

# City Council - Planning Meeting Agenda



**Wednesday, October 16, 2019 – 6:30 p.m.**  
**Council Chambers, Guelph City Hall, 1 Carden Street**

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

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## Open Meeting

O Canada  
Silent Reflection  
First Nations Acknowledgment  
Disclosure of Pecuniary Interest and General Nature Thereof

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## Council Consent Agenda:

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

**IDE-2019-89                      Decision Report 1533-1557 Gordon Street and 34  
Lowes Road West Proposed Zoning By-law  
Amendment File: ZC1710 Ward 6**

## Recommendation:

1. That the application from GSP Group on behalf of Reid's Heritage Homes Ltd., RHH Property Management Ltd. and 883928 Ontario Ltd. for a Zoning By-law Amendment (ZC1710) to change the zoning from the current "Residential Single Detached" (R.1B) Zone to a "Specialized General Apartment" (R.4A-54) Zone to permit the development of an 86-unit, 6 (six) storey apartment building on the properties municipally known as 1533-1557 Gordon Street and 34 Lowes Road West and legally described as Part of Lots 7 and 8, Registered Plan 74, Lot 1, Registered Plan 467, City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise Report 2019-89 dated October 16, 2019.

2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1533-1557 Gordon Street and 34 Lowes Road West.

**IDE-2019-98**

**Request for an Extension of Draft Plan Approval  
Victoria Park Village Subdivision 1159 Victoria Road  
South File: 23T-07506 Ward 6**

**Recommendation:**

1. That in accordance with Section 51(33) of the Planning Act, the application by Victoria Park Village Limited for an extension to the Victoria Park Village Draft Plan of Subdivision (23T-07506), municipally known as 1159 Victoria Road South be approved with a three (3) year lapsing date to November 22, 2022, subject to the original draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order, issued on November 22, 2013 contained in Attachment 4 of Infrastructure, Development and Enterprise Services Report 2019-98, dated October 16, 2019.
2. That in accordance with Section 51(45) of the Planning Act, administrative and technical revisions have been made to draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order, issued on November 22, 2013 to update standard wording and new service area names and staff titles, update By-law numbers and allow transition to the City's assumption model.
3. That in accordance with Section 51(47) of the Planning Act, City Council has determined that no public notice is required as changes to the draft plan conditions are administrative and technical in nature and are therefore considered to be minor.

**IDE-2019-112**

**12 Forbes Avenue – Heritage Permit Application  
(HP19-0014)**

**Recommendation:**

That heritage permit application HP19-0014 be approved to allow the construction of a new dwelling at 12 Forbes Avenue as described in Report IDE-2019-112.

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**Items for Discussion:**

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

**Presentation:**

Stacey Laughlin, Senior Policy Planner

**Recommendation:**

1. That Report IDE-2019-105 dated October 16, 2019 regarding proposed Provincial Policy Statement Changes be approved.
  2. That the response prepared by staff and included as Attachment 1 be endorsed and submitted to the Ministry of Municipal Affairs and Housing as the City of Guelph's response to the proposed Provincial Policy Statement changes for consideration.
  3. That any written comments received by the City of Guelph from residents and stakeholders at or before the Council meeting be forwarded to the Province of Ontario for consideration.
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**Special Resolutions**

**By-laws**

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

**Mayor's Announcements**

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

**Notice of Motion**

**Adjournment**

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Wednesday, October 16, 2019
Subject	<b>Decision Report 1533-1557 Gordon Street and 34 Lowes Road West Proposed Zoning By-law Amendment File: ZC1710 Ward 6</b>
Report Number	IDE-2019-89

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## Recommendation

1. That the application from GSP Group on behalf of Reid's Heritage Homes Ltd., RHH Property Management Ltd. and 883928 Ontario Ltd. for a Zoning By-law Amendment (ZC1710) to change the zoning from the current "Residential Single Detached" (R.1B) Zone to a "Specialized General Apartment" (R.4A-54) Zone to permit the development of an 86-unit, 6 (six) storey apartment building on the properties municipally known as 1533-1557 Gordon Street and 34 Lowes Road West and legally described as Part of Lots 7 and 8, Registered Plan 74, Lot 1, Registered Plan 467, City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise Report 2019-89 dated October 16, 2019.
  2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1533-1557 Gordon Street and 34 Lowes Road West.
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## Executive Summary

### Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment to permit the development of an 86-unit, 6 (six) storey apartment building on the properties municipally known as 1533-1557 Gordon Street and 34 Lowes Road West.

### Key Findings

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

### Financial Implications

Estimated Development Charges: \$1,197,464 to \$1,675,108 based on 2019 rates.



Estimated Annual Taxes: \$279,115 based on 2019 tax rate for 86 apartment units of varying size.

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## **Report**

### **Background**

An application to amend the Zoning By-law was received for the properties municipally known as 1533, 1541, 1549 and 1557 Gordon Street as well as 34 Lowes Road West (hereinafter described as 1533-1557 Gordon Street and 34 Lowes Road West) on November 22, 2017 from GSP Group on behalf of the property owners, Reid's Heritage Homes Ltd., RHH Property Management Ltd. and 883928 Ontario Ltd. The Zoning By-law Amendment application was deemed to be complete on December 21, 2017.

The original development proposal was to change the zoning on the subject lands from the current R.1B (Residential Single Detached) Zone to a specialized R.4A (General Apartment) Zone to permit a 102-unit, six (6) storey apartment building. The applicant's original apartment concept plan is included in Attachment 7.

A statutory Public Meeting to discuss this Zoning By-law Amendment was held before Council on March 19, 2018. At this Public Meeting, members of the public addressed Council, raising concerns primarily related to the apartment building's compatibility with the surrounding built form and land uses, the area's water table, stormwater and drainage, tree loss, noise impacts, traffic impacts and the number of site specific zoning provisions being requested. Since the Public Meeting, the applicant has met with City staff as well as members of the public on numerous occasions and made revisions to their development proposal.

On April 4, 2019, the applicant submitted a revised apartment development proposal to the City. The number of apartment units in the revised proposal has been reduced from 102 units to 86 units. The building massing has also been reduced by dropping the two upper stories on the north and south ends and reducing the building length by 17 metres (changing from 98.9 metres to 81.9 metres in total building length). The revised apartment development concept currently proposed is included in Attachment 8.

The existing five single detached dwellings and associated accessory structures on the subject lands are all proposed to be demolished to accommodate the proposed development. To date, the City has not received demolition applications for any of the structures on the subject lands.

### **Location**

The subject lands are located at the southwest corner of the intersection of Gordon Street and Lowes Road West (see Location Map and Orthophoto in Attachment 1 and Attachment 2, respectively). The five subject properties collectively have a site area of 0.86 hectares, and a combined frontage of 116.4 metres along Lowes Road. The property length along Gordon Street is 128.24 metres.

Surrounding land uses include:

- To the north, a two (2) storey commercial office building at 1515 Gordon Street and six properties with single detached dwellings along the north side of Lowes Road West (of which have recently had a Zoning By-law Amendment and Draft Plan of Vacant Land Condominium approved to permit the development of 36 single detached dwellings on a private condominium road);
- To the east, across Gordon Street, cluster townhouses (1550 Gordon Street);
- To the south, single detached dwellings facing both Gordon Street and Dawn Avenue; and
- To the west, single detached dwellings facing both Lowes Road West and Dawn Avenue.

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

The Official Plan land use designation that applies to the subject lands is "Medium Density Residential" (See Attachment 4). The Medium Density Residential designation is intended to accommodate multiple residential buildings such as townhouses and apartments. Residential developments within the Medium Density Residential land use designation are to be a minimum of two (2) stories in height and a maximum of six (6) stories in height. The density of residential developments is to be between 35 and 100 units per hectare.

Further details of the "Medium Density Residential" land use designation is included in Attachment 4.

## **Existing Zoning**

The subject lands are currently zoned "R.1B" (Residential Single Detached) in the City of Guelph's Zoning By-Law (1995)-14865, as amended (See Map in Attachment 5). The R.1B Zone permits single detached dwellings along with several related accessory uses.

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

The applicant is requesting to rezone the subject lands from the current "R.1B" (Residential Single Detached) Zone to an R.4A-54 (Specialized General Apartment) Zone to permit the development of an apartment building. The initial development proposal made in November 2017 was for a 102-unit, six (6) storey apartment building. To accommodate the initial development proposal at the time of the initial submission, the applicant was requesting nine (9) site specific zoning provisions.

Since making the Zoning By-law application and the Public Meeting, in April 2019 the applicant made revisions to their application and is now proposing an 86-unit, six (6) storey apartment building. The overall building size (length) and gross floor area have been reduced, along with changing the location of the off-street parking spaces and the exterior common amenity area. In addition to the standard provisions set out in Section 5.4 – Residential – General Apartment Zone of Zoning By-law (1995)-14864, as amended, the revised apartment proposal is now requesting the following three (3) site-specific zoning provisions:

- To permit a minimum rear yard setback of 18.6 metres;
- To permit a minimum common amenity area of 1340 square metres; and
- To permit a fence in the front yard with a maximum height of 1.8 metres, measured a minimum 30 metres from the Gordon Street lot line.

The proposed zoning is shown in Attachment 6.

### **Proposed Development**

The proposed development as revised by the applicant in April 2019 consists of an 86-unit, six (6) storey apartment building. The apartment building is proposed to have its sole vehicular access off Lowes Road West and will contain 120 surface parking spaces. The building has been redesigned since the original submission in November 2017 to have several private, exterior unit entrances front directly onto Gordon Street. The exterior common amenity areas have been consolidated to surround the base of the building to the west and separate the building from the surface parking lot along with a 185 square metre interior amenity room on the ground level.

The applicant's current development concept plan is shown in Attachment 8.

### **Staff Review/Planning Analysis**

The staff review and planning analysis for this application is provided in Attachment 10. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at the statutory Public Meeting held on March 19, 2018. Final comments on the revised proposal from internal City departments and agencies are included in Attachment 13. The staff review and planning analysis addresses the following:

- Evaluation of the proposal in accordance with the policies of the 2014 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Evaluate how the application conforms to the Official Plan land use designations and policies including any related amendments;
- Review of the proposed zoning and specialized site-specific provisions;
- Review of the proposed stormwater management strategy, relationship to the area water table, the site's drainage and associated site water balance;
- Review of impacts to the City's Natural Heritage System;
- Review of site servicing capacity and design;
- Review of traffic and noise impacts;
- Confirm support for the 2019 Community Energy Initiative Update (CEI); and
- Address all comments and issues raised during the public review of the applications.

### **Staff Recommendation**

Planning staff are satisfied that the recommended Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposed Zoning

By-law Amendment conforms to the objectives and policies of the Official Plan and the three specialized zoning provisions proposed are appropriate for the site and surrounding neighbourhood. Planning staff recommend that Council approve the Zoning By-law Amendment subject to the draft zoning regulations as outlined in Attachment 3.

## **Financial Implications**

Estimated Development Charges: \$1,197,464 to \$1,675,108 based on rates in effect at the time of writing this report.

Estimated Annual Taxes: \$279,115 based on 2019 City tax rate for 86 apartment units of varying size (at an estimated sale price range of \$285,000 to \$350,000).

## **Consultations**

The Notice of Complete Application and Public Meeting was mailed on January 5, 2018 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised in the Guelph Mercury Tribune on February 22, 2018. Notice of the application has also been provided by signage on the property, which was installed on January 4, 2018. The statutory Public Meeting was held on March 19, 2018.

Following the Public Meeting, on December 14, 2018, the applicant made a formal resubmission to the City based on interim staff comments and public feedback. This formal submission reduced the apartment building to 89 units as well as the overall size. A Neighbourhood Meeting was held with area residents, City staff and representatives of the developer at City Hall on January 22, 2019. Further revisions were made following the Neighbourhood Meeting to the current proposal in April 2019. On April 9, 2019, a meeting and site walk was held in the neighbourhood with area residents, City staff and representatives of the developer to discuss the current proposal and the overall built form of the neighbourhood.

On September 27, 2019, the Notice of Decision Meeting was sent to members of the public and parties that provided comments on the applications or requested to receive further notice. See Attachment 14 for a full consultation summary.

## **Attachments**

Attachment 1 - Location Map and 120 m Circulation  
Attachment 2 - Aerial Photograph  
Attachment 3 - Recommended Zoning Regulations and Conditions  
Attachment 4 - Official Plan Land Use Designations and Policies  
Attachment 5 - Existing Zoning  
Attachment 6 - Proposed Zoning and Details  
Attachment 7 - Original Site Plan (November 2017)  
Attachment 8 - Revised Proposed Site Plan  
Attachment 9 - Conceptual Rendering  
Attachment 10 - Staff Review and Planning Analysis  
Attachment 11 - Community Energy Initiative Update Commitment

Attachment 12 - Hydrogeology Peer Review  
Attachment 13 - Departmental and Agency Comments  
Attachment 14 - Public Notification Summary

## **Departmental Approval**

Not applicable

### **Report Author**

Michael Witmer, MCIP, RPP  
Senior Development Planner



### **Approved By**

Chris DeVriendt, MCIP, RPP  
Manager of Development Planning



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### **Approved By**

Todd Salter, MCIP, RPP  
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Infrastructure, Development and  
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### **Recommended By**

Kealy Dedman, P.Eng, MPA  
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## Attachment 1:

### Location Map and 120 m Circulation





## Attachment 2: Aerial Photograph



1:750

0 4.25 8.5 17 25.5 34 m

Produced by the City of Guelph  
Planning, Urban Design and Building Services - Development Planning  
January 2018

**2017 ORTHOPHOTO**  
**1533 to 1557 Gordon Street to**  
**34 Lowes Road**

**CITY OF Guelph**  
Making a Difference

## **Attachment 3:**

### **Recommended Zoning Regulations and Conditions**

#### **3A - Zoning Regulations:**

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

The following site-specific zoning is proposed:

Specialized R.4A-54 (General Apartment) Zone

##### **Regulations**

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 (Regulations Governing R.4 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

##### **Rear Yard Setback**

- To permit a minimum Rear Yard Setback of 18.6 metres whereas the Zoning By-law requires a minimum Rear Yard Setback of 20.2 metres.

##### **Common Amenity Area**

- To permit a minimum Common Amenity Area of 1,340 square metres whereas the Zoning By-law requires a minimum Common Amenity Area of 1,920 square metres.

##### **Fences**

- To permit a maximum Fence height of 1.8 metres in the Front Yard, beginning at a minimum of 30 metres from the Gordon Street Lot Line, whereas the Zoning By-law limits Fence heights in in the Front Yard of residential Zones to 0.8 metres across the entire Yard.

#### **3B - Proposed Conditions of Site Plan Approval:**

The following conditions are provided as information to Council and will be imposed through site plan approval, pursuant to Section 41 of the Planning Act.

1. The Owner shall apply to the City for site plan approval in accordance with Section 41 of The Planning Act. The application shall include submitting detailed site plan, indicating but not limited to such items as proposed servicing, grading and drainage, erosion and sediment control, access, parking and traffic circulation to the satisfaction of the General Manager/City Engineer. Such plans shall be certified by a Professional Engineer. All applications for a building permit shall be accompanied by a plan that shows that the proposed building, grading and drainage is in conformance with the approved overall drainage and grading plan.
2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General



## **Attachment 3 (continued):**

### **Recommended Zoning Regulations and Conditions**

Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer. The cost related to preparation and implementation of such studies, plans and reports shall be borne by the Owner.

- i. A Stormwater Management Report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual". The report must be updated based on comments provided to date, and must address the quantity and quality of stormwater discharge and/or groundwater recharge from the site, demonstrate monthly water balance and show how the site will achieve a post-development groundwater recharge that is equal to the pre-development recharge. It shall also include results of on-site permeameter testing and completed groundwater monitoring program data (minimum July 2017 – July 2019 or beyond) including the seasonal high groundwater elevation. The report shall also include a monitoring and maintenance program for the stormwater management facility.
  - ii. An updated Scoped Hydrogeology Study, updated based on comments prepared by Cole Engineering; the final peer review report prepared by Cole Engineering dated September 6, 2019 provides a summary of the comments (see peer review comments in Attachment 12).
  - iii. A Geotechnical Investigation Report updated based on the above comments.
  - iv. A Grading, Drainage and Servicing Plan prepared by a Professional Engineer for the site.
  - v. A Detailed Erosion and Sediment Control Plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
  - vi. A Construction Traffic Access and Control Plan for all phases of servicing and building construction.
  - vii. A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in all plans, studies and reports submitted.
  5. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks are to occur prior to site plan approval.
  6. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the

## **Attachment 3 (continued):**

### **Recommended Zoning Regulations and Conditions**

General Manager/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.

7. The Owner shall pay to the City the actual cost of the design and construction including the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to approval of the plans and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
8. The Owner shall grade, develop and maintain 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 Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
9. The Owner shall ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
10. Prior to demolition of the existing houses, the Owner shall locate the position of any existing sanitary sewer, storm sewer, water service laterals and septic systems serving the existing houses. The Owner shall be responsible for the entire cost of removing the existing service laterals from the said lands satisfactory to the City, and removal of any existing septic systems satisfactory to the City.
11. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
12. The Owner 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).
13. The Owner shall make satisfactory arrangements with Guelph Hydro/Alectra Utilities and phone and cable providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plant.

## **Attachment 3 (continued):**

### **Recommended Zoning Regulations and Conditions**

14. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
15. The Owner shall pay the estimated and the actual cost for decommissioning and removal of any services as determined by the General Manager/City Engineer.
16. The Owner shall provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through the site plan agreement.
17. The Owner shall provide assurance of proper operation and maintenance of the infiltration galleries through the site plan agreement.
18. The Owner agrees to maintain a log for perpetual cleaning/maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through the site plan agreement.
19. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.
20. The Owner shall demonstrate to the satisfaction of the General Manager of Planning and Building Services a commitment to incorporate features into the development that will implement recommendations of the City's Community Energy Initiative (CEI) and the overall goal of becoming a net zero carbon community by 2050.
21. The Developer shall be responsible for a payment in lieu of parkland conveyance for the entire development, in accordance with the City of Guelph Parkland Dedication By-Law (2019)-20366 as amended by the By-Law (2019)-20380 or any successor thereof prior to issuance of any building permits.
22. Prior to Site Plan approval, the Owner shall provide a long form appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount of payment in-lieu of parkland conveyance pursuant to s.42 of the Planning Act, to the satisfaction of the Deputy CAO of Public Services. The value of the land shall be determined as of the day before the day the first building permit is issued. The long form appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the City in accordance with the Parkland Dedication Bylaw. Notwithstanding the foregoing, if the appraisal provided by the applicant is not satisfactory to the City, acting reasonably, the City reserves the right to obtain an independent

## **Attachment 3 (continued):**

### **Recommended Zoning Regulations and Conditions**

appraisal for the purposes of calculating the payment in-lieu of parkland conveyance.

23. The Owner and Upper Grand District School Board shall reach an agreement regarding the supply and erection of a sign (at the Owner's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents of schools in the area.

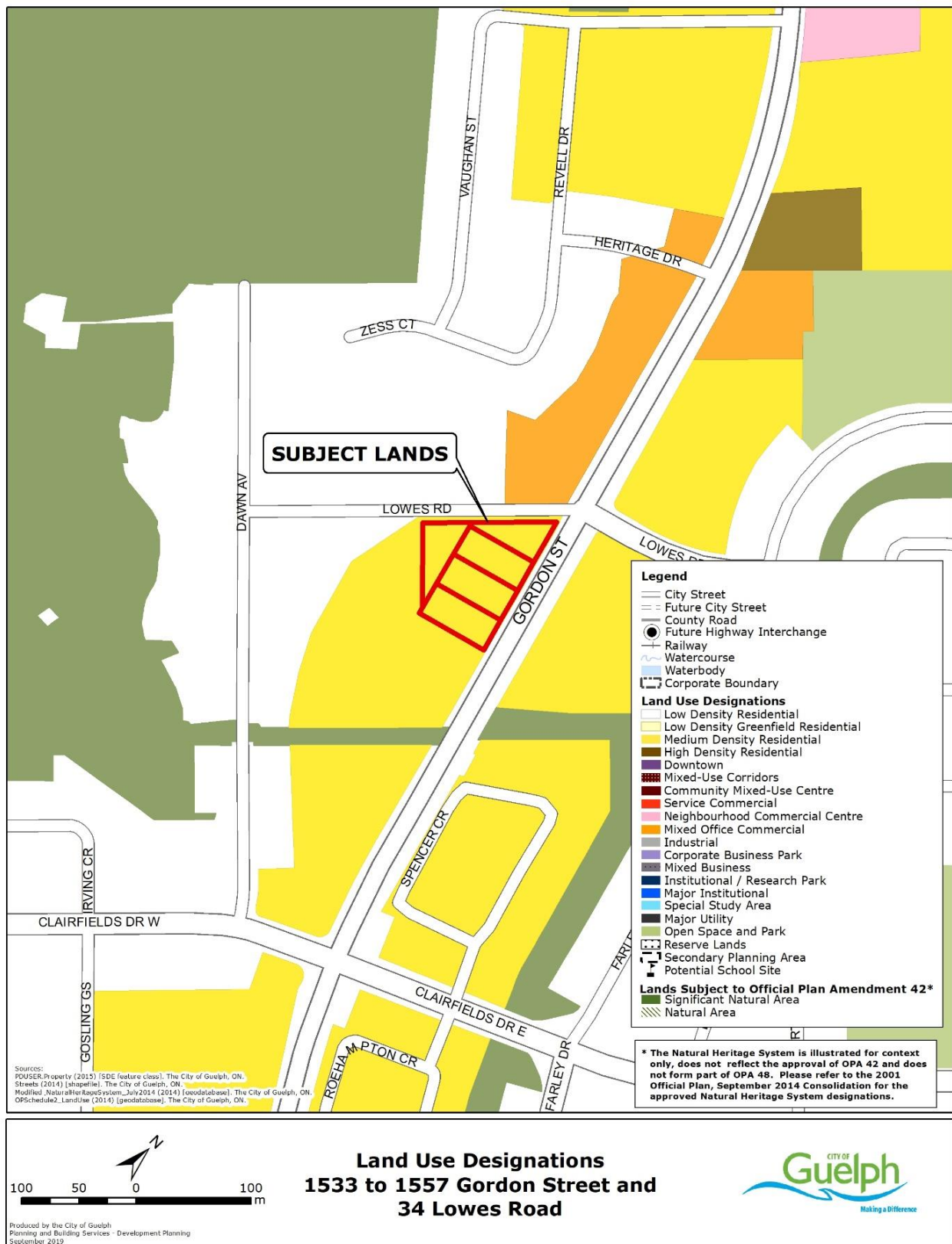
24. The Owner shall agree to advise all purchasers of residential units and/or renters of same, by inserting the following clause into all offers of purchase and sale/lease:

- a. "In order to limit liability, public school buses operated by Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated pick-up point."

25. The Owner shall pay all Development Charges prior to the issuance of any building permits.

# Attachment 4:

## Official Plan Land Use Designations and Policies



## **Attachment 4 (continued):**

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

#### **9.3.1 General Policies**

##### **9.3.1.1 Development Criteria for Multi-Unit Residential Buildings and Intensification Proposals**

The following criteria will be used to assess development proposals for multi-unit residential development within all residential designations and for intensification proposals within existing residential neighbourhoods. These criteria are to be applied in conjunction with the applicable Urban Design policies of this Plan.

1. Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.
2. Proposals for residential lot infill will be compatible with the general frontage of lots in the immediate vicinity.
3. The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.
4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.
5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.
6. That adequate municipal infrastructure, services and amenity areas for residents can be provided.
7. Surface parking and driveways shall be minimized.
8. Development shall extend, establish or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.
9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.
10. The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.
11. The conservation and integration of cultural heritage resources, including identified key public views can be achieved subject to the provisions of the Cultural Heritage Resources Section of this Plan.

## **Attachment 4 (continued):**

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

#### **9.3.4 Medium Density Residential**

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

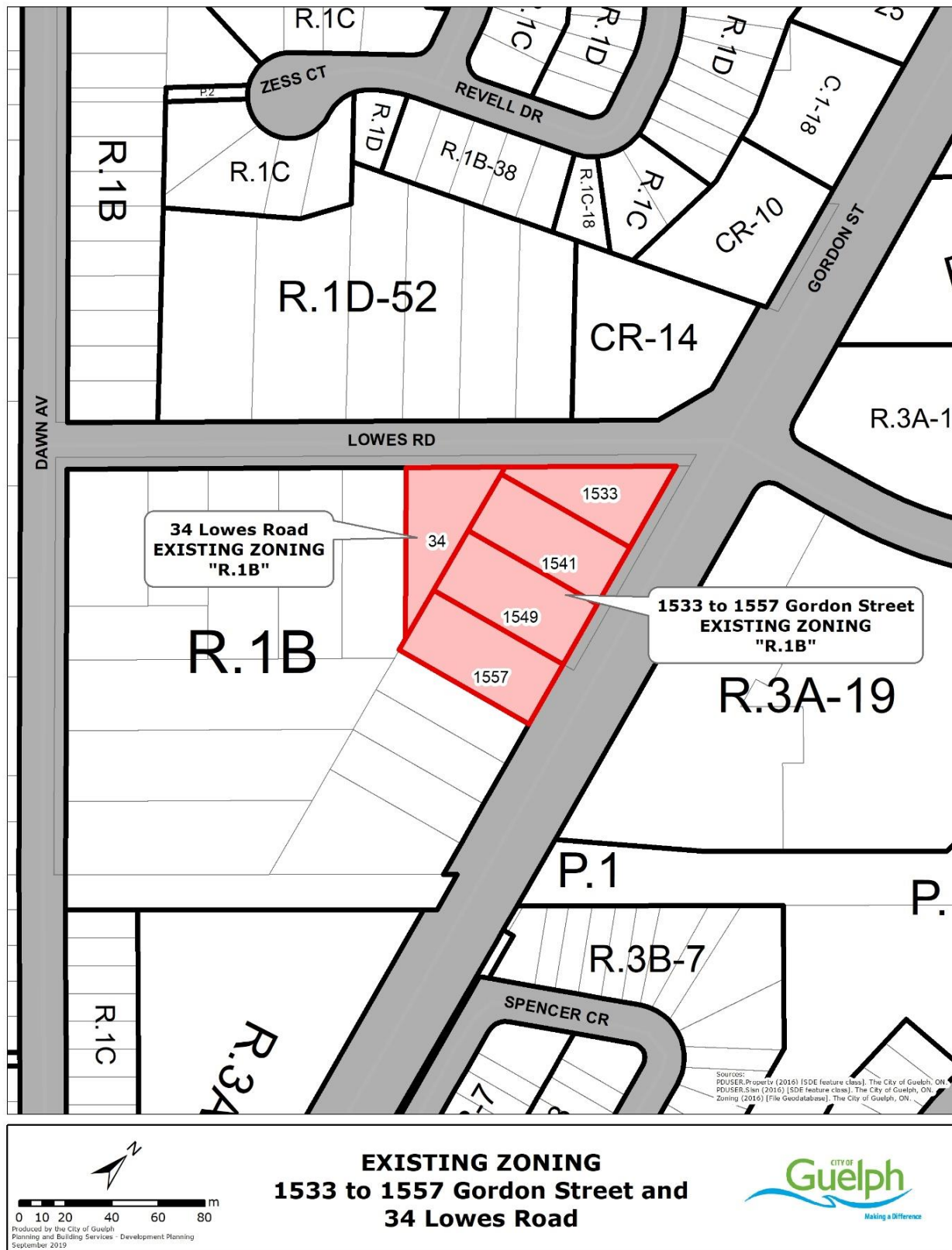
##### **Permitted Uses**

1. The following uses may be permitted subject to the applicable provisions of this Plan:
  - a. multiple unit residential buildings, such as townhouses and apartments.

