

## City Council - Planning Revised Meeting Agenda

Monday, December 14, 2020, 6:00 p.m.

Remote meeting live streamed  
on [guelph.ca/live](https://guelph.ca/live)

Changes to the original agenda are noted with an asterisk "\*".

To contain the spread of COVID-19, City Council meetings are being held electronically and can be live streamed at [guelph.ca/live](https://guelph.ca/live).

For alternate meeting formats, please contact the City Clerk's Office at [clerks@guelph.ca](mailto:clerks@guelph.ca) or 519-822-1260 extension 5603.

---

### Pages

#### 1. Notice of Electronic Participation

##### 1.1. City Council

This meeting will be held by Electronic Participation in accordance with the City of Guelph Procedural By-Law (2020)-20515.

#### 2. Call to Order - 6:00 p.m.

#### 3. Authority to move into closed meeting

##### Recommendation:

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act, to consider:

##### 3.1. Declaration of Pecuniary Interest and General Nature Thereof

##### 3.2. 132 Clair Road West Local Planning Appeal Tribunal - Update , 2020-233

Section 239(2)(e) and (f) of the Municipal Act relating to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege,

including communications necessary for that purpose.

**4. Open Meeting – 6:30 p.m.**

**4.1. Closed Meeting Summary**

**4.2. O Canada**

**4.3. Silent Reflection**

**4.4. First Nations Acknowledgement**

**4.5. Disclosure of Pecuniary Interest and General Nature Thereof**

**5. 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.

**\*5.1. 264 Crawley Road - Notice of Intention to Designate under section 29, Part IV of the Ontario Heritage Act, 2020-227**

**1**

**Presentation:**

Stephen Robinson, Planner III, Senior Heritage Planner

**Delegations:**

\*Eileen Costello, Aird & Berlis, LLP, on behalf of the property owner

\*Susan Ratcliffe

**Correspondence:**

\* Eileen Costello, Aird & Berlis, LLP, on behalf of property owner

**Recommendation:**

1. That the City Clerk be authorized to publish and serve notice of intention to designate 264 Crawley Road pursuant to section 29, Part IV of the Ontario Heritage Act.
2. That the designation bylaw be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

**\*5.2. Decision Report - Additional Residential Unit Review: Planning Act Update OPA No. 72 Zoning By-Law Amendment File: 0ZS20-02, 2020-214**

**Presentation:**

Abby Watts, Program Manager, Comprehensive Zoning By-Law Review

**Delegations:**

\*Linda Davis, on behalf of McElderry Community

**Correspondence:**

\*Michelle Wan

\*Françoise Py-MacBeth

\*Faye Hamilton

\*Deb Maskens and Ken Dodge

\*Darren Shock

\*Reid Davis

\*Tracey Duffield

\*Steve Fleming

\*Sandra Wolting Ross

\*Tim Johnson

\*Al Pentland

\*J. MacKenzie

\*Michelle McCarthy and Mario Gozzi

\*Cathy Aldersley

\*John Lawson, President, Old University Neighbourhood Residents Association

\*Barry Bower and Lillian Bower

\*Yvonne Paterson

\*Linda Liddle

\*Stephen Runge

\*Carol Hunter

\*Bill Mungal

\*Rick Davidson

\*Gitta Eizinger-Houser

\*Sylvia Watson

**Recommendation:**

1. That City-initiated Official Plan Amendment No. 72 be approved in accordance with Attachment 1 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
2. That the City-initiated Additional Residential Dwelling

Unit Zoning Bylaw Amendment (OZS20-02), be approved in accordance with Attachment 2 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.

- \*5.2.1. Council Memo- Additional Residential Unit Review, Planning Act Update - 2020-253** *151*

**\*6. By-laws**

(Councillor Gibson)

**Recommendation:**

That by-law numbers (2020)-20554 to (2020)-20558 are hereby passed.

- \*6.1. By-law Number (2020)-20554** *153*

A by-law to amend the Official Plan for the City of Guelph to implement the Additional Residential Dwelling Unit recommendations.

- \*6.2. By-law Number (2020)-20555** *165*

A by-law to amend By-law Number (1995)-14864, as amended, known as the Additional Residential Dwelling Unit Amendment (OZS20-03).

