"THAT Report 12-87 dated October 1, 2012 regarding a proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for the properties known as 927 and 1023 Victoria Road South from Planning, Building, Engineering and Environment be received;

AND THAT the application by Black Shoemaker Robinson Donaldson Ltd. for approval of Phase 3 of a proposed Draft Plan of Subdivision, applying to property municipally known as 927 and 1023 Victoria Road South and legally described as Part of Lots 3 and 4, Concession 8, Geographic Township of Puslinch, to permit 215 residential dwelling units, be approved subject to conditions outlined in Schedule 2 of Planning, Building, Engineering and Environment Report 12-87 dated October 1, 2012;

AND THAT the application by Black Shoemaker Robinson Donaldson Ltd. for a Zoning By-law Amendment to amend the zoning on the lands from the Township of Puslinch A (Agriculture) Zone and H (Hazard) Zone to a Specialized R.1B-? (Single-detached Residential) Zone, R.1C (Single-detached Residential) Zone, R.1D (Single-detached Residential) Zone, Specialized R.1D-? (Single-detached Residential) Zone, Specialized R.2-? and Specialized R.2-?? (Semi-detached Residential) Zones, Specialized R.3B-7 (On-Street Townhouse) Zone, P.1 (Conservation Land / Park) Zone, P.2 (Neighbourhood Park) Zone and WL (Wetland) Zone, for property municipally known as 927 and 1023 Victoria Road South and legally described as Part of

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Lots 3 and 4, Concession 8 (Township of Puslinch), be approved in accordance with the regulations and conditions set out in Schedule 2 of Planning, Building, Engineering and Environment Report 12-87 dated October 1, 2012.”

## **BACKGROUND**

This application for Phase 3 of the Kortright East Subdivision was received on June 30, 2010 and deemed to be complete on August 25, 2010. A Statutory Public Meeting was held by Council on December 13, 2010.

Detailed land use planning for this area was completed in 1999 with approval of the South Gordon Community Plan and the Torrance Creek Sub-watershed Study. The land assembly for the proposed large-scale Kortright East subdivision is comprised of three separately owned land parcels with frontage on Victoria Road South. The City annexed these and other lands from the Township of Puslinch in 1993 to accommodate projected urban growth. The subject lands have been historically used for agricultural purposes.

On October 21, 2003, City Council approved the first phase of the development because it could be readily serviced from the west. Phase 1 included 42 single-detached lots, storm water management facilities and an open space/wetland block and was registered on April 11, 2005 as Plan 61M-113 (See Attachment 1).

Phase 2 of the development lands was draft plan approved by the City on January 3, 2006. Since the lands affected by Phase 2 were held in three distinct ownerships (See Attachment 1), Phase 2 was registered in three distinct components as follows:

- a) Phase 2c, owned by Northmanor Estates Inc., contained 2 cluster townhouse blocks and blocks for open space and storm water management facilities. This plan was registered on April 21, 2009 as Plan 61M-158.
- b) Phase 2b, owned by Gamma Developers Limited, contained 48 detached lots, 1 cluster townhouse block, 1 commercial block, 1 school block, 1 park block and included storm water management blocks and wetlands and open space blocks. This plan was registered on July 3, 2009 as Plan 61M-161. This plan completed the road connection between the established residential subdivisions along Kortright Road East and Victoria Road South.
- c) Phase 2a, owned by Bluewater Investments Limited, contained 53 single-detached lots and a storm water management facility and was registered on July 3, 2009 as Plan 61M-162.

During the approval of Phases 1 and 2 of the development lands, the Environmental Impact Study, the Servicing and Stormwater Management



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Plan and the Environmental Implementation Report covering the entire development, was approved by the City and agencies.

The developer is now requesting draft plan of subdivision approval for Phase 3 of the subdivision (See Attachment 6). Phase 3 includes a range of detached residential, semi-detached residential and on-street townhouse units with a proposed total unit count of 215. Phase 3 also includes a dedicated parkland area and proposed trail connectivity throughout the site to link to surrounding neighbourhoods.

### **Location**

The lands are legally described as Part of Lots 3 and 4, Concession 8 (Geographic Township of Puslinch), municipally known as 927 and 1023 Victoria Road South (See Attachment 1).

The subject lands have a total site area of 15.897 hectares (39.3 acres) with frontage on MacAlister Boulevard and McCann Street. The lands are bounded to the north by the Phase 2 residential subdivision lands and to the west and south by additional development lands owned by the developer. Existing residential and open space development on Robin Road and Olga Circle is located further to the west. The lands are bounded to the east by Torrance Creek Wetlands and associated open space blocks that were dedicated to the City during the registration of Phase 2.

### **Existing Official Plan Designations**

The Phase 3 lands are designated "General Residential" and also include a "Non-Core Greenlands Overlay" in Schedule 1 of the Official Plan. Schedule 2 of the Plan also identifies Development Constraints including "Provincially Significant Wetlands" and "Open Space" including a woodlot edge along the west side of the lands. The subject site is also shown within the Arkell Springs Water Resource Protection Area (See Attachment 3).

Also included in Attachment 3a is the Land Use Guideline Schedule from the South Gordon Community Plan.

The Phase 3 lands are located within the designated Greenfield Area. These lands are intended for new development at a density that assists in achieving the designated greenfield density target of 50 people and jobs per hectare.

### **Existing Zoning**

The subject lands were annexed into the City of Guelph in 1993 and are currently zoned Agricultural (A) and Hazard (H) as described in the Township of Puslinch Zoning By-law 19/85. Attachment 4 illustrates existing zoning of the site and surrounding area.

## **REPORT**

### **Description of the Proposed Draft Plan of Subdivision**

The owners are requesting to subdivide the subject property in accordance with the draft plan of subdivision attached in Attachment 6. Phase 3 of the subdivision includes the extension of the main entrance road, MacAlister

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Boulevard, the extension of McCann Street and the creation of several internal local roads. The plan proposes a variety of lots and blocks that will accommodate various forms of residential housing including single-detached dwellings, semi-detached dwellings and on-street townhouses. In addition, a park block, seven open space blocks and two storm water management blocks are included in the plan. Details of the proposed subdivision plan layout showing the lots, blocks and residential unit yield are attached in Attachment 6.

There are a total of 215 residential dwelling units proposed in this phase which includes 34 on-street townhouses, 62 semi-detached dwellings and 119 single-detached dwellings. The expected population of the subdivision is estimated at 662 persons and the density as calculated to be 54 persons per hectare. It is noted that there are both medium-density and high-density blocks proposed with frontage on Victoria Road in future phases of this original large-scale subdivision (See Attachment 5).

### **Description of the Proposed Zoning By-law Amendment**

To implement the proposed draft plan of subdivision, the owner is asking to rezone the lands according to the map and chart outlined in Attachment 7. The owner is requesting a range of zone categories to permit single-detached residential dwellings including the Specialized R.1B-? Zone, the R.1C Zone, the R.1D Zone and the Specialized R.1D-? Zone. The Specialized R.2-? and Specialized R.2-?? Zones are proposed to permit semi-detached residential dwellings, and the Specialized R.3B-7 zone is proposed to permit on-street townhouse dwellings. The proposed specialized zone regulations are attached in Attachment 7 and include the following:

- The Specialized R.1B-? Zone would permit a minimum lot area of 390m<sup>2</sup> instead of the required 460m<sup>2</sup> and a minimum side yard of 1.2m instead of the required 1.5m.
- The Specialized R.1D-? Zone would permit a minimum front yard setback of 4.5m for the front wall of the building whereas 6.0 metres is required.
- The *Specialized R.2-?* zone proposes:
  - a minimum lot area of 448 sq. m for every two units instead of the required 460m<sup>2</sup>;
  - a minimum lot area per unit of 224 sq. m instead of the required 230m<sup>2</sup> for each unit;
  - a minimum frontage of 13.7m instead of the required 15m for every two units and a minimum lot frontage per unit of 6.8 m instead of the required 7.5 metres per unit;
  - a minimum front yard setback of 4.5 metres for the front wall of the building whereas 6.0 metres is required;
  - a maximum building coverage of 50% whereas 40% is permitted; and
  - a maximum driveway width of 50% of the front yard whereas a driveway width of 40% of the front yard is permitted.

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- The *Specialized R.2-??* Zone proposes Semi-detached residential uses with the maximum driveway width at 50% of the front yard instead of the maximum 40%.
  - The *Specialized R.3B-7* zone proposes a maximum building coverage of 50% of the lot area instead of the required 40% maximum coverage.

The balance of the lands are proposed to be rezoned to the WL (Wetland) Zone to recognize the small satellite wetland and the P.1 (Conservation Land) Zone and P.2 (Neighbourhood Park) zone to recognize open space corridor, woodlands and storm water management facilities. The details of the proposed zoning are attached in Attachment 7.

### **Community Energy Initiative**

Both owners of this phase of the Kortright East Subdivision, Wolf Von Teichman and Northmanor Estates Inc., have submitted letters of commitment to the City's Community Energy Initiative (See Attachment 8). Both have committed to construct dwellings at an Energy Star standard or the equivalent.

### **Development Priorities Plan 2012**

This application is consistent with the 2012 DPP approved by Council on April 23, 2012. The 2012 DPP has accepted Phase 3 for draft plan approval and expected development in 2012.

### **Staff Planning Analysis**

The review of this application addresses the following issues:

- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control).
- Evaluation of the proposal against Provincial policies including the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.
- Evaluate how the application conforms with the 'General Residential' designation and policies.
- Review the range of permitted uses and the proposed zoning regulations.
- Review the proposed site servicing and the availability of full municipal services and the storm water management.
- Review the Environmental Impact Study with particular attention to tree retention and the protection of the natural environment
- Review of the proposed phasing and timing in compliance with the Development Priorities Plan (DPP).
- Support for the Community Energy Initiative.
- Address all comments and issues raised during the circulation of the application.

The issues raised at the statutory Public Meeting and during the application review are addressed in the Planning Analysis in Attachment 9 of this report.

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## **Staff Recommendation**

The proposed draft plan of subdivision and associated zoning by-law amendment applications are recommended for approval subject to the zoning and conditions contained in Schedule 2. Other agencies commenting on the proposal are supportive of the application (see Attachment 10). The EIR and associated servicing documents were reviewed and accepted by staff, the GRCA and the Environmental Advisory Committee when Phases 1 and 2 of the Kortright East development was approved.

The proposed draft plan of subdivision meets the criteria in section 9.8 of the Official Plan that is to be considered when recommending approval of draft plans of subdivision. Staff is satisfied that draft plan of subdivision and the zoning by-law amendment application are consistent with the Provincial Policy Statement, and conform to the Growth Plan for the Greater Golden Horseshoe. Approval of the proposed draft plan of subdivision at this time is consistent with the 2012 Development Priorities Plan approved by Council.

The application, subject to the zoning and conditions recommended in Schedule 2, conforms to the goals, objectives, and policies of the Official Plan, is in the public interest and represents good planning.

## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

The anticipated financial implications of the proposed development of 119 singles, 62 semi detached units and 34 townhouse units is approximately:

### **Projected Taxation**

\$709,500 (estimated at \$3,300 per unit)

### **Development Charges**

\$5,238,265

## **CONSULTATION AND NOTIFICATION**

The public and agency comments received through the review of the application are summarized on Attachment 10. The chronology of the application and the dates of public notification are listed in Attachment 11.

## **ATTACHMENTS**

- Attachment 1 – Location Maps
- Attachment 2 – Recommended Zoning and Conditions
- Attachment 3 – Existing Official Plan Land Use Designations and Policies
- Attachment 3a – South Gordon Community Plan Land Use Guideline
- Attachment 4 – Existing Zoning
- Attachment 5 – Original Large-Scale Subdivision Plan
- Attachment 6 – Proposed Draft Plan of Subdivision Phase 3
- Attachment 7 – Proposed Zoning
- Attachment 8 – Community Energy Initiative Commitment

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Attachment 9 - Staff Planning Analysis  
Attachment 10 - Circulation Comments  
Attachment 11 - Public Notification Summary

**Prepared By:**

MHBC Planning/Al Hearne  
Senior Development Planner  
519-837-5616, ext 2362  
al.hearne@guelph.ca

**Recommended By:**

Sylvia Kirkwood  
Manager of Development Planning  
519-837-5616, ext 2359  
sylvia.kirkwood@guelph.ca

Original Signed by:

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**Recommended By:**

Todd Salter  
General Manager  
Planning Services  
519-837-5616, ext 2395  
todd.salter@guelph.ca

Original Signed by:

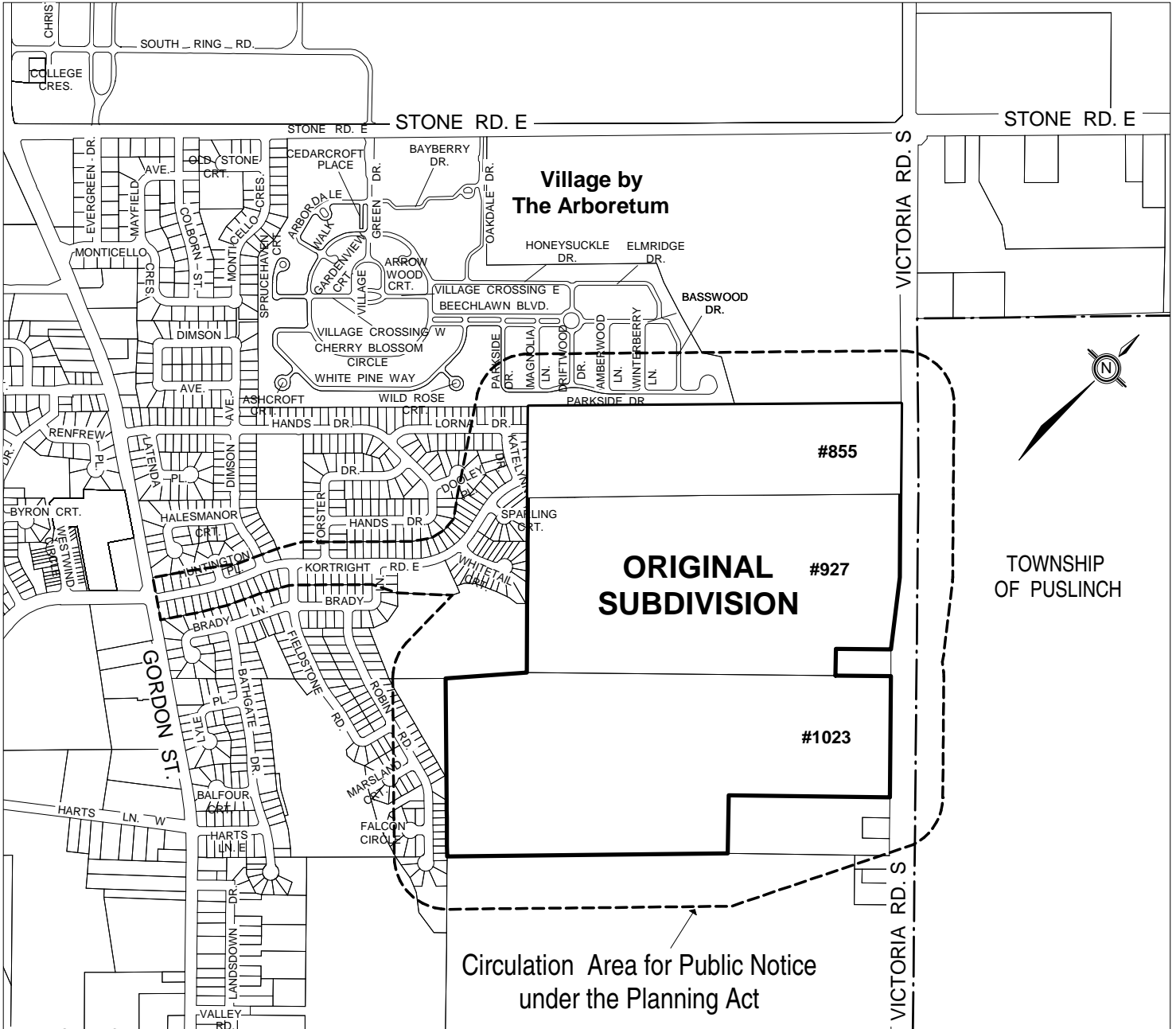
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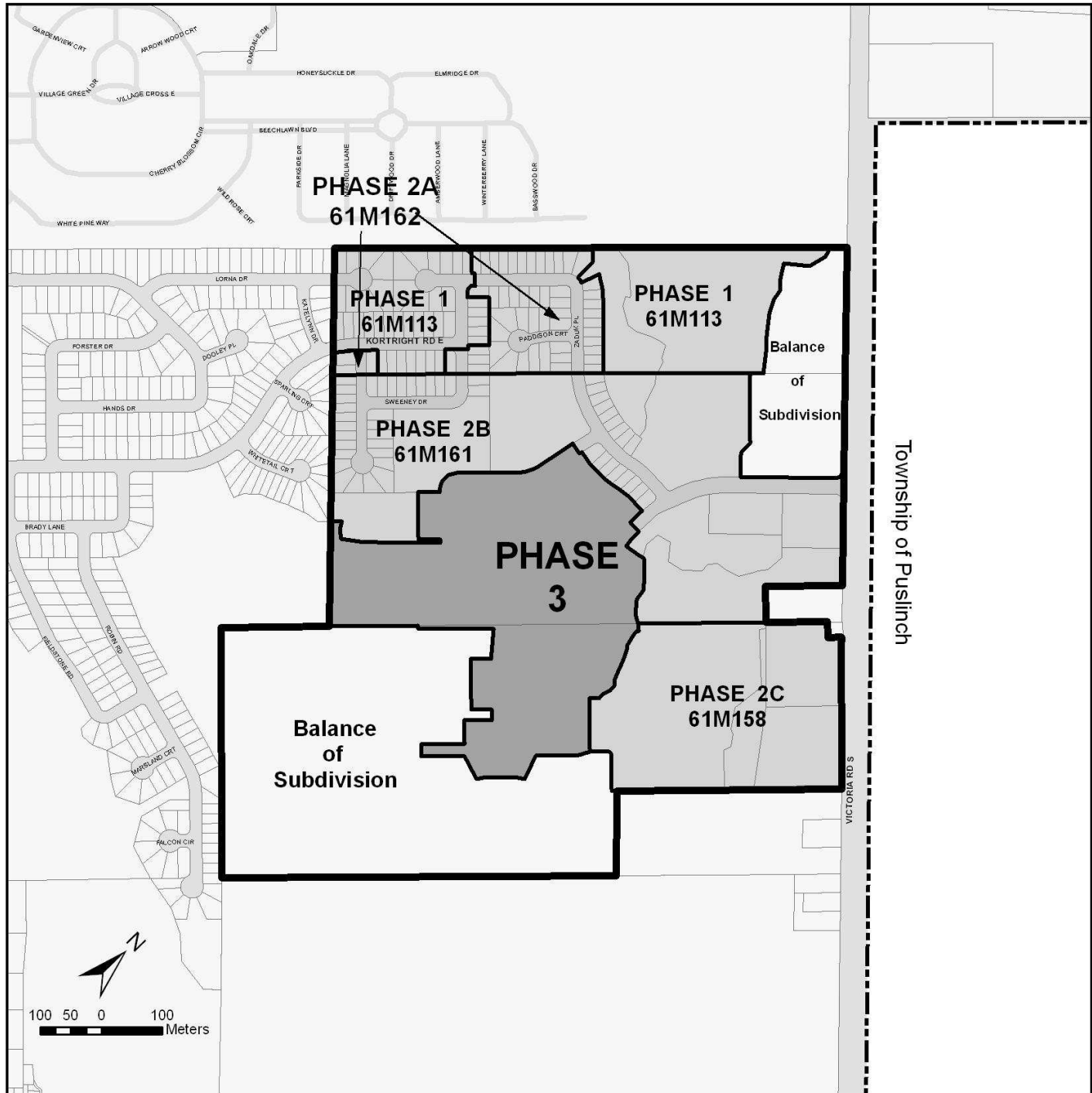
Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building,  
Engineering and Environment  
519-822-1260, ext 2237  
janet.laird@guelph.ca



## ATTACHMENT 1 Location Maps



## ATTACHMENT 1 Location Maps



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## ATTACHMENT 2

### Recommended Draft Plan of Subdivision (23T-01508) Conditions and Zoning

#### Part A: Draft Plan of Subdivision Conditions

That the application by Black, Shoemaker, Robinson & Donaldson Ltd, on behalf of Wolf von Teichman and Northmanor Estates Inc. for approval of a draft plan of subdivision to permit Phase 3 of the Kortright East Subdivision comprising a total of 215 dwelling units on lands legally described as described as Part of Lots 3 and 4, Concession 8, Geographic Township of Puslinch, and municipally known as 927 and 1023 Victoria Road South, City of Guelph, **be approved**, with a three year lapsing provision, subject to the following conditions:

#### CITY CONDITIONS

1. That this approval applies only to a **draft plan of subdivision** prepared by Black, Shoemaker, Robinson & Donaldson Ltd (Project No. 07-7364-5), on behalf of Wolf von Teichman and Northmanor Estates Inc. dated March 16, 2012, identifying 215 dwelling units, including the following minor adjustment: That the road allowance for Streets 3 and 4 adjacent to Lots 26 and 31 be extended to permit full servicing of the lots to the satisfaction of the City Engineer and that both road allowances terminate with a 0.3 metre reserve.

#### Conditions to be met prior to any grading or site alteration

2. The Developer shall follow the approved **tree inventory and conservation plan**, satisfactory to the City Engineer, in accordance with City of Guelph Bylaw (1986)-12229, prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
4. That the Developer shall prepare a **construction traffic access and control plan** for all phases of servicing and building construction based on the use of Victoria Road as the sole means of access to the satisfaction of the City. Any costs related to the implementation of such a plan shall be borne by the Developer. Any damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost.
5. The Developer agrees that no work, including, but not limited to tree removal, grading or construction, will occur on the lands until such time as the Developer has obtained **written permission** from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.

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7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. The plan will place emphasis on the minimal disruption of the lands natural topography and shall minimize cut and fill and area grading to that which is required to service the subdivision to the required standards. The plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
  8. The Developer has prepared an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The report includes a monitoring program to assess the performance of the storm water management facilities and a public education program for residents. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
  9. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
  10. The Developer shall retain a qualified environmental inspector, satisfactory to the General Manager of Planning Services to inspect the site during all phases of development and construction including grading, servicing and building construction. The **Environmental Inspector** shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environmental Impact Study and the Environment Implementation Report on a weekly or more frequent basis if required. The Environmental Inspector shall report on their findings to the City on a monthly or more frequent basis.
  11. The Developer shall submit a detailed **Storm Water Management Report** and Plans to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the Torrance Creek Subwatershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
  12. The developer shall ensure that any **domestic wells** located within the lands be properly decommissioned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
  13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.

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14. The Developer acknowledges that the City does not allow **retaining walls** higher than 1.0metre abutting existing residential properties without the permission of the City Engineer.
  15. Prior to any development or grading of the site, the Developer shall submit to the City, a report indicating how regular **dust suppression** will be accomplished during the servicing and house construction phases of the subdivision.
  16. The developer has completed an **archaeological assessment** of the subject property and mitigated, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

**Conditions to be met prior to execution of subdivision agreement**

17. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
18. The Developer shall have engineering drawings and **final reports** prepared for the approval of the City Engineer.
19. With the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the **total cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
20. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
21. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
22. The Developer is responsible for the total cost of preparing a **tree planting plan** for the roadways shown on the plan of subdivision and implementing such plan to the satisfaction of the City.
23. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.

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24. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
  25. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City Engineer for approval of driveway location.
  26. The Developer shall pay the cost of the installation of one Second Order Geodetic **Benchmark** within the proposed subdivision to the satisfaction of City Engineer.

**Conditions to be met prior to registration of the plan**

27. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
28. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** and any other subsequent phases required, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
29. If contamination is found, the Developer shall:
  - a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
  - b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use;
  - c) and file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.
30. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
31. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993", with the exception of any road widths.



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32. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
33. The Developer shall pay any **outstanding debts** owed to the City.
34. The Developer shall pay **development charges** to the City in accordance with By-law (2009)-18729, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.
35. The Developer shall **erect and maintain signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall." The sign is to be resistant to weather and vandalism.
36. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title :
- a) "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
  - b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
  - c) "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on any street at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."
  - d) "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, that ongoing construction activities may occur, and there will be potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".