##### **Height and Density**

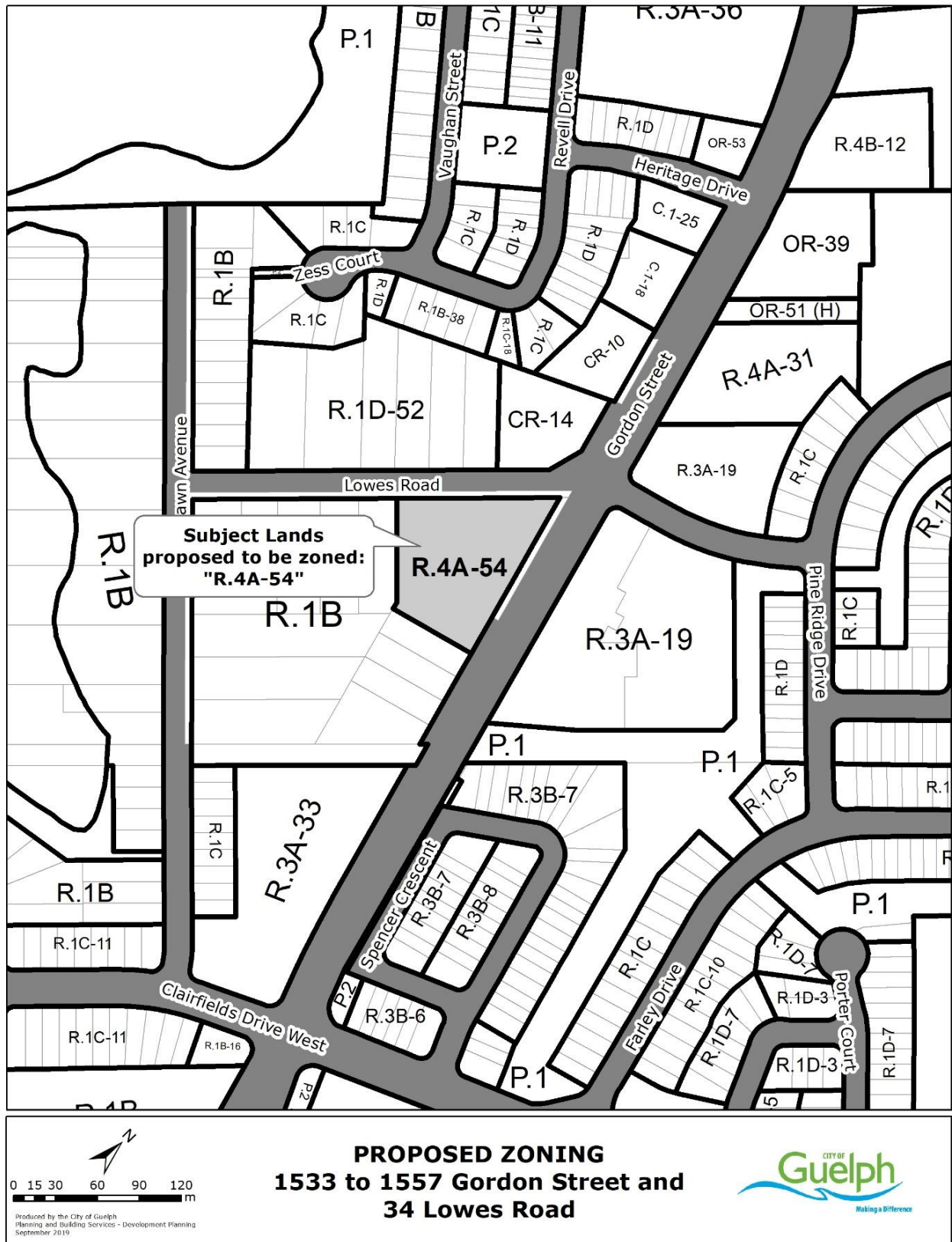
2. The minimum height is two (2) storeys and the maximum height is six (6) storeys.
3. The maximum net density is 100 units per hectare and not less than a minimum net density of 35 units per hectare.
4. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

## Attachment 5: Existing Zoning





## Proposed Zoning and Details



## **Attachment 6 (continued):**

### **Proposed Zoning and Details**

#### **Specialized R.4A-54 (General Apartment) Zone**

##### **Regulations**

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 (Regulations Governing R.4 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

##### **Rear Yard Setback**

- To permit a minimum Rear Yard Setback of 18.6 metres whereas the Zoning By-law requires a minimum Rear Yard Setback of 20.2 metres.

##### **Common Amenity Area**

- To permit a minimum Common Amenity Area of 1,340 square metres whereas the Zoning By-law requires a minimum Common Amenity Area of 1,920 square metres.

##### **Fences**

- To permit a maximum Fence height of 1.8 metres in the Front Yard, beginning at a minimum of 30 metres from the Gordon Street Lot Line, whereas the Zoning By-law limits Fence heights in in the Front Yard of residential Zones to 0.8 metres across the entire Yard.

## Attachment 6 (continued):

### Proposed Zoning and Details

5-15

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

##### 5.4.1 PERMITTED *USES*

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

##### 17187 5.4.1.1 R.4A - General *Apartment* Zone

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*

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

- ##### 16595 5.4.1.2 R.4B - High Density *Apartment* Zone
- *Apartment Building*
  - *Accessory Uses* in accordance with Section 4.23
  - *Home Occupation* in accordance with Section 4.19.

- ##### 17187 5.4.1.3 R.4C - Central Business District *Apartment* Zone
- *Apartment Building*
  - *Nursing Home*
  - *Home for the Aged*
  - *Retirement Residential Facility*

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

##### 17187 5.4.1.4 R.4D - Infill *Apartment* Zone

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

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*

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

## Attachment 6 (continued):

### Proposed Zoning and Details

5-16

#### 5.4.2 REGULATIONS

Within the **Apartment R.4 Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.4.2, and the following:

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

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

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

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

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

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

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

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

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

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

##### 5.4.2.4 Minimum Common Amenity Area

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

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



## Attachment 6 (continued):

### Proposed Zoning and Details

5-17

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

## Attachment 6 (continued):

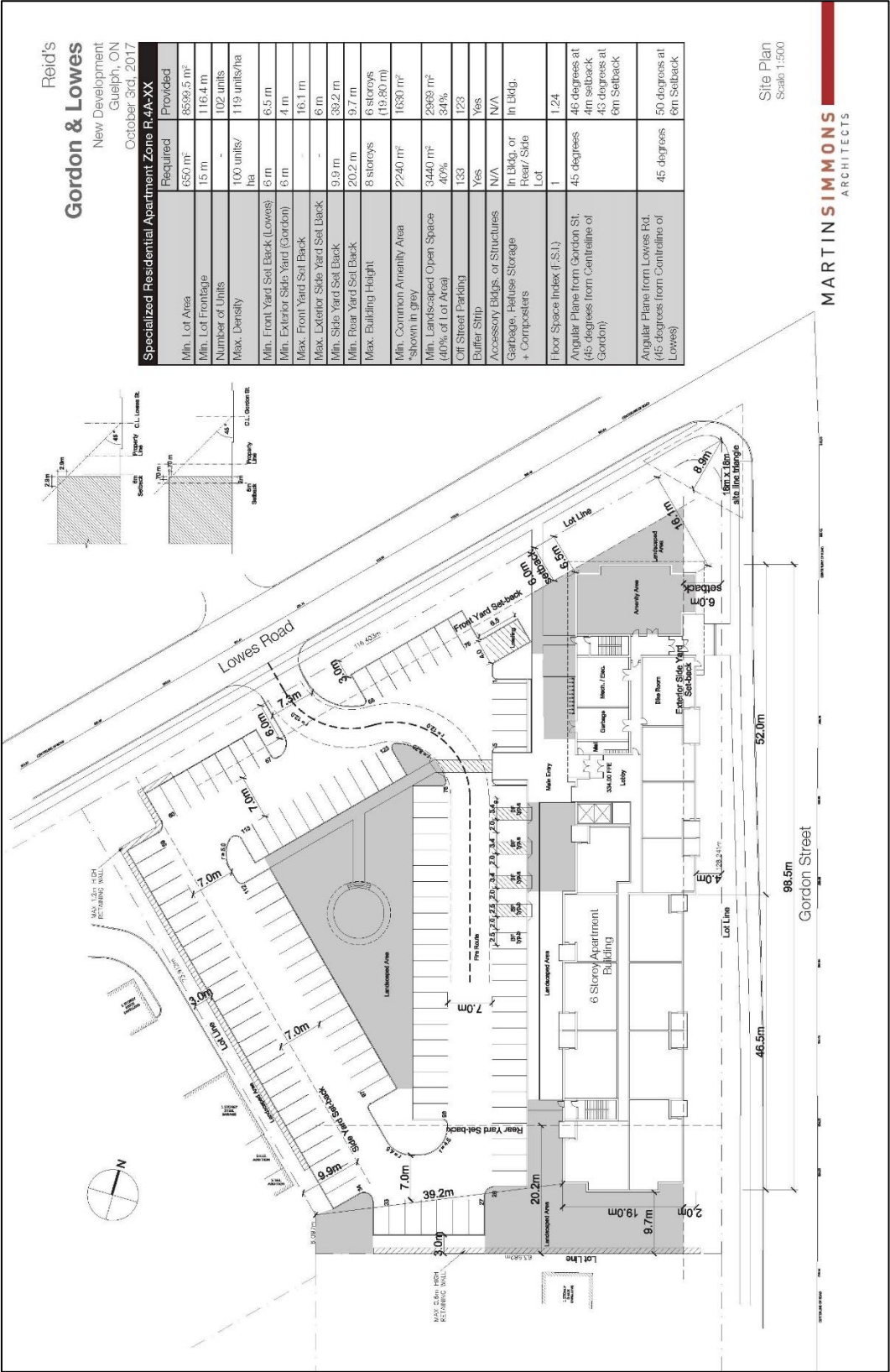
### Proposed Zoning and Details

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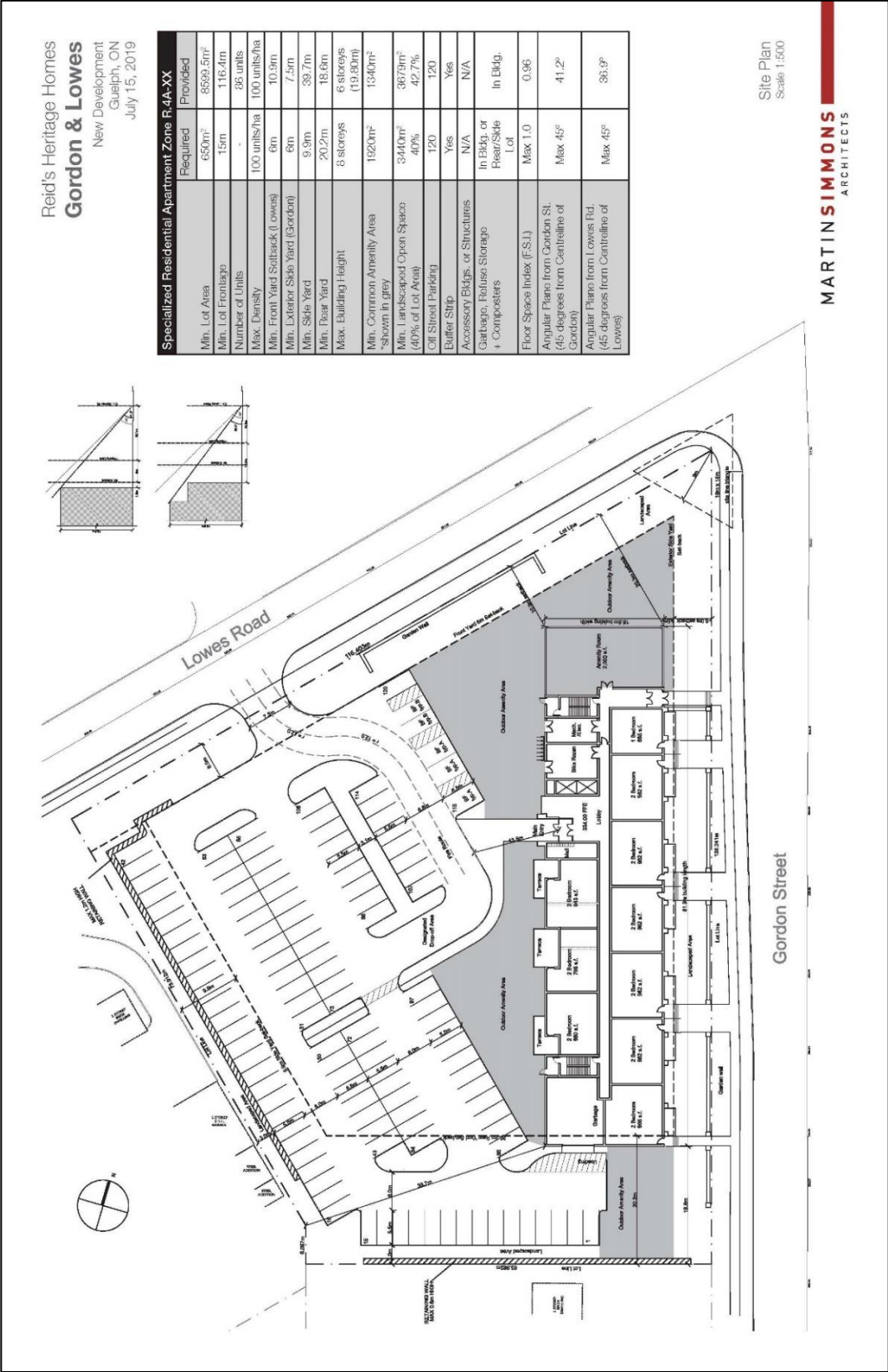
**TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES**

Row 1	Residential Type	General <i>Apartment</i>	High Density <i>Apartment</i>	Central Business District <i>Apartment</i>	Infill <i>Apartment</i>
2	<b>Zones</b>	R.4A	R.4B	R.4C	R.4D
3	Minimum <b>Lot Area</b>	650 m <sup>2</sup>			
4	Minimum <b>Lot Frontage</b>	15 metres			
5	Maximum Density (units/ha)	100	150	200	100
6	Minimum <b>Front</b> and <b>Exterior Side Yard</b>	6 metres and as set out in Section 4.24.		3 metres and in accordance with Section 4.24.	
7	Maximum <b>Front</b> and <b>Exterior Side Yard</b>	-----		6 metres	
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.		Equal to one-half the <b>Building Height</b> but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional <b>Zone</b> . In these circumstances, a minimum of 3 metres is required.	
9	Minimum <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.		Equal to 20% of the <b>Lot Depth</b> or one-half the <b>Building Height</b> , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional <b>Zones</b> . In these circumstances, a minimum of 7.5 metres is required.	
10	Maximum <b>Building Height</b>	8 <b>Storeys</b> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.	10 <b>Storeys</b> and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68.	6 <b>Storeys</b> and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68.	4 <b>Storeys</b> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between <b>Buildings</b>	See Section 5.4.2.2.		See Section 5.4.2.3.	
12	Minimum <b>Common Amenity Area</b>	See Section 5.4.2.4.		None required.	
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> .		The <b>Front Yard</b> of any <b>Lot</b> , excepting the <b>Driveway</b> , shall be landscaped. In addition, no parking shall be permitted within this <b>Landscaped Open Space</b> .	
14	Off-Street 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	1.5	2	2
19	<b>Fences</b>	In accordance with Section 4.20.			

Attachment 7:  
Original Site Plan (November 2017)



Attachment 8:  
Revised Proposed Site Plan





## Attachment 9: Conceptual Rendering



Gordon St. Elevation

## **Attachment 10:**

### **Staff Review and Planning Analysis**

#### **2014 Provincial Policy Statement**

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is issued under the authority of Section 3 of the Planning Act. As per section 4.2 of the PPS, all planning decisions shall be consistent with the PPS.

#### **Managing and Directing Land Use**

Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of residential, employment and other uses to meet long term needs [1.1.1 a), b)]. Also, development must avoid land use patterns that may cause environmental and public health and safety concerns, as well as be cost-effective, efficiently using land and ensuring that the necessary infrastructure is in place to meet the projected needs [1.1.1 c), e), g)]. Development and land use patterns that conserve biodiversity and considers the impacts of climate change is to be promoted [1.1.1 h)].

Policy 1.1.3 requires development in settlement areas such as the City of Guelph to use land and resources wisely, considering opportunities for intensification and redevelopment as well as overall regeneration. Specifically, densities are to be appropriate for and efficiently utilize the infrastructure and public service facilities that are planned or available. In addition, land use and development patterns in settlement areas are to be transit supportive and take into account existing building stock [1.1.3.1, 1.1.3.2 a), b), and 1.1.3.3].

Appropriate development standards are to be promoted that facilitate intensification and an overall compact built form, while mitigating risks to public health and safety [1.1.3.4]. For residential development, an appropriate range and mix of housing types and densities must be provided to meet projected requirements. This is to be achieved by promoting and facilitating redevelopment and all forms of intensification at appropriate and efficient densities given the area's context, and directing new housing to locations where appropriate levels of infrastructure and public services are and will be available to support anticipated needs [1.4.3 b), c), d)].

#### **Housing**

To help accommodate projected intensification, municipalities are to establish development standards for redevelopment which minimize the cost of housing, facilitate a compact built form and maintain appropriate levels of public health and safety [1.4.3 e)]. Section 9.3.1.1 of the Official Plan contains development

standards for intensification, which will be discussed later in this analysis. Further, the City has approved urban design concept plans for the Gordon Street Intensification Corridor to guide anticipated redevelopment proposals.

### **Sewage, Water and Stormwater**

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. The proposed development will be on full municipal services and Engineering staff have confirmed that adequate capacity is available to fully service the proposed development [1.6.6.2] (See Engineering staff comments in Attachment 13).

When planning for stormwater management relative to a development proposal, changes to existing water balances and erosion are to be minimized and not increase risks to human health and safety and property damage [1.6.6.7 b), c)]. Further, stormwater management best practices such as attenuation, re-use and low impact development are to be considered and promoted. Through the review of the application, staff have worked with the applicant on an overall stormwater management strategy and have determined that these policies have been met through the inclusion of stormwater infrastructure with the ability to accommodate a regulatory storm event and avoiding safety impacts to surrounding private properties. Further low-impact development aspects will be incorporated into the site's stormwater management strategy. Additional details on stormwater management and groundwater levels will be outlined later in this analysis.

### **Natural Heritage**

Natural heritage features, which are contained within the City's Natural Heritage System (NHS) in Schedule 4 of the Official Plan are to be protected for the long term [2.1.1]. This includes maintaining, restoring or improving the ecological function of the NHS and recognizing any linkages between and among surface water and ground water features [2.1.2]. The applicant has completed a site water balance analysis which has been reviewed by Environmental Planning staff and peer reviewed by a third party hydrogeologist. Based on these reviews, staff are satisfied that there will be no negative impact on the City's NHS.

Potential negative impacts to the quality and quantity of water is to be minimized [2.2.1 b)]. Planning staff and a third party hydrogeologist have reviewed the proposed stormwater management strategy and a scoped hydrogeological study and are satisfied with the recommendations.

### **Cultural Heritage and Archaeology**

Policy Section 2.6 speaks to cultural heritage and archaeology. Development and site alteration is not permitted on lands containing archaeological resources or on areas of archaeological potential unless the significant archaeological resources have been conserved [2.6.2]. Archaeological assessments completed for the site did not identify any resources or areas of interest.

In Planning staff's opinion, the proposed 86-unit apartment development on the subject lands is consistent with the policies of the PPS. The proposal will redevelop lands within the City's settlement area from the existing five single detached dwellings on large lots to a higher density than what currently exists. The

development will further add to the range and choice of housing options in an area that is well served by public transit along the Gordon Street intensification corridor. The residential development is compatible with the existing surrounding single detached dwellings, cluster townhouse buildings and commercial land uses. Adequate water and sanitary sewer capacity is available to service the development, and overall the proposed development will efficiently use existing infrastructure. The development will incorporate a stormwater management strategy that will have no negative impact on the City's Natural Heritage System.

As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.7], a more detailed review on how the proposed Zoning By-law Amendment is consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined later in this analysis.

### **Provincial Growth Plan for the Greater Golden Horseshoe (A Place to Grow)**

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. While the PPS as outlined above provides policy direction on matters of provincial interest, the Growth Plan provides more specific policy direction for development within the Greater Golden Horseshoe area.

The current Growth Plan came into effect on May 16, 2019 and applies to any decisions on planning matters made on or after this date. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities.

The policies of the Growth Plan focus on the key themes of building more compact and vibrant communities; directing a significant share of new growth to existing built-up areas of the City; promoting the development of transit-supportive densities and the use of active transportation methods; and creating complete communities through ensuring a healthy mix of residential, employment and recreational land uses.

Sections 2.2.1 and 2.2.2 of the Growth Plan identify how population growth to the horizon year of 2041 will be accommodated within the 'Delineated Built-up Areas' of the City. The subject lands are located within the Delineated Built-up Area. These sections contain policies related to intensification, the creation of complete communities and efficient use of infrastructure and public service facilities. In Planning staff's opinion, the proposed Zoning By-law Amendment conforms to the policies of these sections by:

- Directing redevelopment and intensification to lands within the existing delineated built-up area of the City;
- Focusing growth within a strategic growth area in the City (i.e. the Gordon Street Intensification Corridor), including identifying the appropriate type and scale of development to occur;

- Promoting redevelopment that supports active and public transportation options;
- Adding new housing units to the neighbourhood that contributes to enhancing and broadening the mix of housing types and options available;
- Further contributing to the mix of land uses in the surrounding area and building a complete community through redevelopment that is in close proximity to existing services, local stores, public transit and public open space; and,
- Making efficient use of existing municipal infrastructure and public service facilities (e.g. roads, water and sewer, schools, etc.).

The subject lands are within the City of Guelph settlement area and are designated in the City's Official Plan for urban development. The subject lands are located within the City's "Built-Up Area" as shown on Schedule 1B: Growth Plan Elements of the Official Plan. As per Policy 2.2.2.2 of the Growth Plan (and by extension Policy 2.4.5.1 a) of the Official Plan), a minimum 40 per cent of annual new residential development in the City must occur within the Delineated Built-Up Area. Recently revised, the 2019 Growth Plan will eventually increase the required proportion of growth to occur within built up areas to 50 per cent of all development from the time of the City's next municipal comprehensive review coming into effect.

Overall, the development proposal represents a more compact and efficient form of development that will be served by adequate infrastructure and public service facilities in the immediate built-up neighbourhood. The development will contribute to the overall intensification of the City's built-up area to meet the minimum requirement, increasing the density on the subject lands from the existing 5.81 units per hectare to 100 units per hectare.

Based on the above summary of policies, Planning staff are of the opinion that the proposed Zoning By-law Amendment is consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The subject lands are located within the delineated "Built-up Area" and are designated as "Medium Density Residential" within the Official Plan (See Attachment 4). The Medium Density Residential land use designation permits multiple unit residential buildings such as townhouses and apartments [9.3.4.1].

The net density of development within the "Medium Density Residential" designation is to be between 35 units per hectare and 100 units per hectare [9.3.4.3]. The height of multiple unit residential buildings is to be between two (2) and six (6) stories [9.3.4.2]. The proposed apartment building has a net density of 100 units per hectare and is six (6) stories in height.

The applicant is proposing to redevelop the subject property through a Zoning By-law Amendment from the existing five single detached dwellings to an 86-unit, six (6) storey apartment building in a specialized R.4A Zone (See development concept in Attachment 8). The proposed Zoning By-law Amendment conforms to the strategic goals of the Official Plan in Section 2.2, including the following:

- Contributing to providing an appropriate range, mix and geographic distribution of housing types to meet current and projected needs to the year 2031 [2.2.1 b), 2.2.5 d)];
- Provides for urban growth and land use patterns in a manner that ensures the efficient use of public expenditures over the long term [2.2.1 c)];
- Contribute to implementing actions to achieve the targets of the updated Community Energy Initiative [2.2.2 d)];
- Contributing to developing a safe and efficient transportation system that provides for all modes of travel [2.2.3 a)];
- Facilitates development in an area where full municipal services and related infrastructure is readily available [2.2.4 a)];
- Maintain and sustainably manage ground and surface water resources [2.2.4 b)];
- Build a compact, mixed-use and transit-supportive community [2.2.6 b)];
- Encouraging intensification and redevelopment of existing urban areas that is compatible with the existing built form [2.2.6 d)]; and
- Promoting informed public involvement and engagement throughout the planning process that is user-friendly [2.2.8 a)].

### **Complete Communities and Intensification**

One of the central themes of the Official Plan is planning for a complete community. This includes ensuring that people's needs for daily living throughout an entire lifetime are met by providing convenient access to a mix of jobs, local services, public transportation and a full range of housing types. All projected population growth to the year 2031 is to be accommodated within the City's current settlement area boundaries and is to be achieved through promoting a compact built form. Specifically, 40% of annual residential development is to be directed to the City's built-up areas through intensification, with higher densities planned along the identified intensification corridors such as Gordon Street [3.3.2, 3.7.1, 3.7.3]. Vacant and underutilized lots are to be revitalized through redevelopment. Intensification areas, such as along Gordon Street will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas.