- \*6.3. By-law Number (2020)-20556** *177*

A by-law to designate portions of the building and property known municipally as 120 Huron Street, and described legally as PART LOT 2, RANGE 2, DIVISION F, GUELPH, PARTS 3 AND 6, PLAN 61R-21616; TOGETHER WITH AN EASEMENT OVER PART LOT 2, RANGE 2, DIVISION F, GUELPH, PART 2, PLAN 61R-21616 AS IN WC586931; SUBJECT TO AN EASEMENT OVER PART 6, PLAN 61R21616 AS IN WC594030; CITY OF GUELPH, as being a property of cultural heritage value or interest.

- \*6.4. By-Law Number (2020)-20557** *182*

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects lands municipally known as 1657 and 1665 Gordon Street and legally described as Part of Lot 9, Concession 7, and a parcel of

land legally described as Part of the Road Allowance between Concessions 7 and 8 and Part of Lot 9, Concession 8, designated as Part 3 on Reference Plan 61R-21700, City of Guelph (File# OZS20-011).

**6.5. By-Law Number (2020)-20558**

184

A by-law to confirm the proceedings of a meeting of Guelph City Council held December 14, 2020.

**7. Mayor's Announcements**

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

**8. Adjournment**

# Staff Report



---

To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 14, 2020
Subject	<b>264 Crawley Road – Notice of Intention to Designate under section 29, Part IV of the Ontario Heritage Act</b>

---

## Recommendation

1. That the City Clerk be authorized to publish and serve notice of intention to designate 264 Crawley Road pursuant to section 29, Part IV of the Ontario Heritage Act.
  2. That the designation bylaw be brought before Council for approval if no objections are received within the thirty (30) day objection period.
- 

## Executive Summary

### Purpose of Report

To recommend that the City publish its intention to designate the stone farmhouse at 264 Crawley Road pursuant to section 29, Part IV of the Ontario Heritage Act. The cultural heritage significance and heritage attributes of the property are described in this report.

### Key Findings

264 Crawley Road is listed as a built heritage resource on the City of Guelph's Municipal Register of Cultural Heritage Properties.

Under applicable law, upon notice to Council that a party intends to demolish a listed (non-designated) built heritage resource, Council has a period of 60 days to consider whether to consent to the demolition or to move to protect the property by delivering a notice of intention to designate the property under section 29, Part IV of the Ontario Heritage Act. If the notice of intention is not issued within that 60-day period, Council would be deemed to have consented to the proposed demolition and the owner can require the Chief Building Official to deliver a demolition permit.

A property may be designated under section 29, Part IV of the Ontario Heritage Act if it meets one or more of the criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06.

Heritage planning staff, in consultation with Heritage Guelph, have compiled a statement of cultural heritage value including proposed heritage attributes of 264 Crawley Road. Staff recommends that the property meets all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06

under the Ontario Heritage Act and, therefore, merits individual heritage designation under the Ontario Heritage Act.

## **Financial Implications**

Planning Services budget covers the cost of a heritage designation plaque.

---

## **Report**

The legal owner of the property is Industrial Equities Guelph Corporation.

The subject property is located on the northeast side of Crawley Road between Clair Road West and Maltby Road and southwest of Southgate Drive.

The legal description of the subject property is: Part Lot 13, Concession 7, formerly Township of Puslinch, designated as Part 2, Reference Plan 61R-10808, City of Guelph.

Notwithstanding the covenants in the Development Agreement registered on title, the property owner applied to Building Services for a demolition permit (2020-6110 DP) on October 16, 2020. The current demolition permit has been refused by Building Services as there are requirements to be satisfied under applicable law before a decision can be made. Effectively, Council has a period of 60 days to consider whether to consent to the demolition permit or to move to protect this listed heritage property by issuing a notice of intention to designate the property under section 29, Part IV of the Ontario Heritage Act. If a decision is not reached within that 60-day period, the Chief Building Official will be obliged to issue the permit pursuant to the Building Code despite the covenants in the registered Development Agreement.

The small parcel of land known as 264 Crawley Road containing the Edward Crawley farmhouse was retained by the owner applicant in the creation of large industrial lots east of the Hanlon Expressway and north of Maltby Road through the approval of Severance Applications B-3/06 in 2006 and B-3/08 in 2008. One of the properties created by these severances is the large industrial property adjacent and directly east of 264 Crawley Road which now contains the recently constructed Medline distribution facility at 995 Southgate Drive.