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- e) "Purchasers and/or tenants of all lots or units are advised that the boundaries of the Open Space and Stormwater Management Blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy."
  - f) "Purchasers and/or tenants of all lots or units are advised that the stormwater management pond has been vegetated to create a natural wetland setting. The City will not carry out routine maintenance such as grass cutting."
  - g) "Purchasers and/or tenants of all lots or units are advised that Streets 3, 4 and Macaslister Blvd. will be extended at some future date when the adjacent lands are developed"
37. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
38. The Developer shall ensure that **street lighting and underground wiring** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
39. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
40. The Developer shall pay to the City the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook** to all future residents within the Plan with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
41. The Developer shall demarcate the boundary of the Stormwater Management Pond with a 1.8metre high black vinyl **chain link fence** to the satisfaction of the City.
42. The Developer shall convey **Lots 26 and 31** at the expense of the Developer to the City and held until the adjacent future street can be constructed and extended beyond the current terminus, unless the future streets can be extended to adequately service the lots to the satisfaction of the City Engineer. Ultimately, the Developer is responsible for maintaining these two lots including, but not limited to, weed and pest control.
43. The Developer shall meet all conditions and recommendations of the **Traffic Impact/Management Report** and shall implement all conditions and recommendations to the satisfaction of the City, prior to the registration of each phase of the subdivision. Further, the Developer has submitted a Traffic Calming Management Plan to the City for approval and shall incorporate the recommendations into the final subdivision design and shall implement all conditions and recommendations to the satisfaction of the City. Further, the

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Developer shall implement the recommended traffic calming measures described in the Kortright East Extension – Traffic Calming Recommendations report prepared by Paradigm Transportation Solutions Limited dated January 3, 2005.

44. That the developer **deeds to the City** any lands in the plan that are required by the City for Storm Water Management Facilities, parks, wetlands and buffers and open space. Furthermore, the developer shall demarcate the boundaries of any lands conveyed to the City in accordance with the policies of the City.
45. That the developer shall pay to the City the cost of any **existing services** within or abutting the proposed subdivision, as determined by the General Manager, Planning Services.
46. That the developer makes arrangements, satisfactory to the General Manager, Planning Services, concerning the **scheduling** of the development and the developers payment of cost for services for the subdivision.
47. That the developer **phases** the subdivision to the satisfaction of the City.
48. That the developer shall at its expense implement and address all recommendations contained in the **Environmental Impact Study** that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City.
49. That the developer shall dedicate **Block 158 for parks purposes** in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.
50. The Developer shall be responsible for the cost of design and development of the **"Basic Park Development"** as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading and sodding for any phase containing a Park block to the satisfaction of the Executive Director of Community & Social Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the Basic Park Development for the Park Block to the satisfaction of the Executive Director of Community & Social Services. (CSS)
51. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Community & Social Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Community & Social Services. (CSS)

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52. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Executive Director of Community & Social Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Executive Director of Community & Social Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Executive Director of Community & Social Services. (CSS)
53. The Developer shall design and develop the **Storm Water Management Facility Landscaping** in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Executive Director of Community & Social Services and the City Engineer. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Executive Director of Community & Social Services. (CSS and Engineering)
54. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Executive Director of Community & Social Services and the City Engineer. This shall include the submission of drawings completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Executive Director of Community & Social Services. (CSS and Engineering)
55. The Developer shall provide Community & Social Services with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and landscaping of the park, open space and storm water management blocks. (CSS)
56. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- a) "Purchasers and/or tenants of all lots or units are advised that public trails will be installed abutting or in close proximity to Lots 1-17, 51-56 and 62-72, and that public access to these trails will occur adjacent to Lots 1 and 17.
  - b) "Purchasers and/or tenants of all lots are advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails."

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- c) "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
  - d) "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
  - e) "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence adjacent to all lots abutting these lands."
  - f) "Purchasers and/or tenants of all lots or units abutting City owned lands to be demarcated with fencing are advised that no private gates will be allowed."
57. The Developer shall identify the proposed park, open space, trails and demarcation types on all **temporary entrance signs** for the development to the satisfaction of the Executive Director of Community & Social Services. (CSS)
58. The Developer shall provide **two temporary signs on the park block frontages** clearly stating: that the maintenance of the park block is the responsibility of the Developer until such time as the City accepts the park; that all questions relating to the maintenance of the park block shall be directed to the Developer; and the Developer contact details. The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City. (CSS)
59. The Developer shall ensure that the proposed park block, open space blocks, trails and demarcation **fencing** are identified on any marketing or promotional materials. (CSS)

#### **Conditions to be met prior to the issuance of a building permit**

60. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
61. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
62. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the

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proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.

63. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases** (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.

## **AGENCY CONDITIONS**

64. That the developer agrees to provide the **Upper Grand District School Board** with a **digital file** of the plan of subdivision in either ARC/INFO export of DXF format containing the following information: parcel fabric and street network.
65. That the developer agrees in the subdivision agreement to advise all purchasers of residential units and/or renters of same, by inserting the following **clause** in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:

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

66. That the developer and the **Upper Grand District School Board** shall reach an agreement regarding the **supply and erection of a sign** (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
67. That the developer and the **Wellington Catholic District School Board** reach an agreement regarding the **supply and erection of signage**, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of bussing students outside the immediate area should school in the area be at capacity.
68. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:



- 
- a) A detailed storm water management report and plans in accordance with the 1994 Ministry of Environment and Energy Report entitled, Stormwater Management Practices Planning and Design Manual.
  - b) A Storm Servicing Plan showing the layout of the storm sewer system
  - c) A Lot Grading and Drainage Control Plan showing the limits of all grading, including existing and proposed grades
  - d) An erosion and sediment control plan and plan in accordance with the Grand River Conservation Authority's Guidelines on Erosion and Sediment Control for construction sites, including the means whereby erosion will be minimized and sediment maintained on site throughout all phases of grading and construction, including a monitoring and maintenance plan and provisions for timely revegetation of the site.

69. That the **subdivision agreement** between the owners and the municipality contain provisions for:

- a) The completion and maintenance of the works in accordance with the approved plans and reports contained in condition 68.
- b) The maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction.(GRCA)

70. The owner shall complete to the satisfaction of the Director of Engineering of the City of Guelph and **Canada Post**:

include on all offers of purchase and sale, a statement that advises prospective purchaser:

- a) that the home/business mail delivery will be from a designated Centralized Mail Box.
- b) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

71. The owner further agrees to:

- a) work with **Canada Post** to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
- b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes
- c) Identify the pads above on the engineering service drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

- d) Determine the location of all centralized mail receiving facilities in cooperation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
- 72 Prior to the registration of the plan, the developer shall arrange for all departments and agencies to submit **clearance letters** to the City, confirming each department and agency is satisfied and the plan can proceed to registration.

**Note to Draft Plan Approval:**

That this Draft Plan Approval shall lapse at the expiration of **3 years** from the date of issuance of Draft Plan Approval."

AND

**Part B: Recommended Zoning**

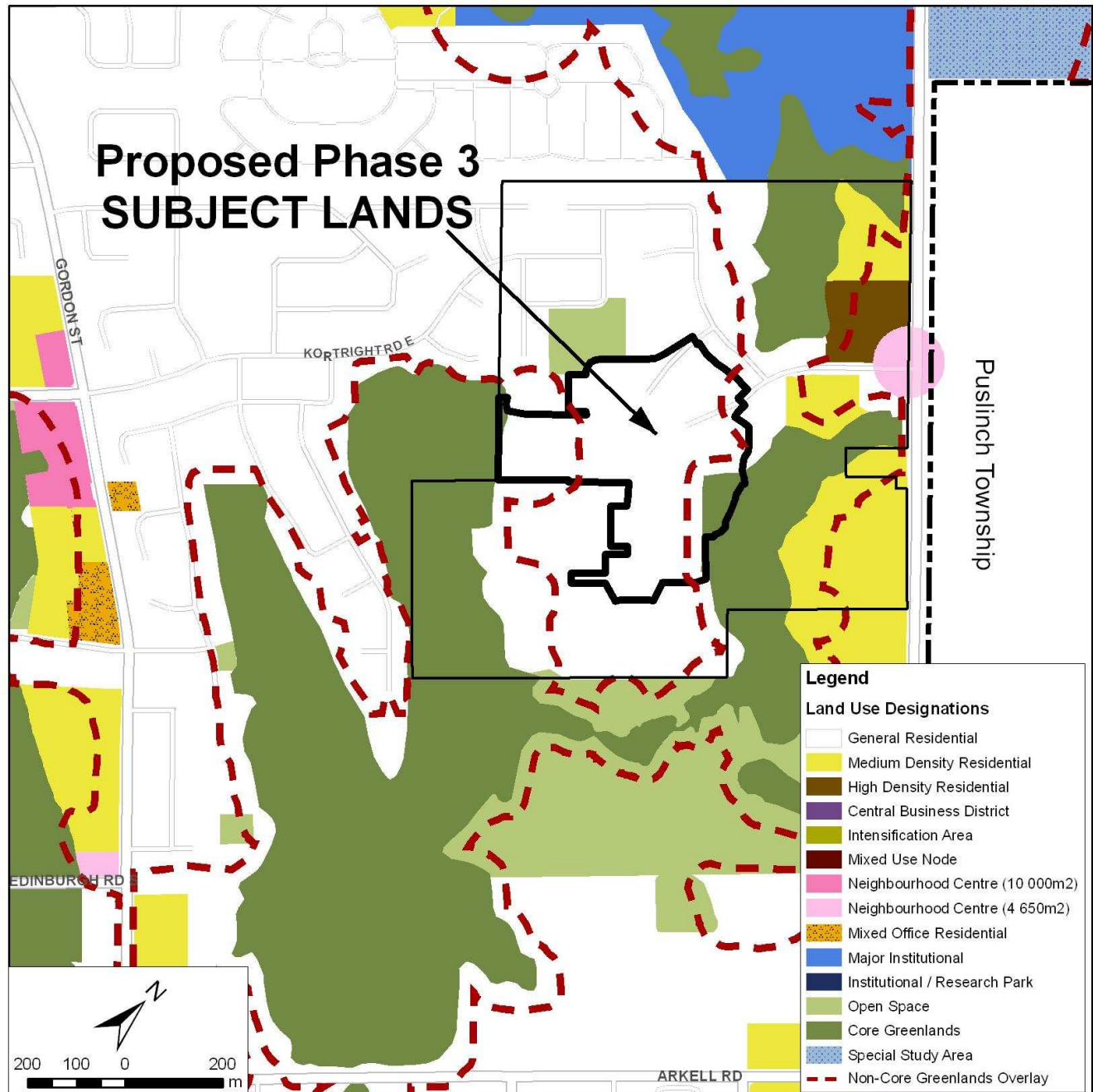
"THAT the Zoning Bylaw Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to the Zoning Bylaw Number (1995)-14864, as amended to change the subject lands from the Township of Puslinch A (Agriculture) Zone and the H (Hazard) Zone to the following zoning categories:

<b>Zone</b>	<b>Specialized Regulations</b>	<b>Lot/Block</b>
Specialized R.1B-? (Specialized Single Detached Residential)	<ul style="list-style-type: none"><li>• minimum lot area of 390m<sup>2</sup> where 460m<sup>2</sup> is required</li><li>• minimum side yard of 1.2m where 1.5m is required</li></ul>	Lots 1-8, 57-85
R.1C (Single Detached Residential)		Lots 86-94
R.1D (Single Detached Residential)		Lots 95-134, 144-150
Specialized R.1D-? (Specialized Single Detached Residential)	<ul style="list-style-type: none"><li>• minimum front yard setback of 4.5m where 6m is required</li><li>• minimum front yard setback of 6m to the front wall of garage</li></ul>	Lots 9-17, 29-34, 44-48, 51-56
Specialized R.2-? (Specialized Semi-detached Residential)	<ul style="list-style-type: none"><li>• minimum lot area of 448m<sup>2</sup> where 460m<sup>2</sup> is required and minimum lot area per unit of 224m<sup>2</sup> when 230m<sup>2</sup> is required</li><li>• minimum lot frontage of 13.7m and minimum lot frontage per unit of 6.8m when 15m is required in total, and 7.5m is required per unit.</li><li>• minimum front yard setback of 4.5m</li></ul>	Lots 18-28, 35-43, 49-50

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	where a minimum of 6m is required <ul style="list-style-type: none"> <li>• increased maximum building coverage to 50% where 40% is permitted,</li> <li>• increased driveway width to 50% of the front yard where whereas the maximum is 40%</li> </ul>	
Specialized R.2-?? (Specialized Semi-detached Residential)	<ul style="list-style-type: none"> <li>• increased driveway width to 50% of the front yard where whereas the maximum is 40%</li> </ul>	Lots 135-143
Specialized R.3B-7 (Specialized Residential Townhouse)	<ul style="list-style-type: none"> <li>• increased maximum building coverage of 50%</li> </ul>	Blocks 151-157
P.1 (Conservation Land)		Blocks 159-166
P.2 (Neighbourhood Park)		Block 158
WL (Wetland)		Part Block 164

**ATTACHMENT 3**  
**Existing Official Plan Land Use Designations and Policies**



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**ATTACHMENT 3 (continued)**  
**Existing Official Plan Land Use Designations and Policies**

**General Residential**

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

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**ATTACHMENT 3 (continued)**  
**Existing Official Plan Land Use Designations and Policies**

**Non-Core Greenlands Overlay**

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain *natural heritage features*, *natural feature adjacent lands* and *natural hazard lands* that should be afforded protection from *development*. The following *natural features* and their associated *adjacent lands* are found within the Non-Core Greenlands area: *fish habitat*, *locally significant wetlands*, *significant woodlands*, *significant environmental corridors and ecological linkages*, *significant wildlife habitat*. In many instances these *natural features* also have *hazards* associated with them which serve as development constraints.

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.

7.13.6 *Development* may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no *negative impacts* will occur on the *natural features* or the *ecological functions* which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified *natural heritage feature* as part of such environmental impact study.

7.13.7 It is intended that the *natural heritage features* associated with the Non-Core Greenlands overlay are to be protected for their *ecological value* and *function*. The implementing *Zoning By-law* will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.

7.13.8 *Development* may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with *hazard lands* as noted in Section 5 can be safely addressed. In addition, *development* within the *flood fringe* areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.



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**ATTACHMENT 3 (continued)**  
**Existing Official Plan Land Use Designations and Policies**

**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.

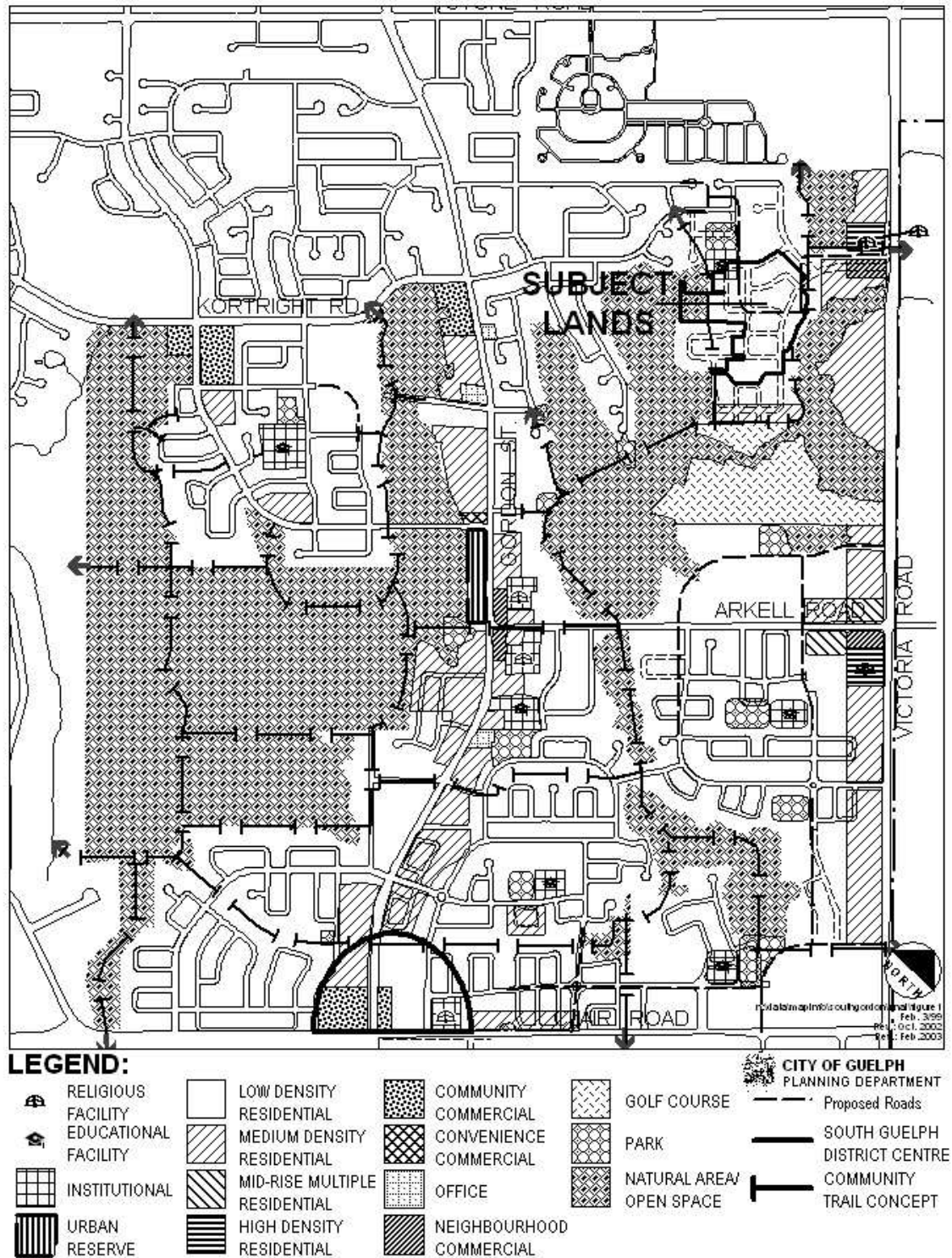
7.13.2 The *natural heritage features* contained within the 'Core Greenlands' designation are to be protected for the *ecological* value and *function*. *Development* is not permitted within this designation. Uses that are permitted include conservation activities, open space and passive recreational 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.

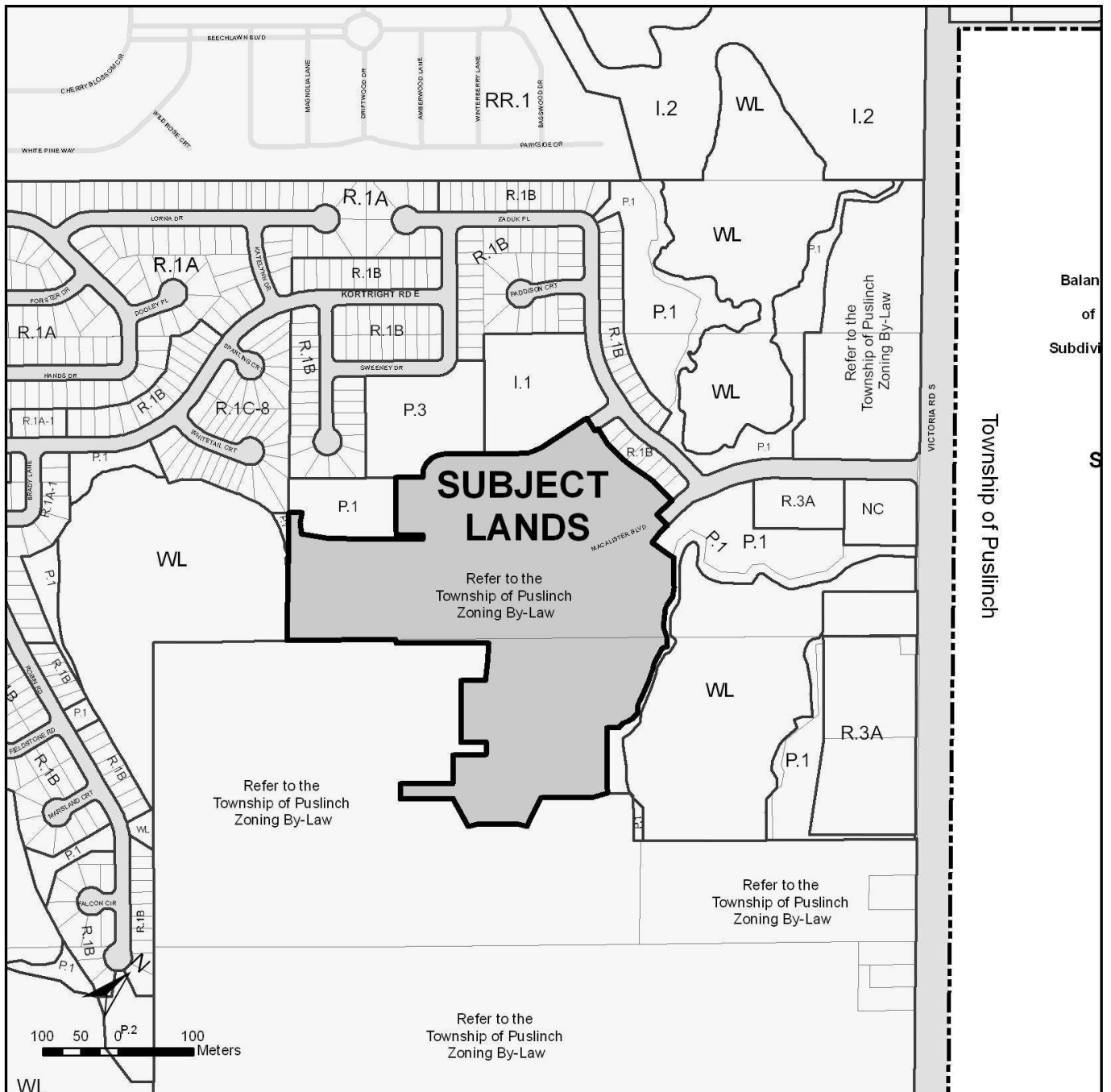
7.13.4 In implementing the Greenlands System provisions of this Plan, 'Core Greenland' areas shall be placed in a restrictive land use category of the implementing *Zoning By-law*, which prohibits *development* except as may be necessary for the on-going management or maintenance of the natural environment.

# **ATTACHMENT 3A** **South Gordon Community Plan Land Use Guideline**

FIGURE 1  
**SOUTH GORDON COMMUNITY PLAN LAND USE CONCEPT**



## ATTACHMENT 4 Existing Zoning



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## **ATTACHMENT 4 (continued)**

### **Existing Zoning**

The lands are zoned Agriculture (A) and Hazard (H) in the Puslinch Township Zoning By-law.