An appropriate range of housing types and densities to meet the projected requirements of current and future residents is to be achieved by the City through maintaining the ability to accommodate residential growth for a minimum of 10 years by residential intensification and redevelopment on lands that are "designated and available" for development [3.6.1]. As the subject lands are designated Medium Density Residential in the Official Plan and are located on the Gordon Street intensification corridor, they classify as being designated and available.

### **Groundwater and Stormwater Management**

It is an objective of the Official Plan to utilize stormwater management to assist in regulating the quantity and quality of stormwater run-off to receiving watercourses, wetlands and recharge facilities [4.3 d)]. This is to be achieved through ensuring such stormwater management practices minimize stormwater volumes and contaminant loads [4.3.2 iv)].

To protect groundwater resources, stormwater management systems for new development are to protect water quality and quantity. Further, impact studies are required where proposed development has potential to affect the quality and quantity of groundwater resources [4.3.3.1 v)]. Development activities are not to impair the future ability of the area's groundwater and surface water resources to provide a quality water supply to satisfy the City's needs and sustain the area's natural ecosystem [4.3.2.9].

The applicant has completed a stormwater management report, a functional servicing report, a hydrogeology study and a geotechnical study. These reports were reviewed by staff as well as a third party peer review hydrogeologist at Cole Engineering who have concluded that groundwater and surface water resources as well as the Natural Heritage System will not be impacted as a result of the proposed development (see hydrogeology peer review comments in Attachment 12 and Environmental Planning and Engineering comments in Attachment 13).

### **Community Energy Initiative Update (2019) and Climate Change**

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features.

The applicant has indicated to Planning staff that they will be including a number of energy efficiency measures within the apartment building, consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the applicant will contribute to the City meeting its goal to become a net zero community by 2050. The applicant has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment 11.

Staff are recommending a condition to be implemented at site plan control that the applicant shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the CEI (see condition in Attachment 3). Specifically, the applicant will need to demonstrate how they will contribute to CEI Action 1, being to incrementally increase the number of net zero homes to 100% by 2031.

### **Archaeology**

In accordance with Section 4.8.6 of the Official Plan and the Heritage Act, the applicant undertook a Stage 1 and 2 Archaeological Assessment through a licensed Archaeologist for the subject lands in the summer of 2017. An associated report from the applicant's archaeologist was submitted to the City as part of a complete application. The Stage 1 and 2 Assessment found no archaeological resources of any description on the subject lands. No further archaeological assessment of the site was found to be warranted and the site was cleared of any archaeological concern. The Stage 1 and 2 Archaeological Assessments were submitted to Ministry of Tourism, Culture and Sport (MTCS) and entered into the Ministry's public register. Planning staff are satisfied that Section 2.6.2 of the PPS, 2014 and Section 4.8.6 of the Official Plan regarding archaeological resources have been addressed.

## **Municipal Services and Infrastructure**

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and transportation networks. Engineering and Traffic staff have reviewed the development proposal and supporting studies and have confirmed that the development can be supported by full municipal services and that sufficient capacity is available. The property owner will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services, where necessary.

## **Urban Design**

To achieve a complete community, the Official Plan contains policies regarding urban design that apply to all development. Several urban design objectives in the Official Plan apply to the proposed apartment development, including:

- To create neighbourhoods with diverse opportunities for living, working, learning and playing [8 a)];
- To build compact neighbourhoods that use land, energy, water and infrastructure in an efficient manner [8 b)]; and
- To allow for a range of architectural styles in urban form and design that appropriately respond to local context and achieve compatibility [8 i)].

New residential developments are to be designed to be integrated and connected to surrounding neighbourhoods [8.2.2]. Development shall also contribute to creating a pedestrian oriented streetscape through locating buildings adjacent to the street edge with placing principal building entrances towards the street and corner intersections [8.2.11]. New buildings are to directly address the street [8.6.1].

Section 8.8 of the Official Plan contains policies that apply to mid-rise buildings which include apartment buildings up to six (6) stories. Mid-rise buildings are to be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties. Servicing and off-street parking is to be screened from public view, in most cases, locating parking underground or to the rear and side of buildings. Buildings that are taller than four (4) stories can restrict the length of the building through the Zoning By-law.

To achieve compatibility between different land uses, development is to be designed to create appropriate transitions through the provision of roads, landscaping, spatial separations and overall compatible built form [8.11.1]. In instances where proposed buildings exceed the height of adjacent buildings, new buildings can be stepped back, terraced or set back to reduce any adverse impacts on adjacent properties or the streetscape [8.11.2].

To provide a detailed analysis of how the development proposal is consistent with and meets the City's urban design policies, the applicant submitted an Urban Design Brief as part of their complete application. Planning staff, including the City's Senior Urban Designer have reviewed the proposed 86-unit, six (6) storey apartment building. Planning staff are supportive of the approach to the overall design of the site as outlined in the urban design brief and acknowledge the changes made by the applicant since the initial submission and the improvements and refinements made to the design.



A shadow study is included in the urban design brief that reviews all four seasons. It concludes that shadows cast by the apartment building are largely contained to the site in the spring, summer and fall. The proposed apartment does not prevent any surrounding property from receiving at least six hours of sunlight per day, year round. Planning staff agree with the conclusion of the shadow study that there will not be any unacceptable or adverse impacts on adjacent properties or streetscapes.

In April 2019, Council approved a document known as 'Urban Design Concept Plans for the Gordon Street Intensification Corridor'. The intent of this document is to help illustrate a cohesive vision for the future planning and anticipated intensification of Gordon Street that demonstrates guidance from the Official Plan and other policies. Specific design direction is given to seven specific 'demonstration sites', including the subject lands (identified as part of demonstration site number seven) for when redevelopment proposals are submitted to the City. The concepts plans are to provide greater guidance for development applications and enhance clarity and consistency with the City's urban design policies. For demonstration site seven at the southwest corner of Gordon Street and Lowes Road West, mid-rise apartment buildings are envisioned directly along Gordon Street, with townhouses further behind the apartment buildings to the west (see figure below).

*Figure 1: Gordon Street Intensification Corridor Urban Design Concept Plan - Demonstration Site Number Seven (Gordon Street and Lowes Road)*



Planning staff are satisfied with the urban design approach proposed by the applicant and are of the opinion that it is consistent with urban design policies for mid-rise buildings and implements the City's vision for the Gordon Street intensification corridor. A detailed comment memo from the City's Senior Urban Designer can be found in Attachment 13.

### **Residential Development Policies**

Section 9.3 of the Official Plan contains policies that apply to the residential land use designations. The proposed 86-unit apartment development satisfies the residential objectives. This includes:

- Facilitating the development of a full range of housing types and densities to meet a diversity of lifestyles and the social needs and well-being of current and future residents throughout the City;

- Ensuring compatibility between various forms of housing and between residential and non-residential uses;
- Maintaining the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification;
- Directing new residential development to areas where full municipal services and infrastructure is available and can be provided in an efficient and cost effective manner;
- Ensuring new development is compatible with surrounding land uses and the general character of neighbourhoods; and
- Ensuring new residential development is located and designed to facilitate and encourage convenient access to employment, shopping, institutions and recreation by walking, cycling and transit.

Section 9.3.1.1 of the Official Plan identifies eleven criteria that must be used to assess multi-unit residential development proposals as well as for intensification proposals within existing neighbourhoods. The eleven criteria are to be applied in addition to the applicable urban design policies of the Official Plan discussed previously.

### **1. Compatibility of the development's form and scale**

The proposed apartment building is six (6) stories tall at its maximum height and 81.9 metres in total length. In terms of absolute height, the maximum height is 19.8 metres. The setback to the Gordon Street property line ranges from a minimum of 6 metres to a maximum of 7.5 metres.

The subject lands are adjacent to single detached dwellings to the south and west, a two-storey commercial building across Lowes Road, and cluster townhouses across Gordon Street. Based on the proposed building's massing, height and setbacks, Planning staff are of the opinion that the mid-rise apartment building will be compatible with the design, character and orientation of the buildings in the immediate vicinity.

The apartment building's overall massing is broken up by several different architectural treatments, including varying building materials and colours on all facades, recessions, projecting balconies, stepbacks on the upper two stories of the building at both ends and at-grade unit entrances to Gordon Street. Horizontal elements of the building are placed in a way to emphasize the first two storeys, along with landscaping treatments such as garden walls along Gordon Street.

The building's massing will be at less than a 45 degree angular plane measured to both the centreline of Gordon Street and Lowes Road West (41 and 43 degrees respectively). The images below show the angular planes to both the Gordon Street and Lowes Road right-of-ways. These angular planes being less than 45 degrees will ensure that any impacts of the building's height, shadows and overlook are mitigated and transition well to surrounding properties and roadways. The building's rooftop mechanical equipment will also be screened and setback on the roof to ensure it is not visible from the roadways or properties that surround the subject lands.

Figure 2: Building's angular plane from Gordon Street (measured from road centreline)

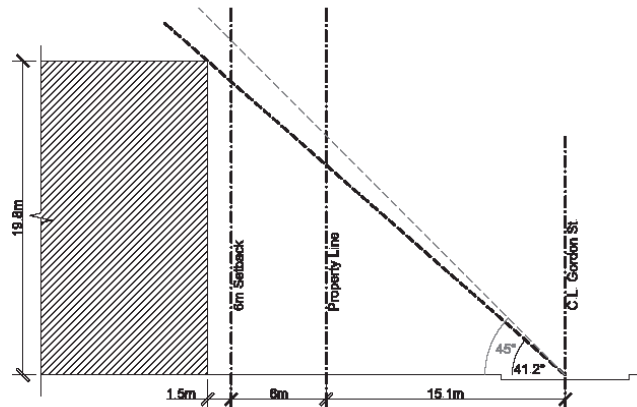
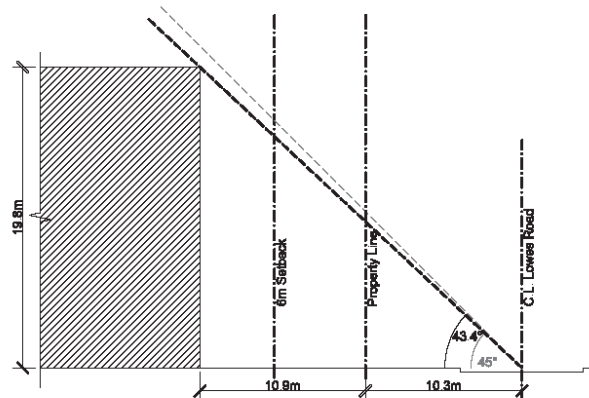


Figure 3: Building's angular plane from Lowes Road (measured from road centreline)



Further, the building's absolute height (19.8 metres) is less than the total width of the Gordon Street right-of-way adjacent to the subject lands (30.5 metres). Gordon Street adjacent to the building has a five lane cross section.

As discussed earlier in this analysis, the applicant has completed a shadow study that concludes reasonable solar access, including six hours of sunlight in spring, summer and fall will be afforded to surrounding properties. During the winter, minor shadows will be cast onto the cluster townhouse development across Gordon Street (1550 Gordon Street) after 4:00 pm, and at least three full time periods (totaling six hours) where all surrounding residential properties will be unaffected by shadows from the proposed building.

In addition to the Gordon Street right-of-way, the cluster townhouses at 1550 Gordon Street are further buffered from the proposed apartment building through an existing vegetated berm. The berm is approximately two metres high measured from the centreline of Gordon Street elevation and one metre high from the rear yard elevation of the townhouses at 1550 Gordon Street. The berm is vegetated primarily with coniferous trees.

The proposed building is approximately 40 metres at its shallowest setback from the western property line that abuts adjacent low-rise residential properties with single detached dwellings.

Properties on Gordon Street, immediately to the south are anticipated to be subject to similar redevelopment as they also front directly on Gordon Street in the intensification corridor.

Off-street parking for the apartment building will be located primarily to the rear of the building, with a small parking lot in the building's functional side yard. Temporary loading (i.e. for waste collection, move-in and out, etc.) will also be located in the building's side yard.

Although proposed development is an apartment building and there are no apartment buildings in the immediate neighbourhood, it is important to note the definition of 'compatibility' in the Official Plan refers to development that may not necessarily be the same as, or similar to the existing development, but can co-exist within the surrounding area without unacceptable impact. The proposed apartment building is the type of development and built form contemplated for the subject lands in the approved urban design concept plans for the Gordon Street intensification corridor.

The apartment building's compatibility with the surrounding area will continue to be reviewed and advanced during detailed design through a site plan application. This includes reviewing proposed lighting to ensure no light trespass on adjacent properties, building material and colour placement and site landscaping.

Planning staff are satisfied that the proposed development for a six-storey, 86-unit apartment building is compatible with the surrounding area and buildings in the immediate vicinity.

## **2. Compatibility of residential lot infill**

The proposed development will not be creating new lots through infill. However, as a result of and to accommodate the proposed development, five existing lots with single detached dwellings have been assembled. These five lots will be merged into a new single parcel for the proposed apartment building. The frontage (i.e. shortest lot line when abutting two or more streets) of the merged parcel will be and accessed through a new vehicular driveway on Lowes Road West. The lot frontage of the consolidated lot will be similar to the cluster townhouse properties across Gordon Street, as well as a parcel of land across Lowes Road from the site which was recently assembled and had zoning approved for redevelopment into 36 single detached dwellings. Planning staff are of the opinion that the new merged lot is compatible with the general frontage of lots in the immediate vicinity.

## **3. Proximity to local retail, schools, parks and recreation facilities and transit**

The subject lands are directly across Lowes Road from existing local retail and commercial uses along the Gordon Street intensification corridor (to the north). Major retail and commercial facilities are located about a kilometer to the south at

Gordon Street and Clair Road, which forms one of the City's mixed use nodes. Several schools and parks are located less than a kilometer to the west in the Pine Ridge and Westminster Woods neighbourhood, including Pine Ridge Park, Westminster Woods Park and Orin Reid Park, and St. Paul Catholic School and Westminster Woods Public School. Recreation facilities are also located just over a kilometer to the south at the South End Community Park. Guelph Transit Route 99 is the City's Mainline bus route that runs directly past the subject lands on Gordon Street. Planning staff are of the opinion that the subject site is well serviced by local commercial, schools, parks and recreation and transit.

#### **4. Traffic impacts**

Engineering and Transportation Services staff have reviewed the application and have no concerns with the Zoning By-law Amendment and conclude that the adjacent roads and intersections can accommodate the additional traffic that will be generated by the proposed development. The proposed development concept accommodates the required 18 metre by 18 metre sightline triangle that needs to be protected at the intersection of Gordon Street and Lowes Road. Detailed comments from Engineering and Transportation Services staff are provided in Attachment 13.

#### **5. Vehicular access and circulation**

Engineering and Transportation Services staff will be requiring the new driveway for the proposed apartment to align with a new private roadway for the a proposed low-rise residential development directly across Lowes Road West. The existing private driveways for the single detached dwellings on Gordon Street will be removed.

The parking area will be provided in a surface lot to the rear of the apartment building that will be accessed off Lowes Road West. Vehicles and pedestrians will be able to circulate throughout the aisles in the parking lot. Parking will be screened from Lowes Road West through a landscaping, including trees and a garden wall.

#### **6. Adequate infrastructure, servicing and amenities**

Engineering and Transportation Services staff have confirmed that there is adequate servicing capacity available to service the proposed apartment development.

The proposed apartment building will contain both interior and exterior common amenity areas in close proximity to each other. Since the initial submission, the applicant has made improvements to the exterior amenity space placing it closer to the building, giving the ability to have it be associated and connected to the interior amenity room. Each unit will also have a private balcony amenity area, and the site is within walking distance to municipal parks, recreation and commercial activities.

#### **7. Parking**

For an apartment building with 86 dwelling units, the Zoning By-law requires 113 off-street parking spaces, with 20% of these spaces being reserved and marked for visitor parking. The applicant is currently proposing to provide a total of 120 off-

street parking spaces. The parking area will be accessed from a singular driveway off Lowes Road.

### **8. Street grid network**

New multi-residential and intensification development is to reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclists and vehicular traffic. While the proposed development will not be adding or altering any public roadways, the development will help reinforce access to the existing public street grid network in the area. This will provide access for pedestrians to the sidewalks on both Lowes Road West and Gordon Street, bicycle lanes on Gordon Street and vehicular traffic in general.

### **9. Impacts to adjacent properties**

Through preliminary plans for grading and servicing for the site, all services and most drainage will be contained on the subject lands and not affect or extend onto adjacent properties. A small portion of the site surrounding the driveway entrance to Lowes Road will drain towards the roadway. Grading will also be matched at the property lines.

A shadow study was completed for the proposed apartment building as discussed earlier. The shadow study concluded that surrounding properties will be afforded reasonable solar access and not have any unacceptable shadow impacts from the building.

### **10. Public safety, views and accessibility**

The proposed development will address public safety and accessibility by having direct pedestrian connections and clearly defined entrances to Gordon Street and into the off-street parking lot to the rear of the building. Gordon Street and Lowes Road provide connections to nearby open space, parks, trails, and the Natural Heritage System. There are no identified public views that will be impacted or obstructed by the building.

### **11. Cultural heritage**

As reviewed earlier in this analysis, Stage 1 and 2 Archaeological Assessments were submitted as part of a complete application which identified of any description on the subject lands. In addition, the City's Senior Heritage Planner has reviewed the development proposal and did not identify any cultural heritage resource impacts from the development.

### **Review of Proposed Zoning**

The applicant made modifications to their Zoning By-law Amendment application in a December 2018 resubmission. The original Zoning By-law Amendment application received by the City in November 2017 was requesting to change the zoning to a specialized R.4A-? (Specialized General Apartment) Zone to permit a six storey, 102-unit apartment building. The zoning for the original apartment proposal was proposing nine site-specific, specialized zoning provisions.

The applicant's current proposal is proposing to rezone the subject lands from the current "Residential Single Detached" (R.1B) Zone to a "Specialized General

Apartment" (R.4A-54) Zone to permit the development of a six storey, 86-unit apartment building. A conceptual rendering of the apartment is included in Attachment 9. In addition to the standard provisions for lands zoned R.4A, the applicant is requesting the following site-specific provisions:

- To permit a minimum rear yard setback of 18.6 metres, whereas a minimum rear yard setback of 20.2 metres is required; and
- To permit a minimum common amenity area of 1340 square metres, whereas a minimum common amenity area of 1920 square metres is required.

Through further review of the current submission and proposal, Planning staff are also recommending an additional site-specific zoning provision be added and included in the Zoning By-law Amendment with regards to fence height and location:

- To permit a maximum fence height of 1.8 metres in the front yard, beginning at a minimum of 30 metres from the Gordon Street lot line, whereas the Zoning By-law limits fence heights in the front yard of residential zones to 0.8 metres across the entire yard.

### **Rear Yard Setback**

For the reduced rear yard setback, Planning staff feel the reduction by 1.6 metres from 20.2 metres to 18.6 metres is reasonable. When a lot line abuts two or more streets, the shortest of the two lines shall be interpreted as the front lot line. The subject property has lot lines on both Gordon Street and Lowes Road West, with the Lowes Road lot line being the shortest of the two. Therefore, the technical front yard as per the Zoning By-law is onto Lowes Road West. The opposing rear yard is to the single detached dwellings to the south, along Gordon Street. The minimum rear yard for apartment buildings in the R.4A Zone is to be 20% of the lot depth or one-half the building height, whichever is greater, but in no case less than 7.5 metres. The minimum rear yard in this case was calculated by calculating 20% of the lot depth, being 20.2 metres. Planning staff feel the requested reduced rear yard provision is minor and will provide a sufficient rear yard and setback to the adjacent properties to the south.

### **Common Amenity Area**

The applicant is proposing a reduction in the common amenity area from 1920 square metres to 1340 square metres. The total common amenity space provided will be both indoor and outdoor, and clustered in close proximity on the subject lands. Each residential unit will also have additional private amenity area in the form of a balcony.

The layout of the exterior common amenity area was changed and improved since the initial submission, including moving and clustering the exterior common amenity area closer to the building instead of being in the middle of the parking area (see Attachments 7 and 8). Further, staff recommended the applicant remove areas in the parking lot that were originally calculated as amenity space. When reviewing the initial submission, staff did not feel all of the areas originally identified, such as corners of the parking lot counted as viable amenity space. The common amenity area as currently proposed flows into surrounding landscaped open space areas throughout the parking lot and to both Gordon Street and Lowes

Road. The applicant is exceeding the minimum requirements in the Zoning By-law for landscaped open space on the subject lands.

The City's Built Form Standards for mid-rise buildings and townhouses, which were adopted by Council in April 2018 as part of the City's overall Urban Design Manual provide standards for common amenity areas. Where mid-rise developments are located within an intensification corridor, the common amenity area requirement may be reduced by up to 50% where a park with a minimum size of 1 hectare with equivalent amenities is located within a 500 metre walking distance from the site. The subject lands are within 500 metres of two parks greater than 2 hectares – Pine Ridge Park and Westminster Woods Park. Both parks have a baseball diamond and play structures among other recreation features, which when combined with the site, will provide various active amenities for residents within a walking distance.

Considering the above, Planning staff feel the reduction in common amenity area is reasonable and appropriate and when considered together with the private amenity areas, landscaped open spaces and the close proximity to two large public parks. A sufficient amount of shared amenity space is being provided both on-site and in the immediate area.

### **Fences and Retaining Wall**

The applicant is proposing to add decorative garden walls along the Gordon Street and Lowes Road West lot lines in addition to a retaining wall along the western property line to Lowes Road West. These garden walls will help buffer the public and private realms and further enhance the landscaping of the property. The proposed garden walls are classified as a fence under the Zoning By-law and are limited to a maximum height of 0.8 metres when placed along the property lines.

Further, based on a preliminary noise study conducted by the applicant, the potential need for a higher 1.8 metre noise attenuation wall has been identified along the Lowes Road West lot line. As such, the applicant is requesting a specialized zoning provision to permit a 1.8 metre high noise attenuation fence along a portion of the Lowes Road West lot line to mitigate noise to an outdoor common amenity area located behind the apartment building. To ensure good urban design, this specialized zoning provision would require any fence taller than 0.8 metres (i.e. a noise attenuation wall) to be located at a minimum setback of 30 metres from the Gordon Street lot line. This would ensure that no taller fence or wall could impact urban design objectives of creating an attractive and animated streetscape along Gordon Street and at the corner of the building.

Details regarding the design and location of any garden wall or noise attenuation fence would be reviewed and confirmed at the subsequent site plan approval stage.

Staff have reviewed the proposed zoning and are satisfied that the R.4A-54 (Specialized General Apartment) Zone is appropriate to implement the proposed development. In Planning staff's opinion, the three specialized regulations are minor, will ensure the best placement of the apartment building on the subject lands, and are overall supportable for the proposed development of this site.



The proposed zoning is shown in Attachment 6.

### Comments Received on the Original and Revised Applications

The Statutory Public Meeting for the Zoning By-law Amendment was held on March 19, 2018. Questions and issues raised by Council and members of the public in response to the original Zoning By-law Amendment application that were not discussed in detail earlier in this analysis are summarized and responded to below.

### Building Density and Massing

Several concerns were raised by Council and area residents regarding the density, height and massing of the initial apartment proposal. The initial apartment proposal was to permit a six (6) storey, 102 unit apartment building at a net density of 119 units per hectare. The apartment building was situated at a 4 metre setback from the Gordon Street lot line, with a total building length of 98.5 metres.

Since the Public Meeting, the applicant has made several revisions to their development in response to comments from Council, members of the public and staff. The changes made by the applicant to the development proposal are summarized in the table below.

	<b>November 2017</b>	<b>July 2018</b>	<b>October 2018</b>	<b>March-July 2019 (Current Proposal)</b>
<b># of units</b>	102	92	89	86
<b>Density</b>	119 units/ha	107 units/ha	103 units/ha	100 units/ha
<b>Building Length</b>	98.9 m	89.9 m	81.9 m	81.9 m
<b>Building Height</b>	6 storeys	6 storeys	6 storeys with stepback at sixth storey	6 storeys with stepback at fifth and sixth storey
<b>Floor Space Index (FSI)</b>	1.24	1.013	0.995	0.96
<b>Angular Plane</b>	46 degrees (Gordon) 50 degrees (Lowes)	41.2 degrees (Gordon) 43.4 degrees (Lowes)	41.2 degrees (Gordon) 43.4 degrees (Lowes)	41.2 degrees (Gordon) 36.9 degrees (Lowes)
<b>Common Amenity Area</b>	1630 m <sup>2</sup>	1611 m <sup>2</sup>	1611 m <sup>2</sup>	1340 m <sup>2</sup>
<b>Landscape Area</b>	2969 m <sup>2</sup>	3440 m <sup>2</sup>	3440 m <sup>2</sup>	3440 m <sup>2</sup>
<b>Parking (Provided/Required)</b>	123/133	124/120	124/117	120/113

The current apartment proposal has been revised to conform to the density policies for Medium Density Residential buildings in the Official Plan and provisions in the General Apartment Zone. Density bonusing is no longer required or proposed by the applicant to facilitate the current proposal. In addition to reducing the number of units and density, the applicant has also made improvements to the overall massing and design of the apartment building, including reducing the length by 16 metres, increasing the setback to the Gordon Street lot line from 4 metres to at least 6 metres, stepping back the fifth and sixth storeys at both ends of the

building, adding individual unit entrances and landscaping directly to Gordon Street, and adding materials and colours to highlight the first two storeys and common amenity room at the corner of Gordon Street and Lowes Road.

### **Neighbourhood Consultation**

During the Public Meeting, Council recommended that Planning staff continue to engage and consult with area residents through neighbourhood meetings. Planning staff have met with area residents following the Public Meeting on several occasions, including hosting a neighbourhood information meeting at City Hall the evening of January 22, 2019. Planning staff also met with residents and the applicant on-site and walked the surrounding neighbourhood on April 9, 2019 to further assess the area's physical context. A number of short follow-up meetings with residents from the cluster townhouses at 1550 Gordon Street to discuss the modifications to the development proposal were also held since the Public Meeting.

### **Noise and Lighting**

The applicant will be required to complete a detailed noise study as part of their site plan application that will address the building's adjacency to Gordon Street and noise generated by other sources on the apartment building, such as rooftop equipment.

