THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2018) – 20323

A by-law to amend the Official Plan for the City of Guelph as it affects property municipally known as 71 Wyndham Street South and legally described as Part of Lots 171 and 172 Registered Plan 113 and portion of former bed of the River Speed lying in front of Broken Lot 3, Division F, City of Guelph (OP1703).

WHEREAS the Official Plan of the City of Guelph was adopted November 1, 1994 and approved December 20, 1995 pursuant to s. 17 of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

AND WHEREAS Section 21 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, provides that a municipality may, by by-law, amend an Official Plan;

AND WHEREAS after giving of the required notice, a Public Meeting was held on July 10, 2017 pursuant to s. 17(15)(d) of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Amendment Number 67 to the Official Plan for the City of Guelph, as amended, consisting of the attached text (Schedule A), is hereby adopted.

2. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Local Planning Appeal Tribunal.

PASSED this ELEVENTH day of SEPTEMBER, 2018.

CAM GUTHRIE - MAYOR

DYLAN MCMAHON – DEPUTY CLERK

KEY MAP FOR BY-LAW NUMBER (2018)-20323

1. By-law Number (2018)-20323 has the following purpose and effect:

   The purpose of By-law (2018)-20323 is to authorize an amendment to the Official Plan for the subject lands municipally known as 71 Wyndham Street South (see Key Map), and legally described as Part of Lots 171 and 172 Registered Plan 113 and portion of former bed of the River Speed lying in front of Broken Lot 3, Division F, City of Guelph to add a site specific policy to the Downtown Secondary Plan to allow up to four additional storeys of height through bonusing and increased maximum building floorplates, to permit the development of a fourteen storey building and permit larger maximum floorplates than the standard policy in the Downtown Secondary Plan.

   The proposed Official Plan Amendment, to be known as Official Plan Amendment No. 67 (OPA 67) would introduce a new site specific policy (11.1.7.3.10) for the subject lands to permit four additional storeys of height through bonusing and a site specific maximum floorplate size of 1475 square metres above the eighth storey and a maximum floorplate size of 1035 square metres above the twelfth storey.

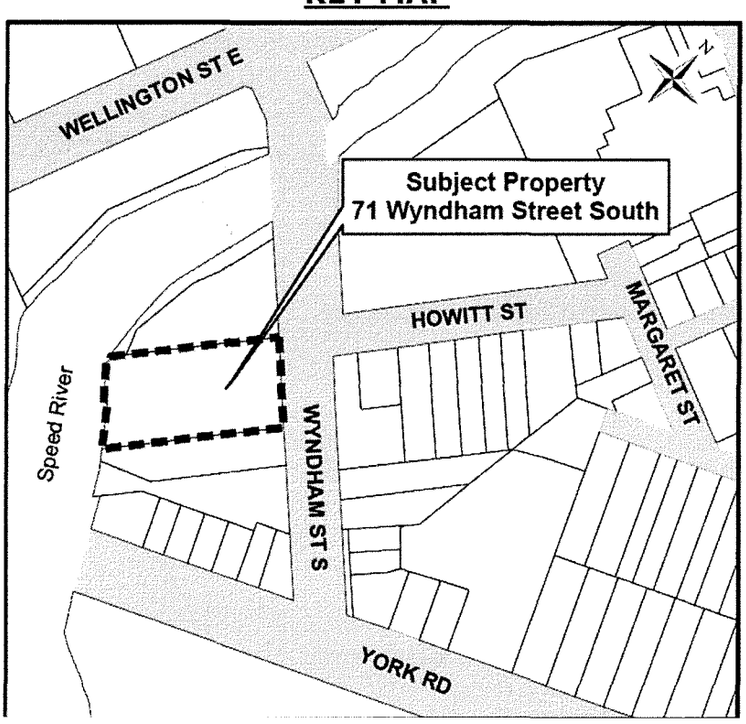
   OPA 67, as proposed, was considered by Guelph City Council at a Public Meeting held on July 10, 2017 and was approved by Guelph City Council on September 11, 2018 (File OP1703).

   Further information may be obtained by contacting or visiting Planning, Urban Design and Building Services, 519-837-5616, extension 2356, City Hall, Guelph, Ontario.

   Persons desiring to officially support or object to this Official Plan Amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. Key map showing the location of the lands to which By-law (2018)-20323 applies:

KEY MAP



AMENDMENT NO. 67

TO THE

OFFICIAL PLAN

FOR THE CITY OF GUELPH

Schedule 'A'

AMENDMENT NO. 67
TO THE
OFFICIAL PLAN FOR THE CITY OF GUELPH

PART A - **THE PREAMBLE** provides the rationale and certain background information in support of the amendment. The Preamble does not constitute part of Amendment No. 67 to the Official Plan for the City of Guelph.

PART B - **THE AMENDMENT** consists of the specific text changes introduced to the Official Plan for the City of Guelph through the Amendment.

