

# Staff Report



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To **City Council**  
Service Area Infrastructure, Development and Enterprise Services  
Date Monday, September 9, 2019  
Subject **Statutory Public Meeting: City Initiated Official Plan Amendment for the Commercial Policy Review**  
Report Number IDE-2019-94

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## Recommendation

That Report IDE-2019-94 regarding a City-initiated Official Plan Amendment for the Commercial Policy Review dated September 9, 2019 be received.

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## Executive Summary

### Purpose of Report

To provide information about the proposed City-initiated Official Plan Amendment to implement the Council approved Commercial Policy Review: Preferred Framework. This report has been prepared in conjunction with the Statutory Public Meeting for this application.

### Key Findings

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

### Financial Implications

There are no financial implications as a direct result of the proposed planning matters.

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## Report

The City is undertaking a review of the commercial policies in the Official Plan to provide an updated commercial policy framework for the City that will meet the projected growth needs for 2031 and provide the basis to meet the needs for 2041. The last commercial policy review update was undertaken in 2006 and resulted in the existing Official Plan commercial policies that planned for commercial needs to 2021.

The Commercial Policy Review consists of the following reports:

1. [Commercial Market Analysis and Background report, November 24, 2017 \(IDE-2017-130\)](#)
2. [Commercial Policy Review: Vision and Principles, March 5, 2018 \(IDE-2018-18\)](#)

3. [Commercial Policy Review: Draft Policy Alternatives, May 14, 2018 \(IDE-2018-57\)](#)
4. [Commercial Policy Review: Preferred Framework, July 9, 2018 \(IDE-2018-94\)](#)
5. [Commercial Policy Review Preferred Framework Implementation Discussion Paper, April 5, 2019 \(IDE-2019-46\)](#)

At their meeting of July 9, 2018, City Council directed staff to initiate amendments to the Official Plan and Zoning By-law to implement the Council approved Commercial Policy Review: Preferred Framework. This report presents the proposed amendments to the Official Plan. As previously reported, the recommendations for amendments to the Zoning By-law to implement the Commercial Policy Review will be completed through the Comprehensive Zoning By-law Review. This direction was considered through the options review in the discussion paper and it was determined to be the preferred method to implement the zoning changes. This allows the commercial zoning categories to be reviewed and revised holistically with consideration for both the recommendations of the commercial policy review and the input received through the consultations on the comprehensive zoning bylaw review.

### **Location**

The proposed Official Plan amendment policy modifications apply to all lands designated within commercial categories in the city of Guelph. The proposed land use designation changes apply to the following properties: 721, 727, 731, 735, 737 and 739 Woolwich Street; 200 Victoria Road South; 523 York Road; 494-500 York Road; 540 York Road; 895-919 York Road and 57 Watson Parkway North.

### **Existing Official Plan Policies**

The Official Plan establishes Commercial and Mixed-use designations that are intended to provide a range of uses to meet the needs of daily living and ensure that an adequate supply of commercial land use provided throughout the City. The policies support the dispersal of commercial uses throughout the City. There are five major land use categories within the commercial and mixed-use development designations and they are defined by their size and planning function. They include: Community Mixed-use Centre; Mixed-use Corridor; Neighbourhood Commercial Centre; Service Commercial; and Mixed Office/ Commercial.

### **Reason for the Amendment**

To update the commercial policy framework in the Official Plan to implement the recommendations of the Council approved Commercial Policy Review: Preferred Framework which:

- Address the evolution of commercial development into mixed-use areas while protecting commercial space for the long term;
- Designate sufficient land for commercial purposes to address the land shortage to 2041;
- Protect existing commercial land supply through the introduction of minimum commercial floor space; commercial function study requirements; and residential density policies;
- Provide clarity on the floor space measure by changing it from retail to commercial; and

- Allow for intensification of existing Commercial Mixed-use Centres by increasing the maximum commercial floor space permitted.

## **Proposed Official Plan Amendment**

Official Plan Amendment #69 (see Attachment 1) is proposed to implement the Council approved Preferred Framework for the Commercial Policy Review through the following policy amendments to Chapter 9, Section 9.4:

- Changes references to “retail gross floor area” to “commercial gross floor area”;
- Changes the name of the land use designation “Community Mixed-use Centre” to “Commercial Mixed-use Centre”;
- Increases the maximum gross floor area of commercial space for three Commercial Mixed-use Centres (Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial);
- Provides a minimum gross floor area of 6,500 square metres of commercial space for the Commercial Mixed-use Centres;
- Increases the maximum commercial gross floor area for Neighbourhood Commercial Centres to 6,500 square metres;
- Provides policies to protect against the loss of commercial floor space through the introduction of Commercial Function Study policies, the introduction of floor space index benchmarks and policy that protects existing commercial space from being reduced by 25% or more; and
- Provides a residential density policy for the Neighbourhood Commercial Centres.

The proposed Official Plan amendment modifies Schedule 2 (see Attachment 2 for existing and proposed land use designations) by changing the land use designations of the following properties:

- 721, 727, 731, 735, 737 and 739 Woolwich Street: land use designation proposed to be changed from Service Commercial to Mixed-use Corridor;
- 200 Victoria Road South: land use designation proposed to be changed from Neighbourhood Commercial Centre to Commercial Mixed-use Centre;
- 523 York Road and 494-500 York Road: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre;
- 540 York Road: land use designation proposed to be changed from Service Commercial and Industrial to Commercial Mixed-use Centre;
- 895-919 York Road and 57 Watson Parkway North: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre.

## **Comments Received on the Discussion Paper**

The comments received on the Commercial Policy Review Preferred Framework Discussion paper are included in Attachment 3.

Silvercreek (Guelph) Developments Limited provided comments supportive of the approach to modify the retail gross floor area to commercial gross floor area as it preserves and promotes flexibility. They stated concerns with recommendations to change the maximum gross floor area permitted with the Silvercreek Junction Mixed-use Centre and that they do not feel the proposed minimum of .15 FSI for commercial space is desirable or appropriate for Silvercreek Junction. In response

to these comments, it is noted that the proposed amendment does not modify the maximum gross floor area permissions for Silvercreek and proposes clarification by modifying Policy 9.4.2.14 to refer to the site-specific policies for Silvercreek Junction. The .15 FSI is proposed to ensure sufficient commercial space is protected for the long term within the Commercial Mixed-use Centres. Policies are proposed that would allow for consideration of reductions to commercial floor space through a Commercial Function Study as part of development applications.

J. William Birdsell, Architect with respect to 110 Stevenson Street South provided comments that the property is designated as Mixed Business in the Official Plan, the property is too small for commercial uses and should be recognized in the Commercial Policy Review for an alternative use. In response to these comments, it is noted that lands that are designated Mixed Business are within the employment land use categories of the Official Plan and are not within the scope of the Commercial Policy Review. No action will be taken through the Official Plan amendment for the commercial policy review with respect to this comment.

Zelinka Priamo LTD on behalf of Loblaw Companies Limited provided comments stating that:

- the proposed minimum of 6500 square metres is not appropriate for the Loblaws site at 115 Watson Parkway;
- that it is unclear whether the commercial space includes the library,
- that if a supermarket is established on another site in the vicinity that it would not be warranted on the Loblaws property,
- that it is unclear how much of the 6500 square metre minimum would be required on the Loblaw property,
- that the .15 FSI policy would result in greater than 6500 square metres being required on the Loblaw property which is not economically feasible or practical;
- that the Commercial Function Study policies remove the FSI test and that the reference to "food stores and drug stores" be changed to "food stores or drug stores" or to "food stores and/or drug stores".
- That the Commercial Function Study policies reference "an appropriate Trade or Study Area" rather than "in the immediate area" and that the community focal point be changed to include recreation, library or day care".

In response to the comments from Zelinka Priamo LTD:

- The preferred framework established 6500 square metres as the appropriate minimum commercial floor area to ensure that the designation maintains its planned function for commercial uses for the long term.
- The policy for retail gross floor area is proposed to be changed to commercial gross floor area to ensure that it provides flexibility for tenancy; commercial uses do include the library.
- The establishment of two new Commercial Mixed-use Centres is intended to increase the range and supply of commercial space in the east end of the City and provide alternatives should Loblaws not move forward with development of their site.
- The minimum amount of commercial floor area required on the Loblaw site would be determined based on what is existing and approved on all of the sites within the Starwood/Watson designation and ensuring that the policies for minimum space are met.

- The intent of the Commercial Policy Review is to ensure a long-term supply of commercial lands to meet needs of the community to 2031 and 2041. The Commercial Function Study policy proposed wording states food-store, food related store and/or drug store. We do not support removal of the .15 FSI test. This is the minimum FSI that would ensure commercial uses are available for the long term on these sites. Establishing a benchmark of 0.15 FSI allows flexibility in the marketplace to respond to future trends and to integrate non-commercial uses onto mixed-use sites as well as allowing the ability to address individual site-specific circumstances.
- The “immediate area” is recommended for the Commercial Function Study to align with policies for providing daily and weekly shopping at appropriate locations that are accessible by pedestrians and transit users. The commercial land use designations are intended to have commercial as their focal point and as such, we do not support amending this section of the policy to include other uses as the focal point. Uses such as libraries, recreation and day care contribute to the mix of uses but should not detract from the intended planned function of meeting daily and weekly shopping needs.