#### **Agriculture (A)**

**Uses Permitted:** No person shall, within any A Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A uses, namely:

- a) an agricultural use;
- b) an intensive agriculture use
- c) a single detached dwelling
- d) a home occupation
- e) a retail farm sales outlet accessory to an agricultural use
- f) existing churches, schools, community halls and nursing homes;
- g) a wayside pit;
- h) forestry and woodlots;
- i) open space and conservation areas;
- j) a fish and wildlife management area
- k) a public use

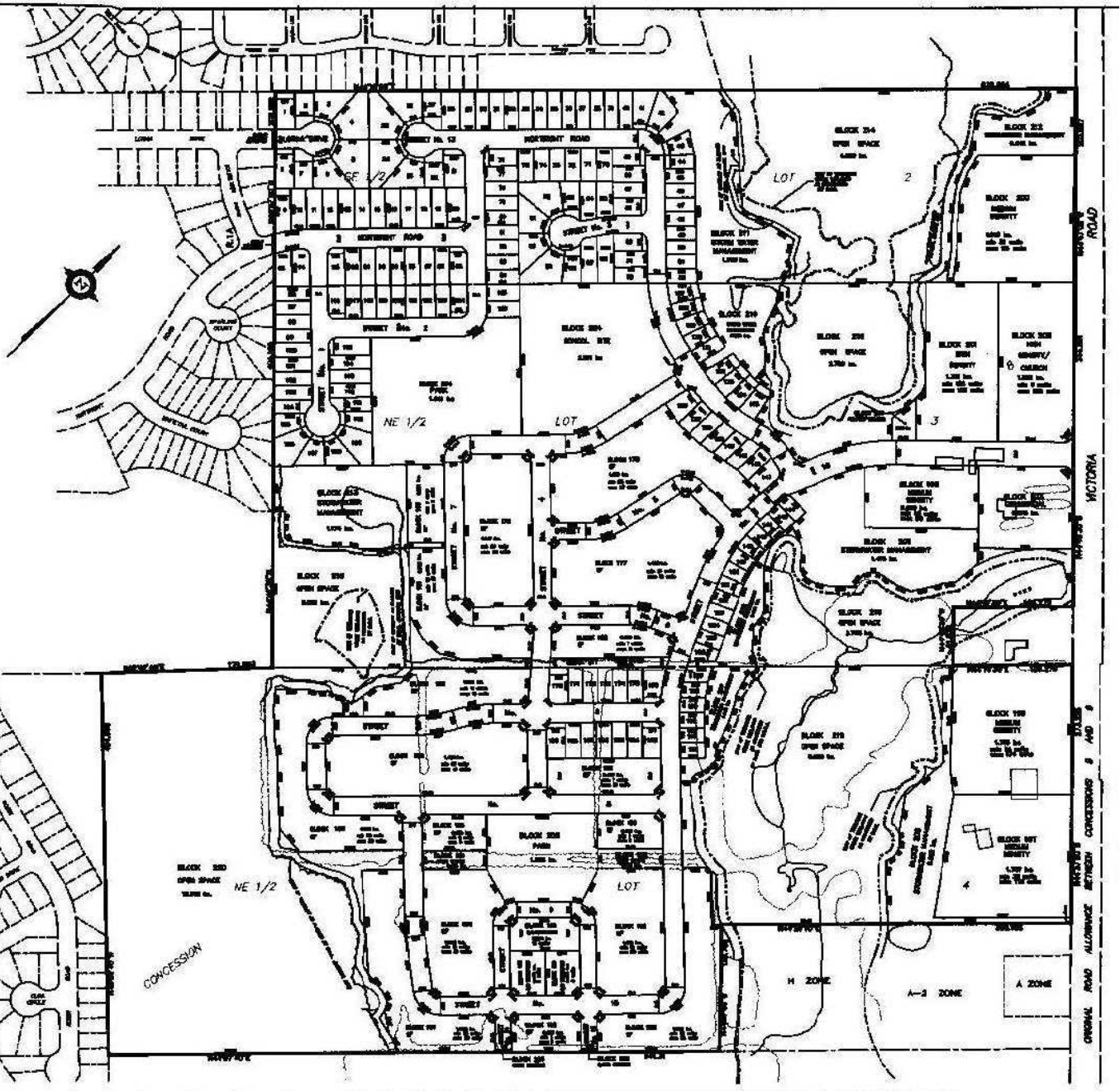
#### **Hazard (H)**

*By-law No. 10/05 identifies that mapping and designations for "Hazard Zone" are to be replaced with regulations outlined in the Natural Environment (NE) zone. The Natural Environment Zone (NE) is intended to identify the location of potentially hazardous environmental features.*

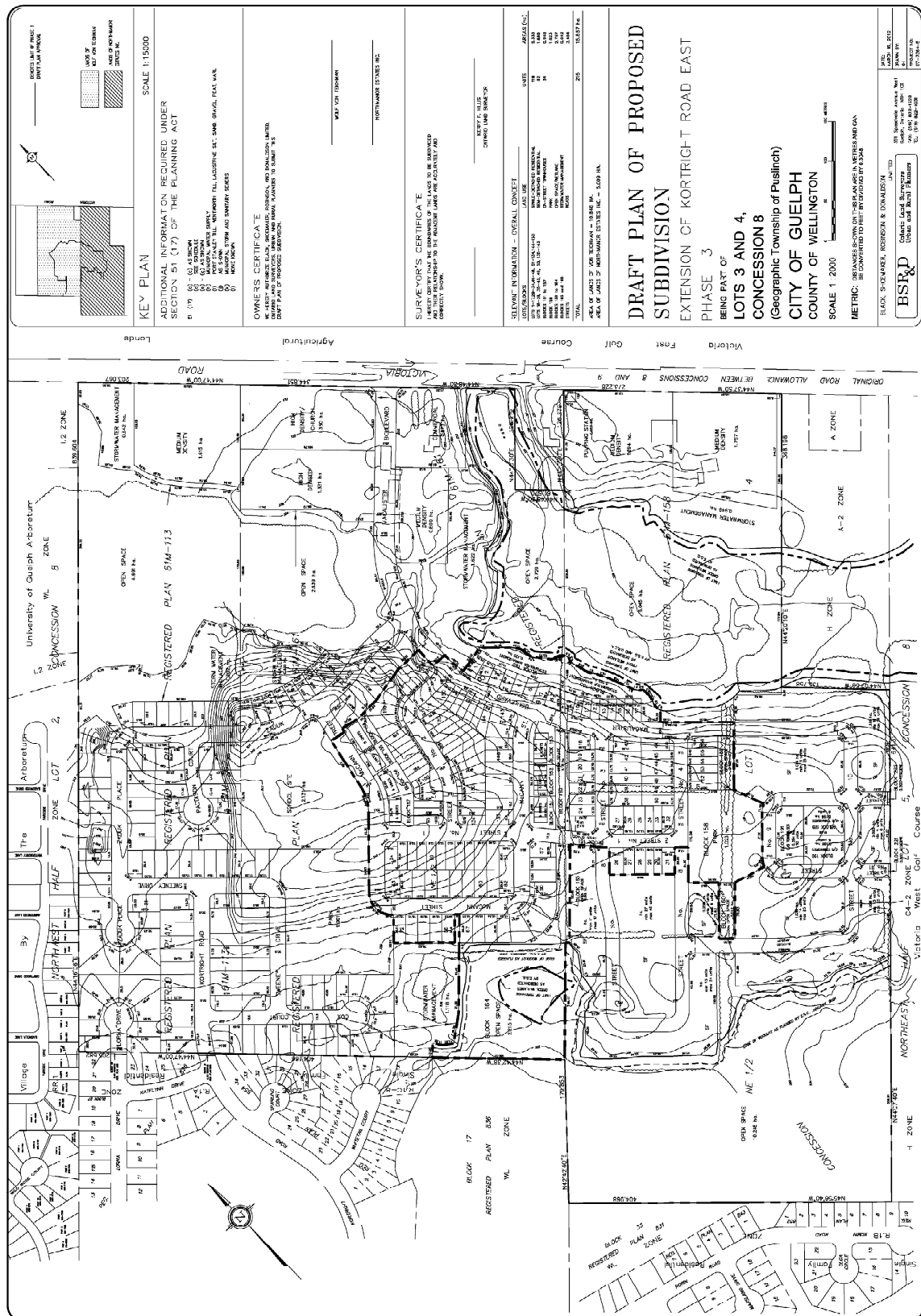
Uses Permitted:

No person shall, within any NE Zone, use any lot or erect, alter or use any building or structure, for any purpose except for one or more purposes of the following NE permitted uses namely:

- Agricultural uses, excluding new buildings and structures
- Conservation uses including:
  - Forest management
  - Fish and wildlife management
  - Flood control
  - Erosion control
- Passive recreation
- Boat house or boat dock
- Uses, buildings and structures, which were lawfully established on the day of the passing of this By-law, so long as it continues to be used for that purpose.



## Proposed Draft Plan of Subdivision Phase 3



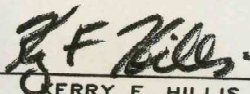


**ATTACHMENT 6 (continued)**  
**Proposed Draft Plan of Subdivision Phase 3**

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

MARCH 26, 2012

  
KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

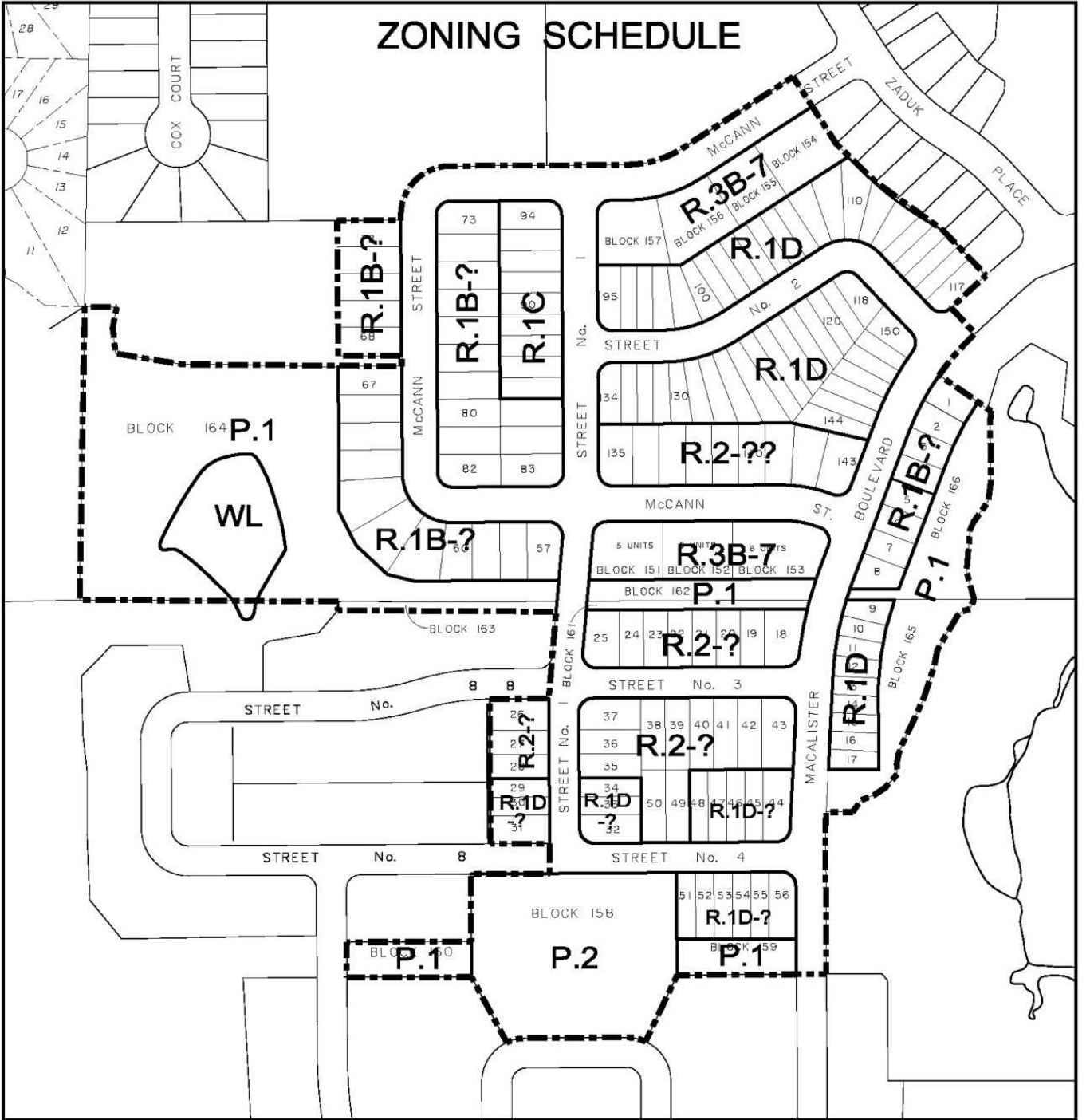
**RELEVANT INFORMATION – OVERALL CONCEPT**

LOTS/BLOCKS	LAND USE	UNITS	AREAS (ha)
LOTS 1-17, 29-34, 44-48, 51-134, 144-150	SINGLE-DETACHED RESIDENTIAL	119	5.333
LOTS 18-28, 35-43, 49, 50, 135-143	SEMI-DETACHED RESIDENTIAL	62	1.680
BLOCKS 151 to 157	ON-STREET TOWNHOUSES	34	0.948
BLOCK 158	PARK		1.023
BLOCKS 159 to 164	OPEN SPACE/WETLAND		2.767
BLOCKS 165 and 166	STORMWATER MANAGEMENT		0.642
STREETS	ROADS		3.464
TOTAL		215	15.857 ha.

AREA OF LANDS OF VON TEICHMAN = 10.848 HA.

AREA OF LANDS OF NORTHMANOR ESTATES INC. = 5.009 HA.

**DRAFT PLAN OF PROPOSED  
SUBDIVISION  
EXTENSION OF KORTRIGHT ROAD EAST  
PHASE 3**



## ATTACHMENT 7 (continued)

### Proposed Zoning

Permitted uses will be in accordance with the City of Guelph Zoning By-law, as amended, including:

- R.1A, R.1B, R.1C and R.1D regulations in Section 5.1.1
- R.2 regulations in Section 5.2.1
- R.3B regulations in Section 5.3.1
- P.1 regulations in 9.1.1
- P.2 Regulations in 9.1.2
- WL regulations in Section 13.2

The proposed zoning by-law amendment would include the following:

<b><u>Zoning</u></b>	<b><u>Land Use</u></b>	<b><u>Lot/Block</u></b>
R.1B-?	Detached Residential <ul style="list-style-type: none"> <li>• 15 m frontage</li> <li>• Minimum Lot Area: 390 m</li> <li>• Minimum Side Yard: 1.2 m</li> </ul>	Lots 1-8, 57-85
R.1C	Detached Residential <ul style="list-style-type: none"> <li>• 12 m lot frontage</li> </ul>	Lots 86-94
R.1D	Single Detached Residential <ul style="list-style-type: none"> <li>• 9 m frontage</li> </ul>	95-134,144-150
R.1D-?	Single Detached Residential <ul style="list-style-type: none"> <li>• 9 m frontage</li> <li>• Minimum Front Yard: 4.5 metres to front wall of building and 6 metres to front wall of garage</li> </ul>	9-17,29-34,44-48,51-56
R.2-?	Semi-Detached Residential <ul style="list-style-type: none"> <li>• Minimum Lot Area: 448 sq.m.</li> <li>• Minimum Lot Area/unit: 224 sq.m.</li> <li>• Minimum Lot Frontage: 13.7 m</li> <li>• Minimum Lot Frontage/unit: 6.8 m</li> <li>• Minimum Front Yard: 4.5 metres to front wall of building and 6 metres to front wall of garage</li> <li>• Maximum Building Coverage: 50%</li> <li>• Driveway shall not constitute more than 50% of front yard</li> </ul>	18-28,35-43,49,50

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**ATTACHMENT 7 (continued)**

R.2-??	Semi-Detached Residential <ul style="list-style-type: none"><li>• Driveway shall not constitute more than 50% of front yard</li></ul>	Lots 135-143
R.3B-7	On-Street Townhouses <ul style="list-style-type: none"><li>• Maximum Building Coverage: 50%</li></ul>	Blocks 151-157
P.1	Open Space and Stormwater Management	Blocks 159-166
P.2	Neighbourhood Park	Block 158
WL	Wetland	Part Block 164

## ATTACHMENT 8 Community Energy Initiative Commitment

### Wolf Von Teichman Commitment Kortright East Subdivision – Phase 3 City File: 23T-01508

In addition to the owner's commitment to build all single detached, semi-detached and freehold townhouse units in the subdivision to **ENERGY STAR** specifications, the following measures have been incorporated into the overall design of the development to assist in the implementation of the City's Community Energy Plan.

		Standard Specification
<b>Urban Development</b>	A compact and well utilized site helps contain urban sprawl and eliminates underutilization of significant vacant areas of land within urban boundary.	X
	The density of this phase of the subdivision is approximately 54 persons per hectare.	X
	Proposed development is adjacent to a planned neighbourhood commercial development.	X
	Residential properties are within walking distance of a planned elementary school.	X
<b>Erosion and sedimentation control</b>	A comprehensive erosion and sedimentation control plan is in effect throughout redevelopment of the site.	X
<b>Existing &amp; Proposed Trees</b>	New tree planting of native trees contributes to the overall rejuvenation of the urban forest.	X
<b>Natural Areas</b>	All wetland areas, natural heritage features and adjacent buffers are protected through the subdivision design.	X
<b>Alternative Transportation</b>	Walking trails incorporated throughout development and adjacent open space area.	X
<b>Site Lighting</b>	The project incorporates exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operation controlled by light sensors.	X
<b>Storm Water Management</b>	Stormwater management plan incorporates the principles of Low Impact Development.	X
<b>Reduced Water Consumption</b>	Controlled roof drains provided to control flow rate of storm water.	X
	Low flow faucets and showerheads and low volume flush toilets (HET high efficiency toilets) where possible.	X

  
Wolf Von Teichman

31/7/12  
Date

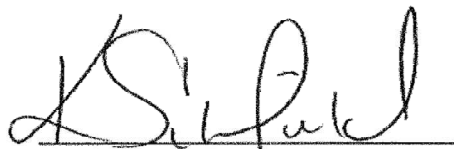
  
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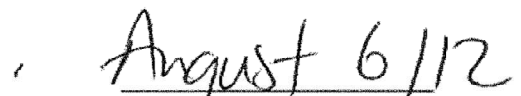
**ATTACHMENT 8 (continued)**  
**Community Energy Initiative Commitment**

**Northmanor Estates Inc. Commitment**  
**Kortright East Subdivision – Phase 3**  
**City File: 23T-01508**

**In addition to the owner's commitment to build all single detached, semi-detached and freehold townhouse units in the subdivision to ENERGY STAR, or equivalent, specifications, the following measures have been incorporated into the overall design of the development to assist in the implementation of the City's Community Energy Plan.**

		<b>Standard Specification</b>
<b>Urban Development</b>	A compact and well utilized site helps contain urban sprawl and eliminates underutilization of significant vacant areas of land within urban boundary. The density of this phase of the subdivision is approximately 54 persons per hectare. Proposed development is adjacent to a planned neighbourhood commercial development. Residential properties are within walking distance of a planned elementary school.	X X X X
<b>Erosion and sedimentation control</b>	A comprehensive erosion and sedimentation control plan is in effect throughout redevelopment of the site.	X
<b>Existing &amp; Proposed Trees</b>	New tree planting of native trees contributes to the overall rejuvenation of the urban forest.	X
<b>Natural Areas</b>	All wetland areas, natural heritage features and adjacent buffers are protected through the subdivision design	X
<b>Alternative Transportation</b>	Walking trails incorporated throughout development and adjacent open space area.	X
<b>Site Lighting</b>	The project incorporates exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operation controlled by light sensors.	X
<b>Storm Water Management</b>	Stormwater management plan incorporates the principles of Low Impact Development Controlled roof drains provided to control flow rate of storm water	X X
<b>Reduced Water Consumption</b>	Low flow faucets and showerheads and low volume flush toilets(HET high efficiency toilets) where possible	X

  
 Northmanor Estates Inc.

  
 Date



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## **ATTACHMENT 9**

### **Planning Analysis**

#### **The Planning Act**

Section 51(24) of the Planning Act identifies the criteria that approval authorities must have regard to in considering a draft plan of subdivision. Consideration of the criteria ensures that the proposed subdivision addresses the health, safety, convenience, accessibility for people with disabilities, and welfare of the present and future inhabitants of the municipality and ensures that provincial interests are addressed.

Staff has determined that the proposed draft plan of subdivision is consistent with the criteria within Section 51(24) and has recommended a number of conditions be applied to ensure various matters are addressed (Attachment 2).

#### **Provincial Policy Statement (2005)**

The Provincial Policy Statement (PPS) was approved by the Ministry of Municipal Affairs and Housing on March 1, 2005. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS applies to all lands within the province, and all decisions affecting planning matters must be consistent with the PPS. The PPS encourages and promotes growth within existing settlement areas, and away from significant or sensitive resources and environmental areas, and away from areas which may pose threat or risk to public health and safety. The PPS promotes effective use of land and management of resources to achieve appropriate development.

The PPS promotes growth and development in efficient form and pattern, to meet the full range of current and future needs within municipalities. The efficient use of land, achieved through increased density and varied building form, is encouraged and promoted for future development. Developments will also be encouraged where they effectively optimize the use of land and resources and promote a mix of employment, parks and open space, and varied transportation options. New developments are encouraged in proximity to existing built up areas and provide compact form with a mix of housing form and density.

Policy 1.6 outlines the intent to utilize existing infrastructure and public service facilities by locating developments in proximity to these services so new infrastructure is not required. Developments should utilize existing infrastructure so long as the service has the potential to meet standard demand, and that human and environmental health are protected (Policy 1.6.4.1).

The PPS recognizes that natural features and areas shall be protected for the long term while preserving environmental diversity, natural features, connectivity and linkages, and significant habitats. Development is not

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permitted in areas recognized to have significant environmental features “unless it has been demonstrated that there will be no negative impacts on the natural features of their ecological functions”. Policy 2.1 sets out policies for development and site alteration in areas with important natural features, and promotes growth that preserves these areas and the natural functioning of these systems.

The proposed development conforms to the policies of the Provincial Policy Statement. The subject lands promote growth and intensification within a designated development area, and respect surrounding land uses and designations. The subject property is located in proximity to the existing built up area and is surrounded by developable lands slated for use similar to that of the subject lands. The development also complies with growth and development objectives as a variety of housing forms, scale and type are proposed for the subject lands. The development will feature a mix of single detached, semi-detached and townhouse forms that help achieve an overall increased onsite density. The site is serviced with existing water and wastewater infrastructure in surrounding neighbourhood developments and features a dedicated stormwater management pond on the east side of the development area. The proposed development also includes parkland and open space, and promotes trail connectivity throughout the site. The existing Torrance Creek Wetlands and associated open space blocks which border the east and west sides of the subject lands are also maintained. The plan is recommended by staff and agencies, based on the approval of Servicing, SWM, Environmental and Traffic reports submitted by the developer.

### **Growth Plan for the Greater Golden Horseshoe (2006)**

The Growth Plan for the Greater Golden Horseshoe was approved by the Ministry of Infrastructure on June 16, 2006. The Growth Plan is a framework for implementing the Government of Ontario’s vision for managing growth and building stronger, prosperous communities into the year 2031. All development within the Growth Plan area must conform to the goals and policies of the Plan. The entire City of Guelph is located within the Greater Golden Horseshoe Plan, and all developments in the City must conform to these policies.

The subject lands are located within the Designated Greenfield Area. Policy 2.2.7 requires that new development in the Designated Greenfield Area will be planned, designated, zoned and designed in a manner that-

- a) Contributes to creating complete communities;
- b) Creates street configurations, densities, and an urban form that support walking, cycling and the early integration and sustained viability of transit services;
- c) Provides a diverse mix of land uses, including residential and employment uses to support vibrant neighbourhoods; and
- d) Creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

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Designated greenfield areas will also be planned at a minimum density target that is not less than 50 residents and jobs combined per hectare [2.2.7.2]

The proposed plan of subdivision and zoning by-law amendment conform to the policies of the Greater Golden Horseshoe Growth Plan. The proposed subdivision provides a diverse mix of land uses and provides public open space areas parks and proposed trail connections. The proposed development achieves a site density of 54 residents and jobs per hectare, which conforms to the minimum requirement for net density. The proposed development also respects existing land uses and features and makes efficient use of land resources and existing infrastructure.

### **City of Guelph Official Plan**

Section 9.8.1 of the City of Guelph Official Plan identifies the criteria that applications for draft plan of subdivision must conform to in order to be considered for approval. The criteria are:

- a) The *plan of subdivision* conforms to the objectives, policies and land use designations of this Plan;
- b) The *plan of subdivision* can be supplied with adequate municipal services such as water, sewage disposal, drainage, fire and police protection, roads, utilities, solid waste collection and disposal and other community facilities;
- c) The *plan of subdivision* will not adversely impact upon the transportation system, adjacent land uses and the natural environment;
- d) The *plan of subdivision* can be serviced economically without imposing an undue financial burden upon the Municipality;
- e) The *plan of subdivision* proposal has incorporated all necessary studies and assessments to ensure impacts on *natural heritage features* and *cultural heritage resources* are minimized;
- f) The *plan of subdivision* can be integrated with adjacent lands, subdivisions and streets;
- g) The *plan of subdivision* is considered to be necessary, timely and in the public interest;
- h) The *plan of subdivision* is designed in accordance with accepted and contemporary subdivision design principles.

The proposed draft plan of subdivision is consistent with the criteria of the Official Plan. The details are provided in the following sections.

### **a) The plan of subdivision conforms to the objectives, policies and land use designations of the Official Plan**

#### **General Residential**

The majority of lands within the proposed draft plan of subdivision are designated "General Residential" in Schedule 1 of the Official Plan (See Attachment 3). All forms of residential development are permitted in the General Residential designation. However, the general character of development will be low-rise housing forms [policy 7.2.31]. The maximum

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net density of development in the General Residential designation shall not exceed 100 units per hectare [7.2.32], and the physical character of existing established low density residential neighbourhoods will be respected wherever possible [7.2.33].

The proposed draft plan of subdivision and zoning by-law conform to the General Residential land use designation. The proposed draft plan of subdivision includes a mix of detached, semi-detached and on-street townhouse units that provide a mix of residential uses, while still maintaining a low rise form of development. A total of 215 units are proposed for the site, for a net density of approximately 54 persons per hectare.

#### Core Greenlands

Schedule 1 of the Official Plan identifies that portions of the lands within the proposed draft plan of subdivision are within the "Non-Core Greenlands Overlay". The "Non-Core Greenlands Overlay" applies to lands that may contain: natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development [7.13.5]. Development may occur on lands within the Non-Core Greenlands Overlay designation if an Environmental Impact Study has been completed and it can be demonstrated that no negative impacts will occur [7.13.6]. A small portion of the lands are designated Core Greenlands on Schedule 1 and Provincial Significant Wetlands on Schedule 2 and part of the Torrance Creek wetland complex. Development is not permitted on lands designated Core Greenlands. Policy 7.13.3 requires that an EIS be completed when development is proposed on lands adjacent to Core Greenlands.

An Environmental Implementation Report was approved for the subject lands as part of the Phase 1 and Phase 2 draft plans of subdivision. No adverse impacts have been identified. The GRCA and the City of Guelph Environmental Advisory Committee reviewed the EIS and EIR documents and recommended approval. Block 164 on the west side of the plan of subdivision contains a small wetland. Block 164 is proposed as Open Space and will be zoned Wetland (WL) and Conservation Land (P.1) and dedicated to the City. Smaller open space Blocks 159 to 163 will also be dedicated to the City for protection.

#### OPA 42

Staff has also evaluated the proposed draft plan subdivision and zoning by-law amendment in regard to Official Plan Amendment #42 – Natural Heritage System. Official Plan Amendment #42 has been approved, but is under appeal to the Ontario Municipal Board. Therefore, this draft plan of subdivision and zoning by-law amendment application is not required to conform to the policies of OPA #42. However, staff has determined that the proposed draft plan and zoning by-law amendment is consistent with the policies of OPA #42.