As part of site plan approval, the applicant will also be required to provide a detailed photometric plan, prepared by a Professional Engineer. The photometric plan will be required to demonstrate that there will be no light trespass onto adjacent private properties from exterior lighting fixtures. On the photometric plan, the applicant will be required to demonstrate that there are negligible foot-candle lighting measurements along all private property lines and include details on the types and locations of exterior light fixtures proposed.

### **Solid Waste**

The applicant will be required to complete a Waste Management Plan as part of their site plan application that will ensure the apartment building has and maintains a three stream waste system (i.e. recycling, organics, garbage). The Waste Management Plan will also evaluate having the waste be collected by the City Solid Waste Resources staff.

### **Pedestrian Crossing**

The subject lands are located directly at the southwest corner of Gordon Street and Lowes Road West. This intersection has a traffic control signal, including pedestrian signals on all four corners. This existing traffic signal will assist pedestrians in crossing Gordon Street to access amenities and services on the east side of Gordon Street, including Pine Ridge Park, Guelph Transit bus stops, and schools in the Westminster Woods neighbourhood.

# Attachment 11:

## Community Energy Initiative Update Commitment



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Cambridge ON N3C 2V4  
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September 5, 2019

City of Guelph  
Planning and Building Services | Infrastructure, Development and Enterprise  
1 Carden Street  
Guelph, ON N1H3A1

**Attention: Michael Witmer, Senior Development Planner**

**RE: 1533-1557 Gordon Street & 34 Lowes Road  
Zoning By-law Amendment (ZC1710) – Community Energy Initiative**

Please accept this letter outlining Reid's Heritage Homes Ltd. ("Reid's Heritage") commitment to the City's Community Energy Initiative and contributing to the goal of being a Net Zero Carbon Community by 2050.

Reid's Heritage has a long history of building energy efficient homes and advancing sustainable building practices. Notably, in 2012, Reid's Heritage was the first home builder in Canada to receive the ENERGY STAR® Participant Award from the federal Ministry of Natural Resources.

Reid's Heritage has also been a leader in championing the Blue Built Home program within the City of Guelph and received the City's 2013 Water Conservation and Efficiency Award. In addition to these recognitions, Reid's Heritage built the first LEED (and LEED Platinum) home in Canada, the first Built Green home in Ontario (also Built Green Platinum) and developed the first fully certified pilot LEED Neighbourhood Development in Canada.

Reid's Heritage was one of the five Canadian home builders selected to participate in the national Net Zero Energy (NZE) homes demonstration project which to build houses which produce as much energy as they consume on an annual basis. To date, we have constructed five (5) Net Zero and three (3) Net Zero Ready Homes and were awarded EnerQuality's 2015, 2016, 2017 Net Zero Builder of the Year Award.

It is our intention, that the proposed development at 1533-1557 Gordon Street & 34 Lowes Road will contribute to Action Item #1 from the CEI update, *to incrementally increase the number of net zero new homes to 100% by 2030* as follows:

- Reid's will continue to work with our consultants and City staff through Site Plan and detailed design for the development to find energy efficiencies and carbon saving measures, where possible and feasible.

reidsheritagehomes.com

## **Attachment 11 (continued):**

### **Community Energy Initiative Update Commitment**

- During detailed design, an energy model will be completed by our consultant which we will strive to meet or exceed SB-10 requirements. We will consider adding some of the common design strategies for low energy buildings.
- As part of the energy modeling analysis, we will assess the feasibility of a number of energy conservation measures (ECMs) common in Net Zero Carbon design, including high performance glazing systems (e.g., triple pane windows) and high efficiency heating, cooling, and ventilation systems and equipment (e.g., air source heat pumps).
- Provisions may be provided for the future retrofitting of parking lot lights to solar energy.
- Provisions may be provided in the design of the rooftop to ensure structural integrity and load requirements for future installation of solar panels.
- Mechanical rooms may be designed to be larger than required to facilitate future retrofitting of mechanical equipment.

**In addition to the actions mentioned above, the following sustainability measures are typically included by Reid's Heritage Homes in our developments:**

- All dwellings will be equipped with low flow faucets and showerheads and low volume flush toilets;
- All dwellings will incorporate Low VOC (volatile organic compounds) emitting and recycled materials wherever possible;
- Individually metered suites allowing/encouraging each resident to monitor/limit their energy usage;
- All dwellings will be equipped with low emissivity windows to reduce heat loss and heat gain; thus reducing their energy bills and the loads on the grid during cooling season or as recommended by the final Noise Report/Acoustical consultant.
- The project will incorporate light fixtures which utilize energy efficient bulbs with refractor and cut-off shields to reduce energy consumption and minimize light pollution;
- Lights will be occupied with occupancy sensor in common areas to reduce electrical when not in use;
- Energy Recovery Ventilation (ERV's) in each suite for fresh air;
- Improve exterior air barrier to reduce air leakage;
- Meet energy model insulation values to make more efficient and comfortable for the buyer while ensuring affordability in the community;
- Exterior lights will include automated controls/photocell which will turn off when natural lighting is sufficient;
- Waste collection will comply with the City of Guelph's Waste Management By-law;
- More robust soft landscape materials will be utilized wherever possible;
- Trees will be planted to enhance tree canopy and eventually provide cooling to the surrounding properties and amenity areas as well as contribute to the overall urban forest canopy;

reidsheritagehomes.com

## Attachment 11 (continued):

### Community Energy Initiative Update Commitment

- An erosion and sediment control plan will be implemented on the site for the duration of the construction.

In addition, during construction, a construction waste management plan will be implemented and local materials will be sourced, where possible, in order to reduce the environmental impact on the transportation system. There are also a number of transit routes and multi-use trails serving the surrounding community along Gordon Street corridor which provide residents with alternative transportation options. We believe these measures will help contribute to the City's target to reduce transportation energy use.

With this in mind, we believe the proposed development continues to demonstrate Reid's Heritage commitment to building energy efficient homes and advancing sustainable building practices. We believe these measures will improve the energy system and transportation goals for the building and are aligned with the City's *Actions in the low-carbon pathway* goals. We would be happy to discuss further if you have any questions.

Regards,  
**Reid's Heritage Homes Ltd.**

Jennifer Mondell, MCIP, RPP  
Land Development Planner

reidsheritagehomes.com

## Attachment 12:

### Hydrogeology Peer Review



September 6, 2019  
Our Ref: 2018-0298

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

Attention: Mr. Michael Witmer  
Development Planner

Re: Peer Review of Scoped Hydrogeology Study and Functional Servicing  
Report for Proposed Zoning By-law Amendment (File ZC1710)

34 Lowes Road West and 1533 to 1557 Gordon Street, Guelph, Ontario  
– Second Submission

Dear Mr. Witmer,

Cole Engineering Group Ltd. (COLE) is pleased to provide the City of Guelph (City) with this letter that outlines the results of our Peer Review of the revised submission of the Scoped Hydrogeology Study and the Functional Servicing Report and accompanying data for the proposed condominium development at 34 Lowes Road West and 1533 to 1557 Gordon Street in Guelph, Ontario.

COLE's initial peer review was completed on a Scoped Hydrogeology Study prepared by Englobe in November 2017, and a Functional Servicing Report, prepared by Stantec in October 2017. The findings of COLE's peer review were provided in a letter to the City, dated October 19, 2018. These two reports were revised based on COLE's and the City's review comments and resubmitted in December 2018. COLE provided peer review comments regarding the December 2018 resubmission in a second letter to the City on April 10, 2019.

Englobe and Stantec provided response letters to the latest peer review comments to the City in July 2019. This letter provides our review comments to the latest correspondence from Englobe and Stantec, as follows:

- Englobe's July 15, 2019 Letter "Letter re: Response to Reviewers Comments, City of Guelph and Cole Engineering Group Ltd., 34 Lowes Road West and 1533 and 1557 Gordon Street, Guelph, Ontario".

**COLE ENGINEERING GROUP LTD.**

**HEAD OFFICE**

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## Attachment 12 (continued):

### Hydrogeology Peer Review

- Stantec's July 12, 2019 Letter "Response to Preliminary Comments – 1553 – 1557 Gordon Street and 34 Lowes Road West – Comment #4c (COLE Comments #11 and #12)".

The original comments from COLE's October 2018 and April 2019 letters are provided below. Any additional comments based on the COLE's review of the latest submission are provided as a third comment.

## **1 Peer Review Comments**

### **1.1 Hydrogeology Submissions**

1. A draft Site plan in the appendix would be useful for understanding the proposed development layout.  
  
This comment has been addressed in Englobe's December 2018 resubmission.
2. Two geologic logs in Figure 5 indicate fill at depth. Please provide clarification in Section 4.1 as to why there is fill interpreted to be at this depth.  
  
This comment has been addressed in Englobe's December 2018 resubmission.
3. The report makes reference to a long-term monitoring program that was completed for the duration of one year. The monitoring program started on June 27, 2017 and was not complete at the time of the report. Therefore, there is currently not a complete understanding of the seasonal high groundwater level at the site.  
  
This comment has been addressed in Englobe's December 2018 resubmission.
4. Infiltration tests should also be completed at soil horizons encountered within 1.5 m of the proposed bottom elevation of the infiltration facility, as outlined in the Toronto and Region Conservation Authority (TRCA) 2012 Low Impact Development (LID) stormwater management planning and design guide, Appendix C. In addition, a minimum of two tests per test pit are recommended. The least permeable soil horizon within 1.5 m of the base of the infiltration facility should also be used to determine a safety correction factor as outlined in the TRCA 2012 guidelines (Table C3). Based on the three infiltration tests completed to date, a safety factor of 3.5 may be more applicable, based on the TRCA 2012 method outlined in Table C3.



## Attachment 12 (continued):

### Hydrogeology Peer Review

The December 2018 resubmission indicated that additional infiltration tests have been completed within 1.5 m of the proposed bottom elevation of infiltration gallery and the results were discussed in Table 101. Please note that there are two tables labelled as Table 101, which should be corrected. Other than this editorial issue, this comment has been addressed in Englobe's December 2018 resubmission.

5. It is recognized that the methods used to determine groundwater mounding are accurate. However, groundwater mounding analysis should consider the total volume of runoff that will be directed to the infiltration facility instead of the amount of precipitation that will fall on the facility. It is recommended that the mounding analysis be recalculated using a recharge rate determined from the anticipated runoff volume directed to the facility.

Based on information provided in the December 2018 resubmission, the following COLE comment was provided: COLE understands that the response letter stated that a higher recharge (not only the precipitation over the foot print of the infiltration facility) was considered to calculate the groundwater mounding as a conservative approach. However, the methodology is not clear and was difficult to follow. A specific question is how the infiltration rate of 1.32 feet/day was derived for a 2-yr storm event. Does this rate account for roof runoff from each facilities' catchment? It appears as if only the facility footprint area was used in this calculation. It is assumed that the respective catchment areas provided in Table 8-1 for Facility 1 and Facility 2 would be recharging each facility but this should be clarified.

Clarification has been provided in the July 2019 resubmission. This comment has been addressed.

6. Groundwater mounding analysis used a high groundwater table value of 330.61 m above sea level (masl); however, it should be recognized that the highest groundwater level will likely occur in the spring and may be up to 1 m higher than that observed in June 2017. The implications of higher groundwater levels should be considered and ideally the calculations should be redone when the seasonally high water level from June 2017 to June 2018 is available. This is mentioned in the recommendations section of the report.

This has been addressed in the December 2018 resubmission. The highest water level was recorded in July 2017.



## Attachment 12 (continued):

### Hydrogeology Peer Review

7. A figure indicating the groundwater mounding zone of influence would be helpful in understanding the potential interference of mounding with nearby buildings.

Based on information provided in the December 2018 resubmission, the following COLE comment was provided: A figure has been provided in Appendix 4; however, the contour labels and the legend are illegible and should be fixed. Once clarified, the results with respect to nearby buildings should be reviewed to ensure there will not be potential basement flooding issues (e.g., the house immediately southwest of the Site).

A revised figure has been provided in the July 2019 resubmission and this comment has been addressed.

8. The pre-development water balance in Appendix 8 uses a soil moisture capacity of 45 mm in the table but the parameters listed indicate the soil moisture capacity should be 50 mm. This should be updated accordingly.

This comment has been addressed in the December 2018 resubmission.

9. It should be noted that the pre-development evapotranspiration, infiltration, and runoff values mentioned in Section 5.1.2 appear to only be for the impervious portion of the site. Based on the water balance presented in Appendix 8, the actual pre-development evapotranspiration, infiltration and runoff values are 457 mm/year, 275 mm/year and 183 mm/year, respectively. Similarly, Table 7 presents evaporation, infiltration and runoff values for only the pre-development pervious section of the site and it is unclear where the post-development values have come from. These sections should be updated appropriately (Sections 5.1.2 and 5.3).

This comment has been addressed in the revised report (Table 5) (December 2018 resubmission).

10. Clarification of the pond component of the post-development water balance should be provided as it is currently not mentioned within the text and it is unclear what this refers to.

Based on information provided in the December 2018 resubmission, it is understood that there are no ponds proposed for the post-development stormwater management system, therefore, this comment has been addressed.

## Attachment 12 (continued):

### Hydrogeology Peer Review

11. In addition to the annual water balance discussion, a discussion of the monthly changes to the water balance should also be provided as recommended by the Conservation Authority Guidelines for Hydrogeological Assessments (2013) in order to take into consideration short-term and seasonal scale changes in the water balance. Specifically, the noted changes in infiltration and runoff in April should be discussed in terms of the potential localized impacts to the hydrology of the nearby wetland.

Based on information provided in the December 2018 resubmission, the following COLE comment was provided: The monthly water balance has been provided in Appendix 8; however, no discussion regarding monthly differences between pre- and post-development was provided. For example, there appears to be a reduction in recharge in April in the post-development scenario. Is this significant?

Stantec clarified in the July 2019 resubmission that there is an expected recharge surplus for each month (including April) when the proposed infiltration practices are considered. This comment has been addressed.

12. Further discussion of the changes to the groundwater system and their impact to the nearby Hanlon Creek Wetland Complex would be beneficial to justify why any changes are acceptable.

Based on information provided in the December 2018 resubmission, the following COLE comment was provided: Discussion of potential impacts were provided in Section 6 of the report. The report stated that post development recharge rates would increase and runoff would decrease. This should result in additional groundwater discharge to streams and wetlands in the Hanlon Creek Wetland Complex.

Englobe indicated in the July 2019 resubmission, that the increase in recharge may result in an increase in flow in Hanlon Creek of 3.7 L/min, which is considered minor. Englobe calculated that this flow is approximately 0.08% of the 7Q20 flow of Hanlon Creek east of Highway 6.

The increase in recharge is acknowledged to be small and may result in a small increase in discharge to the smaller tributaries (D and E) feeding into the Hanlon Creek. COLE is of the opinion that this will not result in impacts to the natural environment.

## Attachment 12 (continued):

### Hydrogeology Peer Review

#### **1.2 Stantec 2017 Functional Servicing Report / Stormwater Management Design Brief / Report**

1. There is a minor typo on Table 3 of the SWM brief Peak Flow South to Neighbouring Property for existing conditions should flow it should be 0.001 m<sup>3</sup>/s as per the MIDUS output.

Based on information provided in the December 2018 resubmission, this has been addressed.

2. As the infiltration gallery is designed to infiltrate the 100 year storm event, to reduce the risk of potential localized high groundwater fluctuations that could cause instability to building foundations, it is recommended that opportunities to expand the footprint of the infiltration galleries with shallower depths be explored.

Based on information provided in the December 2018 resubmission, two infiltration galleries have now been proposed that are shallower than the original design. This comment has been addressed.

3. Page 5 of the SWM brief indicates required system volumes that do not match the MIDUS output. Please clarify and highlight on the MIDUS output the matching storage volumes.

The values have been clarified in the December 2018 resubmission. This comment has been addressed.

4. Indicate in the SWM brief the 2.5 safety factor used for the infiltration rate values.

The 2.5 safety factor has been added to the report in the December 2018 resubmission. This comment addressed.

5. An operation and maintenance manual for the infiltration galleries should be provided at detailed design.

Based on information provided in the December 2018 resubmission: An operation and maintenance manual for the infiltration galleries should be provided. This should be addressed at the detailed design stage for the future condominium development.

## Attachment 12 (continued):

### Hydrogeology Peer Review

6. The SWM brief should be updated accordingly to accommodate changes as a result of the Englobe 2017 Hydrogeology Report comments stated above.

A safety factor of 2.5 was indicated by Englobe and included in the Stantec SWM Brief in the December 2018 resubmission. The existing conditions soil moisture capacity is indicated at 50 mm however the calculations uses 36.5 mm.

This has been addressed.

Additional comments regarding the FSR report were provided by COLE following the December 2018 resubmission:

7. The calculations noted a Brentwood System while the FSR report noted a Stormtech System. The correct system to be used is to be included at detailed design with detail drawings and a stage storage output corresponding to the type of system being used.

This should be addressed at the detailed design stage.

8. At detailed design stage, the spacing of plantings and trees from the infiltration system should be included to ensure that root growth does not interfere or impede with the functionality of the storage system.

This should be addressed at the detailed design stage.

## 2 Closure

This Peer Review was prepared for the benefit of the City of Guelph. Our Peer Review findings are based on information provided in the referenced reports. We have assumed that the information presented is true and accurate. We cannot be held responsible for the Site conditions should they differ from those reported.

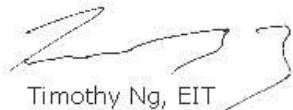
Yours sincerely,  
**Cole Engineering Group Ltd.**



Alireza Hejazi, Ph.D., P.Eng.  
Environmental Engineer  
Hydrogeologist



Steve Davies, M.Sc., P.Geo.  
Team Leader, Environmental Geoscience



Timothy Ng, EIT  
Water Resources Designer

## Attachment 13:

### Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Development Planning		√	Site Plan Approval Required; Subject to conditions in Attachment 3
Engineering*		√	Site Plan Approval Required; Subject to conditions in Attachment 3
Environmental Planning*	√		
Landscape Planning	√		
Urban Design*		√	Site Plan Approval Required
Parks Planning*		√	Subject to conditions in Attachment 3; Cash-in-lieu of parkland dedication will be required
Zoning	√		
Source Water Protection	√		
Guelph Transit	√		
Guelph Hydro/Alectra	√		
Upper Grand District School Board*		√	Subject to conditions in Attachment 3
Wellington Catholic District School Board	√		
Guelph Police Service	√		
Guelph Fire	√		
Grand River Conservation Authority	√		
Guelph Wellington Development Association	√		
Union Gas Ltd.	√		
Canada Post	√		

\* Indicates memo attached below.

## Attachment 13:

### Departmental and Agency Comments

# Internal Memo



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Date September 18, 2019

To **Michael Witmer**

From Jim Hall, P.Eng.

Service Area Infrastructure, Development and Enterprise Services

Department Engineering and Transportation Services

File Number 16.131.001

**Subject 34 Lowes Ave and 1533 to 1557 Gordon St.  
Zoning By-Law Amendment (ZC1710)**

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The application is for a Zoning By-law Amendment to rezone the subject site from the current R.1B (Residential Single Detached) Zone to a specialized R.4A (General Apartment Residential) Zone to permit the development of a six (6) storey, 86-unit apartment building. Each of the existing five (5) single detached dwellings on the subject site are proposed to be demolished to accommodate the apartment proposal.

The comments below are in response to the review of the following plans & reports:

#### Plans

- **Site Plan**, prepared by Martin Simmons Architects, Dated December 12, 2018
- **Preliminary Servicing Concept**, Drawing No. C-100, prepared by Stantec, Project No. 161413496, Revision 1 dated December 13, 2018
- **Preliminary Grading Concept**, Drawing No. C-400, prepared by Stantec, Project No. 161413496, Revision 1 dated December 13, 2018

#### Reports

- **Functional Servicing Report**, prepared by Stantec, File No. 1614-13496, dated December 2018 – Rev. 1

## Attachment 13:

### Departmental and Agency Comments

- **Revised Scoped Hydrogeology Study**, prepared by Englobe Corp., Reference No. 160-P-0011540-0-02-300 dated December 14, 2018
- **Appendix B – City of Guelph Site Screening Questionnaire for Identifying Potential Contamination At A Site**, prepared by Reid's Heritage Homes Ltd., dated December 14, 2018
- **Phase I Environmental Site Assessment**, prepared by MTE Consultants Inc., dated July 15, 2016.
- **Phase II Environmental Site Assessment**, prepared by MTE Consultants Inc., dated September 29, 2016.
- **Letter, Subject: "Letter of Reliance – Phase I and Phase II Environmental Site Assessment Reports"**, prepared by MTE Consultants Inc., File No. C41604-100, dated December 13, 2018
- **Letter, Subject: "Long-Term Monitoring"**, prepared by Englobe Corp., Reference No. 160-P-0011504-03-301-HD-L-0001-00 dated November 2, 2018
- **34 Lowes Road West & 1533-1577 Gordon Street, Guelph Traffic Impact Study**, prepared by Paradigm Transportation Solutions Limited, Project No. 170191, dated September 2017
- **34 Lowes Road West & 1533-1577 Gordon Street, Guelph Traffic Impact Study – Addendum**, prepared by Paradigm Transportation Solutions Limited, Project No. 170191, dated December 2018

### Comments

#### Road Infrastructure:

- Gordon Street abutting the subject property is currently a four (4) lane arterial road with asphalt pavement with curb and gutter and concrete sidewalk on the development side.
- Lowes Road West abutting the subject property is currently a two (2) lane local road with asphalt pavement with curb and gutter and concrete sidewalk on the development side, and a ditch system to manage stormwater on the north side of the road.

#### Source Water Protection:

Source Water Protection staff have reviewed the application and have no comments.

## **Attachment 13:**

### **Departmental and Agency Comments**

#### **Traffic Study, Access, Parking, and Transportation Demand Management (TDM):**

The Traffic Impact Study (September 2017) includes general background traffic growth and additional traffic from adjacent new developments including 1511 Gordon Street and 19-59 Lowes Road West. The traffic flows and sightlines have been addressed in the Traffic Impact Study (September 2017) and subsequent addendum (December 2018). The study found that the study area intersections are anticipated to continue to operate with satisfactory levels of services during peak hours with some adjustments to the signal timing plans at Gordon Street and Clairfields Drive.

The daylight triangle at the corner of Gordon Street and Lowes Road is adequate as per guidelines outlines in the 2017 Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads.

The centreline of the proposed site access on Lowes Road West must line up with the future access to 19-59 Lowes Road West site; please ensure this detail is provided as part of the complete first submission of the Site Plan Control application.

The recommendations in the Traffic Impact Study and the Urban Design Brief both provide good guidance on TDM-supportive measures to include in the development. Staff can work with the developer to identify potential bikeshare parking needs (noted in Urban Design Brief).

Please replace the old Cycling Master Plan network map with the updated ATN map. [http://guelph.ca/wp-content/uploads/ATT2\\_Map\\_CMPandATNNetwork.pdf](http://guelph.ca/wp-content/uploads/ATT2_Map_CMPandATNNetwork.pdf)

#### **Municipal Services:**

##### **Gordon Street**

Currently within the Gordon Street right-of-way are a 200mm diameter PVC Sanitary Sewer, a 400mm diameter ductile iron cement lined watermain, a 150mm diameter abandoned wastewater pressure main, and a 300mm diameter concrete storm sewer. Staff do not recommend connection to any of the municipal services within Gordon Street for this project.

##### **Lowes Road West**

The Lowes Road West right-of-way contains a 450mm diameter concrete sanitary sewer and a 150mm diameter ductile iron watermain.



## **Attachment 13:**

### **Departmental and Agency Comments**

#### **Servicing Capacity**

It has been confirmed that adequate sanitary and water capacities have been confirmed available to service the proposed development when connected to municipal services in Lowes Road West.

The Developer shall be advised that there is potential for marginal water supply pressures at the proposed development under certain conditions such as peak hour demand scenario at locations with elevation greater than 346 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 339 m height AMSL in the existing water system. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site is the responsibility of the Developer.

#### **Storm Water Management:**

The subject lands do not have access to a municipal storm sewer to service the proposed development. As such, the site has been designed to store and infiltrate the 100 year storm event. The infiltration that is proposed shall also provide water balance on-site, which closely mimics the predevelopment condition of the lands. The Functional Servicing Report (FSR) mentions the potential for on-site infiltration of clean roof runoff as well as the collection and polishing through a treatment train of the surface water flows. Geotechnical and permeameter testing of the soils has confirmed that the land and location of the proposed infiltration galleries should perform as advised.

The front portion of the site's stormwater drains uncontrolled and overland to Lowes Road West. Pre-development and post-development hydrologic analysis was completed and the proposed post-development peak flows to Lowes Road West are less than the pre-development flows for all storm events. The analysis shows a reduction from 0.02 m<sup>3</sup>/s to 0.002 m<sup>3</sup>/s for the more frequent minor storm events, and a reduction from 0.05 m<sup>3</sup>/s to 0.01 m<sup>3</sup>/s during the 100-year storm event. This indicates a significant reduction in stormwater flow to Lowes Road West post development.

The hydrogeological report has been peer reviewed by the consultant, Cole Engineering Group Ltd., and Engineering staff are relying on their feedback and comments for the development proposal in regards to any impacts or changes to the groundwater functions and how the proposed stormwater management mitigates these impacts. These comments can be found under separate cover.

Seasonal high ground water elevation investigations were on-going at the conclusion of engineering staff's review of the application. Sufficient data was provided to indicate the seasonal high ground water elevation, and additional monitoring was continuing. The site's preliminary design considers the ground

## **Attachment 13:**

### **Departmental and Agency Comments**

water elevation; design changes may be necessary if higher ground water elevation is found through the additional monitoring.

The Geotechnical Investigation Report needs to be updated as part of the Site Plan Control application submission, ensuring it includes the outcome of the complete ground water monitoring program in place for this site.

Oil-Grit Separator (OGS) unit sizing and selection shall be based on ETV Testing Certified units. Please note that typically, OGS units will not provide 80% TSS removal; see additional details in the City of Guelph Development Engineering Manual (DEM). Additional treatment may be necessary to meet targets, and additional review of the proposed system will be completed during Site Plan Control application submission.

The calculations noted a Brentwood System while the FSR report noted a Stormtech System. One system should be selected and be included in all relevant plans and reports submitted to support the Site Plan Control application, including detail drawings and a stage storage output corresponding to the type of system being used.

For the Site Plan Control application submission, the spacing of plantings and trees from the infiltration system should be included in appropriate plans/reports to ensure that root growth does not interfere or impede with the functionality of the storage system.