### **Next Steps**

Following the statutory meeting, we will review any comments received and assess them against the Council approved Commercial Policy Review Preferred Framework, the Provincial Policy Statement and the Growth Plan. A recommendation report will be presented to Council in Q4 2019.

### **Financial Implications**

There are no financial implications as a direct result of the proposed planning matters.

### **Consultations**

Individual meetings were held with those who requested to meet with staff to review the discussion paper. Notice of the Public Meeting was mailed on August 19, 2019 to local boards and agencies, City service areas, key stakeholders and owners of properties that the amendments pertain to. The Public Meeting was advertised in the Guelph Tribune on August 15, 2019 and on [guelph.ca](http://guelph.ca).

### **Corporate Administrative Plan**

#### **Overarching Goals**

Service Excellence

#### **Service Area Operational Work Plans**

Our Services - Municipal services that make lives better

Our People - Building a great community together

#### **Attachments**

Attachment 1 - Proposed Official Plan Amendment for the Commercial Policy Review

Attachment 2 – Existing and Proposed Official Plan Land Use Designations

**Departmental Approval**

Not applicable

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# Attachment 1 – Proposed Official Plan Amendment for the Commercial Policy Review

## Proposed Official Plan Amendment for the Commercial Policy Review (OPA 69)

### Format of the Amendment

This section of Amendment #69 for the Commercial Policy Review sets out additions and changes to the text and mapping in the Official Plan. Sections of the Official Plan that are proposed to be added or changed are referred to as "ITEMS" in the following description. Text that is proposed to be amended is illustrated by various font types (e.g. ~~struck-out~~ is to be deleted and **bold** text is to be added). Unchanged text represents existing Official Plan policy that is being carried forward that has been included for context and does not constitute part of Amendment #69. New sections that are proposed to be added to the Official Plan are shown in standard font type with titles appearing in bold. Italicized font indicates defined terms or the name of a provincial act or title of a document.

### Implementation and Interpretation

The implementation of this amendment shall be in accordance with the provisions of the Planning Act. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant text and mapping schedules of the existing Official Plan of the City of Guelph and applicable legislation.

Amendment #69 should be read in conjunction with the current Official Plan (2018 Consolidation which is available on the City's website at [guelph.ca](http://guelph.ca), or at the Planning Services office located at 1 Carden Street on the 3rd Floor.

### Details of the Proposed Amendment

**ITEM 1:** The purpose of 'ITEM 1' is to change the reference to Community Mixed-use Centre in the preamble to Section 9.4 to Commercial Mixed-use Centre to reflect the change to the designation name.

The preamble to section 9.4 of the Official Plan is hereby amended as follows to replace the term "Community Mixed-use Centres" with the term "Commercial Mixed-use Centres".

#### 9.4 Commercial and Mixed-use Designations

The Commercial and Mixed-use designations are intended to provide a range of uses to meet the needs of daily living. The commercial policies of this Plan are supportive of the dispersal of commercial uses throughout the city while discouraging the creation of strip development. Commercial centres are intended to be *transit-supportive* developments linked to surrounding neighbourhoods by sidewalks and trails. The ~~Community~~ **Commercial** Mixed-use Centres and Mixed-use Corridors are intended to develop over time into distinct areas with centralized public spaces that provide a range of uses

including, retail and office uses, *live/work* opportunities and medium to high density residential uses.

**ITEM 2:** The purpose of 'Item 2' is to amend Section 9.4.1 to update the designation name for Commercial Mixed-use Centres, to renumber policy references, and to change the references to "retail" space to "commercial" space.

Section 9.4.1 is hereby amended as follows:

#### **9.4.1 Market Impact Studies**

1. 1. Subject to the policies of Section 1.3, proposals to establish new commercial or mixed-use areas or to expand the areas identified on Schedule 2 shall require an amendment to this Plan.
- 2.
3. 2. Market Impact Studies shall be required to assess the impact on the City's commercial policy structure when proposals are made to:
  - 4.
  5. i) establish or expand a ~~Community~~ **Commercial** Mixed-use Centre or Mixed-use Corridor beyond the designation limit boundaries on Schedule 2;
  - 6.
  7. ii) to exceed the ~~retail~~ **commercial** gross floor area limitations within a ~~Community~~ **Commercial** Mixed-use Centre established in policy 9.4.23.14 or the number of large retail uses in policy 9.4.23.13; and
  - 8.
  9. iii) to extend or enlarge a Neighbourhood Commercial Centre to provide more than the ~~10,000 square metres of~~ maximum permitted commercial gross floor area **established in policy 9.4.5.3 and 9.4.5.4.**
10. 3. An appropriate Market Impact Study shall demonstrate that:
  11. i) the proposal can be justified without detriment to the overall function or economic vitality of Downtown or the key component functions that contribute to Downtown's overall vitality;
  - 12.
  13. ii) the achievement of the City's Strategic Goals, the Urban Design policies and the Commercial and Mixed-use policies and objectives of the Official Plan will not be compromised; and
  - 14.
  15. iii) the ability of existing designated commercial or mixed-use lands to achieve their planned function will not be compromised.
16. 4. A Market Impact Study shall include:
- 17.



18. i) an assessment of the current market situation and the future potential for the expansion of retail **commercial** facilities in light of projected population and employment growth;
  - 19.
  20. ii) an evaluation of the economic feasibility of the proposal on the basis of current market demand or retail market opportunity;
  - 21.
  22. iii) an indication of the scale of any adverse effects on the economic viability of Downtown, the key functions that contribute to Downtown's overall vitality and on any existing or planned designated commercial or mixed-use lands provided for in this Plan; and
  - 23.
  24. iv) an assessment of the implications of the proposal relative to the City's approved Commercial Policy Review Study and the objectives and implementing policies of this Plan.
5. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City in determining the terms of reference for a Market Impact Study and/or to provide a peer review of the applicant's submission.

**Item 3:** The purpose of Item 3 is to add a new section 9.4.2 titled Commercial Function Studies to provide policies for study requirements where development applications propose to reduce commercial gross floor area.

The following new Section 9.4.2 entitled Commercial Function Studies is hereby added to the Official Plan.

#### **9.4.2 Commercial Function Studies**

25. 1. Commercial function studies shall be required as part of a complete application for development proposals for Commercial Mixed-use Centres, Neighbourhood Commercial Centres and Mixed-use Corridors that propose to:
  - 26.
  27. i. provide commercial gross floor area at less than .15 FSI; or
  - 28.
  29. ii. reduce the commercial gross floor area existing at the time of the application by more than 25 per cent; or
  - 30.
  31. iii. provide less than 6500 square metres of commercial gross floor area for lands designated Commercial Mixed-use Centre.
2. A Commercial Function Study shall address:
  32. i. The availability of commercial floor space within the designation to meet daily and weekly needs of the surrounding community especially for food store, food-related store and/or drug store.

33. ii. Opportunities for additional commercial floor space to be provided elsewhere and thereby sustain the local provision of commercial floor space within that designation or in the immediate area;
34. iii. Impacts on the ability of residents and employees in the area to use active transportation options to access commercial shopping areas and commercial services; and
35. iv. Role of the commercial space in creating a community focal point.
36. 3. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City to provide a peer review of the applicant's submission.

**Item 4:** The purpose of Item 4 is to renumber, rename and revise Section 9.4.2 Community Mixed-use Centres to: reflect the change in the land use designation name to Commercial Mixed-use Centres; to add two new Commercial Mixed-use Centres; to provide policies for the requirement for commercial function studies; to increase the total commercial floor area for the Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial Centres; to add a total commercial gross floor area for the two new centres; and to establish a minimum commercial gross floor area.

Section 9.4.2 is hereby amended and renumbered as follows:

#### **9.4.2 3 ~~Community~~ Commercial Mixed-use Centre**

37. The following ~~Community~~ **Commercial** Mixed-use Centres are designated on Schedule 2:
  38. • Woodlawn/Woolwich
  39. • Paisley/Imperial
  40. • **York/Victoria**
  41. • **York/Watson**
  42. • Watson/Starwood
  43. • Gordon/Clair
  44. • Silvercreek Junction

#### **Objectives**

- a) To promote ~~Community~~**Commercial** Mixed-use Centres as areas that support a mix of uses including concentrations of commercial, residential and complementary uses serving the immediate neighbourhood and the wider community.

## Policies

1. The **Community Commercial** Mixed-use Centres identified on Schedule 2 of this Plan are comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within the designation. These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
2. The intent of the **Community Commercial** Mixed-use Centre designation is to create a well-defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing *Zoning By-laws* may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base.
3. *Development* will be comprehensively planned and integrated with the overall **Community Commercial** Mixed-use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11.