PART C - **THE APPENDICES** contains background data and public involvement associated with this amendment, but does not constitute part of Amendment No. 67 to the Official Plan for the City of Guelph.

PART A - THE PREAMBLE

PURPOSE

The purpose of Official Plan Amendment No. 67 is to amend the Downtown Secondary Plan to allow up to four (4) additional storeys of height above the identified maximum of ten (10) storeys, with the provision of community benefits as permitted under Section 37 of the Planning Act and subject to the criteria of Policy 11.1.8.4.1. Furthermore, a site specific maximum floorplate size of 1475 square metres above the eighth storey and a maximum floorplate size of 1035 square metres above the twelfth floor may be permitted.

LOCATION

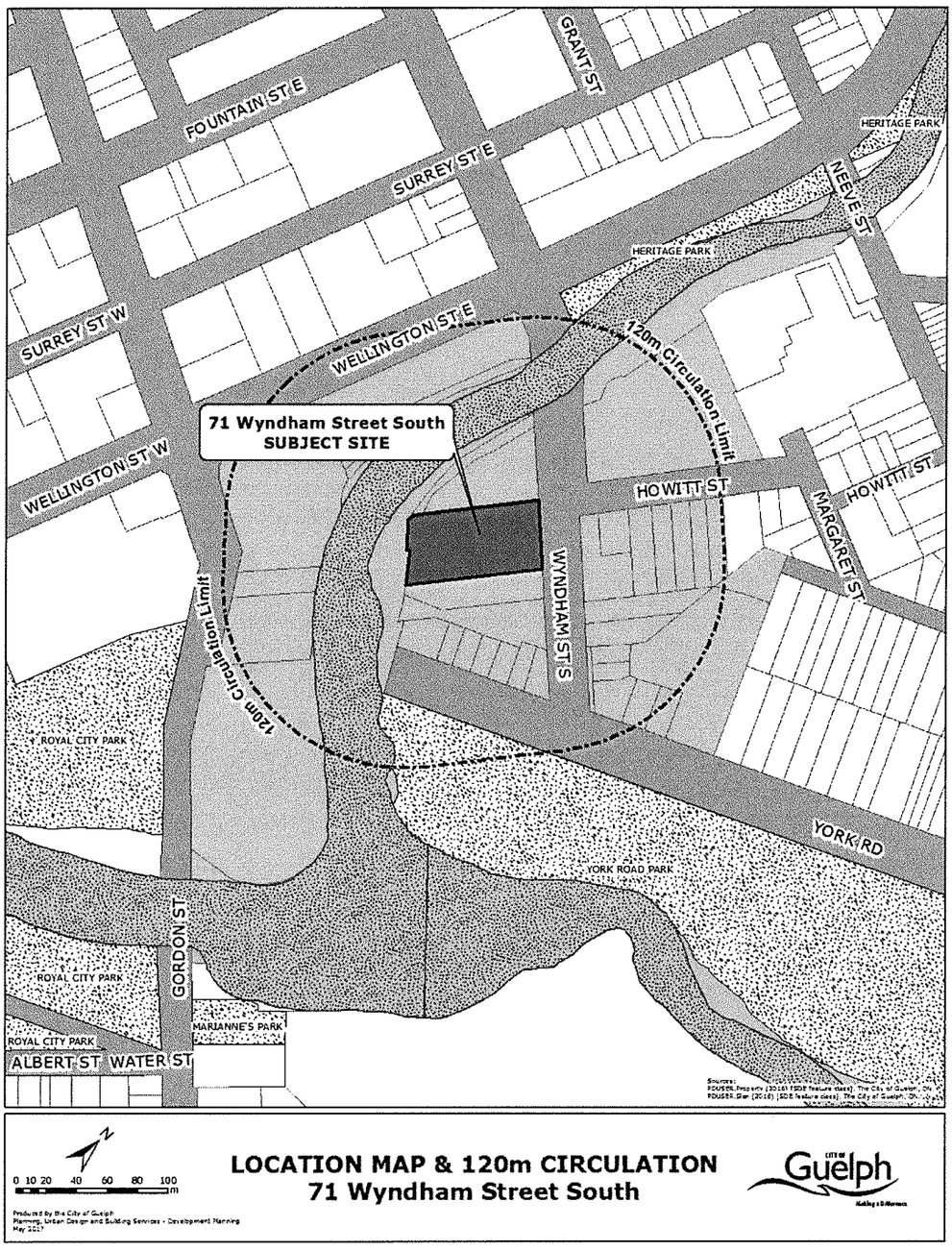
The subject lands affected by Official Plan Amendment No. 67, are known municipally as 71 Wyndham Street South, and legally described as Part of Lots 171 and 172 Registered Plan 113 and portion of former bed of the River Speed lying in front of Broken Lot 3, Division F, City of Guelph. The subject lands have an area of 0.382 hectares.

Surrounding land uses include:

- To the north, a three storey apartment building

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

The subject lands are located on the west side of Wyndham Street South; between Wellington Street and York Road, and abuts the Speed River on the west side (see Location Map below).