The cost of all the storm water management works and quality controls will be the responsibility of the owner. A grading, erosion/sedimentation control and servicing plan will also have to be submitted for review and approval as part of the site plan application. An operation and maintenance manual for the stormwater management system, including OGS unit(s) and infiltration galleries, shall also be provided as part of the Site Plan Control application submission.

#### **Environmental:**

The Phase I and II Environmental Site Assessments (ESAs) were conducted in accordance with the Canadian Standards Association (CSA) Z768-01 and Z768-00 format (as amended), respectively, as part of due diligence requirements (i.e. to identify actual or potential contamination) for a potential real estate transaction. City staff has reviewed the ESA and is satisfied that the report was conducted in manner consistent with all Acts, Regulations and Guidance documents, and has received and accepted a Letter of Reliance from a Qualified Person (QP).

The Owner is required to prepare the final documentation for the decommissioning of septic tanks and/or leaching beds, and submit them for our records and reference as part of the Site Plan Control application submission.

## **Attachment 13:**

### **Departmental and Agency Comments**

The Owner will also be required to ensure that all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned prior to site grading and servicing in accordance with current MOE regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer.

#### **Staff Recommendations**

##### **Zoning By-Law Amendment Application**

Engineering supports approval of the zoning by-law amendment application.

##### **Future Planning Approval Conditions**

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

1. The Owner shall apply to the City for site plan approval in accordance with Section 41 of The Planning Act. The application shall include submitting detailed site plan, indicating such items as proposed servicing, grading and drainage, erosion and sediment control, access, parking and traffic circulation of the General Manager/City Engineer. Such plans shall be certified by a Professional Engineer. All applications for a building permit shall be accompanied by a plan that shows that the proposed building, grading and drainage is in conformance with the approved overall drainage and grading plan.
2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer. The cost related to preparation and implementation of such studies, plans and reports shall be borne by the Owner.
  - A Stormwater Management Report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual". The report must be updated based on comments provided to date, and must address the quantity and quality of stormwater discharge and/or groundwater recharge from the site, demonstrate monthly water balance and show how the site will achieve a post-development groundwater recharge that is equal to

## Attachment 13:

### Departmental and Agency Comments

the pre-development recharge. It shall also include results of on-site permeameter testing and completed groundwater monitoring program data (minimum July 2017 – July 2019 or beyond) including the seasonal high groundwater elevation. The report shall also include a monitoring and maintenance program for the stormwater management facility.

- An updated Scoped Hydrogeology Study, updated based on comments prepared by Cole Engineering; the final peer review report prepared by Cole Engineering dated September 6, 2019 provides a summary of the comments.
  - A Geotechnical Investigation Report updated based on the above comments.
  - A Grading, Drainage and Servicing Plan prepared by a Professional Engineer for the site.
  - A Detailed Erosion and Sediment Control Plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
  - A Construction Traffic Access and Control Plan for all phases of servicing and building construction.
  - A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in all plans, studies and reports submitted.
  5. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks are to occur prior to site plan approval.
  6. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/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

## **Attachment 13:**

### **Departmental and Agency Comments**

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.

7. The Owner shall pay to the City the actual cost of the design and construction including the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to approval of the plans and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
8. The Owner shall grade, develop and maintain 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 Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
9. The Owner shall ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
10. Prior to demolition of the existing houses, the Owner shall locate the position of any existing sanitary sewer, storm sewer, water service laterals and septic systems serving the existing houses. The Owner shall be responsible for the entire cost of removing the existing service laterals from the said lands satisfactory to the City, and removal of any existing septic systems satisfactory to the City.
11. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
12. The Owner 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).
13. The Owner shall make satisfactory arrangements with Guelph Hydro/Alectra and phone and cable providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plant.


## **Attachment 13:**

### **Departmental and Agency Comments**

14. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
15. The Owner shall pay the estimated and the actual cost for decommissioning and removal of any services as determined by the General Manager/City Engineer.
16. The Owner shall provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through the site plan agreement.
17. The Owner shall provide assurance of proper operation and maintenance of the infiltration galleries through the site plan agreement.
18. The Owner agrees to maintain a log for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through the site plan agreement.
19. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.

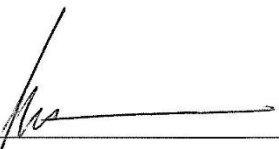
## Attachment 13:

### Departmental and Agency Comments



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Mary Angelo, P. Eng.  
Supervisor of Development Engineering



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Jim Hall, P.Eng.  
Development Infrastructure Engineer



## Attachment 13:

### Departmental and Agency Comments

# INTERNAL MEMO



DATE June 27, 2019

TO **Michael Witmer, Development Planner**

FROM Jason Elliott, Environmental Planner  
DIVISION Infrastructure, Development and Enterprise  
DEPARTMENT Planning and Building Services

**SUBJECT 1533-1557 Gordon St and 34 Lowes Road Zoning By-law  
Amendment ZC1710**

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#### Note to File

In October 2018, Environmental Planning deferred the review of tree issues to Landscape Planning and water resources to Development Engineering and Cole Engineering (peer review). In February 2019 this approach was confirmed by Environmental Planning based on a quick review of the second submission.

On April 10, 2019 Cole Engineering provided peer review comments on the second submission materials (Revised Scoped Hydrogeology Study and the Functional Servicing Report). Cole's Comment #12 indicated that, because post development recharge will increase, it could lead to increased groundwater discharge in the Hanlon Creek Provincially Significant Wetland Complex. Further, Cole indicated that "City staff should be aware that a feature based water balance has not been completed and it is possible that the potential increase in groundwater discharge may change the hydro period of the wetland complex". As such, development engineering informed Environmental Planning to make sure that we were aware of this potential issue.

As a result, Environmental Planning reviewed the Revised Scoped Hydrogeology Study (December 14, 2018) in consultation with Development Engineering to investigate the potential for hydrologic impacts to the wetland complex as a result of the proposed development. The study contains an assessment of the groundwater mounding that will occur as a result of the proposed infiltration galleries. Drawing 102 of the report indicates that approximately 1 m of mounding will occur in the vicinity of the infiltration galleries (during the 100 year event) but that this will dissipate to about 0.2 m by the west corner of the site at Lowes Road and to 0.1 m approximately 16 m further west (towards the wetland). The assessment area did not extend further west towards the wetland. Nevertheless, it is extremely unlikely that the groundwater mounding will extend to the wetland given the estimated rate of mounding decline and the fact that the wetland is located approximately 230 m away from the subject lands at its closest point.

As it is extremely unlikely that the groundwater mounding will extend to the wetland, it is also unlikely that groundwater levels in the wetland will raise as a result of the development. There is the potential for an increase in groundwater

## Attachment 13:

### Departmental and Agency Comments

Michael Witmer

June 27, 2019

**RE: 1533-1557 Gordon St and 34 Lowes Road Zoning By-law Amendment ZC1710**

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discharge in the wetland where/when the water table currently intersects the ground surface due to the increased infiltration on the subject lands and associated increase in hydraulic gradient. However, if it occurs, any increase in discharge is likely to be small overall and occur over a broad area. For these reasons, it is unlikely that the hydroperiod of the wetland would change enough to cause negative impacts. An increase in groundwater discharge into the tributary of Hanlon Creek located within the wetland would not be considered a negative impact.

Given the above, Environmental Planning has no concerns with the proposal to increase infiltration on the site and does not require a feature based water balance to be undertaken.

Please do not hesitate to contact me should you have any questions,



**Jason Elliott**

Environmental Planner

Infrastructure, Development and Enterprise

**Planning and Building Services**

Location: City Hall

519-822-1260 x 2563

[Jason.elliott@guelph.ca](mailto:Jason.elliott@guelph.ca)

C: Jim Hall – Development Engineer

File # ZC1710

## Attachment 13:

### Departmental and Agency Comments

# INTERNAL MEMO



DATE July 24, 2019  
TO **Michael Witmer, Planner III**  
FROM David de Groot, Senior Urban Designer  
DIVISION Planning Services  
DEPARTMENT Planning, Engineering & Building Services  
SUBJECT **1533 to 1557 Gordon Street and 34 Lowes Road West  
Urban Design Review**

Urban Design staff has reviewed the 1533 to 1557 Gordon Street and 34 Lowes Road West Urban Design Brief dated December 2018 and plans dated April 4, 2019 and have the following comments. The applicant has revised the plan and submitted a revised Urban Design Brief. Only conceptual information was provided without supporting technical information like grading. Therefore, these comments are provided at a high level.

#### **Background:**

Urban Design policies from the Official Plan were reviewed. Although completed after the submission of this application (i.e. April 9, 2018), the city of Guelph has completed Urban Design Concept Plans for the Gordon Street Intensification Corridor, which includes a concept plan that includes these properties. These articulate Official Plan policies and provide greater guidance through additional direction and illustration. In addition, the City approved the Built Form Standards for Mid-rise Buildings and Townhouses on April 9, 2018. The comments below also reflect the review of these documents.

#### **Urban Design Comments**

- Staff acknowledges that the applicant has been working with City Staff and that overall design of the concept plan have been refined and improved.
- Through this process, staff has concentrated on a number of key issues which have been positively addressed by the applicant including:
  - Reducing the length of the building from 98.5m to 81.9 m
  - Revising the location of the outdoor amenity area so that it is more centralized and connected to interior common amenity area.
  - Requiring a 6m setback along Gordon Street and Lowes Road.
  - Creating a rhythm of entrances along the ground floor against Gordon Street; and,
  - Shaping the building's top including meeting the angular plane requirements of the Zoning By-law.
- The Urban Design Brief prepared by GSP Group with Martin Simmons Architects includes a supporting shadow study. Based on this, staff agrees with their conclusion that the proposed development form has minimal shadowing impacts on surrounding properties and streetscapes. Staff is of the opinion that there will not be any unacceptable adverse impacts on adjacent properties or the adjacent streetscapes.

## Attachment 13:

### Departmental and Agency Comments

Michael Witmer, Planner III

July 24, 2019

**RE: 1533 to 1557 Gordon Street and 34 Lowes Road West - Urban Design Brief**

Page 2 of 2

- Generally Urban Design staff is supportive of the approach to the design of the site as outlined in the Urban Design Brief Urban Design Brief dated December 2018 and plans dated April 4, 2019.
- There are still some outstanding details identified through staff review that may require additional changes. Staff feels these can be addressed through the site plan process and further changes to the building design. These include:
  - As per the Townhouse and Midrise Built Form Standards (7.3.4), along Gordon Street, buildings are to be finished with prominently natural and durable materials such as stone and brick. Pre-cast panels or replica materials (such as pre-cast concrete panels made to look like brick/stone) should only be shown above the 3rd storey. Predominantly painted precast concrete along the ground floor will not be acceptable. Elevations will need to be revised/refined to reflect this direction.
  - Parking should not project into the required front yard setback along Lowes Road.
  - Design the parking lot design to allow for future connections to the southern properties.
- As part of the site plan process further detailed comments will be discussed including reviewing and finalization of building materials, landscaping materials and other site plan-level design elements will be completed through the site plan process. This includes:
  - Lighting fixtures.
  - Hardscape materials.
  - Building colours and materials.
  - Type and material of benches.
  - Green roofs will be strongly encouraged.
  - Type and location of bicycle parking.
  - Rooftop mechanical screening details.
  - As the development has more than 20 units, and more than 10 units have 3 or more bedrooms, a children's play area should be provided.
  - Garbage Storage and Pick Up. Public pick up on site needs to be developed in accordance with City Standards.
  - Staff will continue to encourage Low Impact Development Technologies that can be incorporated into the landscape and architecture.

Prepared By:

**David de Groot**

Senior Urban Designer

519.822.1260 ext. 2358

[David.deGroot@quelph.ca](mailto:David.deGroot@quelph.ca)

## Attachment 13:

### Departmental and Agency Comments

# INTERNAL MEMO



DATE September 27, 2019  
TO Michael Witmer  
FROM Jyoti Pathak  
DIVISION Parks and Recreation  
DEPARTMENT Public Services  
SUBJECT 1533-1557 Gordon Street and 34 Lowes Road West– Proposed Zoning By-Law Amendment (File # ZC1710)

Park Planning has reviewed the 'notice of resubmission' for the File: (ZC1710), dated January 2, 2019 and the following supporting documents for the Proposed Zoning By-Law Amendment

- Design Package – October 3, 2018
- Long Term Groundwater Monitoring – November 2, 2018
- Transportation Impact Study Addendum – December 4, 2018
- Tree Preservation Plan – December 12, 2018
- ESA Phase 1 and 2 Letter of Reliance – December 13, 2018
- Functional Servicing Report (REVISED) – December 13, 2018
- Hydro G Review Response Letter – December 14, 2018
- Response to Comments P.1 and P.2 ESA – December 13, 2018
- Site Screening Questionnaire – December 13, 2018
- SSQ Supporting Information – December 13, 2018
- Urban Design Brief (REVISED) – December 13, 2018
- Scoped Hydrogeology Study (Revised) – December 14, 2018
- Submission Cover Letter – December 14, 2018
- Site Plan – July 15, 2019

#### Subject Lands:

The subject site is approximately 0.86 hectares in size and is located on the southwest corner of the intersection of Gordon Street and Lowes Road West.

The most recent proposal received for the subject site includes development of a 6 story apartment building with 86 residential units at a net density of 100 units per hectare, common amenity space and 113 surface parking spaces.

#### Proposed Development:

The purpose of the proposed Zoning By-law Amendment application is to rezone the subject site from the current R.1B (Residential Single Detached) Zone to a specialized R.4A-? (General Apartment Residential) Zone to permit the development of a six (6) storey, 86 unit apartment building. Each of the existing five (5) single detached dwellings on the subject site are proposed to be demolished to accommodate the apartment proposal.

## Attachment 13:

### Departmental and Agency Comments

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The most recent proposal received for the subject site includes development of a 6 storey apartment building with 86 residential units at a net density of 100 units per hectare, common amenity space and 113 surface parking spaces.

Park Planning offers the following comments:

**Zoning Bylaw Amendment:**

Park Planning has no objection to the proposed Zoning By-Law Amendment to rezone the subject site from the current R.1B (Residential Single Detached) Zone to a specialized R.4A-? (General Apartment Residential) Zone to permit the development of a six (6) storey, 86 unit apartment building subject to the conditions outlined below:

**Parkland Dedication:**

The current residential development proposal includes development of a mid-rise six (6) storey, 86 unit apartment building on the subject site with an area of 0.86 ha at a density of 100 units per hectare.

Park Planning recommends payment in lieu of conveyance of parkland for the proposed development. Conveyance of parkland isn't recommended for the subject development as the application of the rate of conveyance of parkland at 30% of the development land would render the remaining portion of the development site impractical for development due to the small site area, less than a hectare.

Payment of money-in-lieu of parkland conveyance shall be required pursuant to s. 42 of the *Planning Act*, and in accordance with City of Guelph By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof. The calculation of the parkland dedication rate will depend on the details of the approved development and rate in effect at the time of the issuance of the first building permit.

**Conditions of Development:**

Park Planning recommends the following development approval conditions:

1. The Developer shall be responsible for a payment in lieu of parkland conveyance for the entire development, in accordance with the City of Guelph Parkland Dedication By-Law 2019 - (20366) as amended by the By-Law 2019 - (20380) or any successor thereof prior to issuance of any building permits.
2. Prior to Site Plan approval, the Owner shall provide a long form appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount of payment in-lieu of parkland conveyance pursuant to s.42 of the Planning Act, to the satisfaction of the Deputy CAO of Public Services. The value of the land shall be determined as of the day before the day the first building permit is issued. The long form appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of City in accordance with the Parkland Dedication Bylaw. Notwithstanding the foregoing, if the appraisal provided by the applicant is not satisfactory to the City, acting reasonably, the City reserves the right to obtain an independent appraisal for the purposes of calculating the payment in-lieu of parkland conveyance.

## Attachment 13:

### Departmental and Agency Comments

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**Summary:**

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, Park Planning supports the proposed changes subject to the conditions outlined above.

Regards,

**Jyoti Pathak**, Park Planner  
Parks and Recreation, **Public Services**  
T 519-822-1260 extension 2431  
E [jyoti.pathak@guelph.ca](mailto:jyoti.pathak@guelph.ca)



## Attachment 13:

### Departmental and Agency Comments



**UPPER GRAND  
DISTRICT SCHOOL  
BOARD**

**Jennifer Passy BES, MCIP, RPP**

*Manager of Planning*

Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2

Email: [jennifer.passy@ugdsb.on.ca](mailto:jennifer.passy@ugdsb.on.ca)

Tel: 519-822-4420 ext. 820 or Toll Free: 1-800-321-4025

January 17, 2019

REC-1

PLN: 19-003

File Code: R14

Sent by: mail & email

JAN 21 2019

IDE

Michael Witmer  
Senior Development Planner  
City of Guelph  
1 Carden Street  
Guelph, Ontario N1H 3A1

Dear Mr. Witmer;

Re: ZC1710

1533-1557 Gordon Street and 34 Lowes Street, Guelph

Planning staff at the Upper Grand District School Board has received the Notice of Resubmission for the above noted development. Be advised that the Planning Department has no concerns with the resubmission. The board's original conditions submitted February 22, 2018 (listed below) remain applicable.

- Education Development Charges shall be collected prior to the issuance of a building permit
- Adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point
- The developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developers expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents of schools in the area.
- The developer agrees 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:

*"In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."*

Should you require additional information, please feel free to contact me.

Sincerely,  
Upper Grand District School Board

Jennifer Passy, BES, MCIP, RPP  
Manager of Planning

#### Upper Grand District School Board

• Linda Busuttill; Chair  
• Mike Foley

• Mark Bailey; Vice-Chair  
• Barbara Lustgarten Evoy

• Jolly Bedi  
• Martha MacNeil

• Gail Campbell  
• Robin Ross

• Jen Edwards  
• Lynn Topping



## Attachment 13:

### Departmental and Agency Comments



January 22, 2019

Mr. Michael Witmer  
Development Planner  
Planning and Building Services  
Infrastructure, Development and Enterprise  
City of Guelph  
1 Carden Street  
GUELPH, Ontario  
N1H 3A1

Dear Mr. Witmer:

**Re: 1533-1557 Gordon Street - Proposed Zoning By-law Amendment (File # ZC1710)**

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The Guelph and Wellington Development Association is in receipt of the Notice of Resubmission dated January 2, 2019 for the above-noted proposal.

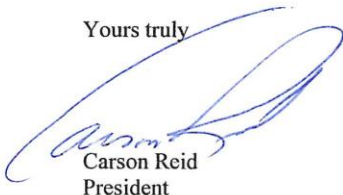
The revised submission continues to propose the development of a six storey, 102 unit apartment building. The Guelph and Wellington Development Association supports this application and our comments submitted in January 2018 remain unchanged.

The site is located along the Gordon Street corridor being a major arterial road, transit route and an area of the City where intensification is promoted through the Official Plan policies. The design of the project proposes reasonable setbacks to adjacent residential dwellings, while creating an attractive streetscape along Gordon Street. The site specific regulations are appropriate and will result in a development that optimizes the use of land within the Built Boundary of the City.

We view this proposal as an appropriate form of residential intensification and is consistent with the principles established in the Growth Plan, as well as the Provincial Policy Statement and the City's Official Plan.

We encourage staff to expedite the processing of this file.

Yours truly



Carson Reid  
President

Guelph Wellington Development Association | 301-100 Stone Road West | Guelph | Ontario | N1G 5L3

## **Attachment 14:**

### **Public Notification Summary**

November 22, 2017	Zoning By-law Amendment Application received by the City of Guelph
December 21, 2017	Zoning By-law Amendment Application deemed complete
January 4, 2018	Notice sign for Zoning By-law Amendment placed on property
January 5, 2018	Notice of Complete Application and Public Meeting for Zoning By-law Amendment mailed to prescribed Agencies, City departments and surrounding property owners within 120 metres
February 22, 2018	Notice of Public Meeting for Zoning By-law Amendment advertised in the Guelph Mercury Tribune
March 19, 2018	Statutory Public Meeting of Council for Zoning By-law Amendment
December 14, 2018	Revised Zoning By-law Amendment received by the City of Guelph
January 22, 2019	Neighbourhood Information Meeting at City Hall
April 9, 2019	On-site meeting and neighbourhood walk about with City staff, area residents, developer and consultants
September 27, 2019	Notice of Decision Meeting sent to parties that commented or requested notice
October 16, 2019	City Council Meeting to consider staff recommendation

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Wednesday, October 16, 2019
Subject	<b>Request for an Extension of Draft Plan Approval Victoria Park Village Subdivision 1159 Victoria Road South File: 23T-07506 Ward 6</b>
Report Number	IDE-2019-98

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## Recommendation

1. That in accordance with Section 51(33) of the Planning Act, the application by Victoria Park Village Limited for an extension to the Victoria Park Village Draft Plan of Subdivision (23T-07506), municipally known as 1159 Victoria Road South be approved with a three (3) year lapsing date to November 22, 2022, subject to the original draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order, issued on November 22, 2013 contained in Attachment 4 of Infrastructure, Development and Enterprise Services Report 2019-98, dated October 16, 2019.
  2. That in accordance with Section 51(45) of the Planning Act, administrative and technical revisions have been made to draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order, issued on November 22, 2013 to update standard wording and new service area names and staff titles, update By-law numbers and allow transition to the City's assumption model.
  3. That in accordance with Section 51(47) of the Planning Act, City Council has determined that no public notice is required as changes to the draft plan conditions are administrative and technical in nature and are therefore considered to be minor.
- 

## Executive Summary

### Purpose of Report

This report provides a staff recommendation to grant a three (3) year extension of draft plan approved subdivision 23T-07506.

### Key Findings

Planning staff support the request for an extension of draft plan approval subject to administrative and technical amendments to the draft plan conditions approved by the former Ontario Municipal Board.

## **Financial Implications**

None arising from this report.

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## **Report**

### **Background**

The subject lands are located on the west side of Victoria Road South, between Stone Road East and Arkell Road. The subject lands were formally known as the Victoria West Golf Course lands and the whole subdivision development is referred to as Victoria Park Village (VPV). The subject lands have a total area of 39.3 hectares. The Location Map and Orthophoto can be found in Attachment 1 and Attachment 2 to this report.

The subject lands originally received draft plan of subdivision approval on January 14, 2011 and the related Zoning By-law Amendment was approved on February 28, 2011. The original draft approved plan of subdivision proposed a total of 489 dwelling units.

Since the original draft plan approval, the lands were sold to Victoria Park Village Limited. Victoria Park Village Limited requested red-lined 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 on a private road and revised lot design to accommodate refinements to the proposed storm water management system. The applications for red-lined revision and Zoning By-law amendment were deemed complete on July 9, 2012. On November 29, 2012, Victoria Park Village Limited appealed the applications to the former Ontario Municipal Board (OMB) for non-decision as set out in the Planning Act. The original appeal included the proposed red-lined subdivision plan, the proposed Zoning By-law amendment and also draft plan conditions.

At the OMB Hearing, the Board accepted an agreement between the Parties and approved the draft plan conditions and the red-lined draft plan of subdivision for a period of three (3) years. Final approval of the plan of subdivision (registration) remains with the City.

The owner requested a three (3) year extension in 2016 to draft plan approval, which was approved by Council on September 12, 2016. Since the subdivision will lapse on November 22, 2019, the owner is requesting a three (3) year extension to November 22, 2022.

Phase 1A of the subdivision was registered as 61M-217 on June 19, 2017 and included an open space block, stormwater management block and a block zoned for townhouses, which is currently being developed with 98 townhouse units.

In the event the draft plan approval is not extended beyond November 22, 2019, the subdivision will lapse and there will be no planning approvals in place for the subdivision.

### **Existing Official Plan Designations**

The application to red-line the Draft Approved Plan of Subdivision and application to amend the Zoning By-law were received in 2012 and therefore were evaluated against the Greenlands system policies of the Official Plan. The existing Official Plan land use designations that apply to the subject lands are "Low Density

Greenfield Residential” and “Significant Natural Areas and Natural Areas” as shown in Attachment 5 and includes Official Plan Amendment #42 (OPA 42), the City’s new Natural Heritage System land use designations.

## **Existing Zoning**

In November 2013, the Zoning By-law amendment appeal was allowed in part and the former OMB approved zoning for the majority of the subdivision except for three (3) multi-residential blocks. Zoning for two (2) of the remaining three (3) blocks was approved by the Board through a settlement in May 2016. Zoning for the subject lands permits a range of residential zones that permit single detached, semi-detached, townhouse and multiple residential units. There is also a park block, which is zoned “Neighbourhood Park” (P.2). The wetlands and environmental features associated with the Torrance Creek are zoned “Wetland” (WL) and the lands associated with stormwater management and associated setbacks and buffers are zoned “Conservation Land” (P.1). The existing zoning can be found in Attachment 6.

## **Recommendation**

Staff are recommending approval of the draft plan extension, subject to the draft plan conditions outlined in Attachment 4. The requested draft plan extension is supported on the basis that the plan remains an appropriate subdivision that will contribute towards meeting the intensification targets within the Greenfield Area as per “Places to Grow” policy. The draft plan continues to conform to the land use policies of the Official Plan and represents a low-rise residential development that is considered compatible with the surrounding neighbourhood in terms of its scale, intensity and design.

Planning staff support the request to extend draft plan approval with a 3 year lapsing date.

## **Departmental and Agency Consultation**

The Planning Act does not require a circulation to agencies for an extension of draft plan approval. The following internal City Departments/Divisions were circulated for input: Engineering, Environmental Planning and Parks Planning.

The conditions of draft plan approval included in Attachment 4 that apply to the subject lands remain relevant and include all of the same conditions approved by the former OMB with administrative and technical revisions made to update standard wording and new service area names and staff titles.

The following change has been made to condition 1 to increase the road widths of roads 4 and 8 as shown on the draft plan from 15 metres to 17 metres to accommodate infrastructure:

1. That this approval applies to the draft plan of subdivision prepared by Metropolitan Consulting Inc., Drawing 1 dated November 13, 2013, and draft approved by the Ontario Municipal Board on November 22, 2013, **with the exception of the width of Road Number 4 and Road Number 8, which shall both be 17 metres wide.**

The following changes have been made to conditions 6 and 18 to allow transition to the construction of subdivision municipal services under the City’s assumption model.