Note: Policy 9.4.23.2 and 9.4.23.3 are under appeal only as they relate to the following properties: 115 Watson Parkway North (formerly 72 Watson Road North), 1750 Gordon Street, 84 Clair Road East, 124 Clair Road East, 158 Clair Road East, 174 Clair Road East, 190 Clair Road East, 202 Clair Road East, 960-1045 Paisley Road, 297-299 Eramosa Road, 111-191 Silvercreek Parkway North, 35 Harvard Road, 160, 170, 200 and 210 Kortright Road West, and 98 Farley Drive.

These policies are in effect for all other affected lands designated on Schedule 2.

4. Where residential uses are incorporated into **Community Commercial** Mixed-use Centres, they are intended to be developed as mixed-use buildings or multiple-unit residential buildings.
5. Properties within the **Community Commercial** Mixed-use Centre will be integrated through internal access roads, entrances from public streets, access to common parking areas, open space, grading and stormwater management systems. Furthermore, it is intended that individual developments within the **Community Commercial** Mixed-use Centre will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
6. **Community Commercial** Mixed-use Centres are strongly encouraged to incorporate Main Street type development in strategic locations. Main Street areas, as identified through concept plans as per Section 3.11, will be planned and designed to reflect the following:
  45. i) multi-storey buildings fronting onto the main street;

- 46. ii) ground floor retail and service uses are strongly encouraged;
- 47. iii) office uses at ground floor should be limited;
- 48. iv) residential uses should be provided primarily above commercial uses in addition to some free-standing residential buildings;
- 49. v) rhythm and spacing of building entrances and appropriately sized storefronts to encourage pedestrian activity;
- 50. vi) urban squares, where appropriate; and
- 51. vii) on-street parking.

Note: Policy 9.4.23.6 is under appeal only as it relates to the following properties: 115 Watson Parkway North (formerly 72 Watson Road North), 1750 Gordon Street, 84 Clair Road East, 124 Clair Road East, 158 Clair Road East, 174 Clair Road East, 190 Clair Road East, 202 Clair Road East, 960-1045 Paisley Road, 297-299 Eramosa Road, 111-191 Silvercreek Parkway North, 35 Harvard Road, 160, 170, 200 and 210 Kortright Road West, and 98 Farley Drive and 35 and 40 Silvercreek Parkway South.

This policy is in effect for all other affected lands designated on Schedule 2.

- 7. The City will require the aesthetic character of site and building design to be consistent with the Urban Design policies of this Plan and any applicable urban design guidelines while recognizing the unique context of individual ~~Community~~ **Commercial** Mixed-use centres. Measures may be incorporated into development approvals to ensure consistency.
- 8. The boundaries of the ~~Community~~ **Commercial** Mixed-use Centre designation are intended to clearly distinguish the ~~Community~~ **Commercial** Mixed-use Centre as a distinct entity from adjacent land use designations. Proposals to expand a ~~Community~~ **Commercial** Mixed-use Centre beyond these boundaries or to establish a new ~~Community~~ **Commercial** Mixed-use Centre shall require an Official Plan Amendment supported by a Market Impact Study in accordance with the policies of this Plan.
- 9. **Proposals for development of a Commercial Mixed-use Centre at less than 6500 square metres of commercial gross floor area will require an amendment to this Plan supported by a Commercial Function Study in accordance with the policies of this Plan.**
- 10. **Proposals to decrease the existing commercial gross floor area by more than 25 per cent or to provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.**
- 911. Development within the Community Commercial Mixed-use Centre designation is subject to the policies of Section 3.11 of this Plan.

### **Permitted Uses**

- 102. The following uses may be permitted in ~~Community~~ **Commercial** Mixed-use Centres, subject to the applicable provisions of this Plan:
  - 52. i) commercial, retail and service uses;

- 53. ii) live/work uses;
  - 54. iii) small-scale professional and medically related offices;
  - 55. iv) entertainment and recreational commercial uses;
  - 56. v) community services and facilities;
  - 57. vi) cultural, educational and institutional uses;
  - 58. vii) hotels;
  - 59. viii) multiple unit residential; and
  - 60. ix) urban squares and open space.
113. Vehicle repair and vehicle service stations shall only be permitted as accessory uses.
124. The permitted uses can be mixed vertically within a building or horizontally within multiple-unit buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross floor area:
- 61. i) the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities;
  - 62. ii) smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development; and
  - 63. iii) large free-standing building(s) should be integrated with smaller buildings to create a Main Street-type environment or located on peripheral sites within the designation, which are directly linked to the Main Street.
135. No individual Community Commercial Mixed-use Centre shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of gross floor area.

### Height and Density

146. The ~~Community~~ **Commercial** Mixed-use Centres incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. To promote a mixture of land uses within each ~~Community~~ **Commercial** Mixed-use Centre, ~~retail~~ **commercial** development will be limited to the following total *gross floor area* cumulatively of all buildings within the designation:

Mixed-use Centre: Total **Commercial** Gross Floor Area

Gordon/Clair: ~~48,500 sq. m.~~ 57,900 sq. m

Woodlawn/Woolwich: ~~56,000 sq. m.~~ 75, 600 sq. m

Paisley/Imperial: ~~57,000 sq. m.~~ 63,500 sq. m

**York/Victoria: 16,300 sq. m**

**York/Watson Parkway: 11,700 sq. m**

Watson Parkway/Starwood: 28,000 sq. m

Silvercreek Junction: ~~22,760 sq. m.~~ **as per section 9.13.2.5.5**

157. The maximum height is ten (10) storeys.

**18. The minimum commercial gross floor area is 6500 square metres.**

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

~~17~~20. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

**Item 5:** The purpose of Item 5 is to renumber Section 9.4.3 and to add the Woolwich Mixed-use Corridor to the list of Mixed-use Corridors in the preamble to Section 9.4.3.

Section 9.4.3 is hereby renumbered and the preamble is hereby amended as follows:

#### **9.4.34 Mixed-use Corridor**

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

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

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

**Item 6:** The purpose of Item 6 is to add a new policy 9.4.4.7 for commercial function studies and to renumber the subsequent policies.

Policy 9.4.4.7 is hereby added as follows and the remainder of policies in the new Section 9.4.4 are renumbered.

**7. Development proposals that would decrease the existing commercial gross floor area of a commercially zoned site within the Mixed-use Corridor designation by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI on a commercially zoned site will require a Commercial Function Study in accordance with the policies of this Plan.**

#### **Permitted Uses**

~~7~~8. The following uses may be permitted in the Mixed-use Corridor designation, subject to the applicable provisions of this Plan:

64. i) commercial, retail and service uses;

- 65. ii) office;
  - 66. iii) entertainment and recreational commercial uses;
  - 67. iv) cultural and educational uses;
  - 68. v) institutional uses;
  - 69. vi) hotels;
  - 70. vii) live/work;
  - 71. viii) medium and high density multiple unit residential buildings and apartments; and
  - 72. ix) urban squares and open space.
- 89.** The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft.) of gross floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development.

### **Height and Density**

- 910.** The maximum height is six (6) storeys.
- ~~1011.~~ For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.
- ~~1112.~~ Additional height and density may be permitted subject to the Height and Density Bonus provisions of this Plan.

**Item 7:** The purpose of Item 7 is to renumber section 9.4.4 Neighbourhood Commercial Centre and to amend the policies of Section 9.4.4 to establish a new maximum commercial gross floor area; to update the policy for market impact studies; to delete the reference to the Victoria and York Neighbourhood Commercial Centre; to add a policy to require commercial function studies; to change residential “uses” to “units”; and to set a maximum residential density.

Section 9.4.4 is hereby renumbered and amended as follows:

#### **9.4.45 Neighbourhood Commercial Centre**

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

#### **Objectives**

- 73. a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.
- 74. b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is compatible with the surrounding residential neighbourhood.
- 75. c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.

76. d) To be connected to surrounding neighbourhoods through the City's pedestrian trails, walkways and by transit.

### **Policies**

1. The Neighbourhood Commercial Centre designations on Schedule 2 recognize the existing centres within the city and identify the general location of new Neighbourhood Commercial Centres.
2. To prevent the creation of strip commercial development comprising a series of Neighbourhood Commercial Centres located adjacent to one another along a major street, it is the general requirement of this Plan that designated Neighbourhood Commercial Centres have a minimum distance separation from one another of 500 metres.
3. ~~This Plan intends that a~~ A Neighbourhood Commercial Centre shall ~~not be extended or enlarged to provide more than 4,650~~ **have a maximum total commercial gross floor area of 6,500** square metres (~~50,000~~ **70,000** square feet) of ~~gross floor area~~.
4. Notwithstanding policy 9.4.45.3, the existing Neighbourhood Commercial Centres listed below will be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of **commercial gross floor area**:
  - Speedvale Avenue at Stevenson Street
  - Victoria Road at Grange Street
  - ~~Victoria Road at York Road~~
  - Kortright Road at Edinburgh Road
  - Harvard Road at Gordon Street
  - Kortright Road at Gordon Street
  - Wellington Street at Imperial Road.
5. A Neighbourhood Commercial Centre **shall only be extended or enlarged** ~~as listed in policy 9.4.4.4 shall only be extended or enlarged~~ to provide more than **the permitted maximum** ~~10,000 square metres (108,000 square feet)~~ of **commercial gross floor area** by amendment to this Plan and shall require a Market Impact Study.
6. The maximum gross floor area of an individual retail use within a Neighbourhood Commercial Centre shall be 3,250 square metres (35,000 square feet).
7. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of Zoning By-laws and Site Plans to ensure conformity.
8. Where new development occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances



from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems.