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#### Official Plan Amendment #48 (2012)

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is subject to Ministerial approval and is not yet in effect. Further, since the applications for the subject property were submitted prior to adoption of OPA 48, they are not required to conform to the plan. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

OPA 48 designates the property "Low Density Greenfield Residential", which permits a range of housing types, including multiple unit buildings. This designation applies to residential areas within the greenfield area of the City, which is planned to achieve an overall minimum density target of 50 persons and jobs per hectare. In order to provide flexibility to achieve this minimum density target, the Low Density Greenfield designation in OPA 48 establishes a maximum net density of 60 units per hectare and a minimum net density of 20 units per hectare.

The expected population of the subdivision is estimated at 662 persons and the density as calculated to be 54 persons per hectare. It is noted that there are both medium-density and high-density blocks proposed with frontage on Victoria Road in future phases of this original large-scale subdivision (See Attachment 5).

The proposed draft plan of subdivision is consistent with the growth management policies of the Official Plan. The subject lands are located in the designated Greenfield area identified in Schedule 1B. Development within greenfield areas must be compact and occur at densities that support walkable communities, cycling and transit and promote live/work opportunities. Policy 2.4.10.1 a) states that the designated greenfield area will be planned and designed to achieve an overall minimum density target that is not less than 50 residents and jobs combined per hectare in accordance with the Growth Plan policies.

The proposed draft plan of subdivision exceeds the minimum density target with total site density proposed at 54 persons and jobs per hectare. The plan includes a designated park and open space areas, and promotes trail linkage within the site and through connections with surrounding neighbourhood areas.

#### **b) The plan of subdivision can be supplied with adequate municipal services**

A Stormwater Management and Servicing Report for the overall development of the Kortright East lands was submitted as part of the materials for the development of Phase 1 of the lands. The overall servicing plan and requirements were identified at that time and City Staff have accepted the servicing strategy. City Engineering comments are included in Attachment 10. Numerous conditions are included in the staff recommendation in Attachment 2, to cover the servicing and development of the subdivision.

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**c) The *plan of subdivision* will not adversely impact upon the transportation system, adjacent land uses and the natural environment**

The proposed draft plan of subdivision represents phase 3 of a multi-phased planned subdivision. A Traffic Impact Analysis was submitted as part of the approvals of the Phase 1 development of the lands. Staff have included conditions 4 and 43 to ensure proper traffic co-ordination in the plan. Numerous conditions are included in the staff recommendation in Attachment 2, to cover the environmental protection of all undevelopable lands in the plan. These lands will be dedicated to the City prior to the registration of the plan.

**d) The plan of subdivision can be serviced economically without imposing an undue financial burden upon the Municipality;**

The Stormwater Management and Servicing Report identifies that the lands can be serviced and the development within the proposed plan of subdivision will be subject to development charges. The plan has been accepted in the 2012 DPP for draft approval and development during 2012.

**e) The plan of subdivision proposal has incorporated all necessary studies and assessments to ensure impacts on natural heritage features and cultural heritage resources are minimized;**

As noted previously an Environmental Implementation Report has been approved for all phases of the Kortright East subdivision which demonstrates that development will not negatively impact natural heritage features.

An archaeological assessment was carried out as part of the Phase 1 draft plan of subdivision approval process. On November 19, 2007 the applicant received clearance from the Ministry of Culture that the archaeological concerns for the property had been addressed. There are no identified cultural heritage resources on the subject lands.

**f) The *plan of subdivision* can be integrated with adjacent lands, subdivisions and streets;**

The proposed street network connects to and is integrated with the existing streets in the earlier approved phases of the Kortright East development. The proposed plan of subdivision will be connected to Victoria Road by the extension of Macalister Boulevard.

The previous phases of development are primarily low rise and medium rise residential uses. The development in the proposed Phase 3 draft plan of subdivision will reflect surrounding building form, height, massing, scale and unit type.



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Trail networks and linkages are also proposed to increase pedestrian linkages and connectivity within the subdivision as well as to the City's trail network. The decision was made during the processing of the Victoria Park Village subdivision to the south, that there was to be no road connection between the Victoria Park Village subdivision and the Kortright East subdivision. Based on this decision, staff have focused on the importance of strong trail connections within both plans.

**g) The *plan of subdivision* is considered to be necessary, timely and in the public interest;**

The approval of the proposed draft plan of subdivision is consistent with the City of Guelph Development Priorities Plan (2012). The purpose of the Development Priorities Plan is to manage the rate and timing of growth within the City. Schedule 4 of the Plan identifies Phase 3 of the Kortright East subdivision for registration in 2012. Approval of the proposed draft plan of subdivision at this time is appropriate and would permit future phases of development to proceed consistent with the timing of the Development Priorities Plan.

**h) The plan of subdivision is designed in accordance with accepted and contemporary subdivision design principles.**

The proposed draft plan of subdivision is based on a modified grid street network layout and is consistent with earlier phases and appropriate for the area. The street layout provides for relatively direct and efficient vehicle and pedestrian movements. The proposed lot sizes and locations provide for an efficient use of land and provide for a range of housing types and sizes.

The proposed draft plan of subdivision contains sufficient parkland that is sized and located appropriately. Parks planning staff have reviewed the application and recommend approval subject to conditions contained in Schedule 2.

**Review of the Proposed Zoning By-law Amendment**

The proposed Zoning By-law amendment is to rezone the subject lands from the current Agriculture (A) and Hazard (H) zones to a range of residential zones as well as P.1 Conservation Land, P.2 Neighbourhood Park, and WL Wetland zones. Four specialized regulations to the standard R.1B, R.1D, R.2 and R.3B zones are also requested.

The location of each of the proposed zone categories is shown on Attachment 7. The detail of the zones and the specialized regulations is included in Attachment 2.

The proposed mix of single-detached residential, semi-detached residential and townhouse residential zones are consistent with Official Plan designations for these lands and meet the criteria outlined in Policy 7.2.1 for the General

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Residential designation, and policy 7.2.7 for multiple dwelling units and townhouses.

Staff has evaluated the proposed specialized zone regulations and recommends that they be approved. In general, the requested specialized regulations allow for a range of housing unit types with a slightly higher intensity of land use, which permits the achievement of the designated greenfield density target while still achieving the City's design objectives.

The requested reduced front yard setback of 4.5 metres for the Specialized R.1D-? and Specialized R.2-? zones are appropriate. The reduced front yard provides opportunity for slightly larger building envelope including the opportunity for enhanced building entrance features. The setback to the front of the garage remains at 6 metres which will help to ensure that garages do not dominate the streetscape.

The requested increased building coverage allows for slightly smaller lot sizes. Staff notes that the required rear yard setback of 7.5 meters will remain for all Specialized zone categories, thus ensuring that there is sufficient backyard amenity area for residents.

The requested increased driveway width to 50% of the front yard for the Specialized R.2-? and R.2-?? Zones is acceptable. Staff notes that the maximum absolute driveway width of 3.0 metres will still apply. The key concern with reduced lot widths is the resulting reduced area for on street parking. Staff is working with the developers to ensure that driveways for the semi-detached dwelling units be located so that opportunities for on street parking are maximized.

### **Consultation and Notification**

Agency comments are summarized in Attachment 10 of this report. Attachment 11 outlines the Public Notification Summary of meetings and report dates for the subject application.

## ATTACHMENT 10

### Circulation Comments

<b>Respondent</b>	<b>No Concerns or Comment</b>	<b>Conditional Support</b>	<b>Issues/Concerns</b>
<i>Planning</i>		Subject to conditions	
<i>Engineering - traffic</i>		Subject to conditions	
<i>Engineering – SWM, Sanitary, Water</i>		Subject to conditions	*See memo attached
<i>Park Planning and Development</i>		Subject to conditions	
<i>Zoning</i>		Subject to conditions	
<i>Environmental Advisory Committee (EAC)</i>			Comments were provided and approved during the EIR process.
<i>Ministry of Culture</i>		No objection	See comments re: archaeology
<i>Heritage Guelph</i>	No concerns		
<i>Guelph Fire</i>	No concerns		
<i>Guelph Police</i>	No concerns		
<i>Guelph Hydro</i>		No objection subject to conditions	
<i>Grand River Conservation Authority</i>		No objection	Issues and concerns have been addressed in previous phases of the development.
<i>Wellington Catholic District School Board</i>		No objection	See comments and conditions
<i>Upper Grand District School Board</i>		No objection	<ul style="list-style-type: none"> <li>▪ Request that driveways be paired to maximize on-street parking and minimize access points onto McCann Street.</li> <li>▪ Request to receive a copy of the conceptual trail plan in PDF format</li> </ul>
<i>Guelph and Wellington Development Association</i>		No objection	
<i>Canada Post</i>		No objection subject to conditions	See attached conditions
<i>Guelph Field Naturalists</i>		No objection	Ask that width of corridor between lots 8 and 9 be considered
<i>County of Wellington</i>	No concerns		

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## ATTACHMENT 10 (continued) Circulation Comments

DATE August 16, 2012

FILE 16.152.342

TO Al Hearne, Planning

FROM Mary Angelo, Engineering

SUBJECT **Draft Plan of Subdivision for 927 and 1023 Victoria Road South  
Kortright East, Phase 3  
23T-01508**

Engineering staff are in receipt of the Draft Plan of Subdivision dated March 16, 2012 and we provide the following comments:

- Prior to draft plan approval, we require a preliminary Grading and Drainage Plan to review the proposed road and lot grades.
- 0.3metre reserves are needed at the open sides of Street 1 and the open side and end of Macalister Blvd.
- We may need to temporarily hold Lots 26 and 31 until we can construct the adjacent street. The Developer will be responsible for maintaining these lots including weed and pest control.

And we provide the following preliminary set of draft plan conditions:

### **Conditions to be met prior to any grading or site alteration**

1. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
2. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
3. That the Developer shall prepare a **construction traffic access and control plan** for all phases of servicing and building construction based on the use of Victoria Road as the sole means of access to the satisfaction of the City. Any costs related to the implementation of such a plan shall be borne by the Developer. Any damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost.
4. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
5. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.

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## ATTACHMENT 10 (continued)

6. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. The plan will place emphasis on the minimal disruption of the lands natural topography and shall minimize cut and fill and area grading to that which is required to service the subdivision to the required standards. The plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
7. The Developer has prepared an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The report includes a monitoring program to assess the performance of the storm water management facilities and a public education program for residents. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
9. The Developer shall retain a qualified **environmental inspector**, satisfactory to the Manager of Planning to inspect the site during all phases of development and construction including grading, servicing and building construction. The Environmental Inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environmental Impact Study and the Environment Implementation Report on a weekly or more frequent basis if required. The Environmental Inspector shall report on their findings to the City on a monthly or more frequent basis.
10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the Torrance Creek Subwatershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
13. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0metre** abutting existing residential properties without the permission of the City Engineer.
14. Prior to any development or grading of the site, the Developer shall submit to the City, a report indicating how regular **dust suppression** will be accomplished during the servicing and house construction phases of the subdivision.

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15. The developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

**Conditions to be met prior to execution of subdivision agreement**

16. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
17. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
18. With the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
19. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
20. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
21. The Developer is responsible for the total cost of preparing a **tree planting plan** for the roadways shown on the plan of subdivision and **implementing such plan** to the satisfaction of the City.
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
23. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
24. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
25. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.

**Conditions to be met prior to registration of the plan**



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26. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
  27. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
  28. Prior to the City accepting any real property interests, if contamination is found, the Developer shall (a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Realty Services; (b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and (c) file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
  29. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
  30. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
  31. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
  32. The Developer shall pay any **outstanding debts** owed to the City.
  33. The Developer shall pay **development charges** to the City in accordance with By-law (2009)-18729, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.
  34. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall." The sign is to be resistant to weather and vandalism.
  35. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots

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and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title :

- a) "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
  - b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
  - c) "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on any street at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."
  - d) "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".
  - e) "Purchasers and/or tenants of all lots or units are advised that the boundaries of the Open Space and Stormwater Management Blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy."
  - f) "Purchasers and/or tenants of all lots or units are advised that the stormwater management pond has been vegetated to create a natural wetland setting. The City will not carry out routine maintenance such as grass cutting."
  - g) "Purchasers and/or tenants of all lots or units are advised that Streets 3, 4 and Macaslistter Blvd. will be extended at some future date when the adjacent lands are developed"
36. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
37. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
38. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
39. The Developer shall pay to the City the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook** to all future residents within the Plan with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
40. The Developer shall demarcate the boundary of the Stormwater Management Pond with a 1.8metre high chain link fence to the satisfaction of the City.
41. The Developer shall convey Lots 26 and 31 at the expense of the Developer to the City and held until the adjacent future street can be constructed and extended beyond the current terminus as shown on the Plan. The Developer is responsible for maintaining these two lots including, but not limited to, weed and pest control.
42. The Developer shall meet all conditions and recommendations of the **Traffic Impact/Management Report** and shall implement all conditions and recommendations to the

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satisfaction of the City, prior to the registration of each phase of the subdivision. Further, the Developer shall submit a **Traffic Calming Management Plan** to the City for approval and shall incorporate the recommendations into the final subdivision design and shall implement all conditions and recommendations to the satisfaction of the City. Further, the Developer shall implement the recommended traffic calming measures described in the Kortright East Extension – Traffic Calming Recommendations report prepared by Paradigm Transportation Solutions Limited dated January 3, 2005.

**Conditions to be met prior to the issuance of a building permit**

43. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
44. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
45. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
46. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

We trust that this is helpful for now. Please do not hesitate to contact me if you have any questions.

Mary Angelo, P.Eng.  
Supervisor, Development Engineering

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**ATTACHMENT 11**  
**Public Notification Summary**

<i>October 21, 2003</i>	<i>Phase I development approved by City Council</i>
<i>January 3, 2006</i>	<i>Phase II development approved by City Council</i>
June 30, 2010	Phase III application received
August 25, 2010	Phase III application deemed complete
November 19, 2010	Notice of Public Meeting advertised in the Guelph Tribune
November 19, 2010	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120metres
December 13, 2010	Statutory Public Meeting held by Council
September 6 (Trib) and Sept. 11, 2012 (mailing)	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision
October 1, 2012	City Council Meeting to consider staff recommendation

September 21, 2012

Project No. 10008

Ms. Tina Agnello  
Deputy City Clerk  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

**Re: Proposed Zoning By-law Amendment ZC1109  
MRL Developments Inc., MTCM Developments Inc. and  
2182805 Ontario Inc.  
1274, 1280 and 1288 Gordon Street, City of Guelph**

We are in receipt of the City Council Decision Meeting Notice for the above-noted Zoning By-law Amendment for 1274, 1280 and 1288 Gordon Street (herein referred to as the "Site") and have reviewed the staff report dated October 1, 2012. SmithValerioté represents the owners of land to north of the Site, known municipally as 1242 and 1250 Gordon Street and 9 Valley Road.

First and foremost, our client is not in opposition to the proposed residential intensification on the Site.

GSP Group provided comments on August 30, 2011 (see attached) on behalf of our client at the time of the Public Meeting (September 6, 2011). Concerns raised at that time related to broader planning issues for redevelopment proposed on the east side of Gordon Street, south of Valley Road, which includes the Site, an intervening property owner and our client's properties. Both our client and the applicant, along with their respective planning consultants, met with City staff on March 9, 2012 to discuss matters related to traffic (future roads patterns, public versus private roads, improvements to Gordon Street between Edinburgh Road and Arkell Road) and the need, location and size of a future municipal park.

While it is our understanding the proposed development on the Site does not require a future road connection to connect to Edinburgh Road or Landsdown Drive, a future municipal road connection continues to be illustrated on the Concept Plan (Schedule 3 to the Notice). Further, there has been no definitive resolution to future road patterns and whether these roads should be private or public roads.

Our client is also concerned about the need, location and size of a future municipal park as it relates to the overall redevelopment of the area. The October 1, 2012 staff report states that:

MAILING ADDRESS

P.O. Box 1240, Guelph, ON N1H 6N6

ADDRESS

105 Silvercreek Pkwy. N., Suite 100, Guelph, ON N1H 6S4

TF 800 746 0685 F 519 837 1617

*"City of Guelph Parks staff have identified that development of a neighbourhood park in this area of the city is a priority given the relative deficiency of park space in the neighbourhood. Staff is requesting that cash in-lieu of parkland dedication be provided as part of this application."(Page 37)*

We understand that there is also a potential development proposal on the north side of Arkell Road, east of Gordon Street. One of the concepts plans contained in the staff report (Attachment 9) illustrates a future park on the Site. Accordingly, it would be our recommendation that the appropriate location for the park be assessed to understand the preferred location and its potential impact on the Site and surrounding future development.

We would appreciate being notified of the formal decision related to this application.

Yours very truly,

SMITH VALERIOTE LLP

John Valeriote

c.c. Client  
Hugh Handy, GSP Group Inc.



PLANNERS  
URBAN DESIGNERS  
LANDSCAPE ARCHITECTS

**KITCHENER OFFICE**

GSP Group Inc.  
72 Victoria Street S., Suite 201  
Kitchener, ON N2G 4Y9

P 519.569.8883  
F 519.569.8643

**HAMILTON OFFICE**

GSP Group Inc.  
29 Rebecca Street, Suite 200  
Hamilton, ON L8R 1B3

P 905.572.7477

[www.gspgroup.ca](http://www.gspgroup.ca)

August 30, 2011

Project No. 10008

Ms. Tina Agnello  
Acting City Clerk  
City of Guelph  
City Hall, 1 Carden Street  
Guelph, Ontario  
N1H 3A1

**Re: Public Meeting Notice – File ZC1109  
Proposed Zoning By-law Amendment  
MRL Developments Inc., MTCM Developments Inc. and  
2182805 Ontario Inc.  
1274, 1280 and 1288 Gordon Street, City of Guelph**

Thank you for recently circulating the Notice of Public Meeting for the above-noted zoning by-law amendment. GSP Group represents the owners of land in the vicinity of this proposed amendment at 1242 and 1250 Gordon Street and 9 Valley Road.

Based on the details contained Public Meeting Notice and Proposed Site Concept Plan attached, we note a proposed public street to the north of the subject properties. Our clients have not proceeded to the point of formal planning applications for their properties. In absence of an overall approved development plan for the area east of Gordon Street between Arkell Road and Valley Road, we are concerned about this future road connection and the impact on our client's properties.

We would appreciate further dialogue with City staff and the applicants, if appropriate, to discuss this road connection, along with other plans for the area including a future park.

We would appreciate being notified of the formal decision related to this application. Should you have any questions in the meantime, please do not hesitate to contact me in our Kitchener office.

Yours very truly,  
**GSP Group Inc.**

Hugh Handy, MCIP, RPP  
Associate

cc Clients  
John Valeriote, SmithValeriote LLP



TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE October 1, 2012

**SUBJECT 1274, 1280 and 1288 Gordon Street - Proposed  
Zoning By-law Amendment (File: ZC1109)  
Ward 6**

REPORT NUMBER 12-88

## SUMMARY

**Purpose of Report:** This report provides a staff recommendation to approve a Zoning By-law Amendment for the lands at 1274, 1280 and 1288 Gordon Street to permit the development of apartment buildings.

**Council Action:** Council is being asked to approve the proposed Zoning By-law Amendment for the subject lands.

## RECOMMENDATION

"THAT Report 12-88 dated October 1, 2012 regarding a proposed Zoning By-law Amendment for the lands municipally known as 1274, 1280 and 1288 Gordon Street from Planning, Building, Engineering and Environment be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of MRL Developments Inc., MTCM Developments Inc., and 2182805 Ontario Inc. for approval of a Zoning By-law Amendment to rezone the lands from the existing R.1B (Residential Single-Detached) Zone to an R.4A-? (Specialized General Apartment) Zone for the properties known municipally as 1274, 1280 and 1288 Gordon Street, legally described as Part Lot 6, Concession 8, formerly in the Township of Puslinch, now in the City of Guelph, be approved in accordance with the permitted uses, regulations and conditions outlined in Attachment 2 of the Planning, Building, Engineering and Environment Report 12-88 dated October 1, 2012;

AND THAT the request to demolish the two single-detached dwelling units located at 1274 and 1288 Gordon Street to allow the redevelopment of the subject lands be approved."

## BACKGROUND

The applicant and owners have been consulting with Staff since September of 2008 concerning details of the proposal and application. The applicant is proposing to rezone the lands to permit the development of three apartment

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buildings containing a total of 200 units. The application applies to a land assembly of three separately owned properties. A single-detached dwelling is located on each of the 1274 Gordon Street and 1288 Gordon Street properties. The property at 1280 Gordon Street is vacant. The City of Guelph deemed the original submission complete on April 16, 2011. The proposed zoning by-law amendment was distributed to agencies and departments for review and a Statutory Public Meeting was held on September 6, 2011. Staff report 11-78 dated September 6, 2011 provides detailed background of this application.

### **Location**

The subject lands are located on the east side of Gordon Street between Edinburgh Road South and Arkell Road. The site has 71.93 metres of frontage on Gordon Street and has a total area of approximately 2.02 hectares.

The land uses in the vicinity include:

- single-detached dwellings along the east side of Gordon Street to the north;
- a mixed residential and commercial use immediately to the north (1270 Gordon Street);
- Significant Woodland and Provincially Significant Wetland associated with the Torrance Creek Subwatershed to the east;
- a single-detached dwelling, and the Salvation Army to the immediate south; and
- vacant lands with frontage along the west side of Gordon Street (#1291 Gordon Street) in the Specialized R.4A-37(H) zone that permits apartments and senior uses (Nursing Home, Home for the Aged, and/or Retirement Building) to the west.

### **Existing Official Plan Designations**

Schedule 1 of the Official Plan designates the subject site 'Medium Density Residential' along the Gordon Street frontage of the site and 'General Residential' on the east part of the site (See Attachment 3 of this report). The predominant use of land in the Medium Density Residential designation is multiple unit residential buildings between a minimum net density of 20 units per hectare and a maximum net density of 100 units per hectare. The General Residential designation allows a full range of housing forms at a maximum net density of 100 units per hectare. A very small sliver of land at the east end of the site is designated 'Core Greenlands' and the 'Non-Core Greenlands Overlay' applies to most of the site. Gordon Street is identified as a four-lane arterial road in the Official Plan.

Schedule 2 of the Official Plan identifies the frontage of the site as 'Other Natural Heritage Features' (lands primarily comprising environmental corridors, ecological linkages and buffers to Natural Heritage Features) and the east part of the property is affected by an identified 'Provincially

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Significant Wetlands' associated with the Torrance Creek sub-watershed basin which is implemented by a WL (Wetland) Zone (See Existing Zoning below). The site is also included in the 'Arkell Springs Water Resource Protection Area'. Excerpts of some of the Official Plan policies applicable to the application are highlighted in Attachment 3 of this report.

Official Plan Amendment (OPA) 39 (in effect) identifies the site within an 'Intensification Corridor' and within the 'Built-Up Area' of the City. As shown in Attachment 3 of this report, Official Plan Amendment 42 (subject of appeals) designates the southern and eastern portions of the site as 'Significant Natural Areas' with the southern portion identified as 'Ecological Linkages'.

Under existing Official Plan policies, the proponent of a development proposal is required to prepare an environmental impact study to determine if development may negatively impact a natural heritage feature or its ecological function. Under OPA 42 policies (under appeal), an environmental impact study is required to determine if development or site alteration may negatively impact the Natural Heritage System, surface water and groundwater features or related ecological or hydrological functions or the linkages between these features.

### **Existing Zoning**

The subject site is zoned predominately R.1B (Residential Single-Detached) with a small portion on the east side of the property zoned WL (Wetland) (See Attachment 4). There are also two zoning overlays applicable to the subject lands. The east area of the property is identified as being 'located adjacent to a provincially significant wetland', while the westerly area of the property is identified as having one of the following: 'Locally Significant Wetlands, Significant Woodlots, Natural Corridor, or Linkage'. The subject property is included in an area identified to be an ecological linkage for wildlife.

Section 13.4 relates to locally significant wetlands, significant woodlots, natural corridors and linkages, and requires that all proposed developments and/or Zoning By-law amendments must be subject of an Environmental Impact Study (EIS). Section 13.3 also requires an EIS for a Zoning By-law amendment if lands located adjacent to provincially significant wetlands are proposed for development.

## **REPORT**

### **Description of the Proposed Zoning By-law Amendment**

The owner has asked to rezone the subject property to a Specialized R.4A (General Apartment) Zone to permit the construction of 200 apartment units located within three separate apartment buildings (See Attachment 5). The standard zoning regulations of the R.4A Zone are also highlighted in Attachment 5. Two specialized regulations to the standard R.4A Zone are requested in the application and include:

- 
- A request for a Minimum Sideyard of 7.5 metres along the north property line and 10 metres along the south property line instead of the standard R.4A regulation that requires “one half the Building Height but not less than 3 metres and in accordance with Section 5.4.2.1.”. One-half the Building Height in this case, based on the information provided, would be 10.66 metres).
  - A request for a Building Floor Space Index of 1.22 instead of the standard R.4A regulation that requires a Floor Space Index of 1.