BASIS

The Official Plan Amendment application was submitted to the City of Guelph in conjunction with an application to amend the Zoning By-law (File No. ZC1705) on May 18, 2017. The Official Plan Amendment and Zoning By-law Amendment applications were deemed to be 'complete' on June 9, 2017. The applications were presented to Council at a Public Meeting held on July 10, 2017.

The following studies were submitted by the property owner in support of the Official Plan Amendment and Zoning By-law Amendment:

- Planning Justification Report, prepared by Stantec Consulting Ltd., dated May 5, 2017
- Urban Design Brief, prepared by Stantec Consulting Ltd., dated May 12, 2017 (Revised July 19, 2018)
- Functional Servicing Report, prepared by Stantec Consulting Ltd., dated May 5, 2017
- Hydrogeologic Assessment, prepared by Stantec Consulting Ltd., dated June 8, 2017 (Revised September 27, 2018, Revised March 27, 2018)
- Phase I Environmental Site Assessment, prepared by XCG Consulting Limited, dated July 12, 2016
- Phase II Environmental Site Assessment, prepared by XCG Consulting Limited, dated August 6, 2016
- Traffic Impact Study, prepared by Stantec Consulting Ltd., dated May 12, 2017
- Conceptual Development Plan, prepared by Stantec Consulting Ltd.
- Building Elevations Renderings prepared by Kasian (Revised March 19, 2018, July 19, 2018).
- Environmental Impact Study, prepared by Stantec Consulting Ltd, dated June 8, 2017 (Revised
- Safe Access Study, prepared by Stantec Consulting Ltd, dated May 30, 2017.

The Official Plan land use designation that applies to the subject lands is "Mixed Use 1". The "Mixed Use 1" land use designation is intended to accommodate a broad range of uses in a mix of highly compact development forms, with a minimum Floor Space Index of 1.5. The minimum permitted building height is three (3) stories and the maximum permitted building height is ten (10) stories.

The Official Plan Amendment will introduce a new site specific policy to the Downtown Secondary Plan for the subject lands to allow for up to four (4) additional storeys of height above the identified maximum of ten (10) storeys, with the provision of community benefits as permitted under Section 37 of the Planning Act and subject to the criteria of Policy 11.1.8.4.1. Furthermore, a site specific maximum floorplate size of 1475 square metres above the eighth storey and a site specific maximum floorplate size of 1035 square metres above the twelfth floor may be permitted. Section 11.1.7.3 will be amended to include the new site specific policy.

This Official Plan Amendment will permit the development of a building with a maximum height of 14 storeys and permit larger maximum floorplates than the standard policy in the Downtown Secondary Plan.

PART B - THE AMENDMENT

All of this section entitled "Part B – The Amendment," constitutes Amendment No. 67 to the Official Plan for the City of Guelph.

Format of the Amendment

Additions/modifications are shown in **bold text**, with deletions shown as ~~strikeouts~~.

Details of the Amendment

The Official Plan for the City of Guelph is amended to add a new policy 11.1.7.3.10 as follows:

11.1.7.3.10

Within the Mixed Use 1 designation at 71 Wyndham Street South:

a) In spite of Policy 11.1.8.4.1, the City may permit a maximum of four (4) additional storeys of height above the identified maximum height of 10 storeys with the provision of community benefits as permitted under Section 37 of the Planning Act and subject to the criteria of 11.1.8.4.1a – 11.1.8.4.1d.

b) In spite of Policy 11.1.7.2.3 h), the massing of the building will be based on a maximum floorplate of 1475 square metres above the eighth storey and a maximum floorplate of 1035 square metres above the twelfth floor.

PART C - THE APPENDICES

The following appendices do not form part of Amendment No. 67, but are included as information supporting the amendment.

Appendix 1: Public Participation

Appendix 2: September 10, 2018 Planning Staff Decision Report No. IDE 2018-109

APPENDIX 1

TO OFFICIAL PLAN AMENDMENT NO. 67

PUBLIC PARTICIPATION

May 18, 2017	Applications for Official Plan Amendment and Zoning By-law Amendment (Files OP1703 and ZC1705) submitted to the City
June 9, 2017	Applications deemed complete by Planning staff
June 14, 2017	Notice of Complete Application and Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres
June 16, 2017	Notice sign placed on property
June 15, 2017	Public Meeting Notice advertised in the *Guelph Tribune*
July 10, 2017	Statutory Public Meeting of City Council
August 20, 2018	Notice of Decision Meeting sent to parties that commented on applications or requested notice
September 10, 2018	City Council Meeting to consider staff recommendation

APPENDIX 2

TO OFFICIAL PLAN AMENDMENT NO. 67

PLANNING STAFF DECISION REPORT NO. IDE 2018-109, DATED SEPTEMBER 10, 2018

Available with the agenda for the Council meeting of September 10, 2018 and enclosed with By-law (2018)-20323 file.