9. Development within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.
10. Applications for the purpose of establishing or expanding a Neighbourhood Commercial Centre designation will be required to satisfy the following criteria:
  77. i) located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
  78. ii) the location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
  79. iii) designed in a manner that is compatible with the building design and use of surrounding properties;
  80. iv) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
  81. v) adequate site area will be provided for parking, loading and all other required facilities; and
  82. vi) adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.
- 11. Development proposals that would decrease the existing commercial gross floor area within a Neighbourhood Commercial Centre by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.**

### **Permitted Uses**

112. The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:
  83. i) commercial, retail and service uses;
  84. ii) small-scale offices;
  85. iii) community services and facilities;
  86. iv) live/work;
  87. v) multiple unit residential within mixed-use buildings; and
  88. vi) urban squares.
123. Vehicle sales and vehicle repair uses shall not be permitted.
134. Development will be planned and designed to maintain the principal commercial function. Residential uses units are not permitted on the ground floor.

### **Height and Density**

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

**16. For residential development, the maximum net density is 100 units per hectare.**

157. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

**Item 8:** The purpose of Item 8 is to renumber section 9.4.5 Service Commercial and Section 9.4.6 Mixed Office/Commercial.

Section 9.4.5 Service Commercial and Section 9.4.6 Mixed/Office Commercial are hereby renumbered as follows.

9.4.56 Service Commercial

9.4.67 Mixed Office/Commercial

**Item 9:** The purpose of Item 9 is to delete policy 9.4.6.9 which references height and density bonusing within the Mixed Office/Commercial section.

Policy 9.4.6.9 is hereby deleted.

**Item 10:** The purpose of Item 10 is to revise Schedule 2 Land Use Plan to change the land use designation for 721, 727, 731, 735, 737 and 739 Woolwich Street from Service Commercial to Mixed-use Corridor.

**Item 11:** The purpose of Item 11 is to revise Schedule 2 Land Use Plan to change the land use designation for 200 Victoria Road South from Neighbourhood Commercial Centre to Commercial Mixed-use Centre.

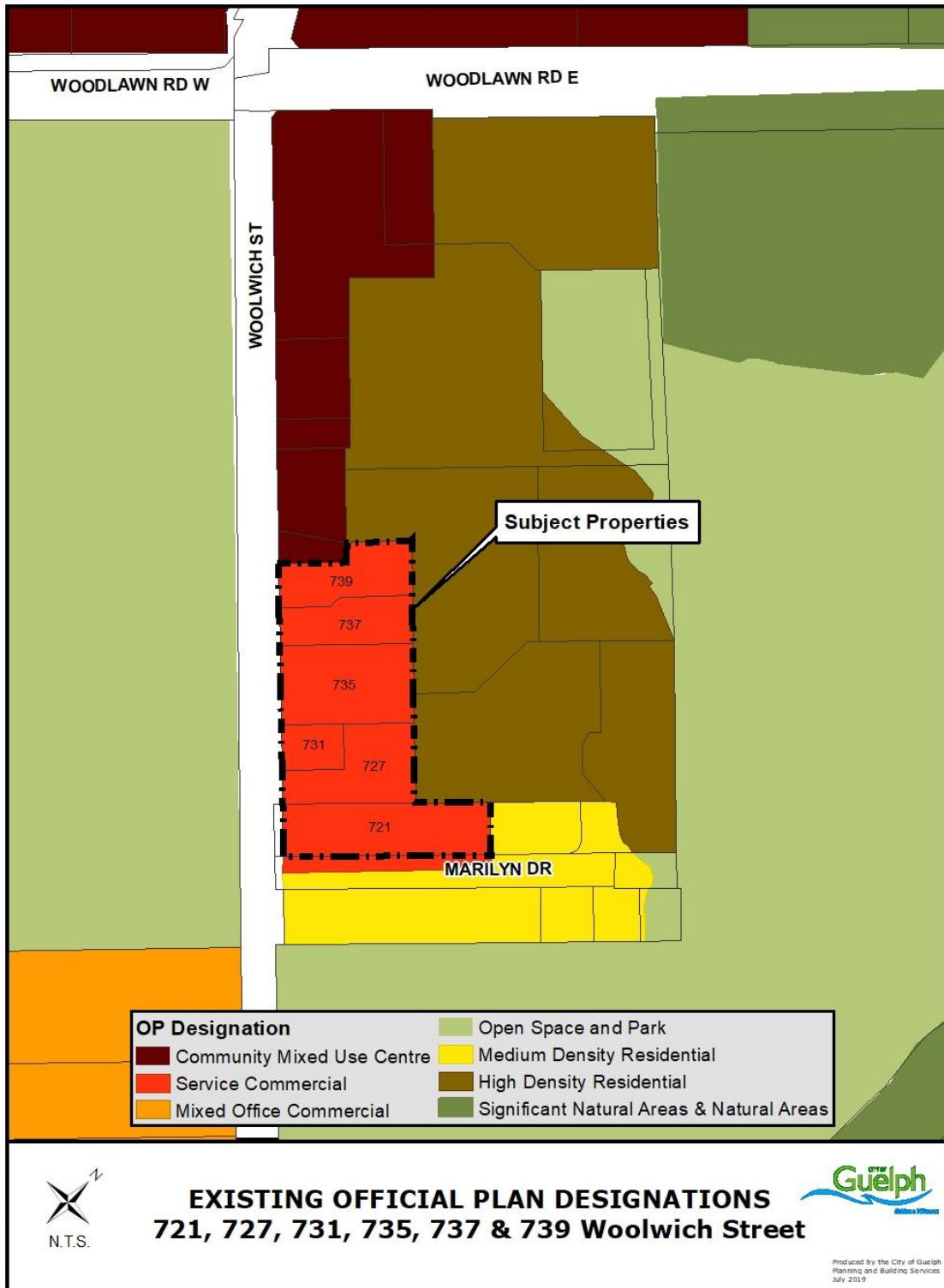
**Item 12:** The purpose of Item 12 is to revise Schedule 2 Land Use Plan to change the land use designation for 523 York Road and 494-500 York Road from Service Commercial to Commercial Mixed-use Centre.

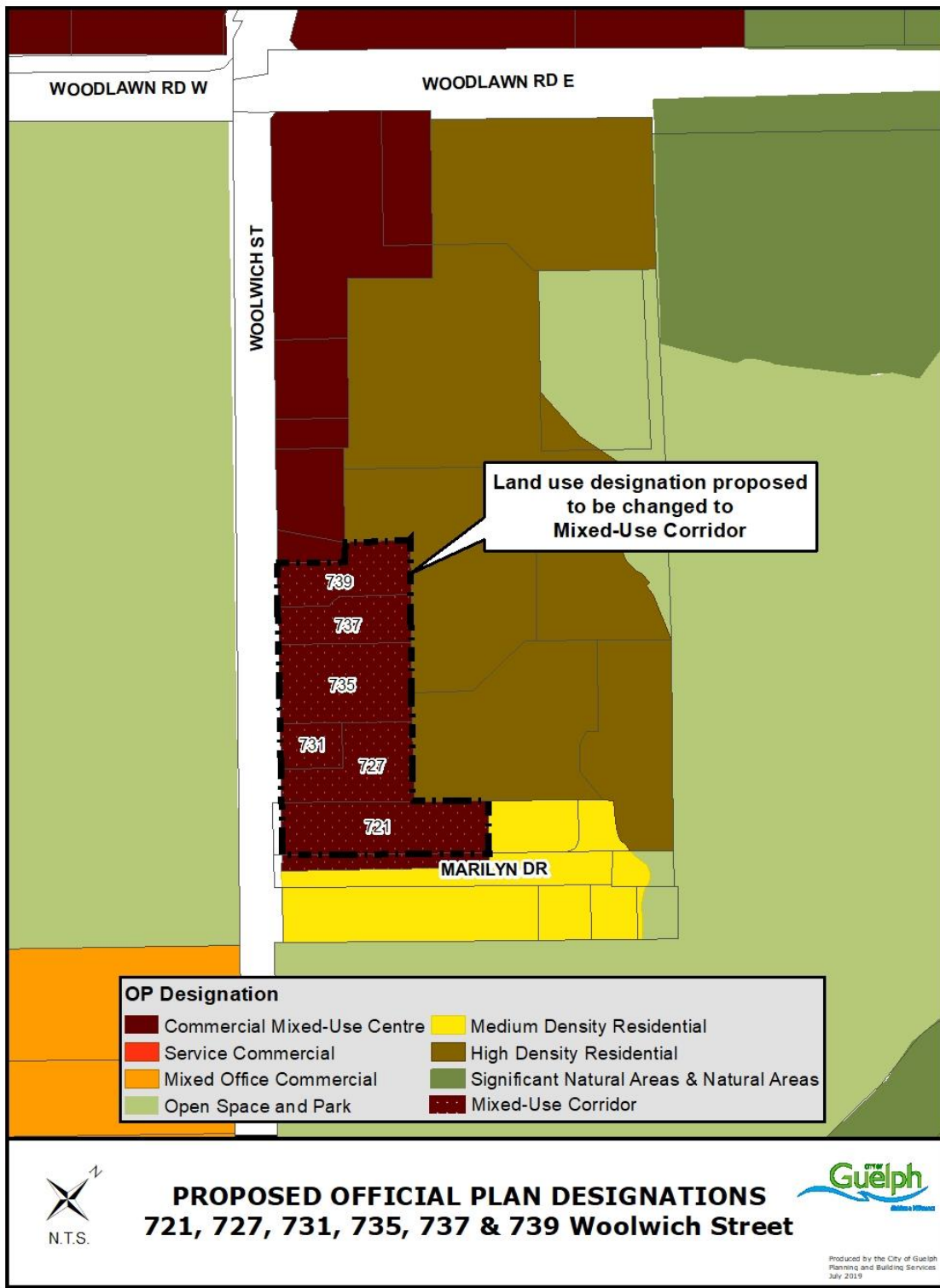
**Item 13:** The purpose of Item 13 is to revise Schedule 2 Land Use Plan to change the land use designation for 540 York Road from Service Commercial and Industrial to Commercial Mixed-use Centre.