The owner’s Preliminary Site Plan is included in Attachment 6. The site plan illustrates a private road ingress and egress at Gordon Street connecting to the internal surface and underground parking areas and terminating at the north end of the site. The private stub road at the north property line is shown to connect to a conceptual future public road cul-de-sac that could act as an extension of Edinburgh Road South. The central surface parking area is supplemented by two separate underground parking structures also shown in Attachment 6. Stormwater management ponds are proposed at the east end of the site to service part of the proposed development.

Building A is proposed adjacent to Gordon Street with a height of 6 storeys containing 30 apartment units. A Proposed Building Elevation Perspective of Building A proposed adjacent to Gordon Street is attached in Attachment 6. Building B is shown adjacent to the north property line with a height of 7 storeys containing 78 apartment units. Building C is proposed along the south property line with a height of 7 storeys containing 92 units.

Off street parking will provide 360 spaces (including 3 wheelchair accessible spaces); 136 surface parking spaces, and 224 spaces supplemented through below grade parking structures. Stormwater management facilities are proposed at the east end of the subject site.

The proposal for 200 residential units would yield a site density of 99 dwelling units per hectare. With an expected occupancy of approximately 340 residents, the Places to Grow density is calculated at 168 persons per hectare.

The subject lands reflect existing environmental features and associated buffers with development within identified development limits. The provincially significant wetland and associated 30 metre buffer is located outside the subject lands, while the significant woodland (Cedar Bush) and associated buffer are located in the easterly segment of the subject lands.

The proposed plan makes provision for an environmental linkage for a wildlife corridor that would extend from Gordon Street along the south side of the subject lands to the wetland at the east end of the property. The wildlife corridor is proposed to be 10 metres in width on the subject lands providing a total width of 20 m with the corridor on the adjacent property directly to the south. The proposed 13 metre setback from the south property line

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would accommodate the 10 m wildlife corridor plus a 3 m building setback from the corridor.

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

- Preliminary Site Servicing and Stormwater Management Report, Braun Consulting Engineers Ltd, March 2011;
- Environmental Impact Statement, North-South Environmental Inc., April 2011; and
- Traffic Impact Study, Paradigm Transportation Solutions Ltd., March 2011.

The proposed redevelopment and intensification proposal will require the demolition of both older dwellings at 1274 and 1288 Gordon Street.

### **Staff Planning Analysis**

The review of this application addresses the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow Plan;
- Evaluation of the proposal's conformity with the policies and land use designations of the Official Plan;
- Review of the current and proposed zoning, and the need for specialized regulations;
- Evaluation of Site Servicing and Stormwater Management Report, Environmental Impact Study, and the Traffic Impact Study;
- Evaluation of the urban design of the proposal;
- Consideration of the Community Energy Initiative (CEI);
- Review of the proposed demolition of the two existing houses located at 1274 and 1228 Gordon Street.

The issues raised at the statutory public meeting and during the review of the application are addressed in the Planning Analysis section of this report (see Attachment 8).

### **Community Energy Initiative**

The owners have submitted a chart that outlines their commitment to the City's Community Energy Initiative (See Attachment 7). These commitments have been included as condition #3 in Attachment 2.

### **Staff Recommendation**

Planning staff are satisfied that this Zoning By-law Amendment application is consistent with the Provincial Policy Statement, and that it conforms to the Places to Grow Plan and the City's Official Plan. This Zoning By-law Amendment application is recommended for approval subject to the zoning and conditions outlined in Attachment 2.

The rezoning proposal, subject to the zoning and conditions recommended in Attachment 2, conforms to the Official Plan, is in the public interest and represents good planning.

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## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

Based on 200 apartment dwelling units:

### **Projected Taxation**

\$660,000 (based on \$3,300/unit)

### **Development Charges**

\$3,148,400

## **DEPARTMENTAL CONSULTATION**

The public and agency comments received through the review of the application are summarized on Attachment 10 of this report. The chronology of the application and the dates of public notification are listed in Attachment 11.

## **ATTACHMENTS**

Attachment 1 – Location Map

Attachment 2 – Recommended Zoning and Conditions

Attachment 3 – Existing Official Plan Land Use Designations and Policies

Attachment 4 – Existing Zoning

Attachment 5 – Proposed Zoning

Attachment 6 – Proposed Development Concept Plan & Building Elevation

Attachment 7 – Community Energy Initiative Commitment

Attachment 8 – Staff Planning Analysis

Attachment 9 – Conceptual Area Development Plans

Attachment 10 – Circulation Comments

Attachment 11 – Public Notification Summary

### **Prepared By:**

MHBC Planning/Al Hearne  
Senior Development Planner  
519-837-5616, ext 2362  
al.hearne@guelph.ca

Original Signed by:

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### **Recommended By:**

Todd Salter  
General Manager  
Planning Services  
519-837-5616, ext 2395  
todd.salter@guelph.ca

### **Recommended By:**

Sylvia Kirkwood  
Manager of Development Planning  
519-837-5616, ext 2359  
sylvia.kirkwood@guelph.ca

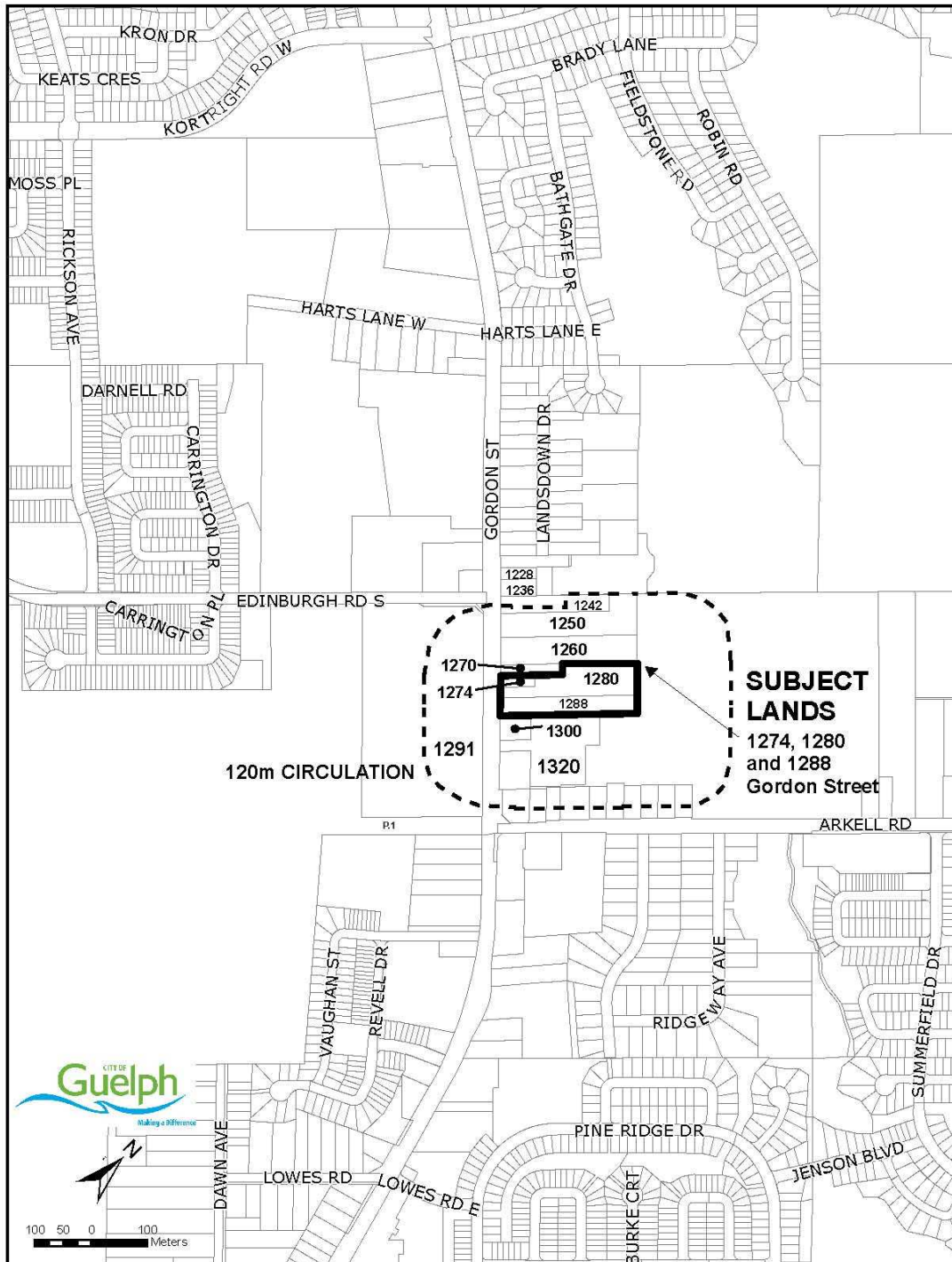
Original Signed by:

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### **Recommended By:**

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

## ATTACHMENT 1 Location Map





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## **ATTACHMENT 2**

### **Recommended Zoning and Conditions**

The property affected by this Zoning By-law Amendment is municipally known as 1274, 1280 and 1288 Gordon Street, legally described as Part Lot 6, Concession 8, formerly in the Township of Puslinch, now in the City of Guelph.

The following Zoning is proposed:

#### **Specialized R.4A-? Zone**

##### **Permitted Uses**

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

##### **Regulations**

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

##### **Minimum Side Yard**

The minimum Side Yard on the north side shall be 7.5 metres

The minimum Side Yard on the south side shall be 13 metres

##### **Floor Space Index**

The maximum Floor Space Index (F.S.I.) shall be 1.22.

#### **P.1 (Park/Conservation Land) Zone**

The lands associated with the cedar bush woodlot and the related 10 metre buffer is proposed to be rezoned to the P.1 Zone.

##### **Conditions**

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

1. The owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, **a fully detailed site plan**, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to Site Plan approval, and furthermore the owner agrees to develop the said lands in accordance with the approved plan.
2. The owner shall develop the site generally in accordance with the **development concept plan** attached as Attachment 6 to the October 1, 2012 Planning, Building, Engineering and Environment Report Number 12-88, and the owner shall complete the following requirements to the satisfaction of the General Manager of Planning Services and the City Engineer prior to site plan approval:

- 
- a) The owner shall complete all requirements of the GRCA and the owner's approved Environmental Impact Assessment and shall address all recommendations in the September 14, 2011 resolution of EAC, to the satisfaction of the General Manager of Planning Services and the City Engineer.
3. Prior to site plan approval, the owner will provide the City with a written letter of confirmation that the site will be developed and the buildings will be constructed to include the owner's commitments outlined in Attachment 7 of the Planning, Building, Engineering and Environment Report 12-88 dated October 1, 2012, to support the **Community Energy Initiative** to the satisfaction of the General Manager of Planning Services.
4. The owner shall prepare and submit to the City for approval, an **addendum to the Environmental Impact Study** that addresses the comments of the GRCA, EAC, Environmental Planner and Parks Planner, to the satisfaction of Planning, Building, Engineering and Environment, prior to the site plan approval.
5. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall construct, install and maintain **erosion and sediment control facilities**, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified environmental inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
6. The developer/owner grades, develops and maintains the site including the **storm water management facilities** designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the developer/owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
7. The developer/owner has a Professional Engineer identify any **private water wells** on the adjacent properties and ensures that the development of the subject lands do not adversely impact those wells.
8. The developer/owner shall pay to the City the actual cost of the **existing service laterals**, as determined by the City Engineer, prior to site plan approval.
9. The developer/owner shall pay to the City, **their share of the actual cost of constructing municipal services** on Gordon Street across the frontage of the

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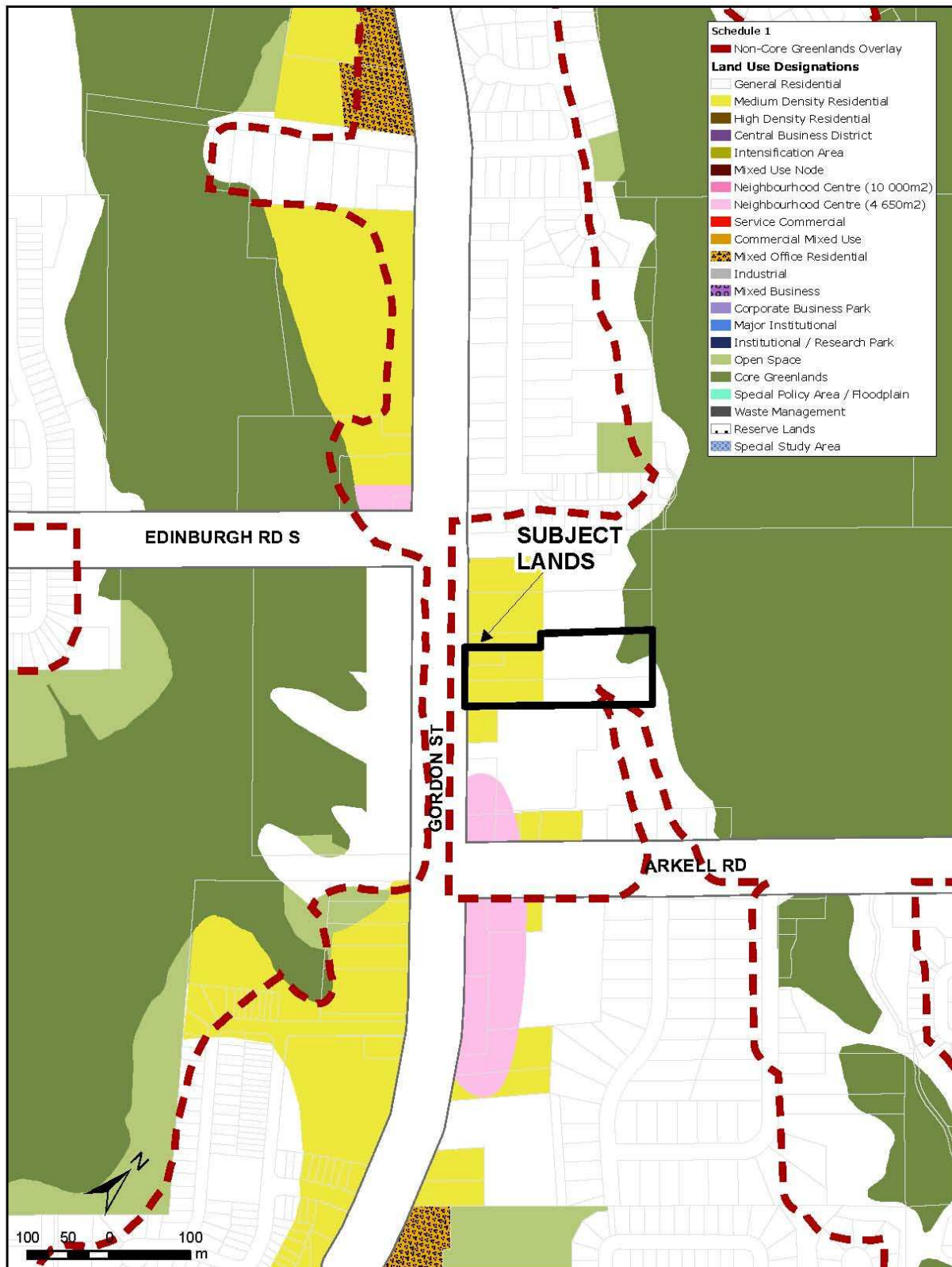
lands, including road works, sanitary sewer, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting as determined by the City Engineer, prior to site plan approval.

10. The developer/owner shall pay to the City, their **share of the actual cost of constructing and maintaining the existing Municipal Stormwater Management facility** as determined by the City Engineer, prior to site plan approval.
11. The developer/owner shall pay to the City the **actual cost of constructing and installing any new service laterals** required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
12. The developer/owner shall pay to the City the **actual cost of the construction of the new access and the required curb cut**, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer.
13. The developer/owner shall pay to the City the **actual cost of the removal and restoration of the boulevard** where the existing accesses are located, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer.
14. The developer/owner shall pay to the City, their **proportionate share of the actual cost of constructing a centre turn lane on Gordon Street** across the frontage of the lands, and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the centre turn lane as determined by the City Engineer.
15. The developer/owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be **served with a gravity connection** to the sanitary sewer.
16. The developer/owner shall provide a **single full movement access** to Gordon Street and in the event that a secondary access be opened to a future road (Landsdown extension), then the single access to Gordon be retrofitted to a right in/right out movement only.
17. That the developer/owner shall pay **development charges** to the City in accordance with By-law Number (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.

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18. That any **domestic wells and boreholes** drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
  19. Prior to site plan approval, the owner shall pay to the City **cash-in-lieu of park land dedication** in accordance By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.
  20. That all **telephone and Cable TV service** to the lands be underground and the developer/owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service, prior to any construction or grading on the lands.
  21. That the developer/owner makes satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction or grading on the lands.
  22. That all electrical services to the lands are underground and the developer/owner shall make satisfactory arrangements with **Guelph Hydro** Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction or grading on the lands.
  23. The owner shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations.
  24. Prior to the issuance of any building permit for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
  25. That prior to site plan approval, the developer/owner shall enter into a **site plan control agreement** with the City, registered on title, satisfactory to the City Solicitor and the City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

### ATTACHMENT 3

#### Existing Official Plan Land Use Designations and Policies



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**ATTACHMENT 3 (continued)**  
**Existing Official Plan Land Use Designations and Policies**

**Section 7 Residential**

**7.2 Residential**

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

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

**'General Residential' Land Use Designation**

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the *net density* of *development* shall not exceed 100 units per hectare (40 units/acre).

1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

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## **'Medium Density Residential' Land Use Designation**

7.2.36 The predominant use of land within areas designated as 'Medium Density Residential' on Schedule 1 shall be for *multiple unit residential buildings*, such as townhouses, row dwellings and walk-up apartments. It is not intended that housing forms such as *single detached* or *semi-detached* units shall be permitted. Residential care facilities and *lodging houses* may be permitted by the provisions of this Plan.

- a) Within the Medium Density Residential designation at the northeast side of the intersection of York Road and Wyndham Street South, detached and semi-detached housing forms are permitted with frontage onto York Road, Wyndham Street South and Richardson Street provided that the overall density of development within the Medium Density Residential designation in this location complies with Section 7.2.38.

7.2.37 The 'Medium Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:

- a) Medium density housing forms in new growth areas to assist in providing opportunities for *affordable housing*;
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.

7.2.38 The *net density of development* shall be a minimum of 20 units per hectare (8 units/acre) and a maximum of 100 units per hectare (40 units/acre), except as provided for in policy 7.2.10.

7.2.39 Medium density residential *development* proposals shall generally comply with criteria established for *multiple unit residential buildings* in policy 7.2.7 of this Plan, and shall be regulated by the *Zoning By-law*.

7.2.40 In addition to being permitted on land designated 'Medium Density Residential', *multiple unit residential buildings* may be permitted without an amendment to this Plan on land designated 'General Residential' where such proposals generally comply with the criteria in policy 7.2.7.

## **Section 6: Natural Heritage Features**

### **6.1 Introduction**

This section of the Plan provides policy for the protection of features and ecological functions of Guelph's natural environment. The policies of this



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section are intended to identify and provide a level of protection for lands representing the full spectrum of Guelph's natural heritage features and ecosystems.

#### **6.4 Wetlands**

The Ministry of Natural Resources has evaluated and classified *wetlands* in the City of Guelph. These *wetlands* consist of *provincially significant wetlands* and *locally significant wetlands*. All *wetlands* currently evaluated are delineated on Schedule 2.

##### *Objectives*

- a) To recognize the important role of *wetlands* of all sizes in the natural environment;
- b) To plan for the optimization of the hydrological, social, ecological and economic benefits associated with various wetland resource areas;
- c) To work with community partners and various government agencies, (i.e. the Grand River Conservation Authority and the Ontario Ministry of Natural Resources) to protect *wetlands* through accepted land use planning and resource management practices.

#### **6.9 Environmental Corridors and Ecological Linkages**

*Environmental corridors* are linear biophysical features usually associated with river, stream and creek valleylands that provide essential links for plant and animal species and often serve as buffers to the riverine ecosystem. *Ecological linkages* are landscape areas that connect remnant *natural areas*. It is the City's intention to promote the retention, maintenance and enhancement of both of these types of *features*.

##### *Objectives*

- a) To promote the retention, maintenance and enhancement of linear biophysical features as well as natural landscaped connections that provide essential links between *natural heritage features*.

#### **7.13 Greenlands System**

The Greenlands System represents a planning framework which recognizes that *natural heritage features* and their associated landscapes need to be considered in a holistic manner in order to provide a comprehensive and integrated approach for conservation and enhancement.

The Greenlands System is intended to include those *features* and areas which, are part of the City's *natural heritage* as well as areas in which *natural hazards* may pose a threat to public safety. These often inter-related areas include:

- wetlands;
- forestry resources;
- streams and valleys;
- ponds;

- 
- areas of natural and scientific interest;
  - fish, wildlife and plant habitats;
  - flood plains and hazard lands;
  - habitat areas for endangered and threatened species.

### **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.

### **'Non-Core Greenlands Overlay'**

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain *natural heritage features*, *natural feature adjacent lands* and *natural hazard lands* that should be afforded protection from *development*. The following *natural features* and their associated *adjacent lands* are found within the Non-Core Greenlands area: *fish habitat*, *locally significant wetlands*, *significant woodlands*, *significant environmental corridors and ecological linkages*, *significant wildlife habitat*. In many instances these *natural features* also have *hazards* associated with them which serve as development constraints.

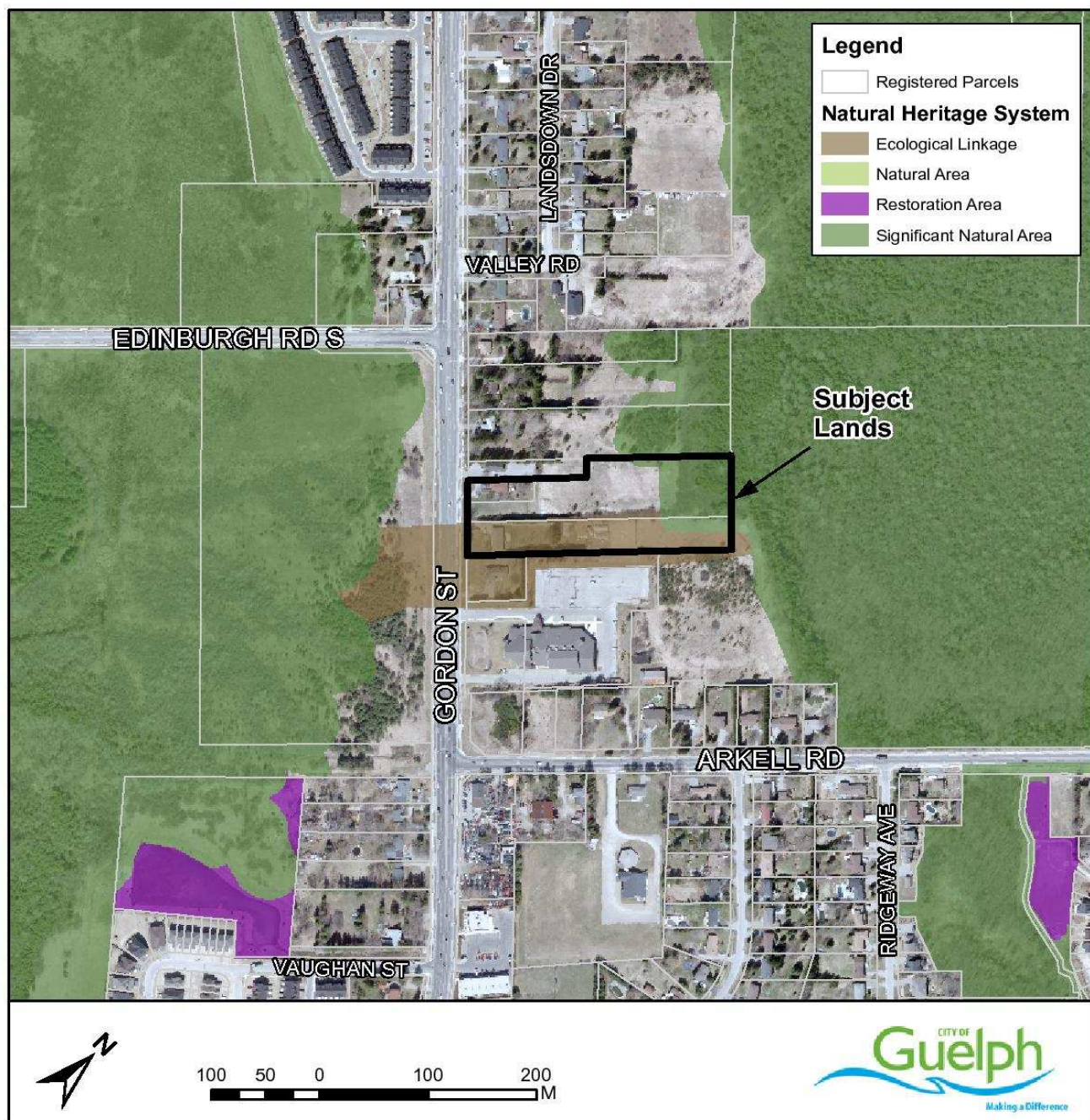
1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.
2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.