6. The Developer shall enter into an Engineering Services Agreement with the City, satisfactory to the City Engineer, **if required by the City Engineer.**
18. That 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 services within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including, **but not limited to,** such works as **lot grading and drainage,** 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 will also include a share of the costs of the future reconstruction of Victoria Road South as well as any traffic lanes, signals or signage on Victoria Road South required to accommodate this development, as determined by the City Engineer. In addition, the Developer will be required to pay the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, storm water management facilities, watermains and emergency accesses.

Added wording: "Prior to commencing construction, the Developer shall enter into a subdivision agreement with the City. The subdivision agreement shall, among other matters, require the Developer to post securities in a format approved by the City, in an amount of 100% of the estimated cost of constructing the municipal services to the satisfaction of the City. The Developer shall have a Professional Engineer administer the construction contract up to the end of the warrantee period and shall maintain the municipal services to the satisfaction of the City until assumption. Engineering, inspection and review fees will be collected based on the estimated cost of constructing the municipal services."

The conditions of draft plan approval included in Attachment 4 that apply to the subject lands remain relevant and include all of the same conditions approved by the former Ontario Municipal Board with administrative and technical revisions made to update standard wording and new service area names and staff titles. These revisions are considered to be minor and, therefore, no further notice under the Planning Act is required in accordance with Section 51(47) of the Planning Act.

### **Financial Implications**

None arising from this report.

### **Attachments**

Attachment 1 Location Map

Attachment 2 Orthophoto

Attachment 3 Draft Approved Plan of Subdivision

Attachment 4 Conditions of Draft Plan Approval

Attachment 5 Official Plan Land Use Designations

Attachment 6 Existing Zoning

### **Departmental Approval**

Not applicable.

**Report Author**

Lindsay Sulatycki, MCIP, RPP  
Senior Development Planner



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**Approved By**

Todd Salter, MCIP, RPP  
General Manager, Planning and  
Building Services  
Infrastructure, Development and  
Enterprise Services  
519 822 1260 extension 2395  
todd.salter@guelph.ca

**Approved By**

Chris DeVriendt, MCIP, RPP  
Manager of Development Planning

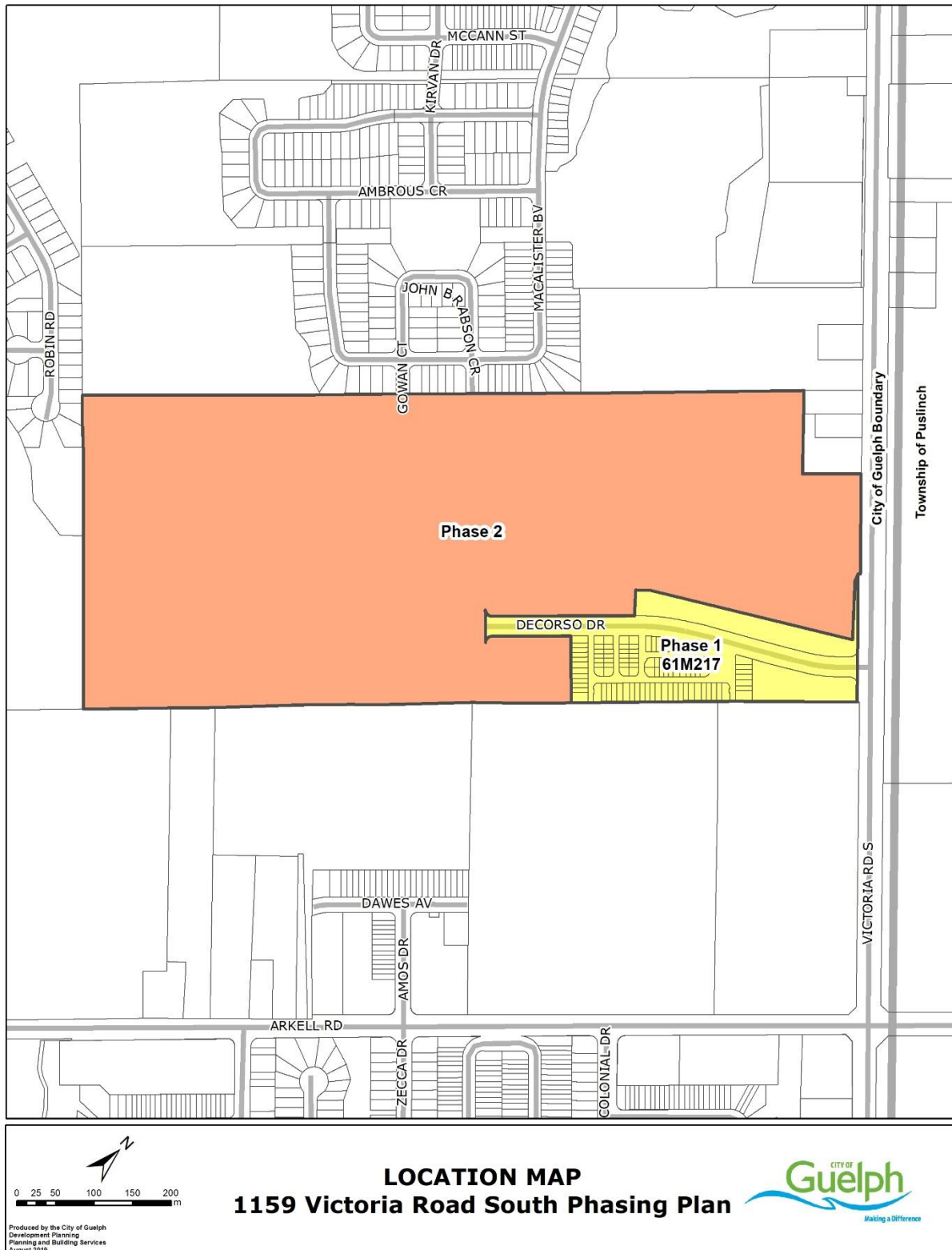


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**Recommended By**

Kealy Dedman, P. Eng., MPA  
Deputy Chief Administrative Officer  
Infrastructure, Development and  
Enterprise Services  
519 822 1260, extension 2248  
kealy.dedman@guelph.ca

## Attachment 1 – Location Map





## Attachment 2 - Orthophoto



[illegible]



## **Attachment 4 – Conditions of Draft Plan Approval**

1. That this approval applies to the draft plan of subdivision prepared by Metropolitan Consulting Inc., Drawing 1 dated November 13, 2013, and draft approved by the Ontario Municipal Board on November 22, 2013, with the exception of the width of Road Number 4 and Road Number 8, which shall both be 17 metres wide.

### **Conditions to be met prior to grading and site alteration**

2. The Developer shall complete a tree inventory and conservation plan, satisfactory to the City Engineer in accordance with City of Guelph By-law (2010)-19058 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 (2016)-20097 to the satisfaction of the City Engineer and the GRCA.
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.
6. The Developer shall enter into an Engineering Services Agreement with the City, satisfactory to the City Engineer, if required by 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 and the GRCA.
9. The Developer shall provide a qualified environmental inspector, satisfactory to the General Manager of Planning and Building 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. The environmental inspector shall report on their findings to the City as recommended by the Environmental Impact Study.
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. Prior to any grading, site alteration or execution of the subdivision agreement, the Developer shall satisfy the City with respect to managing the expected high groundwater conditions. The Developer is advised that basements and underground parking may not be permitted in this development.

11. The Developer shall prepare an Environmental Implementation Report (EIR) to the satisfaction of the City's General Manager of Planning and Building Services and the Grand River Conservation Authority (GRCA). The EIR shall be comprehensive and integrate information from other disciplines including hydrogeology, geomorphology, ecology, and hydrology/stormwater management. The EIR will include a monitoring program to assess the performance of the storm water management facilities, the effectiveness of mitigation measures recommended to protect the ecological functions of Pond A as well as a monitoring and adaptive management plan for the natural channel design. It shall address the information and implementation process for providing details to the homeowners concerning the storm sewer and storm water management process. The EIR shall also address the recommendations from the EIS Addendum dated July 25, 2013, the comments outlined in the EAC resolution dated August 21, 2013, the GRCA letter dated February 9, 2010 and the City staff comments dated August 9, 2013. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
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 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 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.

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

15. The Developer shall make arrangements, satisfactory to the City Engineer, concerning the scheduling of the development and the developers payment of costs for services for the subdivision.
16. The Developer shall have engineering drawings and final reports prepared for the approval of the City Engineer.

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. That 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 services within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including, but not limited to, such works as lot grading and drainage, 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 will also include a share of the costs of the future reconstruction of Victoria Road South as well as any traffic lanes, signals or signage on Victoria Road South required to accommodate this development, as determined by the City Engineer. In addition, the Developer will be required to pay the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, storm water management facilities, watermains and emergency accesses. Prior to commencing construction, the Developer shall enter into a subdivision agreement with the City. The subdivision agreement shall, among other matters, require the Developer to post securities in a format approved by the City, in an amount of 100% of the estimated cost of constructing the municipal services to the satisfaction of the City. The Developer shall have a Professional Engineer administer the construction contract up to the end of the warrantee period and shall maintain the municipal services to the satisfaction of the City until assumption. Engineering, inspection and review fees will be collected based on the estimated cost of constructing the municipal services.
19. The Developer shall be responsible for all costs associated with the design and construction of the entire primary north-south trail connection in Storm Water Management Blocks 143, 144 and Open Space Block 137 between Street No. 2 and Street No.6 ("PTC"). This shall include (1) obtaining any required permits, (2) submitting any required drawings for approval, (3) the submission of construction documents by a Professional Engineer, an OALA full member, and any other professionals as required for approvals; and (4) the cost of construction of all required components of the PTC, all to the satisfaction of the City. Prior to the execution of the Phase 1 subdivision agreement, the Developer shall, to the satisfaction of the City, complete the design of the PTC, and provide the City with cash or letter of credit to cover a portion of the costs of the City approved estimate, based on the City approved estimate for the construction of the PTC. Prior to the execution of subsequent subdivision agreement(s), the Developer shall, to the satisfaction of the City, provide the City with cash or letter of credit to cover the cost for construction of the remainder of the PTC. The PTC shall be completely constructed and operational by the time the last of the two roadways to which it connects are both constructed.
20. That 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 shall pay to the

City the cost of all municipal services within and abutting the proposed subdivision, which comprise the existing watermain, gravity sanitary sewer and road reconstruction on Victoria Road South, as determined by the City Engineer.

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

21. The Developer shall submit an updated Traffic Impact Study to the satisfaction of the City Engineer and the Developer shall implement to the satisfaction of the City Engineer the recommendations of the Traffic Impact Study undertaken for this subdivision and approved by the City Engineer.
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 pay to the City the flat rate charge established by the City per metre of road frontage to be applied to street tree planting within the proposed subdivision.
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 site plans for all corner building lots, as determined by the City, shall be submitted to the City for approval of driveway location.
27. 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.
28. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such phasing shall conform to the current Development Priorities Plan.
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 Deputy CAO of Public 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 Deputy CAO of Public Services.
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 the warrantee period completed by a Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public 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 Deputy CAO of Public Services.

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

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 General Manager of Planning and Building Services and Deputy CAO of Public 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 Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public 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 Deputy CAO of Public Services.
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 Deputy CAO of Public 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 Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services and the City Engineer.
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 obtaining a GRCA permit, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Deputy CAO of Public Services 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 Deputy CAO of Public Services and the City Engineer.
34. The Developer agrees to provide temporary signage describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of Park Block 133 and storm water management Block 144, and entrance/exits of trails, to the satisfaction of the General Manager of Planning and Building Services and the Deputy CAO of Public Services. The signage shall:
  - a) advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
  - b) clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
  - c) clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to both Developer and the City. 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. The Developer further agrees that the proposed Park Block, Open Space Block, trails and fencing be identified on any marketing or promotional material.

35. The Developer shall provide Planning 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.

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

36. 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.
37. 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.
38. That the Developer deeds to the City any lands required by the City for Storm Water Management Facilities and Open Space including Blocks 134, 135, 136, 143, 144 and 137 inclusive. Furthermore, the Developer shall demarcate the boundaries of any lands conveyed to the City in accordance with the policies of the City.
39. The Developer shall dedicate Block 133 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.
40. 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 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, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.
41. 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.

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

- 42. That the Developer shall at its expense implement and address all recommendations contained in the latest 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.
- 43. 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.
- 44. 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 Developer 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 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".
  - d) "Purchasers and/or tenants of all lots or units located in the subdivision plan are advised that the Stormwater Management Blocks have 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."
  - e) "Purchasers and/or tenants of all lots are advised that the Open Space Block 137 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.”
- f) “Purchasers and/or tenants of all lots are advised that the Park Block 133 has been designed for active public use and may include sports fields, playgrounds, trails and other park amenities. Be advised that the City may not carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions.”
  - g) “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.”
  - h) “Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Streets 1, 2 and 9 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.”
  - i) “Purchasers and/or tenants of all lots or units adjacent to Victoria Road are advised that Victoria Road may be used as a permitted truck route.”
  - j) “Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City”.
  - k) “Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into any Open Space or Storm water Management Blocks”.
  - l) “Purchasers and/or tenants of all lots or units are advised that public trails will be installed throughout and around the plan of subdivision and that public access to this trail will occur on a year around basis.”
  - m) “Purchasers and/or tenants of all lots or units are advised that the lands adjacent to this subdivision is being actively farmed which includes activities such as herbicide application, planting and harvesting of various crops which may affect the living environment of residents living in close proximity to the farming operations.”
  - n) “Purchasers and/or tenants of all lots or units are advised that a primary north-south trail connection will be installed or exists in Stormwater Management Blocks 143 and 144 and Open Space Block 137 and that public access to this trail will occur between Lots 15 and 16 and Lots 114 and 115. Be advised that this primary trail is a multi-purpose pathway intended for forms of transportation such as walking, cycling, in-line skating, skateboarding, scooters, personal mobility devices and possibly electric bicycles. Public access and periodic maintenance on this trail will occur on a year around basis.”
45. That the road allowances included in the draft plan and the Victoria Road widening identified in the City’s Official 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

exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.

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

46. That all easements, blocks and rights-of-way required within or adjacent to the proposed subdivision are 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.
47. The Developer shall pay any outstanding debts owed to the City.
48. The Developer shall pay development charges to the City in accordance with By-law Number (2019) - 20372, 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.
49. The Developer shall erect and maintain signs at specified entrances to the subdivision showing the proposed land uses and zoning of all the 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". Further, the signs shall be resistant to weathering and vandalism.
50. 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.
51. 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.
52. 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.
53. 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.
54. 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 and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

55. The Developer shall include a restrictive covenant to be registered on title to lots yet to be identified, whereby the owner agrees and acknowledges that the stormwater infiltration galleries shall not be damaged, removed, blocked, diverted or interfered with in any manner. Furthermore, the Developer shall place a notice in all offers of purchase and sale for those lots advising the purchasers that there is a stormwater infiltration gallery across the rear of the lot and furthermore, that the stormwater infiltration gallery shall not be damaged, removed, blocked, diverted or interfered with in any manner.
56. The owner shall pay the cost of erecting a 1.5 metre high chain link fence along the south property line between Victoria Road and the west corner of Lot 44. The owner shall also erect 'No Trespassing – Private Property' signage along the new fence to the satisfaction of the City.

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

57. 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.
58. 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.
59. All Stage 1 Services are to be constructed to the satisfaction of the City Engineer.
60. 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.

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

61. Prior to the issuance of site plan approval, the Owner's solicitor shall provide the City with written confirmation that the energy efficiency commitments outlined in the Country Green letter dated October 25, 2012 (Revised) to support the Community Energy Initiative, will be implemented during development of the residential subdivision, to the satisfaction of the General Manager of Planning and Building Services.
62. The Developer shall submit a final Noise Impact Report, if necessary, to the satisfaction of the General Manager of Planning and Building Services. The

report shall describe adjacent land uses, which are potential generators of excessive noise and the means whereby their impacts will be reduced to acceptable levels. Emphasis shall be placed on Victoria Road traffic noise levels. The Developer shall implement the recommendations of the approved report to the satisfaction of the City.

### **Agency Conditions:**

63. 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).
64. 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 63.
  - b) The maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction.
65. 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.
66. The Primary Trail Connection (PTC) on the subject property shall be designed and constructed by the Developer to provide safe, year-round, convenient access, to the satisfaction of the City and the Upper Grand District School Board.
  - a) 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:

“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."

- b) That the Developer agrees in the subdivision agreement to advise all purchasers of residential units and/or renters of same located south of the stream corridor Block 137, by inserting the following clause in all offers of Purchase and Sale/Lease, as follows:

"Whereas these lands lie south of the stream corridor (Block 137), a trail will be designed and constructed to facilitate a connection to the proposed elementary school located at the intersection of Zaduk Place and McCann Street."

67. 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.
68. 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.
69. 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.
70. 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.
71. 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.
72. The developer agrees that Lots 112 to 129, inclusive, are not to be registered until servicing is available and Street 6 and 7 can be connected to streets in the adjacent subdivision to the north, to the satisfaction of the City Engineer. The developer further agrees that the City may need to temporarily hold lots 50, 83 and 111 until Street 9 and Street 10 are extended to the south unless Streets 9 and 10 can be completed to the satisfaction of the City Engineer.

**Notes:**

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 46, 51, 60 and 65 have been satisfied.

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 11, 42, 63 and 63 have been satisfied.

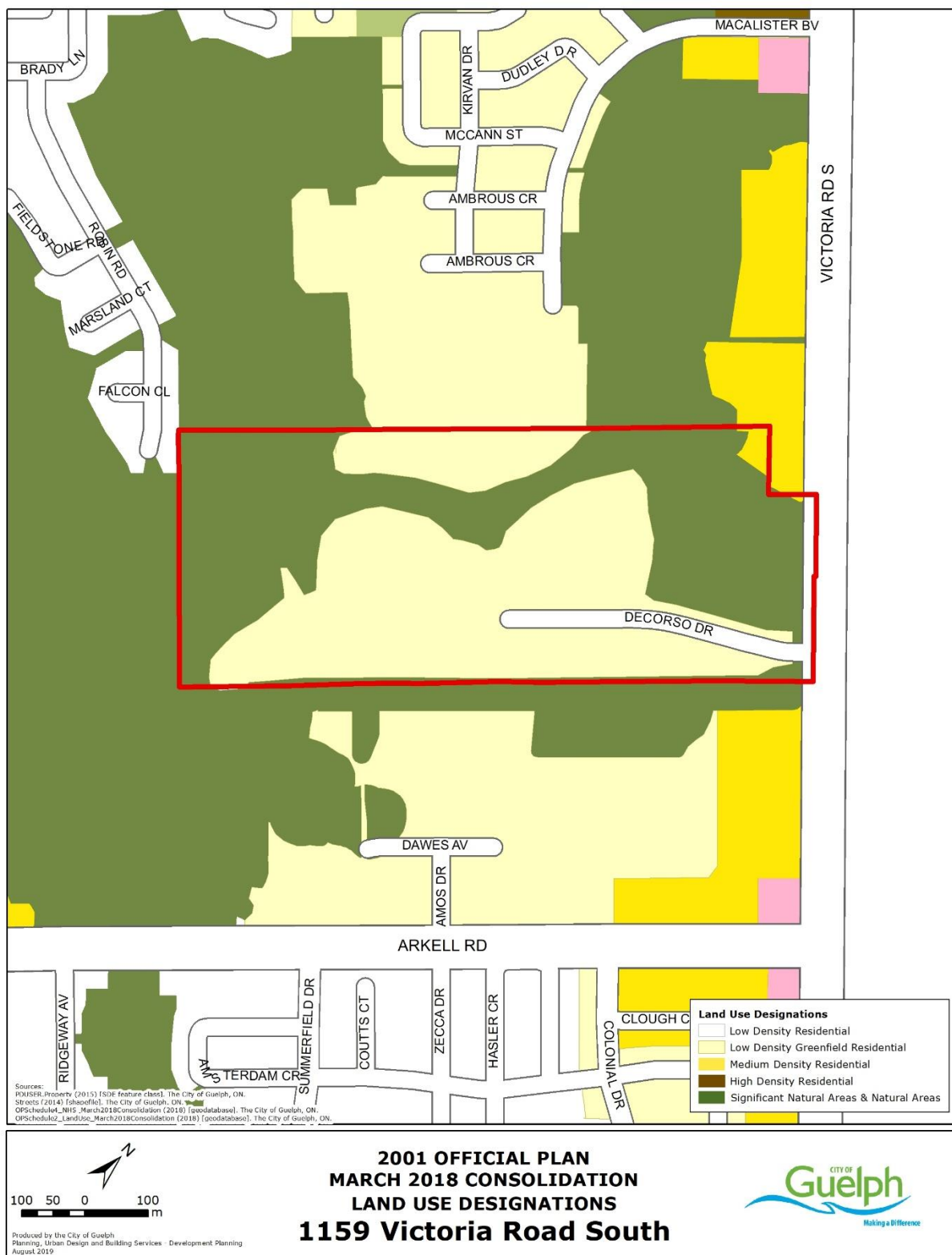
That prior to the registration of all or any portion of the plan, Upper Grand District School Board shall advise the City in writing how conditions 48, 66-68 have been satisfied.

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 48 and 69 has been satisfied.

That prior to the registration of all or any portion of the plan, Canada Post shall advise the City in writing how condition 71 has been satisfied.

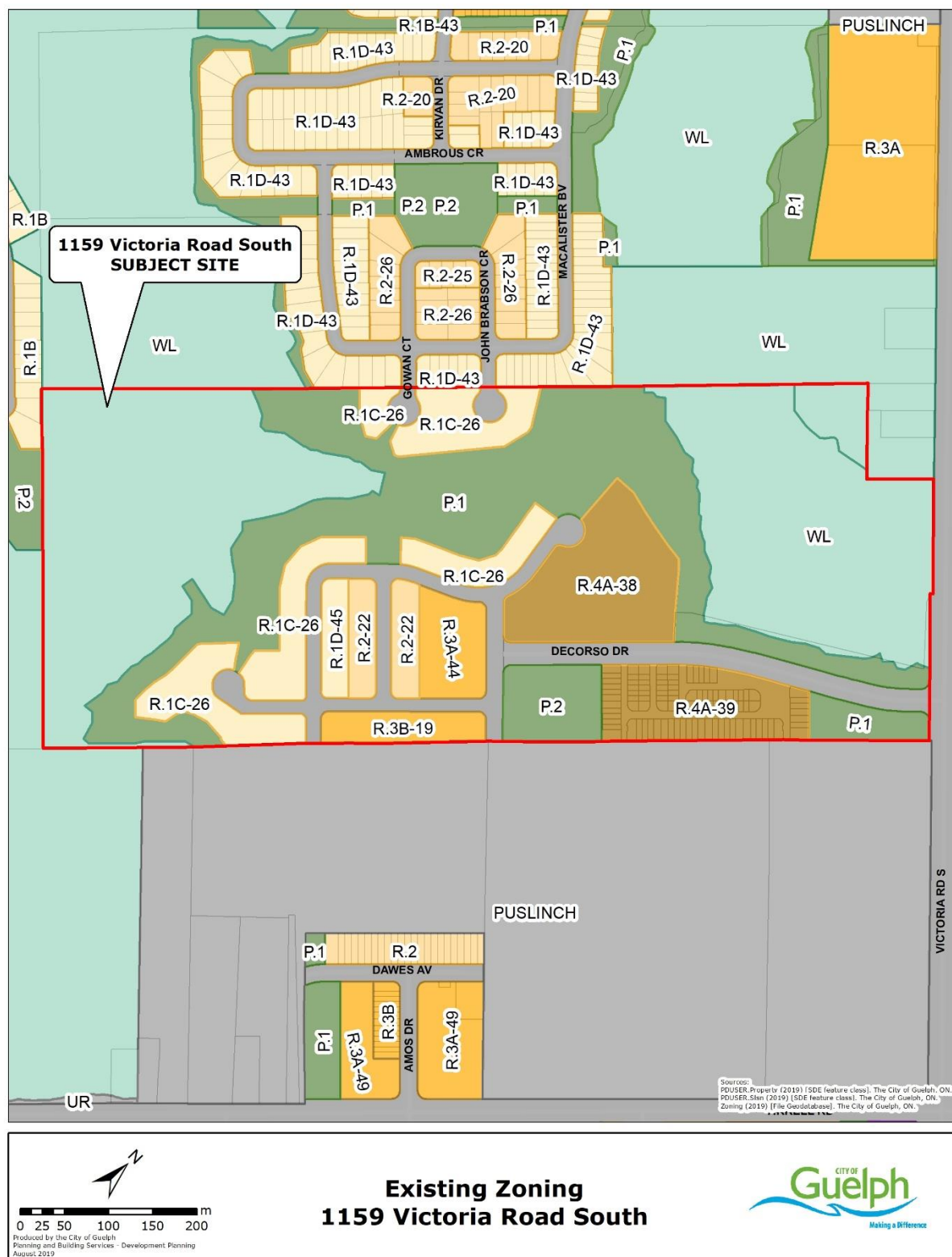
That this Draft Plan Approval shall lapse on November 22, 2022.

## Attachment 5 – Official Plan Land Use Designations





## Attachment 6 – Existing Zoning



# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Wednesday, October 16, 2019
Subject	<b>12 Forbes Avenue - Heritage Permit Application (HP19- 0014)</b>
Report Number	IDE-2019-112

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## Recommendation

That heritage permit application HP19-0014 be approved to allow the construction of a new dwelling at 12 Forbes Avenue as described in Report IDE-2019-112.

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## Executive Summary

### Purpose of Report

To recommend to Council the approval of a heritage permit to allow the construction of a new dwelling at 12 Forbes Avenue as proposed in plans prepared for the property owner by Terra View Homes.

### Key Findings

- Proposed design for the new dwelling (Attachment 3) satisfies the requirements of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines.
- Heritage Guelph has reviewed the permit application and provided their support.

### Financial Implications

None

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## Report

As the subject property (12 Forbes Avenue) is located within the Brooklyn and College Hill Heritage Conservation District, it is designated under Part V of the Ontario Heritage Act through By-law (2014)-19812. The subject property was created by the severance of 14 Forbes Avenue (B-6/17) made by the previous property owner) (see Attachment 1). The severance application was supported by a Cultural Heritage Resource Impact Assessment prepared by CHC Limited and dated December 16, 2015. The severance was supported by Heritage Guelph and received an approved heritage permit (HP16-0018) on November 2, 2016 through authority delegated to the General Manager of Planning and Building Services.

The current owners of the property have proposed a design for the construction of a new house on the lot.