**Item 14:** The purpose of Item 14 is to revise Schedule 2 Land Use Plan to amend the land use designation for 895-919 York Road and 57 Watson Parkway North from Service Commercial to Commercial Mixed-use Centre.

Proposed mapping changes to Schedule 2 Land Use Plan are shown in Attachment 2 to Report IDE 2019-94.

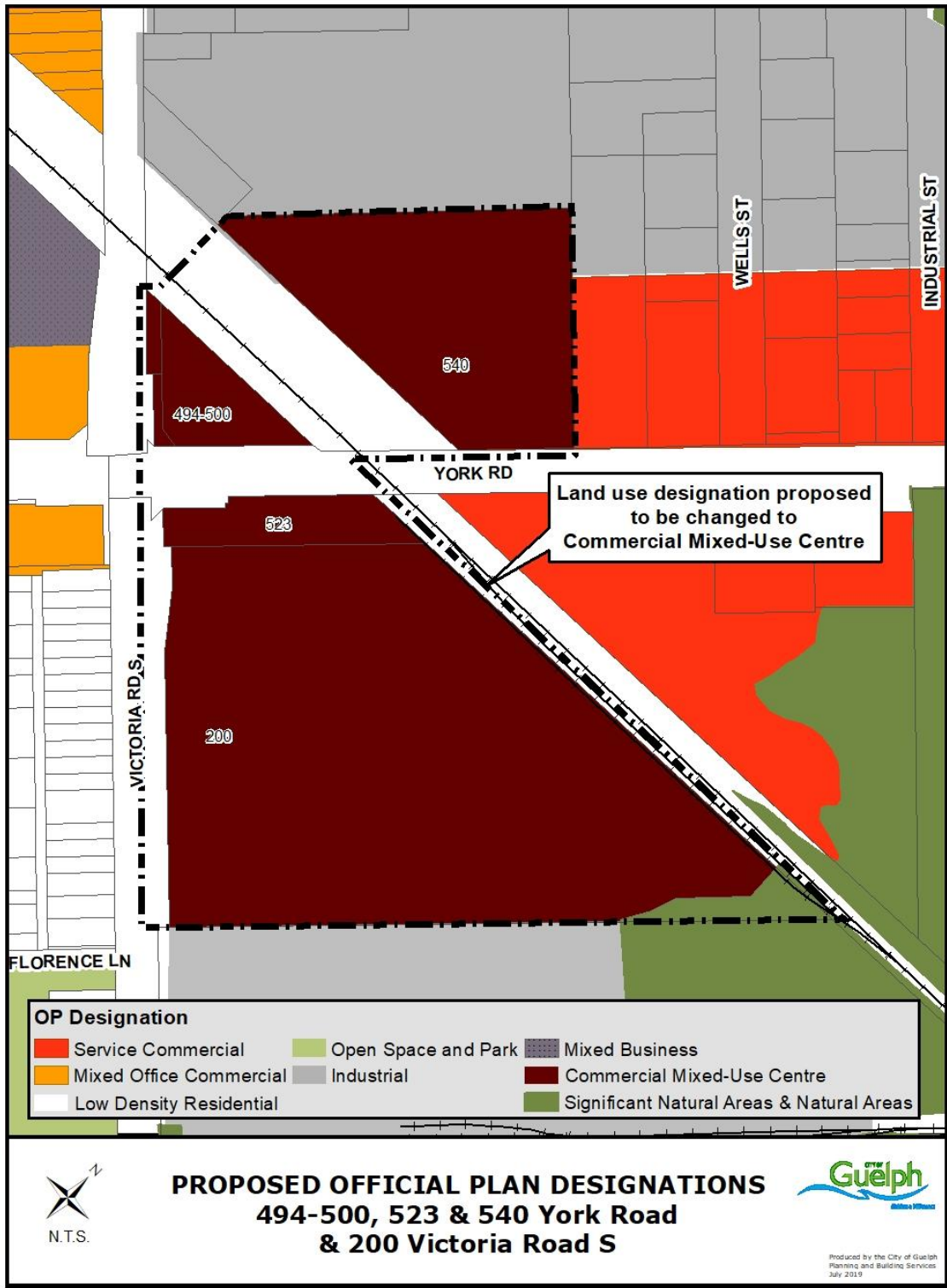
# Attachment 2 - Existing and Proposed Official Plan Land Use Designations