7.13.6 *Development* may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no *negative impacts* will occur on the *natural features* or the *ecological functions* which may be associated with the area. Where appropriate and reasonable consideration will be given to measures to provide for the enhancement of any identified *natural heritage feature* as part of such environmental impact study.

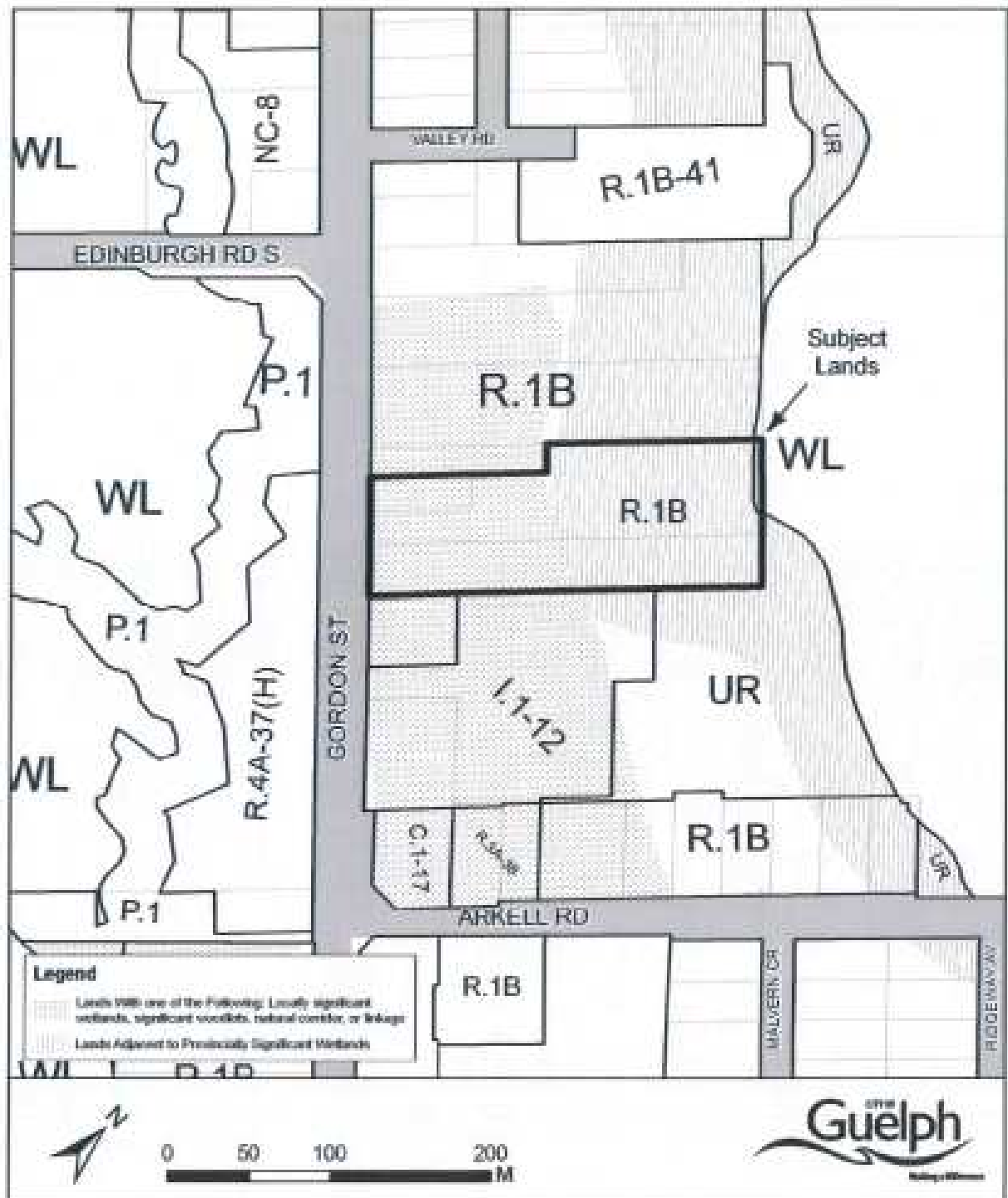
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7.13.7 It is intended that the *natural heritage features* associated with the Non-Core Greenlands overlay are to be protected for their *ecological value* and *function*. The implementing *Zoning By-law* will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.

**ATTACHMENT 3 (continued)**  
**Existing Official Plan Land Use Designations and Policies**  
**Official Plan Amendment 42 Land Use Designations**  
**(Under Appeal)**



## ATTACHMENT 4 Existing Zoning



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**ATTACHMENT 4 (continued)**  
**Existing Zoning**

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

**5.1.1 PERMITTED USES**

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

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

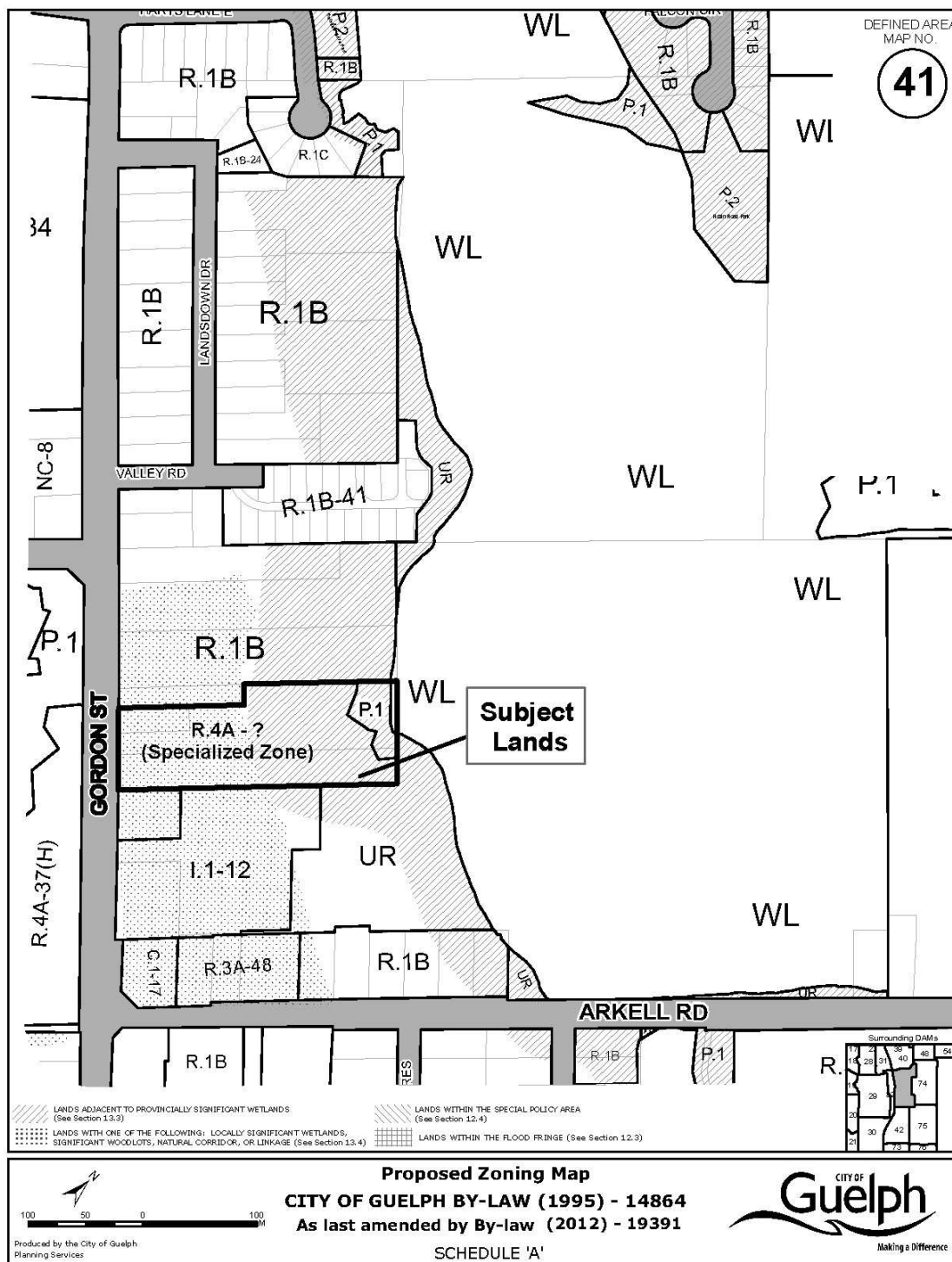
**Section 5.1, Table 5.1.2, Regulations Covering R.1B Zoning**

<b>1</b>	<b>Residential Type</b>	<b>Single Detached Dwellings</b>
<b>2</b>	<b>Zones</b>	<b>R.1B</b>
<b>3</b>	Minimum Lot Area	460m <sup>2</sup>
<b>4</b>	Minimum Lot Frontage	15 metres and in accordance with Section 5.1.2.6
<b>5</b>	Maximum Building Height	3 storeys and in accordance with Section 4.18
<b>6</b>	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7
<b>6a</b>	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7
<b>7</b>	Minimum Side Yard Over 2 storeys	2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2
<b>8</b>	Minimum Rear Yard	7.5 metres or 20% of the Lot Depth, whichever is less and in accordance with Section 5.1.2.4
<b>9</b>	Accessory Buildings or Structures	In accordance with Section 4.5
<b>10</b>	Fences	In accordance with 4.20

<b>11</b>	Off-Street Parking	In accordance with Section 4.13
<b>12</b>	Minimum Landscaped Open Space	The <b>Front Yard</b> on any lot, excepting the <b>Driveway</b> shall be landscaped and no parking shall be permitted within this <b>Landscaped Open Space</b> . The driveway shall not constitute more than 40% of the <b>Front Yard</b> in the R.1A and R.1B <b>Zones</b> and not more than 50% of the <b>Front Yard</b> in the R.1C <b>Zone</b> and not more than 56% of the <b>Front Yard</b> in an R.1D <b>Zone</b> to a maximum <b>Driveway</b> width as specified in Section 4.13.7.2ii, whichever is the lesser and in accordance with Section 5.1.2.11. Despite the definition of <b>Landscaped Open Space</b> , a minimum area of 0.5 metres between the driveway and the nearest lot line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.
<b>13</b>	Garbage, Refuse and Storage	In accordance with Section 4.9
<b>14</b>	Garages	For those <b>Lots</b> located within the boundaries indicated on Defined Area Map Number 66, attached <b>Garages</b> shall not project beyond the main front wall of the <b>Building</b> . Where a roofed porch is provided, the <b>Garage</b> may be located ahead of the front wall of the dwelling (enclosing <b>Habitable Floor Space</b> on the first floor) equal to the projection of the porch to a maximum of 2 metres.



## ATTACHMENT 5 Proposed Zoning



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## **ATTACHMENT 5 (continued)**

### **Proposed Zoning**

#### **Specialized R.4A-? Zone**

##### **Permitted Uses**

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

##### **Regulations**

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

##### Minimum Side Yard

The minimum Side Yard on the north side shall be 7.5 metres

The minimum Side Yard on the south side shall be 13 metres

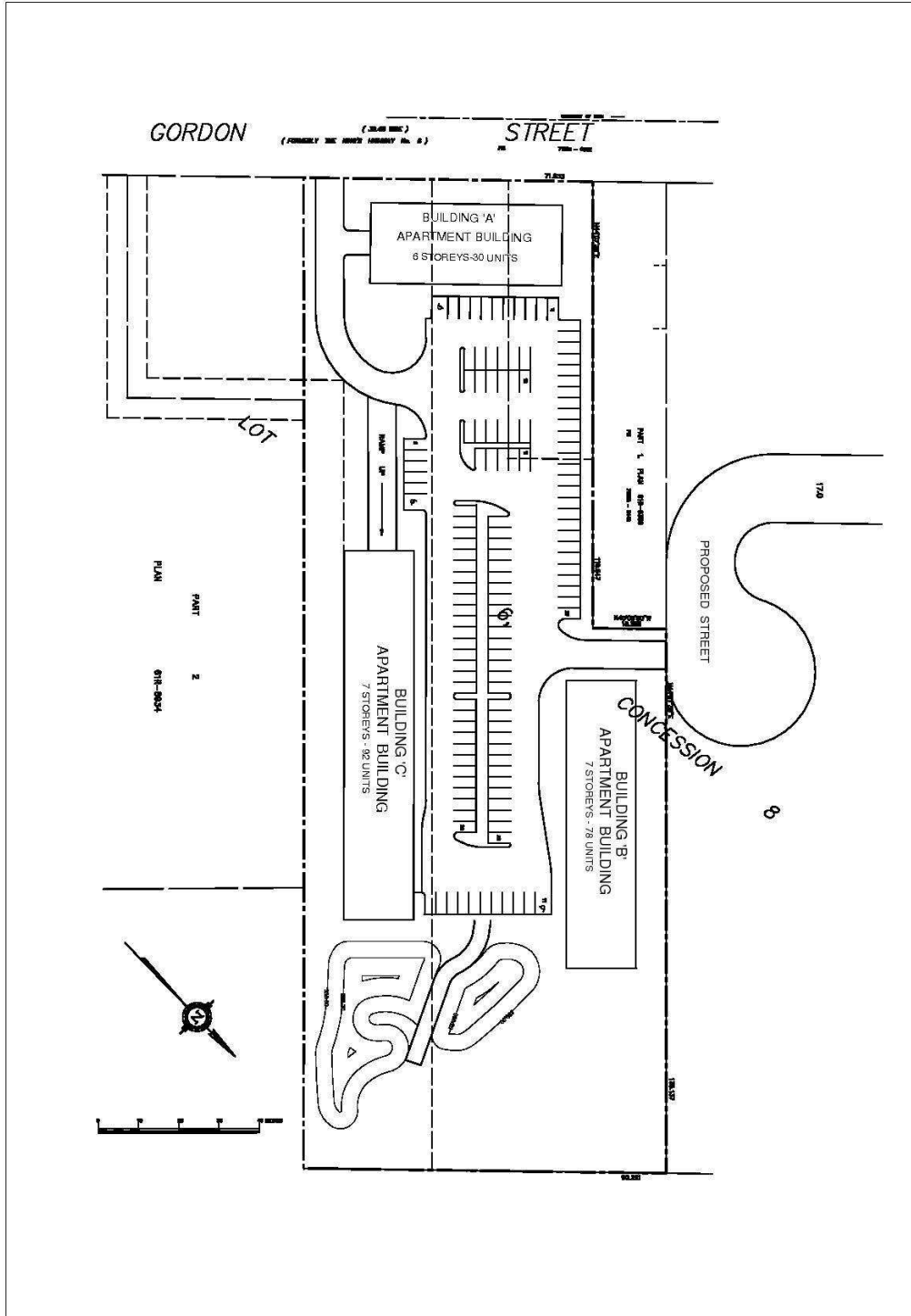
##### Floor Space Index

The maximum Floor Space Index (F.S.I.) shall be 1.22.

## ATTACHMENT 5 (continued) Proposed Zoning

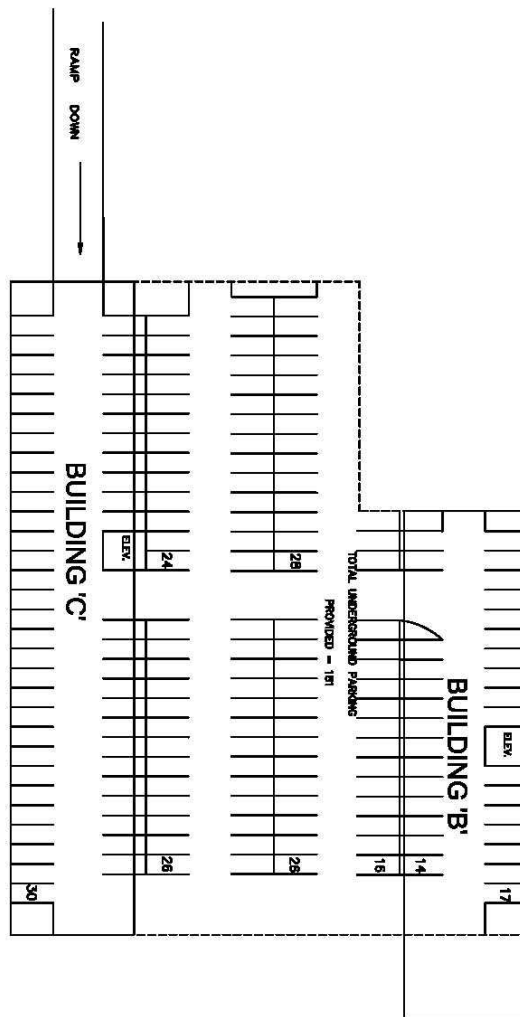
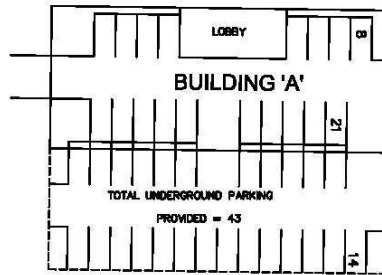
Row 1	Residential Type	General <b>Apartment</b>
2	<b>Zones</b>	R.4A
3	Minimum <b>Lot Area</b>	650 m <sup>2</sup>
4	Minimum <b>Lot Frontage</b>	15 metres
5	Maximum Density (units/ha)	100
6	Minimum <b>Front</b> and <b>Exterior Side Yard</b>	6 metres and as set out in Section 4.24.
7	Maximum <b>Front</b> and <b>Exterior Side Yard</b>	No regulation.
8	Minimum <b>Side Yard</b>	Equal to one-half the <b>Building Height</b> but not less than 3 metres and in accordance with Section 5.4.2.1.
9	Minimum <b>Rear Yard</b>	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.
10	Maximum <b>Building Height</b>	8 <b>Storeys</b> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between <b>Buildings</b>	See Section 5.4.2.2.
12	Minimum <b>Common Amenity Area</b>	See Section 5.4.2.4.
13	Minimum <b>Landscaped Open Space</b>	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> .
14	Off- <b>Street</b> Parking	In accordance with Section 4.13.
15	<b>Buffer Strips</b>	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 <b>Buildings</b> or <b>Structures</b>	In accordance with Section 4.5.
17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
18	<b>Floor Space Index</b> (F.S.I.)	1
19	Fences	In accordance with Section 4.20.

# **ATTACHMENT 6** **Proposed Development Concept Plan with Underground Parking & Building Elevation**



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**ATTACHMENT 6 (continued)**  
**Proposed Development Concept Plan with Underground Parking & Building Elevation**



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**ATTACHMENT 6 (continued)**  
**Proposed Development Concept Plan with Underground Parking &  
Building Elevation**



## ATTACHMENT 7 Community Energy Initiative Commitment

### Cabrio Holdings CEP Commitment 1274, 1280 and 1288 Gordon Street

**The following list of energy conservation measures will also be incorporated into this apartment development.**

		<b>Standard Specification</b>
<b><u>Sustainable Sites- Entire Property</u></b>		
<b>Urban Development</b>	A compact and well utilized site helps contain urban sprawl	X
<b>Urban Development-erosion and sedimentation control</b>	A comprehensive erosion and sedimentation control plan is in effect throughout redevelopment of the site.	X
<b>Existing &amp; Proposed Trees</b>	New tree planting contributes to the overall rejuvenation of the urban forest.	X
<b>Site Lighting</b>	The project will incorporate exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operation controlled by light sensors.	X
<b>Alternative Transportation</b>	Existing bus route along Gordon Street. A bicycle rack will be provided for each apartment site.	X
<b>Landscape and Exterior Design</b>	The project will incorporate the use of light colored surface paving and terrace/balcony materials where practical to increase reflectivity & decrease heat island effect	X

#### **Water Efficiency**

<b>Water efficient Landscaping</b>	Drought resistant soft landscape material will be specified as much as possible	X
<b>Landscape Irrigation</b>	Automated drip irrigation systems which maximize utility of applied water will be specified and only in areas where it would be essentially required	X
<b>Storm Water Management</b>	Controlled roof drains provided to control flow rate of storm water	X
<b>Reduced Water Consumption</b>	Low flow faucets and showerheads and low volume flush toilets (HET high efficiency toilets) where possible	X

#### **Energy & Atmosphere**

<b>Design Features</b>	Project will comply with ban on ozone-depleting refrigerant gases	x
<b>Design Features-mechanical systems</b>	Building's HVAC systems will be centralized and heat recovery ventilators (HRV's or ERV's) will be incorporated in the majority of the central air return systems.	X
<b>Design Features</b>	Low E windows will reduce heat gains and heat loss	X
<b>Design Features-mechanical systems</b>	High efficiency heating system will be used to save natural gas.	X
<b>Design Features-mechanical systems</b>	Cooling equipment will be min 10.9 seer capacity efficiency. This exceeds the MNEC and OBC requirement.	X
<b>Design Features-</b>	Lighting for residences will be min 75% CFL (or comparable energy efficient lighting alternative)	x



<b>Electrical</b>		
<b>Design Features-Mechanical Systems</b>	Sealed supply and return plenums will be specified in majority of units. Ensures efficient distribution of heating/cooling ventilation.	x
<b>Electrical Metering and Controls</b>	Individual real-time energy metering for gas and electrical. Makes occupants aware/conscious of energy use (kW & \$).	x
<b>Electrical Metering and Controls</b>	Occupancy sensors provided in service rooms with intermittent occupancy to reduce hydro consumption	X

### **Materials & Resources**

<b>Regional Materials</b>	The vast majority of materials utilized are available locally (800km radius as defined in the LEED standard) limiting environmental impact on source supply transportation.	X
<b>Low Emitting Materials</b>	Low VOC emitting materials where possible. Examples include, low VOC paints, recycled content carpet, etc.	X
<b>Collection of Recyclables</b>	In compliance with City by-laws	X
<b>Building Materials</b>	High recycled content material to be specified wherever possible	X
<b>Construction Waste Management</b>	A construction waste management plan will be implemented	X

### **Indoor Environmental Quality**

<b>System Controllability</b>	Each resident will have access to individual controls for the Heating, Cooling, Lighting and Ventilation	X
<b>Natural Ventilation</b>	All occupied spaces have access to an operable window	X
<b>Low VOC emitting materials</b>	See above (materials)	X
<b>Natural Light</b>	The building provides natural light to 100% of regularly occupied spaces	X

### **Innovation & Design Process**

<b>Sustainable Consultants</b>	Residences and units will be designed/developed with input from accredited "sustainable" consultants (i.e. LEED AP's, Energy Auditors, etc)	x
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June 2012

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## **ATTACHMENT 8**

### **Planning Analysis**

#### **Provincial Policy Statement (2005)**

The Provincial Policy Statement (PPS) was approved by the Ministry of Municipal Affairs and Housing on March 1, 2005. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS applies to all areas within the province, and all decisions affecting planning matters must be consistent with the PPS. The PPS encourages and promotes growth within existing settlement areas, away from significant or sensitive resource and environmental areas, and away from areas which may pose a risk to public health and safety. The PPS promotes effective use of land and management to achieve appropriate development that meets the full range of current and future needs.

The PPS directs growth and development to designated and existing settlement areas [Policy 1.1.3]. The PPS encourages growth in areas with existing infrastructure and services, and promotes a compact form, mix of uses, and intensification [Policy 1.1.3.2 and 1.3.3.7]. The PPS promotes redevelopment and intensification in previously developed built-up areas [Policy 1.1.3.3].

Policy 1.6.4.2 identifies that municipal services are the preferred form of servicing and intensification and redevelopment should be promoted in areas served by full municipal services. Development should utilize existing infrastructure so long as the service has the potential to meet standard demand, and that human and environmental health are protected (Policy 1.6.4.1).

The PPS states that natural features shall be protected for the long term [Policy 2.1.1]. Policy 2.1 sets out policies for development and site alteration in areas with important natural features, and promotes growth that preserves these areas and their ecological functions. Development is not permitted within or adjacent to significant environmental features “unless it has been demonstrated that there will be no negative impacts on the natural features and their ecological functions.”

The proposed zoning by-law amendment is consistent with the policies of the Provincial Policy Statement. The subject lands are located in a designated settlement area. The development is located along a designated intensification corridor and promotes intensification through compact built

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form. The site is serviced from existing water and wastewater infrastructure, and a new storm water management facility is proposed. The Environmental Impact Statement concluded that existing natural heritage features including the wetland, woodlot, and environmental linkage will be maintained, and that the proposed development will have no negative impacts on environmental features.

### **Greater Golden Horseshoe Growth Plan (2006)**

The Growth Plan for the Greater Golden Horseshoe was approved by the Ministry of Infrastructure on June 16, 2006. The Growth Plan is a framework for implementing the Government of Ontario's vision for managing growth and building stronger, prosperous communities into the year 2031. All development within the Growth Plan area must conform to the goals and policies of the Plan. The entire City of Guelph is located within the Greater Golden Horseshoe Plan, and all developments in the City must conform to these policies.

The intent of the Growth Plan is to guide development and land-use planning within the Greater Golden Horseshoe. Growth is managed through the application of several principles including:

- Growth should be managed to result in compact communities where more development is directed to existing built up areas to optimize existing infrastructure and services;
- The outward expansion of built up areas should be limited to conserve and protect natural heritage, agricultural lands and other resources;
- Growth and development should result in complete communities that provide a range of housing, transportation and employment choices and provide easy access to stores and services that meet daily needs.