According to Section 42 of the Ontario Heritage Act, any proposed new construction, alteration, demolition or removal that would affect the heritage character of the property or the district is required to obtain approval through the heritage permit process. The construction of a new residential building on the subject property requires a heritage permit application as per Section 4.4 of the HCD Plan and Guidelines.

After preliminary discussion between the Senior Heritage Planner and the owner's designer (Terra View Homes) revisions were made to the initial design. The owners and their designer feel that the proposed design presents well to both streets as a prominent corner property which is also seen from Gordon Street. The proposed 2-storey house will face Forbes Avenue and have a height of 25 feet. The existing double car garage and driveway accessed from Fairview Boulevard will be retained. The house will be red brick and stone construction with a covered porch across the front façade. A smaller porch at the rear corner will face Fairview Boulevard (see Attachment 3).

The proposed design required the approval of a minor variance in the required exterior side yard setback. Minor variance application A-82/19 was supported by staff and Heritage Guelph and approved by the Committee of Adjustment at their meeting of September 12, 2019.

Staff is of the opinion that heritage permit HP19-0014 for the construction of a new dwelling at 12 Forbes Avenue is in keeping with proper heritage conservation practice and satisfies guideline section 4.4 of the Brooklyn and College Hill HCD Plan. The design as presented does not pose a negative impact to the heritage attributes protected by the heritage district designation by-law. Heritage permit application HP19-0014 is now recommended for approval under section 42 of Part V of the Ontario Heritage Act.

### **Financial Implications**

None

### **Consultations**

At their meeting of September 9, 2019 Heritage Guelph carried a motion that indicated their support for the proposed design of the new dwelling for 12 Forbes Avenue (including the proposed minor variance) with the caveat that any required changes to the design that are minor in nature may be authorized by the Senior Heritage Planner.

### **Attachments**

Attachment-1 Location and Surveyor's Plan of Subject Property

Attachment-2 Current images of Subject Property

Attachment-3 Proposed design for new dwelling at 12 Forbes Avenue (Terra View Homes dated September 9, 2019)

**Report Author**

Stephen Robinson, Senior Heritage Planner

**Approved By**

Melissa Aldunate, MCIP, RPP  
Manager, Planning Policy and Urban Design



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**Approved By**

Todd Salter, MCIP, RPP  
General Manager, Planning and  
Building Services  
Infrastructure, Development and  
Enterprise Services  
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**Recommended By**

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Deputy Chief Administrative Officer  
Infrastructure, Development and  
Enterprise Services  
519-822-1260 extension 2248  
[kealy.dedman@guelph.ca](mailto:kealy.dedman@guelph.ca)





Attachment-2 Current images of Subject Property

Figure 3 - View of 12 Forbes Avenue from north.



Figure 4 - View of 12 Forbes Avenue from corner of Fairview Blvd.





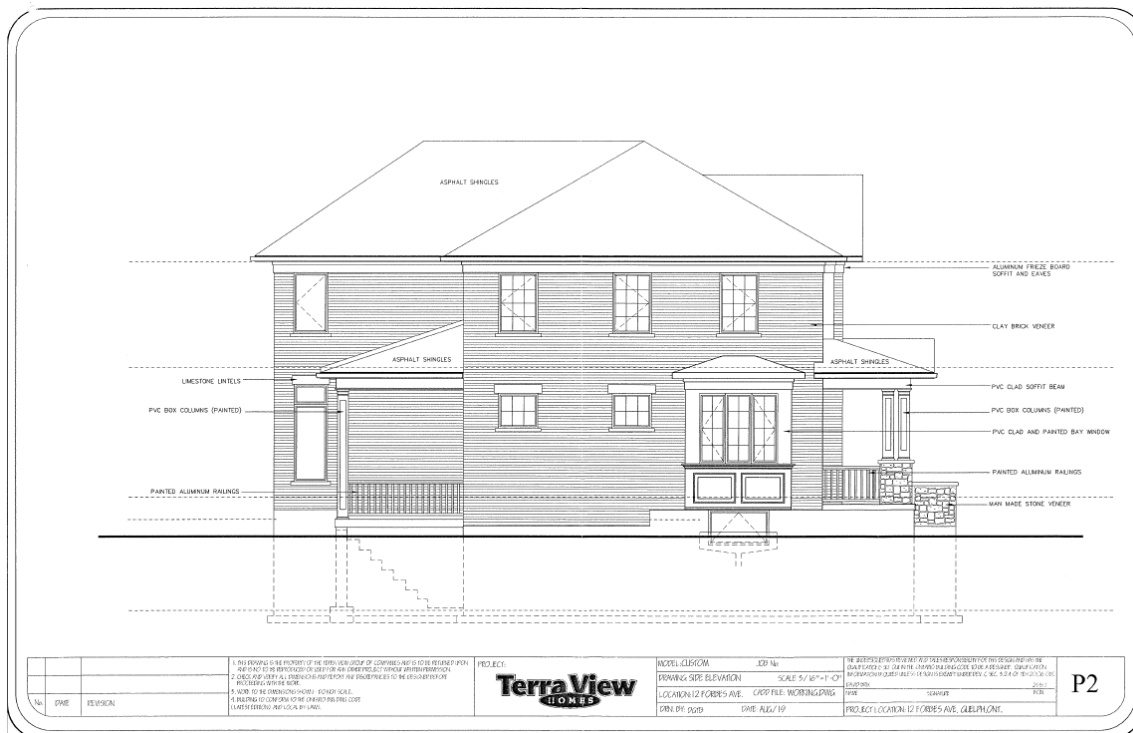
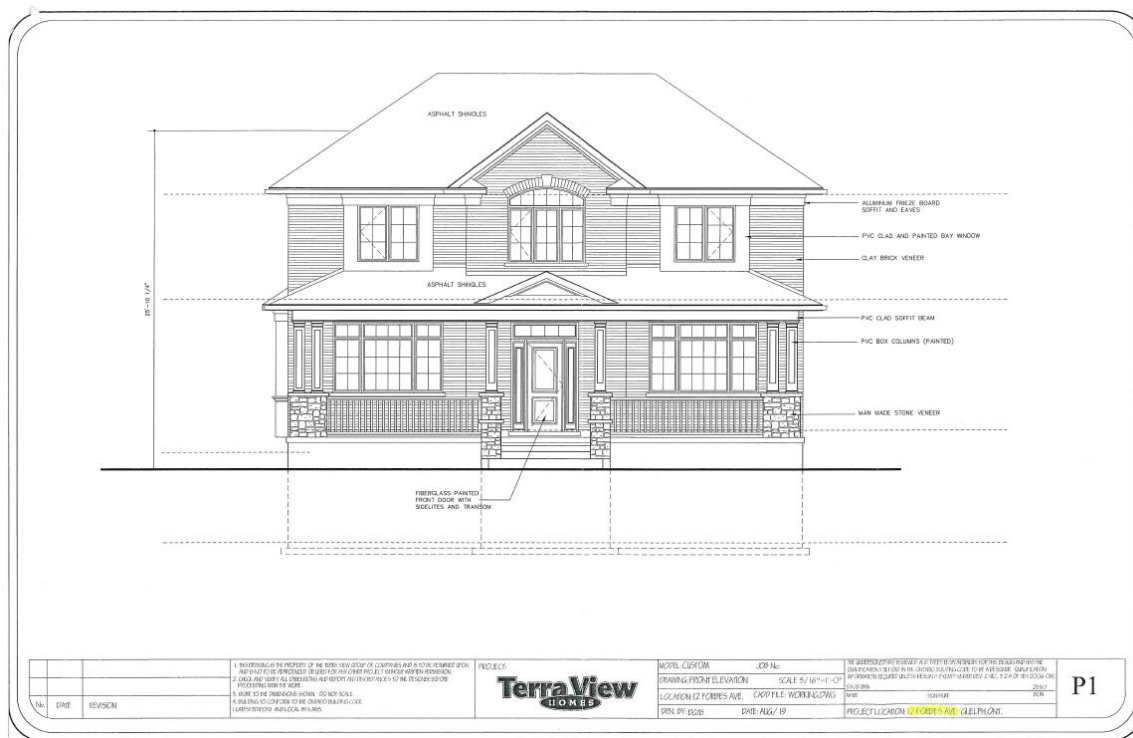
Figure 5 - View of 12 Forbes Avenue from Fairview Ave.



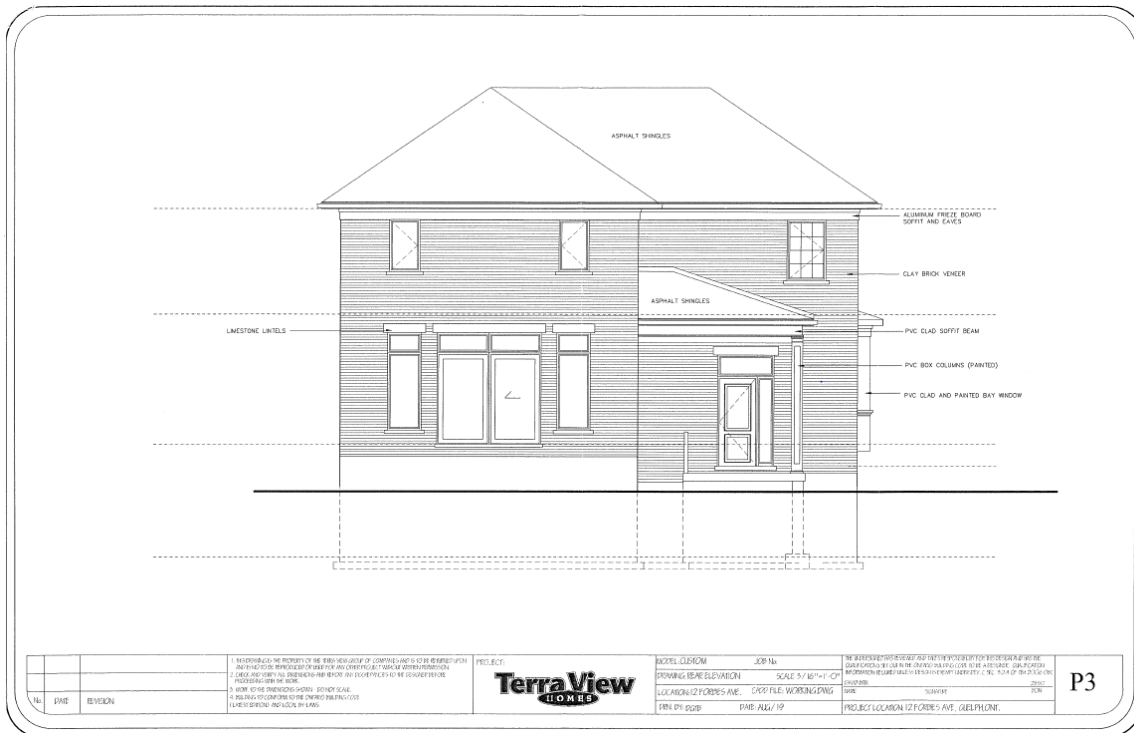
Figure 6 - View of 12 Forbes Avenue from southeast.



Attachment-3 Proposed design for new dwelling at 12 Forbes Avenue (Terra View Homes, dated September 9, 2019)







12 FORBES
14 FORBES

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P4

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Wednesday, October 16, 2019
Subject	<b>Proposed Provincial Policy Statement Changes, City of Guelph Response</b>
Report Number	IDE-2019-105

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## Recommendation

1. That Report IDE-2019-105 dated October 16, 2019 regarding proposed Provincial Policy Statement Changes be approved.
  2. That the response prepared by staff and included as Attachment 1 be endorsed and submitted to the Ministry of Municipal Affairs and Housing as the City of Guelph's response to the proposed Provincial Policy Statement changes for consideration.
  3. That any written comments received by the City of Guelph from residents and stakeholders at or before the Council meeting be forwarded to the Province of Ontario for consideration.
- 

## Executive Summary

### Purpose of Report

The purpose of this report is to provide members of Council with an overview of the changes proposed to the Provincial Policy Statement (PPS) and staff's comments on these changes for members of Council's consideration and endorsement.

### Key Findings

On July 22, 2019, the Ministry of Municipal Affairs and Housing posted Environmental Registry of Ontario #019-0279, Provincial Policy Statement (PPS) Review – Proposed Policies with a request for comments by October 21, 2019.

The proposed changes to the PPS include the following:

**Market-based approach:** The proposed policies and amendments take a market-based approach to the range and mix of residential types. Staff have concerns with this shift as it represents a significant departure from the current PPS which requires planning authorities to encourage a range and mix of housing (including affordable housing and housing for older persons) without attempting to factor in market-based considerations and it is highly uncertain how this could be operationalized and what other potential impacts it could have on community planning.

**Streamlining or fast-tracking priority applications:** A proposed policy amendment would require planning authorities to streamline or fast-track priority applications to the extent possible. Staff have concerns with this amendment as there are so many variables that can affect process timelines for applications and recent changes to the Planning Act have established shortened process timelines which have already been identified as difficult to achieve.

**Provincial Guidelines to supplement the PPS:** The proposed policies and amendments refer to 'provincial guidelines' in a number of instances. It is not clear if these are new guidelines or existing guidelines. If these are new guidelines that are to be developed, municipalities need to be extensively consulted in the development of the guidelines.

**Enhanced municipal engagement with Indigenous communities:** a proposed policy amendment would require rather than encourage consultation with Indigenous communities on planning matters. This amendment is important to build constructive, cooperative relationships through meaningful engagement with Indigenous communities and, therefore, the inclusion of this requirement is supported in principle subject to the more detailed comments contained in this report.

**Climate change vs. planning for a changing climate:** The proposed policies and amendments refer to planning for 'a changing climate' rather than 'climate change' in a number of instances. Clarification is required with respect to the intent of this change.

The complete staff proposed response to the province is included as Attachment 1 to this report.

## **Financial Implications**

Not applicable.

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## **Report**

### **Background**

On July 22, 2019 the Province posted [Environmental Registry of Ontario #019-0279, Provincial Policy Statement \(PPS\) Review – Proposed Policies](#) with a request for comments by October 21, 2019. The PPS was last updated in 2014 when the document came into force and effect on April 30, 2014.

The PPS is the consolidated statement of the provincial government's policies on land use planning that guides municipal decision making. Under the Planning Act municipal decisions on land use planning matters "shall be consistent with" the PPS.

The proposed changes to the PPS are intended to support Ontario's Housing Supply Action Plan and recent changes to the land use planning system including Bill 108, More Homes, More Choice Act, 2019 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe. According to the Province, the policy changes are intended to: encourage the development of an increased mix and supply of housing; protect the environment and public safety; reduce barriers and costs for development and provide greater predictability; support rural, northern and Indigenous communities; and, support the economy and job creation.

The 2014 PPS remain in force until a revised PPS is formally brought into effect. An unofficial comparison, showing the proposed changes as compared to the 2014 PPS can be found at the following link: [2019 Draft Provincial Policy Statement](#)

The Province wants to hear views on the following questions regarding the proposed PPS changes:

- 1) Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?
- 2) Do the proposed policies strike the right balance? Why or why not?
- 3) How do these policies take into consideration the views of Ontario communities?
- 4) Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?
- 5) Are there other tools that are needed to help implement the proposed policies?

### **Description of proposed policy changes**

The Province has provided the following description of the proposed policy changes in five categories:

#### **1. Increasing Housing Supply and Mix**

The proposed draft policies for consultation would:

- Increase land supply requirements municipalities must meet:
  - Increase planning horizon from 20 to 25 years
  - Increase housing land supply from 10 to 12 years
  - Allow higher minimum requirement for serviced residential land (5 years) for upper- and single-tier municipalities
- Update provincial guidance to support land budgeting (i.e. Projection Methodology)
- Increase flexibility for municipalities related to the phasing of development and compact form
- Add flexibility to the process for settlement area boundary expansions (e.g. allow minor adjustments subject to specific tests, highlight that study requirements should be proportionate to the size/scale of development)
- Require transit-supportive development and prioritize intensification, including potential air rights development, in proximity to transit, including corridors and stations
- Support the development of housing to meet current and future housing needs, and add reference to housing options
- Support municipalities in achieving affordable housing targets by requiring alignment with Housing and Homelessness Plans
- Broaden PPS policies to enhance support for development of long-term care homes

## **2. Protecting the Environment and Public Safety**

The proposed draft policies for consultation would:

- Enhance direction to prepare for impacts of a changing climate
- Enhance stormwater management policies to protect water and support climate resiliency
- Promote the on-site local reuse of excess soil
- Maintain current policies related to natural and human made hazards which directs development away from hazardous areas including flood-prone areas in order to protect public health and safety, while work by the Special Advisor on Flooding is underway
- Maintain current policies that require municipalities in southern Ontario to identify natural heritage systems, and provide flexibility as to how to achieve this outcome
- Maintain protections for the Greenbelt

## **3. Reducing Barriers and Costs**

The proposed draft policies for consultation would:

- Require municipalities to take action to fast-track development applications for certain proposals (e.g. housing)
- Allow mineral aggregate operations to use rehabilitation plans to demonstrate that extraction will have no negative impacts
- Align policies and definition of cultural heritage with recent changes to the Ontario Heritage Act
- Refocus PPS energy policies to support a broad range of energy types and opportunities for increased energy supply
- Direct large ground-mounted solar facilities away from prime agricultural and specialty crop areas
- Make minor changes to streamline development approvals and support burden reduction

## **4. Supporting Rural, Northern and Indigenous Communities**

The draft policies for consultation would:

- Allow flexibility for communities by clarifying perceived barriers to sewage and water servicing policies for lot creation and development in rural settlement areas
- Enhance municipal engagement with Indigenous communities on land use planning to help inform decision-making, build relationships and address issues upfront in the approvals process
- Enhance agricultural protections to support critical food production and the agricultural sector as a significant economic driver

## **5. Supporting Certainty and Economic Growth**

The draft policies for consultation would:

- Encourage municipalities to facilitate conditions for economic investment, and at the time of official plan review or update, assess locally-identified employment areas to ensure designations are appropriate

- Provide municipalities with greater control over employment area conversions to support the forms of development and job creation that suit the local context (current and future)
- Provide stronger protection for major facilities such as manufacturing and industrial uses where non-employment uses are planned nearby (i.e. buffering uses from new sensitive uses).

### **Overview of Proposed Staff Response**

The proposed staff response is included as Attachment 1 to this report. The following is a high-level overview of some of the more significant issues that are outlined in the proposed staff response.

#### **Market-based approach**

The proposed policies and amendments would require municipalities to take a market-based approach to planning for the range and mix of residential types. A market-based approach represents a significant departure from the current PPS which requires planning authorities to encourage a full range and mix of housing, including affordable housing and housing for older persons. Municipal planning is and should remain a policy-led process rather than a market-led framework.

The use of market-based language could be problematic and lead to sprawl in areas where the development community has traditionally advocated for detached dwellings and other forms of low-density housing without considering the long-term population and employment projections, demographic trends, future housing needs or the other social, economic, and environmental impacts that exclusively detached dwellings and low-density developments can have. Market demand for detached dwellings is not typically aligned with other objectives of the PPS, namely pertaining to transit-supportive development, sustainability and densities that support efficient servicing and transportation demand management (TDM) and housing affordability as low density housing is typically the least affordable form of housing. Market-based needs can change frequently and may not provide the full range of housing a community needs in the long term.

The proposed staff response requests that additional clarity be provided around: what is meant by market-based; what are the potential implications if market demand is only for low density housing; how would it interact with Growth Plan requirements such as minimum density requirements; how is it to be operationalized; and, how is market-demand to be determined. The term market-based should be clearly defined, and framed within the context of continuing to support quality of life, affordability, and efficient use of taxes and resources by communities now and in the future.

The proposed staff response indicates that it would be preferable for the PPS to continue to require a range of housing types to address community need and demand rather than introducing a market-demand approach.

#### **Streamlining or fast-tracking priority applications**

Proposed policy 4.7 would require planning authorities to take action to support increased housing supply and facilitate a timely and streamlined process for local

development by fast-tracking priority applications and reducing the time needed to process residential and priority applications to the extent possible.

The proposed staff response outlines that there are many variables that can affect processing timelines such as public opposition and quality of submissions which are not within the control of the municipality. In addition, staff have noted that Bill 108, the More Homes, More Choice Act has amended the Planning Act to reduce the timelines for decisions on Planning Act applications which are already impractical for all but the simplest of applications. Further reductions will exacerbate concerns identified with Bill 108 regarding completeness of review and community engagement. The effect of the Bill 108 changes is that municipalities are required to fast-track all applications which leaves no ability to further prioritize specific applications.

The proposed staff response requests that this change be removed. If the change is not removed, then further guidance and support should be provided to municipalities in order to implement the proposed policy including:

- It is unclear what type of application would not support housing or job-related growth, therefore how should 'priority' applications be identified and who is responsible for identifying these applications?
- How to reduce the time needed to process applications when often the time needed to process applications are not within the control of the municipality.

### **Provincial Guidelines to supplement the PPS**

The proposed policies and amendments refer to 'provincial guidelines' in a number of instances. The proposed staff response requests that clarification be provided with respect to whether these are new guidelines or existing guidelines. If these are existing guidelines, the policies should refer to them specifically. If these are new guidelines that are to be developed, then clarification with respect to timing for development is required and municipalities need to be extensively consulted when any new guidelines are being developed.

### **Enhanced municipal engagement with Indigenous communities**

The proposed amendment to policy 1.2.2 stipulates that planning authorities shall engage with Indigenous communities and coordinate on land use planning matters. The current policy encourages municipalities to coordinate planning matters with Indigenous communities. The proposed amendment is important to build constructive, cooperative relationships through meaningful engagement with Indigenous communities and, therefore, the inclusion of this requirement is supported subject to the following comments:

- The Province should provide Indigenous communities with adequate resources in order to allow them to engage in a meaningful way;
- Clarification should be provided on how municipalities can undertake meaningful engagement with Indigenous communities within the legislated timeframes for development applications, especially in light of the proposed direction to fast-track priority applications; and,
- Clarification with respect to what 'engage' means, particularly that it is not construed to mean consult and the word 'coordinate' is not construed to mean accommodate within the context of the Crown's Duty to Consult obligations.



## **Climate change vs. planning for a changing climate**

The proposed policies and amendments refer to planning for a 'changing climate' rather than 'climate change' in a number of instances. Clarification is required with respect to the intent of this change. Is planning for a changing climate different than planning for climate change? City staff are supportive of planning for climate change but are unclear if the intent of this amendment would continue to promote and permit the City to do so.

### **Next Steps**

Staff will provide the comments endorsed by Council to the Ministry of Municipal Affairs and Housing through the Ministry's ERO site by the October 21, 2019 deadline.

### **Financial Implications**

Not applicable.

### **Consultations**

The following service areas were involved in the preparation of the staff response included as Attachment 1 to this report.

**Corporate Services:** Legal Services

**Infrastructure, Development and Enterprise Services:**

- Business Development and Enterprise
- Engineering and Transportation Services
- Environmental Services
- Facilities Management
- Planning and Building Services

**Office of the CAO:** Strategy, Innovation and Intergovernmental Services

**Public Services:** Parks and Recreation

### **Attachments**

Attachment-1 City of Guelph Comments on the Proposed Amendments to the Provincial Policy Statement

### **Departmental Approval**

Not applicable

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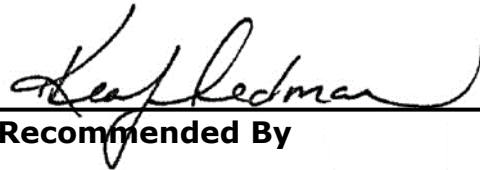
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## **Attachment 1:**

### **City of Guelph Comments on the Proposed Amendments to the Provincial Policy Statement**

#### **Key Comments on the Proposed Changes**

##### **Market-based approach**

The proposed policies and amendments introduce the concept of municipalities having to consider taking a market-based approach to planning for a range and mix of residential types. A market-based approach represents a significant departure from the current Provincial Policy Statement (PPS) which requires planning authorities to encourage a range and mix of housing (including affordable housing and housing for older persons) regardless of what the market would support. Municipal planning is and should remain a policy-led process rather than a market-led framework.

The use of market-based language could be problematic and lead to sprawl in areas where the development community has traditionally advocated for single detached housing without considering the long-term population and employment projections, demographic trends, future housing needs or the other social, economic, and environmental impacts that exclusively single detached developments can have. Market demand for single detached housing is not typically aligned with other objectives of the PPS, namely pertaining to transit-supportive development, sustainability, densities that support efficient servicing and transportation demand management (TDM) and housing affordability as low-density housing is typically the least affordable form of housing. Market-based needs can change frequently and may also not focus on the full range of housing a community needs in the long term.

This proposed amendment should be removed and should not form part of the PPS. If it is not removed, then additional clarity should be provided around what is meant by market-based, what the implications would be (e.g. what if market demand was all for low-density housing), how would it interact with Growth Plan requirements for density, etc., how it would be operationalized and how would market-demand be determined is also required. The term market-based should be clearly defined, and framed within the context of continuing to support quality of life, affordability, and efficient use of taxes and resources by communities.

It would be preferable for the PPS to continue to require a range of housing types to address community need and demand rather than market-demand.

##### **Streamlining or fast-tracking priority applications**

Proposed policy 4.7 would require planning authorities to take action to support increased housing supply and facilitate a timely and streamlined process for local development by fast-tracking priority applications and reducing the time needed to process residential and priority applications to the extent possible.

There are so many variables that can affect processing timelines such as public opposition and quality of submissions. In addition, staff have noted that Bill 108, the More Homes, More Choice Act has amended the Planning Act to reduce the timelines for decisions on Planning Act applications which are already impractical for all but the simplest of applications. Further reductions will just exacerbate concerns identified with Bill 108 regarding completeness of review, community engagement, etc. The effect of the Bill 108 changes is that municipalities are required to fast-track all applications which leaves no ability to further prioritize specific applications.

The proposed amendment should be removed and should not form part of the revised PPS. If this amendment is not removed, then further guidance and support should be provided to municipalities in order to implement the proposed policy including:

- How 'priority' applications should be identified and by who? It is unclear what type of application wouldn't support housing or job-related growth? Are there size thresholds or criteria that would recognize the uniqueness of municipalities, e.g. a 100 new jobs could be significant for one community but not another; and
- How to reduce the time needed to process applications when often the time needed to process applications are not within the control of the municipality.

### **Provincial Guidelines to supplement the PPS**

The proposed policies and amendments refer to 'provincial guidelines' in a number of instances. The proposed staff response requests that clarification be provided with respect to whether these are new guidelines or existing guidelines. If these are existing guidelines, the policies should refer to them specifically. If these are new guidelines that are to be developed, then clarification with respect to timing for development is required and municipalities need to be extensively consulted when any new guidelines are being developed.