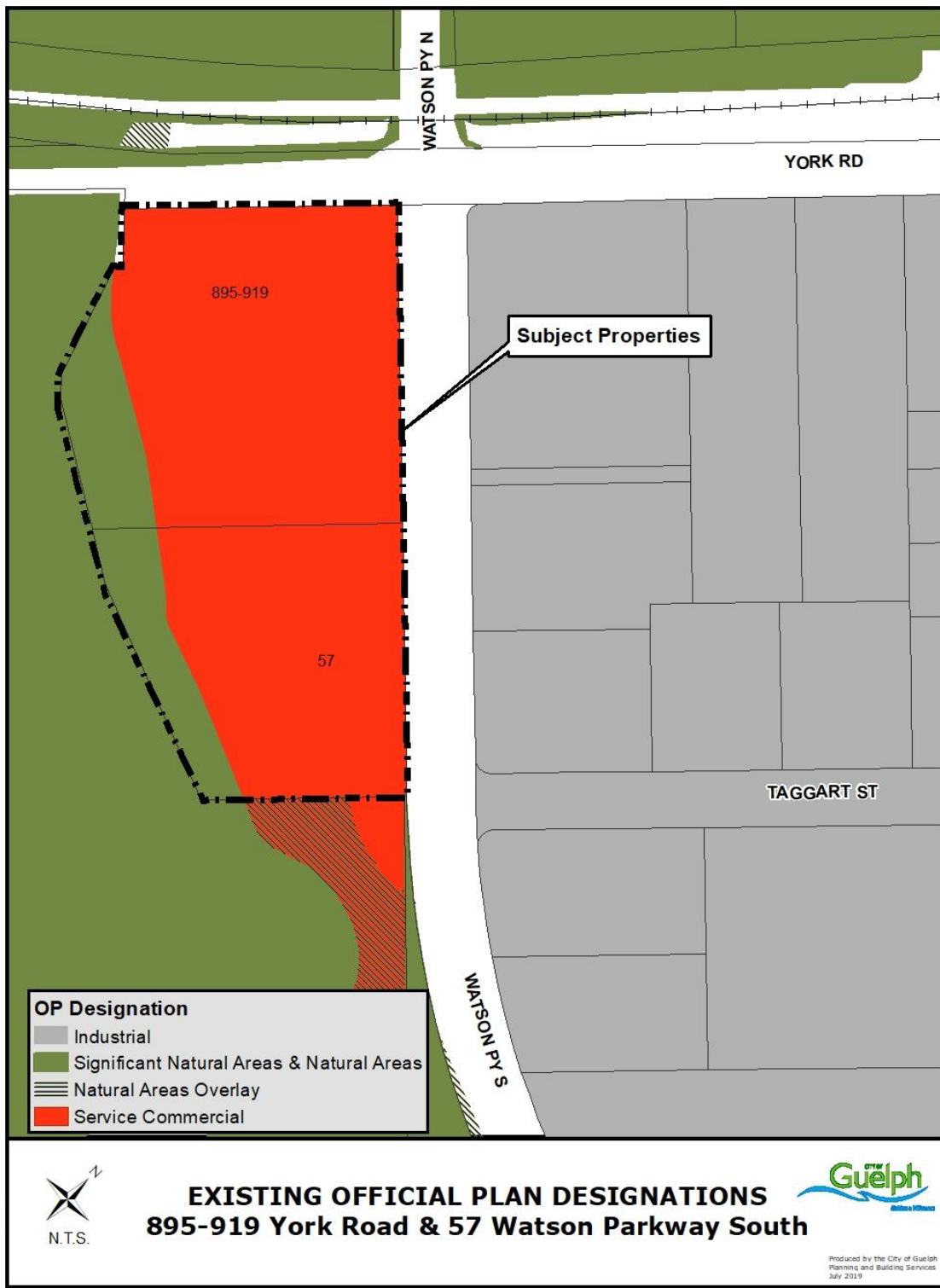


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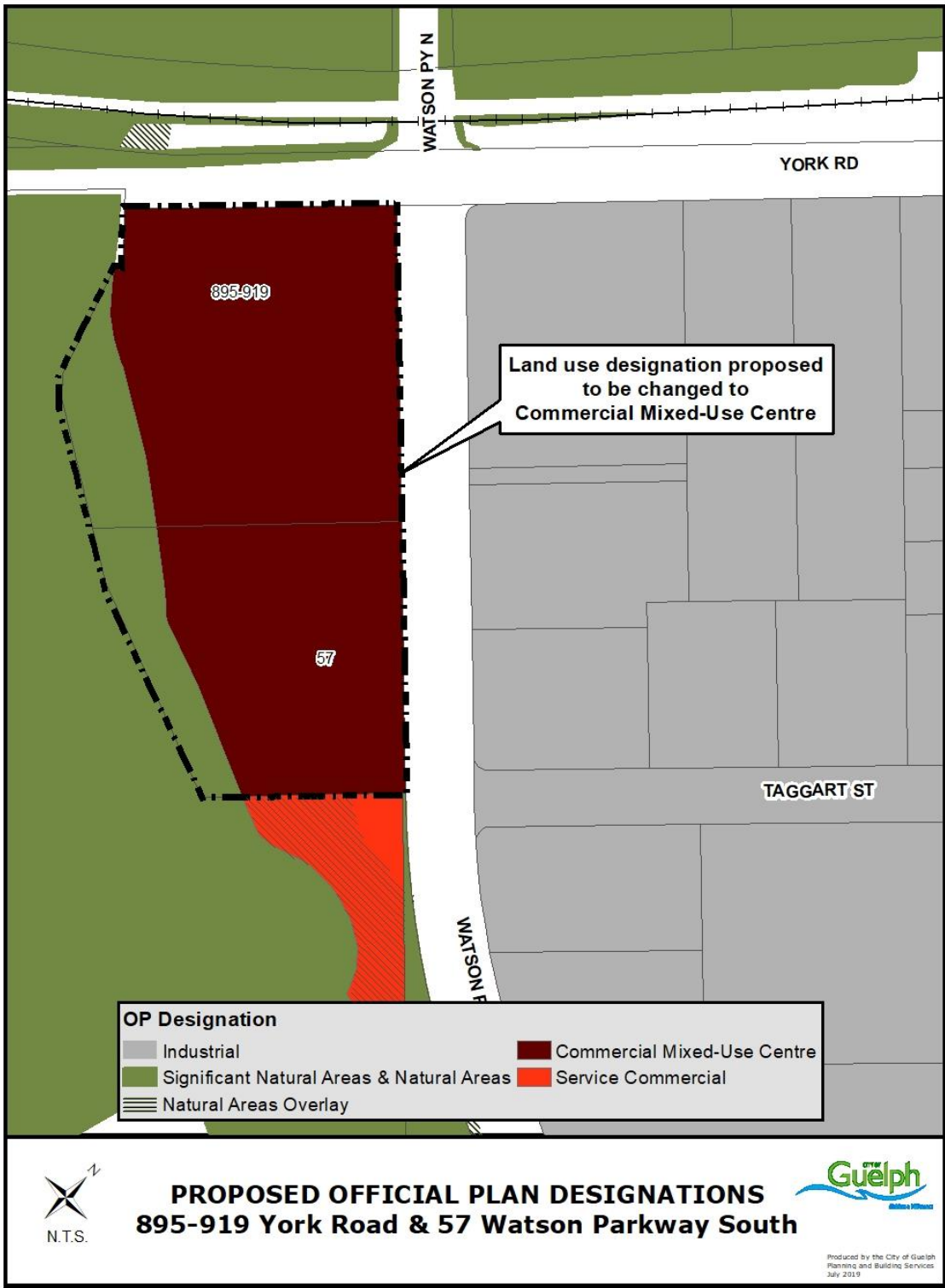




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# Attachment 3 – Comments Received on the Commercial Policy Review Discussion Paper

**AIRD BERLIS**

Tom Hallinski  
Direct: 416.865.7767  
E-mail: thalinski@airdberlis.com

April 26, 2019

File No. 94693

BY EMAIL: [melissa.aldunate@guelph.ca](mailto:melissa.aldunate@guelph.ca)

Melissa Aldunate, RPP  
Manager, Policy Planning & Urban Design  
City of Guelph  
1 Carden Street  
Guelph, Ontario N1H 3A1

Dear Ms. Aldunate:

**Re: Information Report IDE-2019-46  
Commercial Policy Review Preferred Framework  
Implementation Discussion Paper**

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As you are aware, we act on behalf of Silvercreek (Guelph) Developments Limited ("Silvercreek") in respect of its site at 35 and 40 Silvercreek Parkway South.

We previously wrote to the City on June 6, 2018 and July 4, 2018, regarding the Commercial Policy Review. Please accept this letter as preliminary comments on behalf of our client with respect to the above-noted Discussion Paper. Our client and its consultants will continue to review the proposed direction and policies in detail and may provide further comments, as required.

As you are aware, our client's lands are subject to site-specific Official Plan and Zoning By-law provisions, which resulted from an Ontario Municipal Board decision. Since that time, our client has been pursuing the development of its lands. This process has taken longer than anticipated, primarily due to changes in the marketplace and infrastructure-funding obstacles which were not foreseeable at the time. At the same time, it is important to note that the Official Plan and By-law provisions for our client's lands were crafted to provide for a range of permitted commercial as well as non-commercial alternatives on most of the site.

More recently, our client has been meeting extensively with representatives of the City in order to discuss how to proceed with its development given the above-referenced changes. Those discussions are ongoing and have been very constructive, so that our client anticipates a formal submission in the near future. That submission may, in turn, necessitate further comments with respect to the Commercial Policy Review, although it is our client's expectation and understanding that its application would not be part of, or subject to the CPR.

April 26, 2019

Page 2

Our client is supportive of an approach which preserves and promotes flexibility in the development of the Community Mixed Use Centres. From that perspective, directions such as replacing the concept of "retail facilities" with "commercial facilities" are positive contributions.

Section 4.3.1.4 of the Paper recommends changes to the commercial gross floor maximums of the existing Centres, including an increase to 25,730 sq.m. for Silvercreek Junction. The justification set out by Staff is that allowing modest amounts of intensification as-of-right provides for intensification in the Centres that will help them evolve into more compact and walkable focal points for uses permitted per the objectives of the Official Plan. Our client is reviewing this recommendation in light of its proposed development plan but would note that the rationale appears to be applicable to existing, rather than yet-to-be-developed nodes such as Silvercreek Junction.

In the meantime, we note that the proposed minimum commercial FSI of 0.15 and the requirement for a Commercial Function Study would not be desirable or appropriate for the subject lands, because they would have the effect of unduly reducing existing and intended flexibility in the development of those lands and precluding the plan which our client has been discussing with the City.

Our client looks forward to continuing to meet with the City to discuss its plan for the site.

Yours truly,

AIRD & BERLIS LLP



Tom Halinski

TH/

c: Astrid Clos  
Carlo Stefanutti  
Todd Salter  
Scott Stewart

35862029.2

April 25, 2019

Melissa Aldunate, Manager  
Policy Planning and Urban Design, Planning and Building Services  
1 Carden St., Guelph, ON N1H 3A1

RE: ***Commercial Policy Review Discussion Paper***

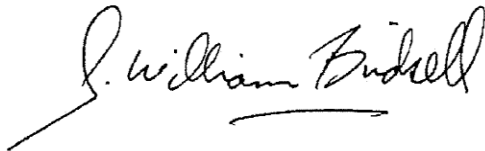
I am writing to raise the issue of 110 Stevenson Street South. This property is within an area designated as Mixed Business. As you know commercial uses are permitted in Mixed Business. The total designated area is approximately 2 hectares. The majority of this area is occupied by City owned lands used for storm water management ponds. The property under discussion is approximately 0.57 hectares or approximately 28% of the designated area.

Effectively the large majority of the area designated as Mixed Business has been changed from its intended use. The remainder, our site is too small to be of any effective Commercial use. The property owner intends to make an application for a change to the Official Plan and the Zoning By-law. The property owner is of the opinion that an appropriate use for the lot is as a site for a 270 bed retirement/nursing home incorporating commercial uses such as a medical imaging centre. It is felt that such a use will be of greater contribution to the neighbourhood and city employment numbers than a small commercial occupancy.

I feel that recognition of this reality in the Commercial Policy Review would be appropriate.