The policies of the Growth Plan encourage intensification within the built-up area and require municipalities to identify areas for intensification [2.2.3.6]. Intensification areas are intended to attract a significant portion of population and employment growth [2.2.3.7].

The proposed zoning by-law amendment conforms to the policies of the Greater Golden Horseshoe Growth Plan. The redevelopment and intensification of the subject site is located within a designated intensification area and makes efficient use of land, existing infrastructure, and helps to support transportation options along Gordon Street.

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## **City of Guelph Official Plan**

### **Residential Land Use Policies**

The subject lands are designated "Medium Density Residential" and "General Residential" in the City of Guelph Official Plan. The subject site is also included in the "Non-Core Overlay" boundary and a small portion of the property is designated "Core Greenlands". Schedule 2 identifies the property as "Other Natural Heritage Features", and schedule 7 includes the property in the "Torrance Creek Corridor" and "Linked Open Space" areas.

The "Medium Density Residential" designation permits multiple unit residential buildings including townhouses, row dwellings, and apartments. The predominant use of land shall be multiple unit residential buildings, and it is not intended that single detached and/or semi-detached units shall be permitted [7.2.36]. The net density of development shall be a minimum of 20 units per hectare up to a maximum of 100 units per hectare.

The "General Residential" designation permits all forms of residential development. Multiple unit residential buildings are permitted in "General Residential" lands without amendment to the Official Plan. The maximum net density of development shall not exceed 100 units per hectare [7.2.32]. The subject lands are located in a designated intensification corridor in Official Plan amendment 39, where intensification and increased density are permitted [2.4.8.1].

Policy 7.2.35 of the "General Residential" designation and policy 7.2.39 of the "Medium Density" designation state that apartment proposals shall comply with the criteria for multiple unit residential buildings set out in policy 7.2.7 including:

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

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The proposed zoning by-law amendment conforms to the policies of the Medium Density Residential and General Residential designations. The proposed apartment building use is permitted within both designations and the proposed development would be within the maximum density limit of 100 units per hectare. The proposed development is consistent with the criteria for multiple residential housing listed in policy 7.2.7. The proposed zoning by-law amendment to permit an apartment use is consistent with the policies to encourage intensification and higher density development in a designated intensification area.

#### Natural Heritage Feature Policies

The environmental policies of the Official Plan have been addressed during the review of the subdivision through the approval of an Environmental Impact Report (EIS). A small portion of the subject lands are designated "Core Greenlands". The designation applies to the woodlands and wetland area associated with Torrance Creek at the east end of the site. Development is prohibited in Core Greenlands [policy 7.13.2]. The "Non-Core Overlay" designation applies to the remaining portion of the subject lands. Development may occur in this designation if an Environmental Impact Study is completed and shows no adverse impacts will result from the proposed development. An EIS has been completed for the proposed development and no adverse impacts have been identified.

The "Other Natural Heritage Features" designation includes environmental corridors, ecological linkages, and buffers that surround natural heritage features as identified in Policy 6.1 of the Official Plan. Policy 6.9 a) outlines the City's intention to "promote the retention, maintenance and enhancement of linear biophysical features as well as natural landscaped connections that provide essential links between natural heritage features". OPA 42 (under appeal) identifies an ecological linkage along the southern portion of the site linking the Hanlon Creek wetland complex on the west side of Gordon Street to the wetland associated with Torrance Creek on the east side of the subject site.

The proposed zoning by-law amendment and development concept conform to the natural environment policies of the Official Plan. The WL (Wetland) zone that applies to the small portion at the east end of the site will remain. An Environmental Impact Statement was prepared by the applicant and demonstrates that the development will have no negative impact on the existing natural features. The Environmental Planner, the GRCA and the City's Environmental Advisory Committee have reviewed and accepted the EIS.

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An environmental wildlife corridor along the south side of the site is proposed. There is currently a 10 metre environmental corridor along the north side of the adjacent property (Salvation Army). An additional 10 metres is proposed on the subject lands resulting in a combined 20 metre wide corridor. The proposed minimum side yard setback of 13 metres on the south property line of the subject site provides for the 10 metre environmental corridor and requires that any building is located at least 3.0 metres from the corridor to reduce any impact on wildlife movements.

#### **Official Plan Amendment 42**

The City's Natural Heritage Strategy (NHS - Official Plan Amendment 42) that was approved by Council (subject to appeals) designates the existing wildlife corridor located south of the site as part of the natural heritage system and 'Ecological Linkage'. The proposed development conforms to the policies of the NHS with the commitment of the 10 metre wide parcel of land along the south boundary of the site which, when added to the corridor that exists, forms an overall 20 metre corridor for wildlife to move between the two watersheds.

#### **Official Plan Amendment #48 (2012)**

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is subject to Ministerial approval and is not yet in effect. Further, since the applications for the subject property were submitted prior to adoption of OPA 48, they are not required to conform to the plan. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City and within the context of the Provincial Growth Plan.

OPA 48 designates the property "High Density Residential" which allows high density multiple unit residential building forms at a density of between 100 to 150 units per hectare. The proposal for 200 units at 100 units per hectare conforms to OPA 48 and also to the existing Official Plan.

#### **Review of Proposed Zoning By-law Amendment and Regulations**

The proposed Zoning By-law amendment is a request to rezone the subject lands from the current R.1B to R.4A-? (Specialized General Apartment) zone. Two specialized regulations to the standard R.4A zone are requested with the proposed zoning amendment including:

- Request for minimum side yard of 7.5 metres along the north property line and 13 metres along the south property line instead of the standard R.4A regulation that requires 'one half of the building height but not less than 3 metres and in accordance with Section 5.4.2.1'; and

- 
- Request for a Floor Space Index (FSI) of 1.22 instead of the 1.0 FSI permitted in R.4A zoning regulations.

#### Permitted Uses

The uses permitted in the requested R.4A zone include:

- Apartment Building
- Accessory Uses
- Home Occupation

The applicant proposes to construct three apartment buildings with a total of 200 units. The R.4A Zone and the apartment use are consistent with both the Medium Density Residential and General Residential designations of the subject lands.

#### Yard Setbacks

The applicant has requested a minimum side yard setback of 7.5 metres along the north property line, and a 13 metre setback along the south property line. The required side yard setback is one half the building height. In this case, the required setback for buildings B and C (proposed at 7 storeys) would be approximately 11 metres and approximately 9 metres for building A (proposed at 6 storeys).

Staff have no objection to the requested side yard setbacks. The 7.5 metre setback on the north side of the property is less than what would be required by the standard R.4A regulations but still provides for sufficient setback to ensure appropriate landscaping between the building and the property line. The 13 metre setback on the south side of the property is greater than what would be required by the standard R.4A regulations. The 13 metre setback allows for the provision of the environmental wildlife corridor plus a 3 metre setback between the building and the corridor to reduce the impact of the building on wildlife movements. In staff's opinion the requested setbacks are appropriate and provide an opportunity to achieve the goals of the official plan (i.e. the provision of the environmental corridor) with minimal impacts on adjacent properties.

#### Density and Maximum Floor Space Index

The applicant has requested specialized regulations to permit a maximum Floor Space Index of 1.22 when zoning regulations limit site development to a maximum Floor Space Index of 1.0. The density of the proposed development is 99 units per hectare and would meet the maximum density in the R.A4 zone of 100 units per hectare.



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Staff have no objection to the requested maximum Floor Space Index of 1.22. Staff note that the proposed development is consistent with the maximum density requirement of 100 units per hectare and the increased Floor Space Index would still allow sufficient land to accommodate the necessary parking and landscaped open space.

#### Other Regulations of the R.4A Zone

The R.4A zone regulations limit the maximum building height to 8 storeys. The proposed apartment buildings are seven and six storey structures. The proposed development is consistent with the other regulations of the R.4A zone.

### **Review of Proposed Development Concept**

#### Integration with surrounding land uses

Concern was expressed by one resident that the proposed development of three apartment buildings is incompatible with the existing residential uses along Gordon Street. Staff note that the existing single detached residential uses along Gordon Street are a result of severances and development that occurred many years ago. Since then, the City has grown and a range of uses have occurred in the area. As noted in section 2. a) above, the lands along Gordon Street are within a designated intensification area and are designated medium density residential uses. It is anticipated that the lands in the Medium Density Residential designation will redevelop to apartment or townhouse uses over time. In staff's opinion the proposed zoning by-law amendment conforms to the Official Plan and supports the long range goals and objectives for the area.

#### Impact on Natural Features

An Environmental Impact Statement (EIS) was prepared by North South Environmental. The EIS identifies that the proposed development is located outside the significant woodlands and provincially significant wetlands and their proposed buffers. The EIS concludes that the proposed development will not have negative impacts to the features or functions associated with natural heritage features on or adjacent to the subject lands.

The Grand River Conservation Authority, the Environmental Planner and the Environmental Advisory Committee have accepted the findings of the EIS. Condition 4 of Attachment 2 requires the owner to submit an EIS Addendum prior to site plan approval. The addendum will address any outstanding questions or required adjustments to the EIS.

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### Parkland and Trails

City of Guelph Parks staff have identified that development of a neighbourhood park in this area of the city is a priority given the relative deficiency of park space in the neighbourhood. Staff is requesting that cash-in-lieu of parkland dedication be provided as part of this application.

The Guelph Trail Network identifies a north-south secondary route trail connection along the west side of the Torrance Creek Provincially Significant Wetland Complex that is directly adjacent to the east side of the site. Parks staff have identified that it will likely be many years before this trail can be implemented. Identification of an appropriate trail route will be undertaken at that time.

### **Site Servicing and Transportation**

#### Road Infrastructure

Engineering staff have reviewed the application and the Traffic Impact Study prepared by Paradigm Transportation Solutions Ltd. Gordon Street is currently a four lane urban cross section with concrete curb and gutter, sidewalks and street lighting. The road right-of-way width meets the ultimate width of 30.0 metres specified in the current Official Plan for this part of Gordon Street, so a road widening dedication will not be required.

Engineering staff indicate that a centre turn lane should be installed on Gordon Street to provide for left turn movements. The developer will be required to pay their proportionate share of the costs to construct the centre turn lane. A connection to the future extension of Edinburgh Road or Landsdown Drive (See Attachment 9) has been incorporated into the proposed concept plan. Should this future connection be created, the access from the property to Gordon Street would become exclusively right in/right out.

#### Water and Sanitary Sewer Services

The Preliminary Site Servicing and Stormwater Management Report completed by Braun Consulting Engineers determined that sanitary, storm sewer and water services are available at Gordon Street. Engineering staff have identified that during the reconstruction of Gordon Street in 2003, all three lots were serviced to the property line with a 19mm diameter water & 150mm diameter sanitary lateral. A single 150mm diameter storm lateral was also provided along the frontage of 1280 Gordon Street. The installation of these services has never been paid and full payment will be a condition of this zone change. Should the water services not be utilized for this

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development, then the owner/developer will be required to pay for their complete removal at the water main.

#### **Stormwater Management**

The proposed stormwater management strategy recognizes the current topographical divide whereby the western portion of the site drains to the Hanlon Creek Subwatershed and the eastern portion drains to the Torrance Creek Subwatershed.

Stormwater management for the western portion of the property will include infiltration trenches and a storm collection system. Stormwater will ultimately be discharged to the existing storm sewer located on Gordon Street. Stormwater management for the eastern portion of the property will include infiltration trenches and a storm water management facility at the rear of the property. The facility will ultimately discharge to the wetlands to the east.

The Grand River Conservation Authority and City of Guelph Engineering staff has reviewed the Preliminary Site Servicing and Stormwater Management Report and have no concerns subject to the conditions in Attachment 2.

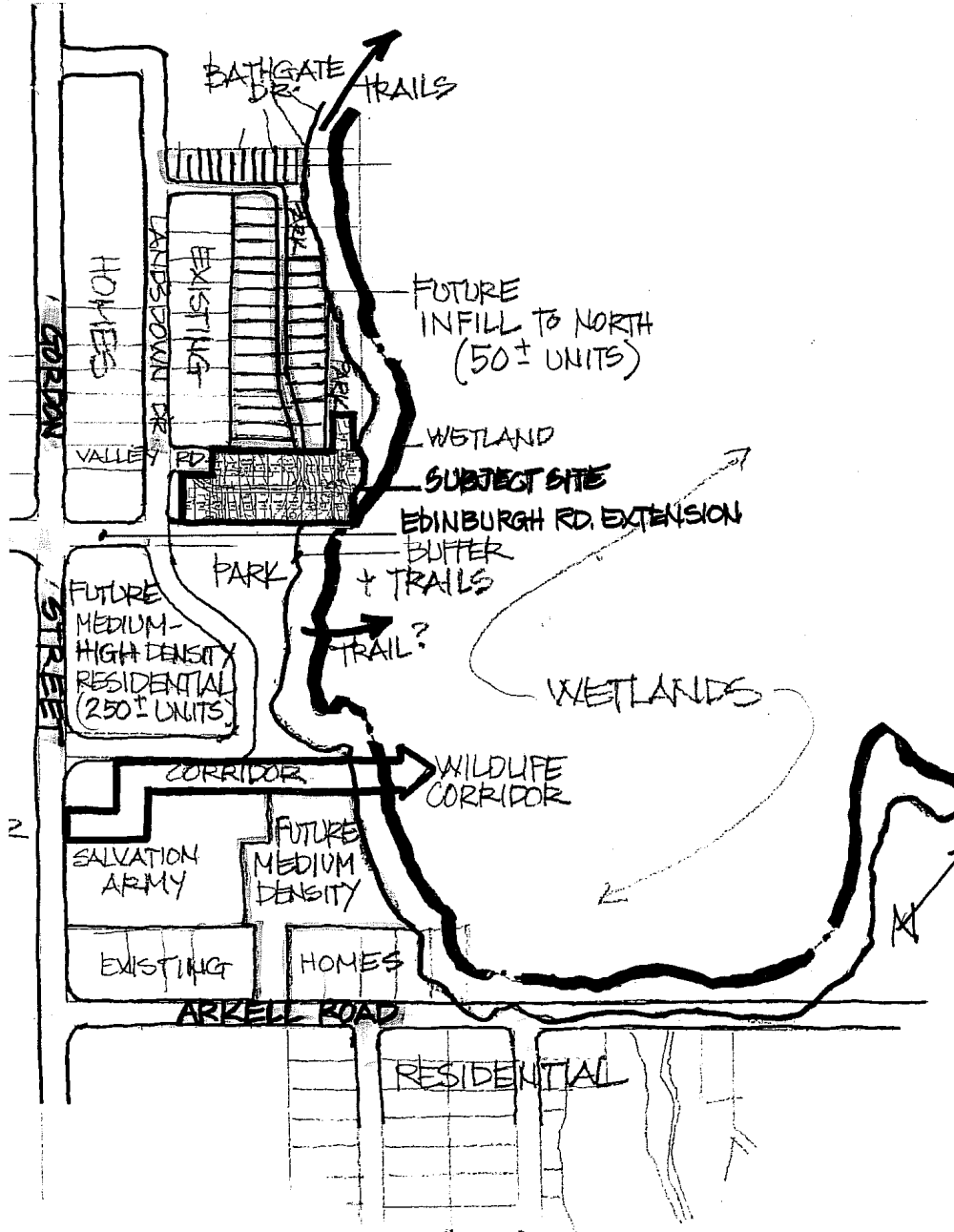
#### **Community Energy Initiative**

The applicant has submitted a Community Energy Initiative Brief outlining energy efficiency measures that are proposed in association with the construction and operation of the proposed development (see Schedule 7). These commitments have been included as condition #3 in Attachment 2.

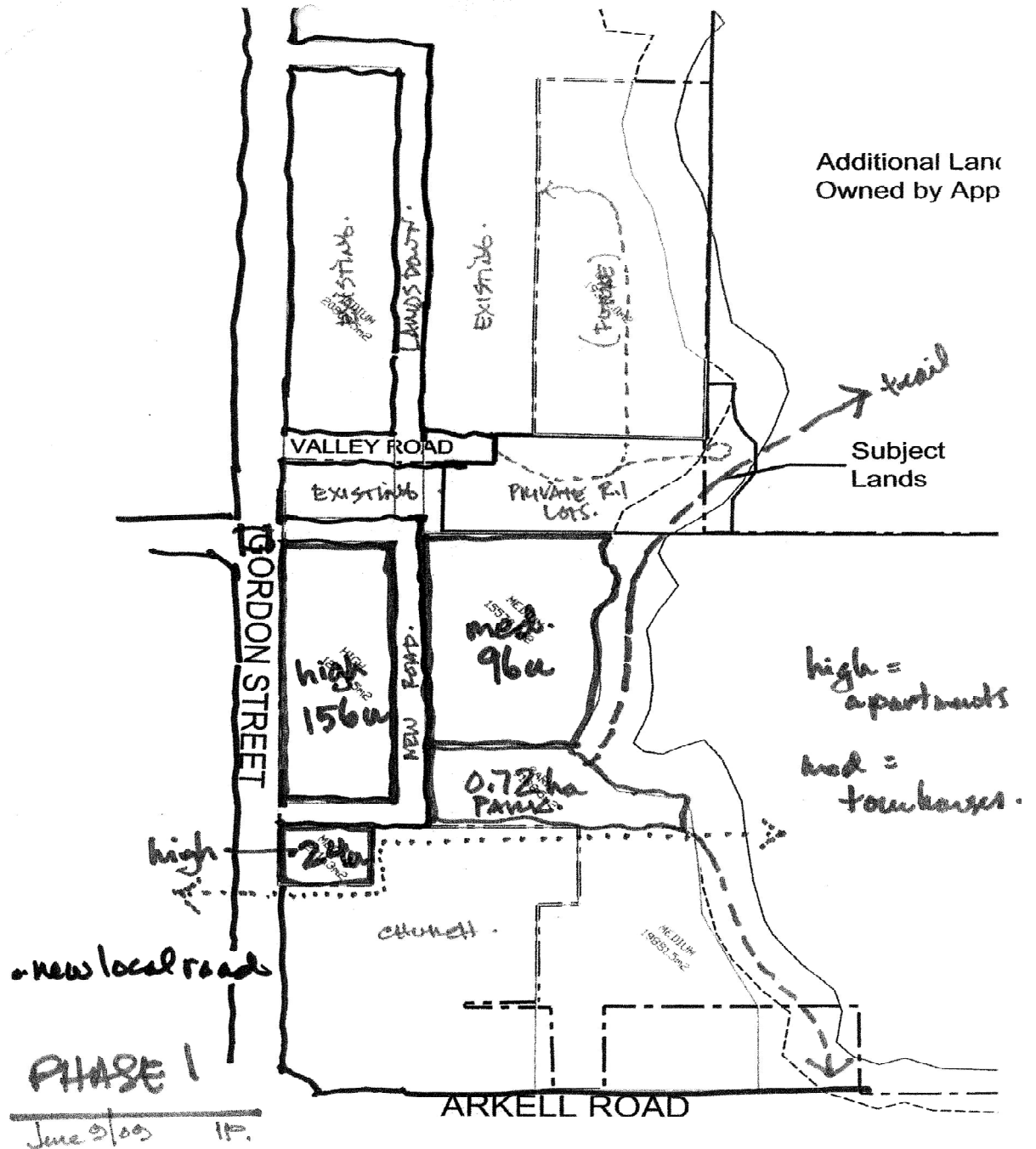
Prior to the statutory Public Meeting staff received correspondence from GSP requesting further information regarding the future development of lands to the north of the subject property. The correspondence is included in Attachment 10. Staff have met with the consultant and property owners and discussed various scenarios to future development. As a public park is desirable to the north of the subject property, closer to Valley Road, staff's desire is to also extend Edinburgh Road easterly from Gordon Street to provide public access to the future park and planned trail system along the Torrance Creek wetlands. The difficulty in providing more concrete development concepts is that not all property owners to the north are interested in developing their lands and there are no formal applications submitted yet to the City. Area development concept plans have been created during the last several years by staff and two concepts are included in Attachment 9. These concepts illustrate the future development scheme described above.

## ATTACHMENT 9 Conceptual Area Development Plans

Schedule 7  
Development Potential Concepts for Adjoining Lands  
Concept 7C – Edinburgh Rd. and Landsdown Dr. Extensions



**ATTACHMENT 9 (continued)**  
**Conceptual Area Development Plans**



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**ATTACHMENT 10**  
**Circulation Comments**

<b>Respondent</b>	<b>No Objection or Comment</b>	<b>Conditional Support</b>	<b>Issues / Concerns</b>
Planning		√	Subject to conditions in Schedule 2
Engineering		√	Subject to conditions. See attached memo
Park Planning and Development		√	See attached correspondence
Zoning	√		
Environmental Advisory Committee (EAC)		√	See attached resolution
Guelph Fire	√		
Guelph Police	√		
Guelph Hydro	√		
Grand River Conservation Authority		√	See attached correspondence
Union Gas	√		
Upper Grand District School Board	√		No objections
Wellington Catholic District School Board	√		No objections
Guelph and Wellington Development Association (GWDA)	√		Support application
(Heritage Planning)	√		
Guelph Field Naturalists	√		No concerns or comments

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## **ATTACHMENT 10 (continued)**

### **Circulation Comments**

#### **ENVIRONMENTAL ADVISORY COMMITTEE - WEDNESDAY, SEPTEMBER 14, 2011 AT 7:00 P.M. COUNCIL COMMITTEE ROOM C MINUTES**

#### **3. 1274-1288 Gordon Street – Environmental Impact Study**

J. McEachren, Environmental Planner with the City of Guelph, provided a brief overview on the subject property and advised the proposal is for two seven story apartment buildings, one six story apartment building as well as associated stormwater management and amenities.

Nancy Shoemaker, from Black, Shoemaker, Robinson and Donaldson advised that the site can accommodate larger side yard setbacks as there is flexibility on the property. Nancy also advised that the stormwater pond can be redesigned to stay inside the corridor.

Mirek Sharp, from North-South Environmental Inc., noted that this is a concept plan and are open to suggestions from the Committee.

General discussion took place and the consultants were available to respond to questions from the Environmental Advisory Committee.

Moved by M. Gillen and seconded by G. Najcler

“That the Environmental Advisory Committee support the Environmental Impact Study prepared by North-South Environmental Inc. for 1274-1288 Gordon Street with the following: 4 E.A.C. Minutes – September 14, 2011

- That the Significant Woodlot boundary of the adjacent property be evaluated and if the woodlot is identified as significant, the appropriate 10m setback will need to be applied;
- That the City is supportive of the location and of the wetland and woodlot boundary and that the proposed development respects their associated setbacks;
- That although the City understands the dog leg in the corridor is not ideal, the City supports only having one entrance for the corridor onto Gordon;
- That the proposed compensation ratio and general approach to compensation is acceptable and cash-in-lieu will be taken for trees that will not fit on the subject property;
- That tree protection fencing would be, at minimal, paige wire/T-bar fencing with attached filter fabric, as a more permanent option;
- That comments provided by the Grand River Conservation Authority be addressed;
- That any potential LID measures be investigated for the site;
- That transplant potential be investigated for younger, smaller caliper trees identified on site;
- That proposed compensation planting should be native species;
- That the location and size allows for connection to the corridor across Gordon Street;
- That the proposed locations of a SWM facility, as well as infiltration trenches are to be re-evaluated and consideration be given to minimize impacts on deer;
- That the wildlife corridor is exclusive of any public or common amenity area or building; and
- That the project hydrogeologist to confirm 180 mm annual recharge.”

**Motion Carried**  
**Unanimous-**





400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6  
Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: [www.grandriver.ca](http://www.grandriver.ca)

April 4, 2012  
City of Guelph  
1 Carden Street  
3<sup>rd</sup> Floor  
Guelph, Ontario  
N1H 3A1

Attention: Al Hearne

**Re: Proposed Zoning By-law Amendment, 1274, 1280 and 1288 Gordon Street, Guelph  
ZC1109**

Engineering staff have received information from Braun Consulting and from the City of Guelph that satisfies our concerns regarding stormwater for major storm events from this site. Based on this, we have no objection to the Zoning By-law Amendment to permit 200 apartment units located within three separate apartment buildings on the above noted site. Please be advised that a Development, Interference with Wetlands and Alterations to Waterways permit is required for any proposed development or site grading within the regulated area. We anticipate receiving a permit, with supporting plans and reports at final design.

Yours truly,

A handwritten signature in cursive script, appearing to read "Liz Yerex".

Liz Yerex  
Resource Planner  
Grand River Conservation Authority

cc: Nancy Shoemaker, Black, Shoemaker, Robinson and Donaldson

Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities • The Grand – A Canadian Heritage River

Sept. 8, 2011.

Hi Al

By way of this note, the Guelph Field Naturalists have no comments or concerns regarding the application for proposed zoning bylaw amendment at 1274, 1280 & 1288 Gordon Street (File #ZC1109).

Apologies for the lateness of this note.