According to the conditions of approval for these severances and a Development Agreement signed by the property owner and the City and registered on title to the property, the owner of 264 Crawley Road agreed to retain the stone dwelling in a safe and secure condition, to pursue appropriate uses for the former farmhouse and acknowledged Heritage Guelph's interest in recommending to Council that the building be designated under the Ontario Heritage Act. The decision to approve Severance Application B-3/08 came with conditions agreed to by the land owner that would allow a second option for the farmhouse to be relocated (in accordance with a Built Heritage Resource Impact Assessment prepared by Owen Scott in January 2007) for adaptive reuse within the south industrial lands of the Southgate Business Park as part of Plan of Subdivision 23T-06503. The Plan of Subdivision has subsequently been allowed to lapse leaving retention of the farmhouse in situ as the only remaining option available to the owner according to the conditions and agreements made to date for the property.

Site Plan approval of the Medline facility at 995 Southgate Drive has allowed site grading around the farmhouse property that has left it sitting on what is now high

ground and surrounded by a tall, vertical wood board fence. A positive impact of the site grading has meant that the new Medline facility sits low enough and is far enough to the east of the Edward Crawley farmhouse that it does not appear to crowd or dominate the farmhouse profile when seen from the Crawley Road or the Hanlon Expressway. Although 264 Crawley Road is a small lot relative to its industrial neighbours, the farmhouse lot has retained many mature trees and shrubs as vestiges of the former farmstead context. Current challenges for the viability of 264 Crawley Road include the facts that the future of Crawley Road as an access route to the subject property has not been determined and appropriate lot services would prove costly.

### **Design/Physical Value**

The Crawley farmhouse is a vernacular two-storey Neo-Classical structure built of coursed limestone and granite fieldstone with dressed quoins. It has an end-gabled roof and end chimneys. While its design is not unusual, two-storey stone houses of this era are uncommon in Puslinch Township, and this is a fine early example. The enclosed front porch and verandah are a relatively recent addition to the front of the house and were not featured in the original design. Historically, a large addition was built on the south side of the house in the 1970s to house an indoor pool.

### **Historical/Associative Value**

The Crawley residence, once known as "Willowgrove," and more recently as Glencal Acres, is an elegant two-storey gable-roofed house with an attic. It was built circa 1870 by Edward Crawley Jr. whose parents, Edward and Elizabeth Crawley, settled on the land around 1839. The house replaced a log cabin that was erected by Edward Sr. and his wife.

Edward Crawley Sr. emigrated with his younger brother Peter from Ireland in 1839. They settled in Puslinch Township on front lots 12 and 13, concession 7, roughly the area now identified as 264 Crawley Road. Though rocky towards the rear of the lots, the land they chose was rich and they were prosperous enough to purchase several nearby farm lots over the following years. After Edward Sr.'s death in 1863 the farm passed to his son, Edward Jr. The younger Edward built the house that stands today around 1870, with funds partly raised from the sale of wheat to the Union army during the American Civil War. The new house was erected a short distance to the west of the cabin, and the cabin was converted to equipment storage, a function it served until being demolished in the 1930s. After Edward Crawley Jr. died in 1928 at age 85 the property went to his son Charles, who continued to farm until retiring in 1947. Descendants of Edward Crawley Sr. continue to live in Guelph and Puslinch Township.

### **Contextual Value**

The Crawley farmhouse has contextual value because it is historically linked to its surroundings. The farmhouse, at 264 Crawley Road, sits in its original location and serves as a lasting reference to the Edward Crawley farmstead and as a link to the early farming landscape of Puslinch Township, and what is now Guelph.

Staff recommends that the property meets all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06 under the Ontario Heritage Act and, therefore, merits individual heritage designation under the Ontario Heritage Act.

## **Financial Implications**

The Planning Services budget covers the cost of a heritage designation plaque.

## **Consultations**

At their meeting of November 9, 2020 Heritage Guelph was provided the following staff recommendation:

That Heritage Guelph supports the staff recommendation for Council to publish a Notice of Intention to Designate the stone farmhouse at 264 Crawley Road under section 29, Part IV of the Ontario Heritage Act using the list of heritage attributes as proposed by staff at the November 9, 2020 meeting of Heritage Guelph.

The following are to be considered as heritage attributes to be protected by the heritage designation by-law for 264 Crawley Road:

- Two-story, side gable building form and single-storey tail;
- Three stone chimneys above the gable walls;
- Exterior stone walls, including the stone tail at rear;
- All original door and window openings with their stone sills;
- All original wood window frames, sashes and glass;
- Original interior plaster cavetto mouldings;
- Original interior wood trim, including paneled window reveals and door and window casings;
- Front door, transom and side lights;
- Interior stairway and all wooden elements, including newel posts and railing on the upper floor.