If you have any questions or comments, I would be very happy to receive them.

with regards,



J. William Birdsell, Architect

cc Probhash S. Mondal, MBA  
Guelph Medical Imaging



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

**VIA EMAIL**

April 26, 2019

Planning and Building Services  
City of Guelph  
City Hall, 1 Carden Street  
Guelph, ON  
N1H 3A1

Attention: Ms. Melissa Aldunate, Manager, Policy Planning and Urban Design

Dear Ms. Aldunate:

**Re: Commercial Policy Review Preferred Framework  
Implementation Discussion Paper dated April 2019  
Preliminary Comments on Behalf of Loblaws  
Guelph, Ontario  
Our File: LPL/GPH/18-01**

We are the planning consultants with regard to the City of Guelph Commercial Policy Review for Loblaw Companies Limited ("Loblaws"), the land owner and/or lease holder of lands in Guelph including the vacant lands at 115 Watson Parkway (formerly 72 Watson Road North).

As you are aware, we provided the enclosed comments dated July 6, 2018, which we discussed with Staff at a meeting on September 11, 2018. On Thursday April 11, 2019, Loblaws were made aware of Guelph Staff Report IDE-2019-46 dated April 5, 2019 and the Commercial Policy Review Stage 3: Preferred Framework Implementation Discussion Paper dated April 2019. It is our understanding that input and comments on the Discussion Paper will help inform the preparation of the draft Official Plan and Zoning By-law amendments and that comments on the Discussion Paper will be accepted until April 26, 2019.

Based upon our review of Staff Report IDE-2019-46 and the Discussion Paper, we have preliminary comments as outlined below, and along with Loblaws and their consultants, we will continue to review the Discussion Paper policies in more detail, and may provide further comments as required.

On behalf of Loblaws, we have the following preliminary comments for the Discussion Paper:

- As you are aware, for the vacant lands at 115 Watson Parkway Loblaws have expressed an interest in providing a lower amount of commercial development than originally proposed. As part of Stage 1 of the Commercial Policy Review, in order to prepare for a Stakeholder Meeting on June 28, 2017, urbanMetrics prepared the enclosed Memo dated June 23, 2017, which provides a Supermarket Demand Analysis for the lands at 115 Watson Parkway based upon a proposed development of approximately 3,437 sq. m (37,000 sq. ft.) anchored

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by a supermarket of approximately 1,858 to 2,323 sq. m (20,000 to 25,000 sq. ft.). The urbanMetrics Memo concludes that "Based on our residual analysis between 20,800 and 24,600 square feet of new supermarket space could be warranted on the subject site by 2019 (i.e. first full year of operations). By 2026, between 21,900 and 25,900 square feet of new supermarket space could be warranted on the subject site. Additional supermarket space beyond what is being proposed could not be supported on the subject site." (p. 21)

- For Section 4.1 Commercial and Mixed-use Designation Objectives the Staff Preliminary Recommendation is "That the overall objectives for Commercial and Mixed-use Designations in section 9.4 be reviewed and updated as needed to address the recognition of market needs by recognizing proximity to a suitable population base and exposure to sufficient levels of pass-by traffic." We note that Official Plan policies 9.4.2.2, 9.4.2.3 and 9.4.2.6 remain under site specific LPAT appeal by Loblaws. In addition, with regard to the population base, the urbanMetrics Memo clearly indicates that the projected population for the 115 Watson Parkway lands only supported 1,858 to 2,323 sq. m (20,000 to 25,000 sq. ft.) of supermarket space, which would not provide a large enough anchor to support the proposed minimum commercial gross floor area of 6,500 sq. m (69,965 sq. ft.) for the Watson Parkway/Starwood Community Mixed-use Centre in the context of Section 4.3.2 (see below);
- For Section 4.2 Commercial/Non-residential Gross Floor Space References, the Staff Preliminary Recommendations include "that the Community Mixed-use Centre and Neighbourhood Centre Official Plan policies refer to 'commercial gross floor area' in place of 'gross floor area' except where the policies are referencing an individual development incorporating a single use building in excess of a specified size, e.g. policy 9.4.2.12 and 9.4.3.8." We note that the proposed change to "commercial gross floor area" would appear to be expanding the type of uses that could be included in the proposed minimum 6,500 sq. m of commercial gross floor area for the Watson Parkway/Starwood Community Mixed-use Centre beyond just retail uses. It is still not clear from the Discussion Paper whether the existing East Side Library at 1 Starwood Drive in the Watson Parkway/Starwood Community Mixed-use Centre would be included in the minimum of 6,500 sq. m of commercial gross floor area;
- For Section 4.3.1.4 Options for zoning regulations for maximum commercial gross floor area and the Staff Preliminary Recommendation that "... This would be implemented using a zoning overlay that prescribes the maximum amount of commercial gross floor area permitted as shown in Appendix 1", we note that the Loblaws lands at 115 Watson Parkway are shown with a maximum commercial gross floor area of 11,800 sq. m, which appears to be based on the CC-15(H) zone that originally included the adjacent lands at 144 Watson Road North. Under the CC-15(H) zone, there is a minimum GFA of 1,875 sq. m and a maximum GLFA of 11,798.30 sq. m. As the lands at 144 Watson Road North were rezoned from CC-15(H), it would be appropriate to lower the proposed maximum commercial GFA of 11,800 sq. m accordingly;
- For Section 4.3.2 Establishing a Minimum 6,500 m<sup>2</sup> of Commercial Gross Floor Area, the Staff Preliminary Recommendation is "That a new policy be added to

the Official Plan to establish a minimum commercial gross floor area of 6,500 m<sup>2</sup> for Community Mixed-use Centres." The Staff discussion under Options and Analysis states "The minimum gross floor area would apply to the entire designation for each Centre. It also allows for the allocation of commercial space through zoning in a flexible manner for each Community Mixed-use Centre so that an individual property within a Community Mixed-use Centre could have residential zoning." (p. 21) We note the comments in our letter dated July 6, 2018 that it is should be determined as to how the minimum commercial Gross Floor Area would be implemented and how much commercial Gross Floor Area will be expected under the proposed policies for 115 Watson Parkway. With two new Community Mixed-Use Centres proposed, as referenced in the Discussion Paper, there are other opportunities to service the retail/service commercial needs of East Guelph. If the supermarket function is served on one of the two proposed Community Mixed-Use Centres in East Guelph, and no supermarket is planned for the 115 Watson Parkway lands, even less commercial space would be warranted on that site below the 37,000 square feet that is reviewed in the urbanMetrics Memo;

- For Section 4.7 Implementing a FSI Benchmark and Controls on Reducing Existing Gross Floor Area, the Staff Preliminary Recommendation 1 states:

"Include an Official Plan policy stating that commercially zoned properties within Community Mixed Use Centres, Mixed-use Corridors, and Neighbourhood Commercial Centres, must include commercial development at a minimum density of 0.15 FSI and cannot reduce it by more than 25% from what currently exists, measured from the date of when this policy is deemed to be in full force and effect, whichever is the greater gross floor area. The policy should state that the implementing zoning by-law may require higher commercial FSI in order to implement the 6,500 m<sup>2</sup> minimum within smaller Community Mixed Use Centres."

and the Staff Preliminary Recommendation 2 states:

"Include minimum commercial gross floor area zoning regulations for commercially zoned properties within Community Mixed Use Centres, Mixed Use Corridors and Neighbourhood Commercial Centres on a property basis that require a commercial density of 0.15 FSI, or 25% less gross floor area than existed on the date of the passing of the by-law, whichever is the greater amount of gross floor area... This zoning approach would be protective of the 6,500 m<sup>2</sup> gross floor area minimum recommended to protect the commercial function at each of the Centres. It would also help ensure that the City continues to plan for and protect commercial land to meet its projected growth. Given the current typical standalone commercial density of 0.30 FSI and forecast density of 0.40 by 2041, this figure is easily achievable for standalone commercial and provides flexibility for mixed-use intensification."

In the Options and Analysis discussion, Staff note:

"Staff contemplated applying these minimums across the designation as a whole, or at an intermediate level of geography such as a "quadrant," but

could not determine a workable implementation approach to prevent owners who developed their properties last from making up for a potential lack of commercial development on other sites. Accordingly, this Discussion Paper develops one option to implement the Commercial Policy Review Preferred Framework. Applying these policies and regulations would result in the following minimum amounts of commercial gross floor area in the Community Mixed-use Centres: ... Watson Parkway/Starwood Minimum Total Commercial Gross Floor Area 15,400 m<sup>2</sup>". (pp. 39-40)

Based on our letter dated July 6, 2018 we submitted that it is not clear as to how much of the proposed minimum 6,500 sq. m of commercial floor space would need to be accommodated on the lands at 115 Watson Parkway versus other lands in the Watson Parkway/Starwood Community Mixed-Use Centre. We reiterate that in the Watson Parkway/Starwood Community Mixed-Use Centre, aside from the lands at 115 Watson Parkway, there are only two small vacant parcels on Starwood Drive that are zoned commercial, whereby the proposed minimum 0.15 FSI would only be applicable to a portion of the Community Mixed-Use Centre lands. In addition, with the proposed minimum 0.15 FSI of commercial space required at full build out for the lands at 115 Watson Parkway that have a lot area of approximately 6.43 ha (including the lands within the flood plain and/or Natural Heritage System), a total commercial space of approximately 9,646 sq. m would be required, which is well above the proposed minimum 6,500 sq. m of commercial floor space for the entire Community Mixed-Use Centre. Lastly, we reiterate that the Council endorsed Watson Parkway/Starwood Community Mixed-use Node Urban Design Concept Plan features a large residential component along the southern portion of the lands at 115 Watson Parkway and a land intensive Main Street Area. As a result, at an overall proposed minimum 0.15 FSI for the entire 6.43 ha of the lands at 115 Watson Parkway, the minimum of 9,646 sq. m of commercial space would have to be redistributed elsewhere on-site, which may not be economically feasible or practical. We continue to submit that additional review and discussions with Staff are required;

- As to Section 4.8 and the Staff Preliminary Recommendation for Commercial Function Studies, it is our understanding that Staff are requesting that a Commercial Function Study be carried out if a planning application is being submitted where the proposed development would drop by more than 25%, or go below the commercial FSI of 0.15, and to specifically address the availability of food and drug stores to serve the daily and weekly needs of the surrounding community.