Thanks  
Charles Cecile  
Environment Committee, Guelph Field Naturalists

# MEMO



FILE: 16.131.001

TO: Dan Currie, MHBC  
CC: Al Hearne  
FROM: Michelle Thalen  
DEPARTMENT: Engineering Department  
DATE: June 19, 2012  
SUBJECT: 1274 - 1288 Gordon Street –Zoning By-law Amendment (ZC1109)

This application is for a zoning by-law amendment that would redesignate the lands from single detached residential to a residential apartment zone that would permit 200 units within 3 separate buildings. We provide the following comments and recommended conditions of approval:

## 1. Road Infrastructure

The subject property is located on the east side of Gordon Street approximately 175 metres south of Valley Road and 190 metres north of Arkell Road. Along the frontage of the subject lands, Gordon Street is currently a four lane urban cross section with concrete curb and gutter, sidewalks and street lighting. The road right-of-way width meets the ultimate width of 30.0 metres specified in the current Official Plan for this part of Gordon Street, so a road widening dedication will not be required at this time.

The traffic impact study that was submitted with the zone change application indicated that due to heavy traffic on Gordon Street, an exclusive left turn lane is warranted during peak times. The analysis done by City Staff utilizing the most current traffic counts, confirms the study's findings and concludes that a centre turn lane be investigated as an option to accommodate long queuing vehicles at the intersections of Arkell Road & Gordon Street as well as Kortright Road & Gordon Street. The centre turn lane will also store ingress traffic to this development as well as future developments on adjacent lands. The developer will be required to pay their proportionate share of the actual costs to construct a centre turn lane on Gordon Street.

The development as proposed would have a single, full movement driveway to be constructed on the south side of the property. A connection to the future extension of Landsdown Drive may be possible and has been incorporated into the conceptual layout of the buildings and parking area on the development lands. Should this future connection be installed, the movements at the driveway onto Gordon Street will become exclusively right in/right out. The distance between the proposed driveway and the existing driveway serving 1300 Gordon Street as well as 1270 Gordon Street is greater than the minimum 25 metres required between entrances onto arterial roads for multi-residential developments.

## 2. Municipal Services

On Gordon Street abutting this property there is:

- a 200mm diameter sanitary sewer approximately 4 metres deep;

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Planning & Building, Engineering and Environment

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engineering@guelph.ca

# MEMO

- a 600mm diameter storm sewer approximately 2.2 metres deep;
- a 400mm diameter water main

During reconstruction of Gordon Street in 2003, all three lots were serviced to the property line with a 19mm diameter water & 150mm diameter sanitary lateral. A single 150mm diameter storm lateral was also provided along the frontage of 1280 Gordon Street. The installation of these services has never been paid and full payment will be a condition of this zone change. Should the water services not be utilized for this development, then the owner/developer will be required to pay for their complete removal at the water main. The owner/developer shall also be required to pay the proportionate share of the actual costs of the municipal services on Gordon Street as determined by the City Engineer in accordance with current City policies.

All domestic water wells located on adjacent lands should be located and the engineering consultant shall ensure that the development of the subject lands do not adversely impact those wells. Any existing wells and boreholes drilled for hydrogeological or geotechnical investigations are to be properly decommissioned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.

### 3. Storm Water Management

The site topography currently is split midway; the east side surface drains to the Torrance Creek watershed and the west side discharges to the Gordon Street storm sewer. The city owned stormwater management facility, where this section of the Gordon Street storm sewers discharge, is located further south on Gordon adjacent to Arkell Road. The major overland flow route for this site and others along Gordon Street is directed further south to the SWM facility (Dynes Pond) located at the northwest corner of Vaughan Street and Revell Drive. A detailed storm water management report will be required at the time of site plan application submission to ensure that the discharge from the site complies with a rate of 0.177 m<sup>3</sup>/s as specified in the issued stormwater criteria. The owner/developer is responsible for a proportionate share of the cost of constructing and maintaining the City owned SWM pond.

### 4. Recommended conditions of Approval

If the Zoning By-law Amendment is approved, the following conditions should be imposed:-

1. The developer/owner acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer/owner shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a Phase 1 Environmental Site Assessment and any other subsequent phases required, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the developer/owner's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.

If contamination is found, the developer/owner shall:

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# MEMO

- (a) submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
  - (b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use; and
  - (c) file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.
2. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified environmental inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
  3. The developer/owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, site servicing, erosion and sediment control, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and Building Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the developer/owner agrees to develop the said lands in accordance with the approved plan.
  4. The developer/owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the developer/owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
  5. The developer/owner has a Professional Engineer identify any private water wells on the adjacent properties and ensures that the development of the subject lands do not adversely impact those wells.
  6. The developer/owner shall pay to the City the actual cost of the existing service laterals, as determined by the City Engineer, prior to site plan approval.
  7. The developer/owner shall pay to the City, their share of the actual cost of constructing municipal services on Gordon Street across the frontage of the lands, including road works, sanitary sewer, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting as determined by the City

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Planning & Building, Engineering and Environment

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F 519-822-6194  
[engineering@guelpg.ca](mailto:engineering@guelpg.ca)

# MEMO

Engineer, prior to site plan approval.

8. The developer/owner shall pay to the City, their share of the actual cost of constructing and maintaining the existing Municipal Stormwater Management facility as determined by the City Engineer, prior to site plan approval.
9. The developer/owner shall pay to the City the actual cost of constructing and installing any new service laterals required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
10. The developer/owner shall pay to the City the actual cost of the construction of the new access and the required curb cut, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer.
11. The developer/owner shall pay to the City the actual cost of the removal and restoration of the boulevard where the existing accesses are located, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer.
12. The developer/owner shall pay to the City, their proportionate share of the actual cost of constructing a centre turn lane on Gordon Street across the frontage of the lands, and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the centre turn lane as determined by the City Engineer.
13. The developer/owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
14. The developer/owner provide a single full movement access to Gordon Street and in the event that a secondary access be opened to a future road (Landsdowne extension), than the single access to Gordon be retrofitted to a right in/right out movement only.
15. That all telephone and Cable TV service to the lands be underground and the developer/owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service, prior to any construction or grading on the lands.
16. That the developer/owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction or grading on the lands.
17. That all electrical services to the lands are underground and the developer/owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction or grading

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F 519-822-6194  
[engineering@guelph.ca](mailto:engineering@guelph.ca)


---

# MEMO



on the lands.

18. That the developer/owner shall pay development charges to the City in accordance with By-law Number (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.
19. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
20. That prior to the passing of the zone change by-law, the developer/owner shall enter into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor and the City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

  
Mary Angelo, P. Eng.  
Supervisor, Development Engineering

  
Michelle Thalen, C.Tech  
Development Technologist

---

DATE June 29, 2012

TO **Al Hearne, Adele Labbe**

FROM Jyoti Pathak

DIVISION Parks Planning and Development

DEPARTMENT Parks and Recreation  
Community and Social Services

**SUBJECT 1274, 1280 and 1288 Gordon Street Zoning By-Law Amendment and EIS**

Parks Planning and Development has reviewed the proposed Zoning By-Law Amendment application dated August 12, 2011 for 1274, 1280 and 1288 Gordon Street along with the proposed site concept plan and offers the following comments:

**A. Zoning By-law Amendment Review**

Guelph Trail Network identifies an essential trail connection along the eastern edge of this property just west of the environmentally sensitive lands; an amendment to Environmental Impact Statement (EIS) is required to include identification of the proposed trail route and an assessment of the environmental impact of trail development.

**B. Trail Network**

- Guelph Trail Network identifies an important north-south secondary route trail connection along the west side of significant Torrance Creek PSW Complex. Please refer to the attached contextual and conceptual sketch for the proposed locations of the parkland and trails on and around the subject property.
- The trail connection has been proposed on the edge of the environmentally sensitive lands in order to protect the wetlands from any further damage due to existing or potential ad-hoc trails through these protected areas in absence of a formal trail. Parks Planning has the following recommendations:
- That existing foot trails and potential ad-hoc trails be identified along with the desirable trail alignments in EIS.
- That an assessment of the environmental impact of development of the proposed trail and recommendations on measures to mitigate impacts be included in EIS; the design of trail and mitigation measures to be addressed and detailed out through Environmental Implementation Report (EIR);



- 
- That the recommendation on the installation of educational interpretive signage along the trail route adjacent to protected features be included in EIS and be detailed out through EIR.
  - That the recommendations for management of the woodlot along the trail route including removal of hazard trees and invasive species if necessary be included in the EIS.
  - That the mitigation, compensation and enhancement aspects of the overall development and Landscape Plans showing detailed trail design and proposed planting on-site and off-site (to be approved by Parks Planning) locations be included in EIR.

### **C. Parkland Dedication**

Cash-in-lieu of the parkland dedication will be required in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the issuance of any permits. The current concept shows 200 residential units on approximately 1.9 hectares of developable area. The cash-in-lieu of parkland dedication will be required in the case of land proposed for development or redevelopment for residential purposes, according to the following:

‘For residential developments, with a net density of more than 100 units/hectare (40 units/acre), at a rate of up to 10 per cent of the land involved.’

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Parks Planning does not support the current proposed conceptual plan. Please co-ordinate to make sure that the EIS is amended to include all the recommendations as outlined by Parks Planning under the paragraph ‘B Trail Network’.

Please call me if you have any questions.

Regards,

Jyoti Pathak  
Parks Planner

T:\ParksPlanning\\_Park Planning\PLANNING\SOUTH DISTRICT\Subdivisions\1274,  
1280 and 1288 Gordon Street



PLANNERS  
URBAN DESIGNERS  
LANDSCAPE ARCHITECTS

**KITCHENER OFFICE**

GSP Group Inc.  
72 Victoria Street 3, Suite 201  
Kitchener, ON N2G 4Y9  
P 519.569.8883  
F 519.569.8643

**HAMILTON OFFICE**

GSP Group Inc.  
29 Rebecca Street, Suite 200  
Hamilton, ON L8R 1B3  
P 905.572.7477

[www.gspgroup.ca](http://www.gspgroup.ca)

August 30, 2011

Project No. 10008

Ms. Tina Agnello  
Acting City Clerk  
City of Guelph  
City Hall, 1 Carden Street  
Guelph, Ontario  
N1H 3A1

**Re: Public Meeting Notice – File ZC1109  
Proposed Zoning By-law Amendment  
MRL Developments Inc., MTCM Developments Inc. and  
2182805 Ontario Inc.  
1274, 1280 and 1288 Gordon Street, City of Guelph**

Thank you for recently circulating the Notice of Public Meeting for the above-noted zoning by-law amendment. GSP Group represents the owners of land in the vicinity of this proposed amendment at 1242 and 1250 Gordon Street and 9 Valley Road.

Based on the details contained Public Meeting Notice and Proposed Site Concept Plan attached, we note a proposed public street to the north of the subject properties. Our clients have not proceeded to the point of formal planning applications for their properties. In absence of an overall approved development plan for the area east of Gordon Street between Arkell Road and Valley Road, we are concerned about this future road connection and the impact on our client's properties.

We would appreciate further dialogue with City staff and the applicants, if appropriate, to discuss this road connection, along with other plans for the area including a future park.

We would appreciate being notified of the formal decision related to this application. Should you have any questions in the meantime, please do not hesitate to contact me in our Kitchener office.

Yours very truly,  
**GSP Group Inc.**

Hugh Handy, MCIP, RPP  
Associate

cc Clients  
John Valeriote, SmithValeriote LLP

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**ATTACHMENT 11**  
**Public Notification Summary**

April 15, 2011	Zoning By-law Amendment Application received by the City of Guelph
April 16, 2011	Application deemed complete
August 12, 2011	Notice of Public Meeting advertised in the Guelph Tribune
August 12, 2011	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres
September 6, 2011	Statutory Public Meeting of Council
September 10, 2012	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision
October 1, 2012	City Council Meeting to consider staff recommendation

# COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment  
DATE October 1, 2012

**SUBJECT** **Proposed Demolition of 75 Cityview Drive North  
Ward 1**

REPORT NUMBER 12-92

## SUMMARY

### Purpose of Report

To provide background and a staff recommendation related to a request for demolition approval of a detached dwelling.

### Council Action

Council is being asked to remove the single detached dwelling from the *Municipal Register of Cultural Heritage Properties* and approve the demolition request.

## RECOMMENDATION

"THAT Report 12-92 regarding the proposed demolition of a detached dwelling at 75 Cityview Drive North, legally described as Part Lot 31, Plan 53, Division C, As In RO767094; City of Guelph, from Planning, Building, Engineering and Environment dated October 1, 2012, be received;

AND THAT the detached dwelling at 75 Cityview Drive North BE REMOVED from the Municipal Register of Cultural Heritage Properties;

AND THAT the proposed demolition of the detached dwelling at 75 Cityview Drive North be approved;

AND THAT the applicant be requested to erect protective fencing at 1 metre from the dripline of existing trees on the property which are to be preserved prior to commencement of demolition and maintain the fencing during demolition activities;

AND THAT the applicant be requested to contact the General Manager of Solid Waste Resources, Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials."

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## **BACKGROUND**

An application to demolish a detached dwelling at 75 Cityview Drive North was received on August 9, 2012 by Planning, Building, Engineering and Environment.

The subject property is located on the east side of Cityview Drive North, south of Grange Road and north of York Road and the CN/GEXR Rail Line (see Attachment 1). The property is zoned UR (Urban Reserve), which permits agricultural uses as well as various environmental uses and passive recreational uses. The dwelling proposed to be demolished is a two-storey wood frame residence constructed in or around 1870 (see Attachment 2).

Prior to making a decision on the demolition of the existing dwelling, Council is being asked to remove the dwelling from the *Municipal Register of Cultural Heritage Properties*. Heritage Guelph passed a resolution in 2011 supporting this request.

The applicant is requesting the demolition to facilitate a proposed residential subdivision. A Zoning By-law Amendment and plan of subdivision application have been submitted for this development.

## **REPORT**

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

As mentioned previously, the owner has submitted a Zoning By-law Amendment application (ZC1202) as well as a Plan of Subdivision application (23T-12501) for the subject property as well as adjacent lands to permit a residential development. No decision has been made by Council on either application. The applications were deemed to be complete on January 18, 2012. The applications propose to create 282 residential units on the subject property and adjacent lands, consisting of a mix of single detached dwellings, semi detached dwellings, townhouses, and apartments (multiple residential). A copy of the proposed draft plan of subdivision 23T-12501 can be found in Attachment 3.

The subject property is currently zoned UR (Urban Reserve), which is generally an interim zoning category applied to lands in the City where there is insufficient information to determine more specific zoning provisions, and also where the development of the lands is considered premature because adequate municipal services are unavailable.

As part of the rezoning and subdivision applications, the property owner submitted a Cultural Heritage Resource Impact Assessment (CHRIA), which concluded the house is not a significant cultural heritage resource as it does not meet provincial criteria for establishing cultural heritage value or interest. Aside from the cultural heritage assessment, the HIA indicated that the house is in "appalling condition" due to extensive vandalism.

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The HIA noted that the existing stone gateposts at the front of the property along Cityview Drive North are culturally significant, and these are not being recommended for removal from the City's Heritage Register and will be preserved as part of the proposed development (see Attachment 4). The gateposts are to be protected as they will remain on the *Municipal Register of Cultural Heritage Properties*.

Heritage Planning staff has no objections to the proposed demolition. The house is listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. Heritage Guelph considered the removal of the dwelling at 75 Cityview Drive North from the Heritage Register and the subsequent demolition of 75 Cityview Drive North and at their June 4, 2011 meeting. They passed a motion at the meeting having no objections to either request. As such, before the demolition of the dwelling can be considered by Council, staff are recommending that the dwelling be removed from the City's Heritage Register.

To facilitate the planned development of these lands, the applicant purchased the subject property with the intent of demolishing the dwelling. The dwelling is currently vacant, in part due to extensive vandalism and interior alterations made by the previous owner. The applicant has also expressed safety and personal liability concerns to staff regarding increased reports of trespassing on the property and in the vacant buildings.

The approval of the demolition application is recommended as the existing dwelling is not a significant cultural heritage resource, is in poor condition, and the subject property is proposed to be incorporated into a larger plan of subdivision (see Attachment 4). The proposed draft plan of subdivision proposes 282 new residential units. Therefore, there will be no overall loss of residential capacity proposed as a result of this application.

Staff note that there are other buildings on the subject property proposed to be demolished, including a pump house and large shed. These buildings are not subject to the City's Demolition Control By-law.

Finally, it is strongly recommended that the applicant contact the General Manager of Solid Waste Resources, Planning, Building, Engineering and Environment regarding the proper salvage and disposal of the demolition materials.

## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

N/A

## **DEPARTMENTAL CONSULTATION**

The City's Senior Heritage Planner as well as the Environmental Planner were consulted regarding the proposed demolition permit.

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## COMMUNICATIONS

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information. No comments or concerns have been received by Planning Services to date from members of the public.

## ATTACHMENTS

Attachment 1 – Location Map  
Attachment 2 – Site Photograph (August 2012)  
Attachment 3 – Proposed Draft Plan of Subdivision 23T-12501  
Attachment 4 – Proposed Concept for Subject Lands

### Prepared By:

Michael Witmer  
Development & Urban Design Planner  
519-822-5616, ext 2790  
michael.witmer@guelph.ca

### Recommended By:

Sylvia Kirkwood  
Manager of Development Planning  
519-837-5616, ext 2359  
sylvia.kirkwood@guelph.ca

Original Signed by:

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### Recommended By:

Todd Salter  
General Manager  
Planning Services  
519-837-5616, 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



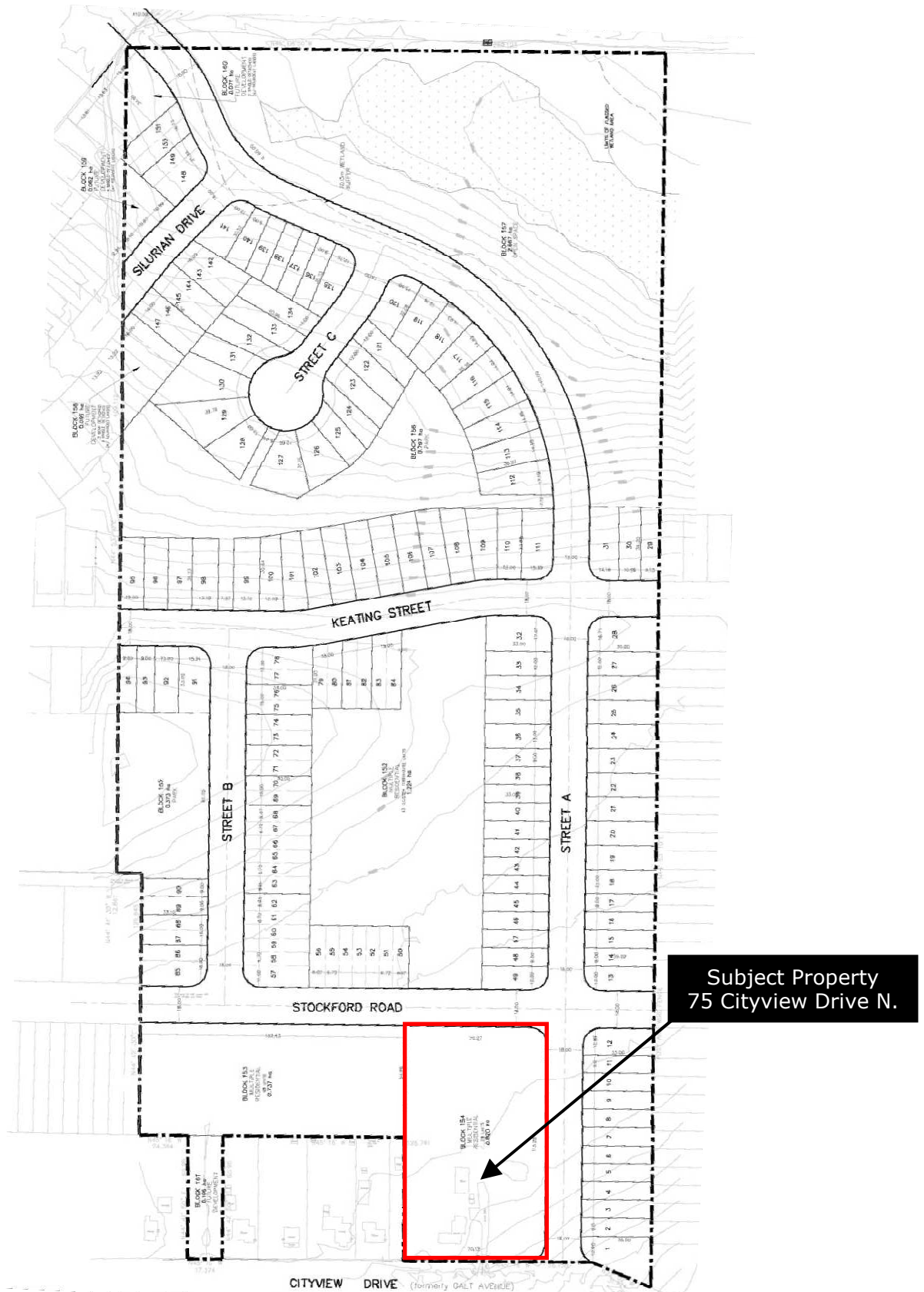
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## **ATTACHMENT 2 – Site Photograph (August 2012)**



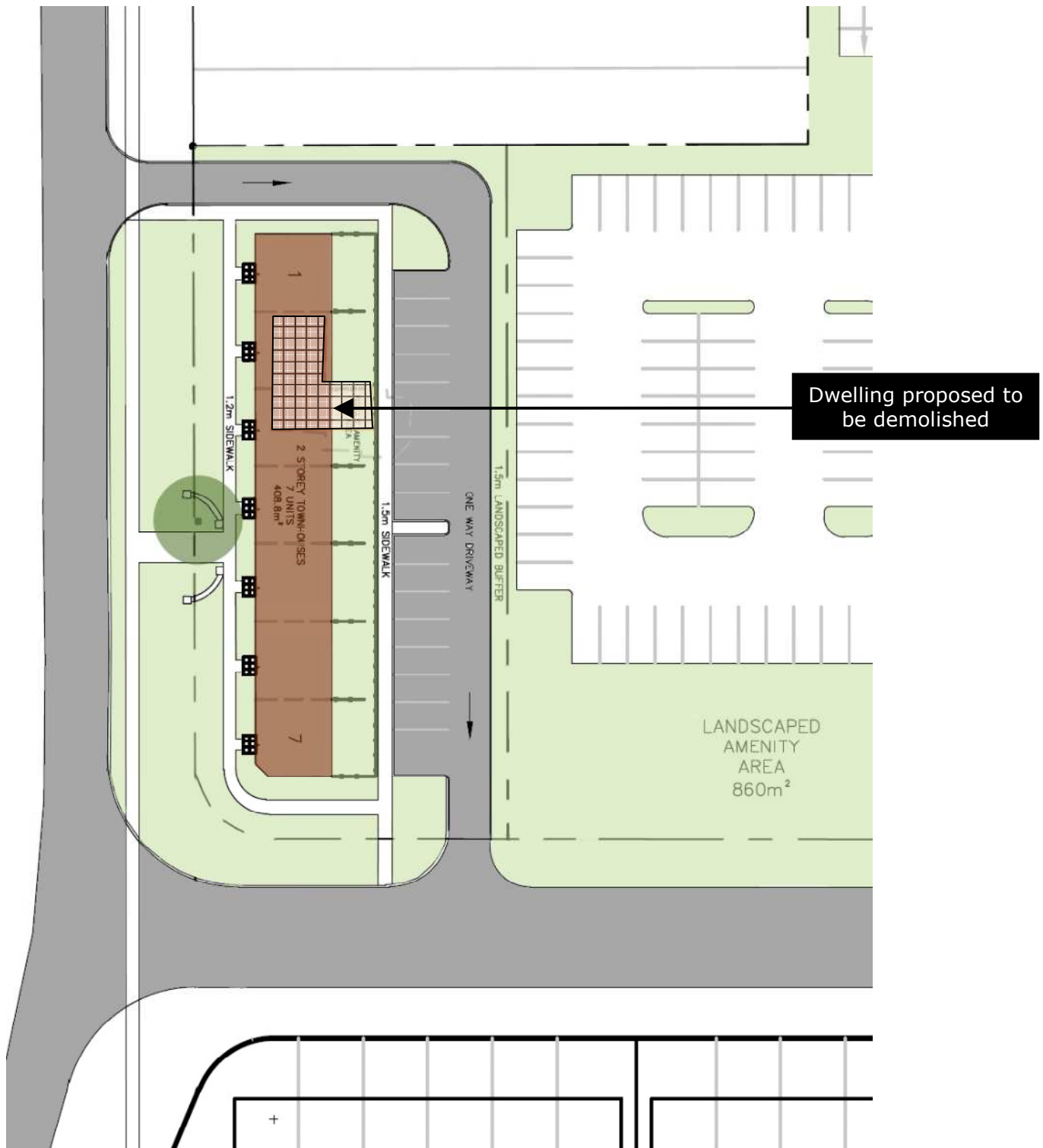
(Photo taken August 21, 2012 by M. Witmer)

# ATTACHMENT 3 – Proposed Draft Plan of Subdivision 23T-12501





## ATTACHMENT 4 – Proposed Concept for Subject Lands



(Source: Heritage Impact Assessment, The Landplan Collaborative Ltd., March 25, 2011)