### **Enhance municipal engagement with Indigenous communities**

The proposed amendment to policy 1.2.2 stipulates that planning authorities shall engage with Indigenous communities and coordinate on land use planning matters. The current policy encourages municipalities to coordinate planning matters with Indigenous communities. The proposed amendment is important to build constructive, cooperative relationships through meaningful engagement with Indigenous communities and, therefore, the inclusion of this requirement is supported subject to the following comments:

- The Province should provide Indigenous communities with adequate resources in order to allow them to engage in a meaningful way;
- Clarification should be provided on how municipalities can undertake meaningful engagement with Indigenous communities within the legislated timeframes for development applications, especially in light of the proposed direction to fast-track priority applications; and,
- Clarification with respect to what 'engage' means, particularly that it is not construed to mean consult and the word 'coordinate' is not construed to mean accommodate within the context of the Crown's Duty to Consult obligations.

## Climate change vs. planning for a changing climate

The proposed policies and amendments refer to planning for a 'changing climate' rather than 'climate change' in a number of instances. Clarification is required with respect to this change. What is the intent of the change? Is planning for a changing climate different than planning for climate change? City staff are supportive of planning for climate change but are unclear of the intent of this amendment.

### Question 1:

**Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?**

1. **Comment:** The proposed amendments to 1.1.3.2 d) and 1.1.3.3 are positive amendments that will assist municipalities with planning for climate change and encouraging residential intensification.

**Recommendation:** The proposed amendments to 1.1.3.2 d) and 1.1.3.3 be maintained in the final version of the PPS.

2. **Comment:** Policies 1.1.3.6 and 1.1.3.7 are important policies providing direction with respect to the efficient use of land and public resources. The proposed amendments to replace 'shall' with 'should' will weaken these policies. However, it is recognized that there may be certain unique circumstances where some flexibility may be needed.

**Recommendation:** That the proposed amendments to 1.1.3.6 and 1.1.3.7 be carefully considered to ensure that to the extent flexibility is being introduced it may only be utilized for unique situations or circumstances.

3. **Comment:** Policy 1.1.3.8 specifies that municipalities may expand their settlement areas to satisfy market demand. This can be interpreted that municipalities will be able to expand their boundaries to accommodate a particular type of housing unit due to market demand, when there are suitable lands available to accommodate other dwelling types. This seems to conflict with the purpose of the Growth Plan for the Greater Golden Horseshoe. There are also implications on the affordability of servicing lands in the short and long term.

**Recommendation:** That the proposed new policy not include "and to satisfy market demand". Settlement area expansions should not be based on satisfying market demand.

4. **Comment:** The proposed new policy 1.3.1 c) will assist municipalities in promoting economic development.

**Recommendation:** The proposed new policy should be maintained in the final version of the PPS.

5. **Comment:** The housing supply policies of 1.4.1 propose to increase the land available from 10 years to accommodate a 12 year housing supply which may result in more lands being designated for residential development earlier.

Clarification should be provided with respect to the intent of this change. It is the City's understanding that the current 10 year supply is a minimum requirement. The City of Guelph frequently has a greater supply than 10 years, so the potential implications of this change will have limited implications in the short term for Guelph.

6. **Comment:** The amendment to policy 1.8.1 f) deemphasizes the need to orient buildings in a manner that will maximize solar gain.

**Recommendation:** Reconsider this amendment to ensure maximizing opportunities for the use of renewable energy systems continues to be included. The following wording is suggested for consideration "promote design and orientation which maximizes energy efficiency, conservation and opportunities for the use of renewable energy systems, and considers the mitigating effects of vegetation...".

7. **Comment:** Clarity is needed regarding the term "mitigation". Does it refer to:
- a. Vegetation mitigating building air conditioning load by reducing the amount of sunlight falling on exterior surfaces
  - b. Vegetation mitigating the urban heat island effect through direct shading of buildings, shading of pavement reducing re-radiation of heat, and heat dissipation through evapotranspiration, while providing relief from direct solar exposure to humans and other species
  - c. Vegetation reducing solar energy system effectiveness by shading the solar collection surfaces
  - d. Vegetation reducing wind energy system effectiveness by increasing the roughness of the earth's surface, causing more turbulence and reducing average wind velocity

**Recommendation:** Clarify what the term "mitigation" means.

8. **Comment:** The new policies aim to support goals to increase housing supply and creating and maintaining jobs, however, in terms of "red tape" reduction, it is not clear how these policies will accomplish this.

**Recommendation:** Clarify how these policies will help reduce "red tape".

## **Question 2 (Part A):**

### **Do the proposed policies strike the right balance? Why or why not?**

1. **Comment:** The proposed PPS is generally consistent with the new Growth Plan and Bill 108. There is much more focus on housing supply whether that is through intensification or "new development". It is through the implementation of the policies where it will be determined if the proposed policies strike the right balance. The balance that is achieved will likely be different for each municipality.

To the degree that the policies align with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, it assists with implementation. However, in instances where the proposed policies are not consistent with the Growth Plan,

the proposed amendments create confusion for those areas where a Growth Plan applies.

**Recommendation:** Align all proposed policies and amendments with the Growth Plan to prevent confusion, or provide further clarity for how to implement the proposed amendments in areas where the Growth Plan applies.

2. **Comment:** Policy 1.1.1 b) discusses accommodating an appropriate market-based range and mix of residential types. The use of “market-based” language could be problematic and lead to sprawl in areas where the development community has traditionally advocated for detached dwellings and other forms of low-density housing without considering the long-term population and employment projections, demographic trends, future housing needs or the other social, economic, and environmental impacts that exclusively detached dwellings and low-density developments can have. Market demand for detached dwellings is not typically aligned with other objectives of the PPS, namely pertaining to transit-supportive development (1.1.1 e, 1.1.3.3 h and i), sustainability (1.1.1 h and i) and densities that support efficient servicing (1.1.1g) and transportation demand management (TDM) (1.6.7.2).

**Recommendation:** The PPS should continue to require a range of housing types to address community need and demand rather than market-demand. The reference to ‘market-based’ should be removed from the policy. If ‘market-based’ continues to form part of the proposed amendment, then additional clarity should be provided with respect to what is meant by market-based; what are the potential implications if market demand is only for low-density housing; how would it interact with Growth Plan requirements such as minimum density requirements; how is it to be operationalized; and, how is market-demand to be determined. The term “market based” should be clearly defined, and framed within the context of continuing to support quality of life, affordability, and efficient use of taxes and resources by communities now and in the future.

3. **Comment:** The proposed amendment to Policy 1.1.1 f) which now requires land use barriers to be ‘addressed’ to improve accessibility rather than be ‘identified, prevented and removed’ weakens the policy and doesn’t necessarily require that action be taken.

**Recommendation:** Retain the existing policy as the proposed amendments weaken the policy.

4. **Comment:** The addition to Policy 1.2.1 a) which requires the integration of infrastructure planning with managing and/or promoting growth is a positive addition and provides clarity to the type of growth that is supported.

**Recommendation:** The addition to Policy 1.2.1 be maintained in the final version of the PPS.

## **Question 2 (Part B)**

5. **Comment:** The proposed amendment to policy 1.2.6.1 and the addition of policy 1.2.6.2 aim to strike the right balance between major facilities and sensitive land uses. The use of ‘shall’ adds strength to these policies and is supported to ensure the long-term operations of major facilities.

**Recommendation:** The amended (policy 1.2.6.1) and new policy (policy 1.2.6.2) should be maintained in the final version of the PPS.

6. **Comment:** The addition of proposed policies 1.3.2.2 and 1.3.2.3 is supported by the City of Guelph to the extent that they assist in ensuring appropriate compatibility between land uses. Policy 1.3.2.3 states "Within employment areas planned for industrial and manufacturing uses, planning authorities shall prohibit residential and institutional uses that are not ancillary to the primary employment uses in order to maintain land use compatibility."

**Recommendation:** Provide clarification with respect to what would be considered an ancillary residential use within an employment area is required.

7. **Comment:** The addition of proposed policy 1.3.2.5 assists in ensuring the PPS is aligned with A Place to Grow.

**Recommendation:** The proposed policy 1.3.2.5 should be maintained in the final version of the PPS.

8. **Comment:** The change of wording from a range and mix of housing types to a range and mix of housing options in section 1.4 and replacing forms and types of housing with housing options appears to place more weight on the market vs. community need, quality of life, etc. What is the intent of changing housing "types" to "options"? A definition is included for "housing options" which causes some concern with the list including "tiny homes" without defining it. Tiny homes could be defined a number of ways ranging from housing intended for permanent habitation verses recreational vehicles/campers that are mobile. Including a long list of specific examples of housing types, as housing options, seems to be counter to the other changes proposed in the PPS which is to delete lists and examples (e.g. definition of cultural heritage landscape).

**Recommendation:** The change in terminology to a 'range of housing options' should be deleted unless satisfactory clarification is provided regarding the intended effect of this change. The policies could refer to a range of housing sizes, rather than options to provide clarity and be more timeless.

9. **Comment:** The amendment of policy 1.4.3 which requires an appropriate range and mix of housing options to meet projected market-based needs be provided causes concern. Depending on the Province's definition of market-based needs, there may be conflicting values between what the market deems a need and how municipalities can best balance the needs of communities in providing quality of living, affordable housing, and efficient use of resources including tax-based resources. Market-based needs can change frequently and may also not focus on the full range of housing a community needs in the long term. What is the intent of adding "and needs arising from demographic changes and employment opportunities" to policy 1.4.3 b) 1, which discusses housing options required to meet social, health, economic and well-being requirements of current and future residents? If the intent is to improve affordable housing options then it would be beneficial to communities to reserve a market-based approach for assessment of affordability for low to moderate incomes.



**Recommendation:** The proposed amendment to 1.4.3 to refer to 'market-based' and a range and mix of 'housing options' should be deleted.

## **Question 2 (Part C):**

10. **Comment:** The addition of policy 1.6.6.7 a) requiring that planning for stormwater management be integrated with planning for sewage and water services is supported by the City of Guelph. This is consistent with the approach the City has been taking and continues to take through our servicing master plans.

**Recommendation:** The addition to proposed policy 1.6.6.7 a) be maintained in the final version of the PPS.

11. **Comment:** The amendment to policy 1.6.6.7 c) introducing climate change considerations in stormwater management planning is supported by the City.

**Recommendation:** The addition to proposed policy 1.6.6.7 c), be maintained in the final version of the PPS.

12. **Comment:** Policies throughout the PPS (e.g. 1.1.1 j and 1.6.1) refer only to "preparing for" a changing climate. This does not balance the necessary and effective efforts that local governments can and should take regarding proactive mitigation of ongoing climate changing activities, such as encouraging more efficient transportation options, land use patterns, water conservation and local biodiversity improvements.

**Recommendation:** To balance the PPS appropriately, each instance of "preparing for..." should be followed by the text "and mitigating the impacts of a changing climate". E.g. 1.1.3.2d.

13. **Comment:** The addition of policy 1.6.8.5 is a positive addition to the PPS. Co-location typically requires less space and may make it easier to accommodate new services such as district energy.

**Recommendation:** The addition to proposed policy 1.6.8.5 be maintained in the final version of the PPS.

14. **Comment:** The proposed amendment to policy 1.7.1 j) could allow for energy supply to be increased in a manner that may aggravate climate change.

**Recommendation:** This amendment should be reconsidered and reworded to recognize climate change considerations.

15. **Comment:** The addition of policy 2.2.1 c) is supported to ensure that climate change is considered in water resource systems.

**Recommendation:** The addition to proposed policy 2.2.1 c) be maintained in the final version of the PPS.

16. **Comment:** The amendment to policy 2.5.2.2 which allows for mineral aggregate extraction to be considered in natural heritage features outside of the Greenbelt Area provided that the long-term rehabilitation can demonstrate no negative impacts on the natural features or their ecological functions should be reconsidered and is not supported by the City of Guelph in its current form.

Section 2.3.3 Mineral Aggregate Resources of the Natural Heritage Reference Manual for Natural Heritage Policies of the PPS, 2005, Second Edition (MNR 2010) provides the following guidance: "As stated earlier, the entire PPS needs to be applied when making land use decisions. The following approach can help to achieve the desired outcomes of the PPS: rehabilitation of mineral aggregate operations, implemented under the Aggregate Resources Act, may be taken into consideration for the demonstration of no negative impacts where rehabilitation of ecological functions is scientifically feasible and is conducted consistent with policy 2.5.3.1 and other government standards."

It appears that proposed policy 2.5.2.2 is enshrining in policy what was included as guidance in the Natural Heritage Reference Manual, but omitting the need to demonstrate that the "rehabilitation of ecological functions is scientifically feasible". The need to demonstrate scientific feasibility is a critical component of demonstrating no negative impact.

Recognizing that mineral resource extraction areas are not identified on Schedule 2: Land Use Plan of the City of Guelph's Official Plan, Mineral Aggregate Areas are identified on lands adjacent to the City of Guelph in the County of Wellington's Official Plan. Recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features, the need to demonstrate scientific feasibility would provide greater certainty for the protection of the City of Guelph's Natural Heritage System and associated ecological and hydrologic functions.

**Recommendation:** Need clarity regarding meaning of "no negative impacts". Does this apply during extraction and/or after the long-term rehabilitation is implemented? Concerned if this does not apply to ongoing extraction since, extraction operations can have a long life span with rehabilitation being decades away.

17. **Comment:** It is recommended that Section 2.5.2 be modified to protect municipal drinking water supplies from the impacts of mineral resource extraction below the water table.

**Recommendation:** This could be achieved through amending Policy 2.5.2.2 to add "and does not impact municipal drinking water supplies" or through the introduction of a new policy addressing mineral resource extraction below the water table.

18. **Comment:** While there is no concern with the direction in 1.3.2.3 to prohibit incompatible land uses in industrial and manufacturing areas, this policy direction should be expanded to include language that supports transit-supportive design and transportation infrastructure servicing. Good transit and active transportation infrastructure is necessary to connect spatially separated residential land uses to employment lands for all modes and abilities to ensure equitable access to jobs and affordable housing.

**Recommendation:** That consideration be given to expanding the employment area policies to include language that supports transit-supportive design and transportation infrastructure servicing.

### Question 3:

#### How do these policies take into consideration the views of Ontario communities?

1. **Comment:** The policies allow for some interpretation, which allows individual municipalities to apply them in a way that best suits the issues facing their community. Generally, the proposed changes reduce the conflict between the Growth Plan and PPS and there is some push and pull between development industry concerns regarding the market and municipal concerns regarding community need, quality of life and complete communities. However, there appears to be a greater push towards the market-based needs of the development industry.

**Recommendation:** The proposed amendments should be carefully re-considered to ensure they are respecting the views of all segments of Ontario communities rather than being weighted toward addressing concerns raised by the development industry. Eliminate the proposed 'market-demand' concept to maintain the principle of a policy-led planning regime in Ontario.

2. **Comment:** The City of Guelph has some concern that the wording of changes that give guidelines the weight of policy when they should be informing local decision-making and respecting local autonomy (e.g. new policy 2.1.10). It is inappropriate for the Province to intervene in local planning decisions around locally important matters. The guidelines should enable and not be prescriptive. Municipal planning is a policy led process and not a market led framework.

**Recommendation:** Where provincial guidelines are referred to in the PPS, ensure that the policy basis for those guidelines does not give them the weight of policy. This will allow for local decisions to respond to local issues.

3. **Comment:** The City of Guelph is concerned with the deletion of policy 4.9, which provides important clarity and direction around municipal authority to address matters that are considered of local importance and strike policy balances that are appropriate to the local context. This part of the PPS assists the City with implementation of measures that support local climate mitigation and adaptation goals, such as mandating net zero new construction and working toward achieving our Net Zero 2050 goals. This wording is included in Part III under the Policies Represent Minimum Standards heading, however inclusion as a policy remains important.

**Recommendation:** The 'Policies Represent Minimum Standards' section should continue to be a policy within the Implementation and Interpretation section of the PPS.

### Question 4:

#### Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining development approvals?

1. **Comment:** Where the proposed policies and amendments refer to 'provincial guidelines', clarification needs to be provided with respect to whether these are

new guidelines or existing guidelines. If these are existing guidelines, the policies should refer to them specifically. If these are new guidelines that are to be developed, then clarification with respect to timing for development is required and municipalities need to be extensively consulted when any new guidelines are being developed.

**Recommendation:** Provide further clarification on what “provincial guidelines” is referencing. If new guidelines are proposed to be developed, comprehensive and meaningful consultation with municipalities should undertaken to inform the development of the guidelines.

2. **Comment:** Policy 1.1.2 infers that municipalities may extend the planning horizon for employment areas beyond a 25 year horizon. This addresses the slower rate of absorption of employment lands, allowing municipalities to better plan for future employment needs and protect lands for employment purposes. The policy also states that municipalities may use alternate time periods as established in a provincial planning exercise, such as A Place to Grow.

**Recommendation:** In order to maintain the fundamental principle that more detailed provincial plans supercede the PPS, this policy should be clarified to direct that municipalities must use the alternate time periods where established through a provincial plan such as A Place to Growth to reduce potential conflict between the PPS and other provincial plans.

“...where an alternate time period has been established for specific areas of the Province as a result of provincial planning exercises or a provincial plan, that time frame shall be used for municipalities within the area.”

3. **Comment:** Proposed policy 4.7 requires planning authorities to take action to support increased housing supply and facilitate a timely and streamlined process for local development by fast-tracking priority applications and reducing the time needed to process residential and priority applications to the extent possible.

There are many variables that can affect processing timelines such as public opposition and quality of submissions which are not within the control of the municipality. In addition, we would note that Bill 108, the More Homes, More Choice Act has amended the Planning Act to reduce the timelines for decisions on Planning Act applications which are already impractical for all but the simplest of applications. Further reductions will exacerbate concerns identified with Bill 108 regarding completeness of review and community engagement. The effect of the Bill 108 changes is that municipalities are required to fast-track all applications which leaves no ability to further prioritize specific applications.

**Recommendation:** This proposed amendment should be deleted. If the amendment is not deleted, then further guidance and support is required for municipalities in order to implement this policy including:

- It is unclear what type of application would support housing or job-related growth, therefore how should ‘priority’ applications be identified and who is responsible for identifying these applications?
- How to reduce the time needed to process applications when often the time needed to process applications are not within the control of the municipality.

## Question 5 (Part A):

### Are there any other tools that are needed to help implement the proposed policies?

1. **Comment:** “Market-based” is referred to in a number of instances. How does market-based planning interact with the following:
  - the density requirements of A Place to Grow: Growth Plan for the Greater Golden Horseshoe. For further clarity, what if market-based planning does not align with the density targets set in the Growth Plan; and,
  - the province’s “policy-led planning system”. Which system takes precedence, the policy-led system or the market-based system?

**Recommendation:** The amendments to the PPS that introduce the concept of ‘market-based’ planning should be deleted so that further guidance or tools are not required.

2. **Comment:** The proposed amendment to policy 1.2.2 stipulates that planning authorities shall engage with Indigenous communities and coordinate on land use planning matters. This policy is important to build constructive, cooperative relationships through meaningful engagement with Indigenous communities and, therefore, the inclusion of this requirement is supported with the following comment:
  - Indigenous communities should be provided with adequate resources from the Province in order to allow them to engage in a meaningful way.

**Recommendation:** Provide further clarification on how municipalities can undertake meaningful engagement with indigenous communities within the legislated timeframes for development applications, especially in light of the proposed direction to fast-track priority applications; and clarification with respect to what ‘engage’ means and that it is not construed to mean consult and the word ‘coordinate’ is not construed to mean accommodate.

3. **Comment:** Proposed policy 1.4.3.e requires transit-supportive development and prioritizing intensification, including potential air rights development. This has clear links to concerns the City of Toronto has dealt with recently.

**Recommendation:** Clear direction or guidelines should be developed in consultation with municipalities to assess developments regarding air rights.

4. **Comment:** Under policy 1.6.7.2, the word “shall” is preferred to the word “should” in order to give credence to the intent of this policy supporting TDM through development.

There are limitations within the Planning Act that prevent municipalities from being more effective at requiring TDM measures as part of development applications. For instance, some flexibility around cash-in-lieu parking could increase the flexibility to allow municipalities to take revenue from that program and invest it into TDM measures in the vicinity such as: bicycle and transit facilities, user experience measures to make it easier to find transit routes and transportation services (monitors, real-time displays), and investments into active transportation infrastructure that supports non-auto based travel.

**Recommendation:** The proposed amendment to policy 1.6.7.2 should not be included in the final version of the PPS.

### Question 5 (Part B)

5. **Comment:** Policies under section 1.5, Public Spaces Recreation, Parks, Trails and Open Space, require appropriate mechanisms to fund and maintain active transportation facilities and recreational facilities in parks that have potentially put in jeopardy by the recent changes made through Bill 108. Municipalities require clarity around what Bill 108 entails for “hard” vs “soft” infrastructure as it pertains to the PPS policies encouraging active transportation and community connectivity; and providing for public recreation opportunities (1.5.1 a and b).

**Recommendation:** Provide clarification to ensure that the proposed amendments to the PPS recognize amendments to the land use planning system that have been made through Bill 108.

6. **Comment:** Under policy 1.6.8, Transportation and Infrastructure Corridors, there is an opportunity to provide guidance and direction to municipalities to reflect changes to our transportation choices and technologies (e.g. electrification of the vehicle fleet, autonomous vehicles, sharing economy). This may mean supportive language in the PPS and Planning Act, and/or regulatory tools for municipalities to be able to regulate curb space, and include controlled public access to electricity for vehicle charging.

**Recommendation:** Consider further amendments to the section that would provide direction reflecting changes to transportation choices and technologies.

7. **Comment:** Proposed policy 2.1.10 states that “Municipalities may choose to manage wetlands not subject to policy 2.1.4 and 2.1.5, in accordance with guidelines developed by the Province”.

The policy appears to require municipalities to use provincial guidelines when managing wetlands not subject to policies 2.1.4 and 2.1.5. If that is the intent, it is impossible to understand the implications of and provide comment on the proposed policy as those provincial guidelines do not yet exist. Section 4: Protecting What is Valuable of the City of Guelph’s Official Plan includes policies aimed at the protection of wetlands not subject to policy 2.1.4 and 2.1.5 and the City would not support any weakening of those protections.

If the intent of the policy is to allow municipalities to choose if they want to use provincial guidelines when choosing to manage wetlands not subject to policy 2.1.4 and 2.1.5, the policy should be revised to make that clear. In either case, the provincial guidelines are needed to help implement the proposed policy.

**Recommendation:** Provide further clarification on the intent of the policies and provide the opportunity for municipalities to provide input into the content of the guidelines as they are being drafted and developed.

8. **Comment:** The City supports the direction to plan and prepare for climate change. However, preparing for climate change implies no action to slow or mitigate the rate at which the climate is changing and so does not address the proactive capacity and effectiveness of local governments to mitigate climate

change. There is an absence of policies to mitigate impacts of changing climate/climate change.

One tool which helps communities adapt to a changing climate is community energy planning. This is most effective when integrated with regional electricity planning, performed by local electricity distribution companies and the Independent Electricity System Operator. The policy should encourage municipalities to participate in the regional electricity planning process.

**Recommendation:** Provide additional guidance on the effect of these policies and interpretation/implementation strategies and consult with municipalities when doing so.

### **Other comments and questions**

1. In Part I: Preamble, supportive of Official Plans coordinating cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Aligning Official Plan policies on cross-boundary matters can help reduce friction in implementing the policies.
2. Policy 1.1.2 - increase time horizon for sufficient lands to be made available from 20 to 25 years - this is to be 'informed by provincial guidelines' - when will the provincial guidelines be released? The City is supportive of an amendment that would allow for employment areas to be planned for beyond a 25 year horizon (responds to comments we've previously provided), however, conformity with the Growth Plan and planning for 2041 still needs to be considered.
3. Policy 1.2.4 d) – will 'major' transit corridor be defined by the Province for purposes of the PPS or will individual municipalities be able to define it? Is it tied to definitions in the Growth Plan?
4. Policy 1.3.1a includes providing an appropriate mix and range of employment, institutional and mixed uses on employment lands. What are mixed uses?
5. Policy 1.3.1c) includes a reference for “market-ready sites”. What is meant by this?
6. Section 1.4.3 b) 1. - what does 'needs arising from demographic changes and employment opportunities mean'? – clarification with respect to how this should be implemented is required.
7. It is unclear why section 1.6.7.5: “Transportation and land use considerations shall be integrated at all stages of the planning process” has been removed. The coordination of transportation and land use are extremely important to ensure sustainable development. To achieve the objectives of well connected, accessible and affordable communities, it is essential to coordinate land use planning with transportation planning. Maintaining this requirement would also be consistent with the proposed change to policy 1.2.1 a) requiring integration of infrastructure planning.
8. Is there a difference between ‘climate change’ and ‘planning for a changing climate’? The title of Section 1.8 still references “climate change”. What is the intent and effect of the change?

9. The terms 'aboriginal' and 'indigenous' are both used within the document, even when used in the same context.
10. The City of Guelph and the County of Wellington are working on 'Our Food Future, Canada's first circular food economy'. To support this initiative we suggest the following changes to policy 1.7.1 i):
  - 11.1.7.1 i) **supporting** and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network **and a sustainable agri-food system**.
12. Policy 2.2.1 g) - The addition of the words 'and efficiency' after conservation would assist in supporting Guelph's water efficiency and conservation efforts:
- 13.2.2.1 g) planning for efficient and sustainable use of water resources, through practices for water conservation **and efficiency** and sustaining water quality;
14. Clarification with respect to why policy 1.6.10.1 was deleted should be provided. The deletion of this policy implies that waste management is strictly a downstream consideration, and that constraints on waste management don't influence land use decisions. This could produce unintended negative consequences.
15. What is the intended effect of adding "d) development and introduction of new housing options within previously developed areas" to the definition of "Residential intensification"? How is it any different from "b) the development of vacant or underutilized lots within previously developed areas" and "c) infill development"?
16. Potentially concerned with the effect of modifying the definition of "Significant" by replacing in e) "for the important contribution they make to our understanding of the history of a place, an event, or a people" with "Processes for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. National and international criteria are established by the certifying bodies". Bill 108 is looking to review/revise these regulations so what the criteria will change to is unknown. We hope that the consultation with municipalities on the criteria is meaningful and they still work for municipalities.