For Recommendation 1, in our submission, if there is to be a minimum threshold placed in the Official Plan, the FSI test should be removed as it is harder to establish precisely, with potential environmental or other take-outs, and for the lands at 115 Watson Parkway creates a minimum threshold that is inconsistent with the minimum of 6,500 sq. m of commercial gross floor area. If there is to be a minimum test, there should only be one test and this test should apply to the entire Community Mixed-use Centre and not to one particular site.

As for the potential need for a Commercial Function Study for the Watson Parkway/Starwood Community Mixed-Use Centre, it will be important to establish what the total space amounts to when all the different commercial proposals in the Community Mixed-use Centre are reviewed, and if City Staff determine if the existing East Side Library counts toward the minimum 6,500 sq. m of commercial gross floor area.

As to Staff Preliminary Recommendation 2 and the tests to be addressed under a Commercial Function Study, we suggest the following:

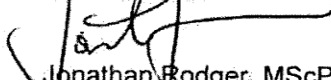
- The first test dealing with the availability of commercial floor space, in meeting the community's needs "for food and drug stores" should be changed to "food or drug stores" or at least as a minimum to "food and/or drug stores". Drug stores now include a significant food component, and with the potential for other smaller non-supermarket specialty food stores, a Community Mixed-use Centre can still fulfil its planned function. In addition, modern supermarkets have a significant selection of drug store related products, including an in store pharmacy, so there is no need for both in meeting the planned function test;
- The second test does recognize that the communities needs can be served by commercial facilities located outside the Community Mixed-use Centre, however "or in the immediate area" is too restrictive. We suggest that the wording should be changed to "or in an appropriate Trade or Study Area"; and
- As to the fourth test, there are many uses that create a community focal point beyond retail and service commercial space. We suggest replacement wording as follows: "role of space in creating a community focal point, which can include: retail, service, local serving office, institutional or other community serving uses such as recreation, library or day care."

We would welcome the opportunity to meet with Staff to discuss our preliminary comments for the Commercial Policy Review.

Should you have any questions, or require further information, please do not hesitate to call. In addition, we request notification of any further meetings with respect to this matter.

Yours very truly,

**ZELINKA PFIAMO LTD.**



Jonathan Rodger, MScPI, MCIP, RPP  
Senior Associate

cc. Loblaw Companies Limited (via email)  
Mr. Tom Halinski, Aird & Berlis LLP (via email)





**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

**VIA EMAIL**

July 6, 2018

Clerk's Department  
City of Guelph  
City Hall, 1 Carden Street  
Guelph, ON  
N1H 3A1

Attention: Mr. Stephen O'Brien, City Clerk

Dear Mr. O'Brien:

**Re: City of Guelph July 9, 2018 Council Meeting: ITEM IDE-2018-94  
Commercial Policy Review: Preferred Framework  
Preliminary Comments on Behalf of CP REIT and Loblaws  
Guelph, Ontario  
Our File: CHO/GPH/15-01**

We are the planning consultants with regard to the City of Guelph Commercial Policy Review for CP REIT Ontario Properties Limited ("CP REIT") and Loblaw Companies Limited ("Loblaws"), the land owner and/or lease holder of lands in Guelph including the vacant lands at 115 Watson Parkway (formerly 72 Watson Road North).

On Tuesday July 3, 2018 CP REIT and Loblaws were made aware of Guelph Staff Report IDE-2018-94 dated July 9, 2018 and the attached Guelph Commercial Policy Review Stage 2 Preferred Policy Framework Report dated June 2018 ("Stage 2 Report"), which will be considered at the July 9, 2018 Council Meeting.

Based upon our review of Staff Report IDE-2018-94 and the Stage 2 Report, we have preliminary comments as outlined below, and along with CP REIT, Loblaws and their consultants, we will continue to review the Stage 2 Preferred Policy Framework OPA 48 policies in more detail, and may provide further comments as required.

On behalf of CP REIT and Loblaws, we have the following preliminary comments:

- As noted in the Stage 2 Report, for the lands at 115 Watson Parkway, while no formal application has been submitted, CP REIT and Loblaws have expressed an interest in providing a lower amount of commercial development than originally proposed and that the current Official Plan policies do not specifically identify a minimum amount of commercial space in the Watson Parkway/Starwood Community Mixed-use Centre (CMUC) (p. 47);
- The Stage 2 Report recommends that in order to maintain the planned function, a minimum of 6,500 sq. m of commercial floor space be specified for the CMUCs, which would apply to the entire designation, and will allow portions to be developed for residential only development if desired, while achieving the planned function of the designation that includes a mixture of uses (p. 50). In addition, the Stage 2 Report recommends that the City apply a benchmark of

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0.15 Floor Space Index (FSI) of commercial space at full built out in the CMUCs, which is intended to be applied on an individual site basis to sites that are currently zoned commercial (p. 66);

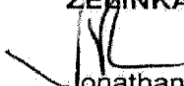
- Based upon our review of the Stage 1 Commercial Analysis and Background Report dated November 2017 and the Stage 2 Report, it is not clear as to how much of the proposed minimum 6,500 sq. m of commercial floor space would need to be accommodated on the lands at 115 Watson Parkway versus other lands in the Watson Parkway/Starwood CMUC. We note that in the Watson Parkway/Starwood CMUC, aside from the lands at 115 Watson Parkway, there are only two small vacant parcels on Starwood Drive that are zoned commercial, whereby the proposed benchmark 0.15 FSI would only be applicable to a portion of the CMUC lands. In addition, with the proposed benchmark 0.15 FSI of commercial space required at full build out for the lands at 115 Watson Parkway that have a lot area of approximately 6.43 ha (including the lands within the flood plain and/or Natural Heritage System), a total commercial space of 9,646 sq. m would be required, which is well above the proposed minimum 6,500 sq. m of commercial floor space for the entire CMUC. We note that under the current CC-15(H) zone, which originally included the adjacent lands at 144 Watson Road North, there is currently a minimum GFA of 1,875 sq. m and a maximum GLFA of 11,798.30 sq. m. Accordingly, the minimum GFA for the lands at 115 Watson Parkway would be increased substantially with the proposed Official Plan framework. Lastly, we note that the Council endorsed Watson Parkway/Starwood Community Mixed-use Node Urban Design Concept Plan features a large residential component along the southern portion of the lands at 115 Watson Parkway and a land intensive Main Street Area. As a result, at an overall proposed benchmark 0.15 FSI for the entire 6.43 ha of the lands at 115 Watson Parkway, the minimum of 9,646 sq. m of commercial space would have to be redistributed elsewhere on-site, which may not be economically feasible or practical. In our submission, additional review and discussions with Staff are required as to the Preferred Framework recommendations for the CMUCs and in particular for 115 Watson Parkway;
- The Stage 2 Report recommends addressing the barriers to the creation of second floor space through the comprehensive zoning by-law review. We are concerned as to the incorporation of regulations that will require second floor space and we note that the suggested incentives are of limited benefit in creating second storey commercial space that is financially viable; and
- The Stage 3 Report recommends that Official Plan policies be added to ask that a Commercial Function Study be undertaken if the commercial gross floor space is proposed to drop below 0.15 FSI or there is a reduction in the current commercial floor space of more than 25 percent on an individual site. In our submission, further consideration should be given to whether policies requiring a Commercial Function Study are warranted.

We would welcome the opportunity to meet with Staff to discuss the preferred framework for the Commercial Policy Review.

Should you have any questions, or require further information, please do not hesitate to call. In addition, we request notification of any further meetings with respect to this matter.

Yours very truly,

**ZELINKA PRIAMO LTD.**

  
Jonathan Rodger, MScPI, MCIP, RPP  
Senior Associate

cc. CP REIT Ontario Properties Limited (via email)  
Loblaw Companies Limited (via email)  
Mr. Tom Halinski, Aird & Berlis LLP (via email)  
Ms. Joan Jylanne, City of Guelph (via email)