At the same meeting (November 9, 2020) Heritage Guelph provided the following advice to Council:

That Heritage Guelph accepts heritage staff's recommendation for designation of 264 Crawley Road with the heritage attributes as listed, and

That Heritage Guelph recommends that given these attributes we recommend that we go forward to City Council with a request for designation, and

That we would also request that City staff work with the proponent to look at adaptive reuse and any other creative solutions that can be found for this structure.

A recorded vote was requested.

In favour: 6

Opposed: 2

## **Strategic Plan Alignment**

### **Priority**

Sustaining our future

### **Direction**

Plan and design an increasingly sustainable city as Guelph grows

### **Alignment**

The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows which includes the conservation of cultural heritage resources. The

recommendations in this report support the conservation of a significant built heritage resource. This action supports Guelph's planning for an increasingly sustainable City.

## **Attachments**

Attachment-1 Location of subject property (Images: City of Guelph GIS and Google Streetview)

Attachment-2 Part 2 on Registered Plan 61R-10808 (subject property highlighted in yellow)

Attachment-3 Historical Maps showing Lot 13 in Concession 7 (formerly Township of Puslinch)

Attachment-4 Selected Entries from Land Title Abstract

Attachment-5 264 Crawley Road as Listed on Heritage Register

Attachment-6 Overall Site Plan approved for 995 Southgate Drive and details from Overall Site Plan and Tree Inventory Plan

Attachment-7 Current Exterior Photos (November 2020)

Attachment-8 Interior Photos (April 2017)

Attachment-9 Statement of Cultural Heritage Value or Interest

Attachment-10 Recommended Heritage Attributes

## **Departmental Approval**

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

## **Report Author**

Stephen Robinson, Senior Heritage Planner

## **This report was approved by:**

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519.822.1260, ext. 2395

krista.walkey@guelph.ca

## **This report was recommended by:**

Kealy Dedman, P. Eng., MPA

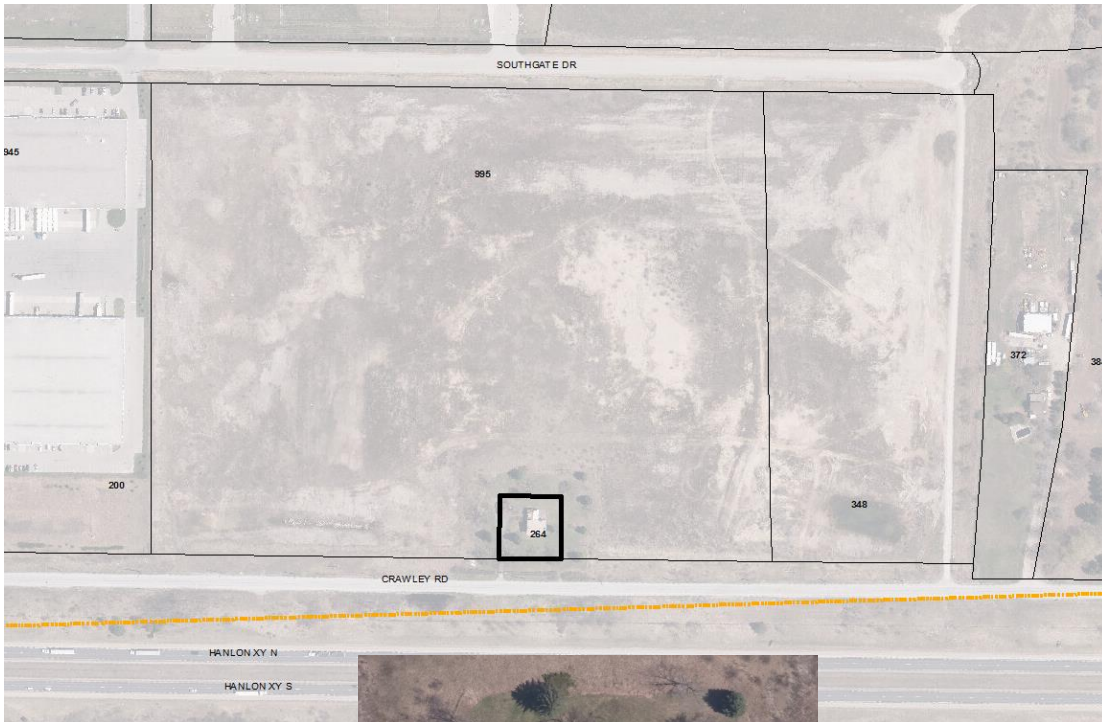
Deputy Chief Administration Officer

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2248

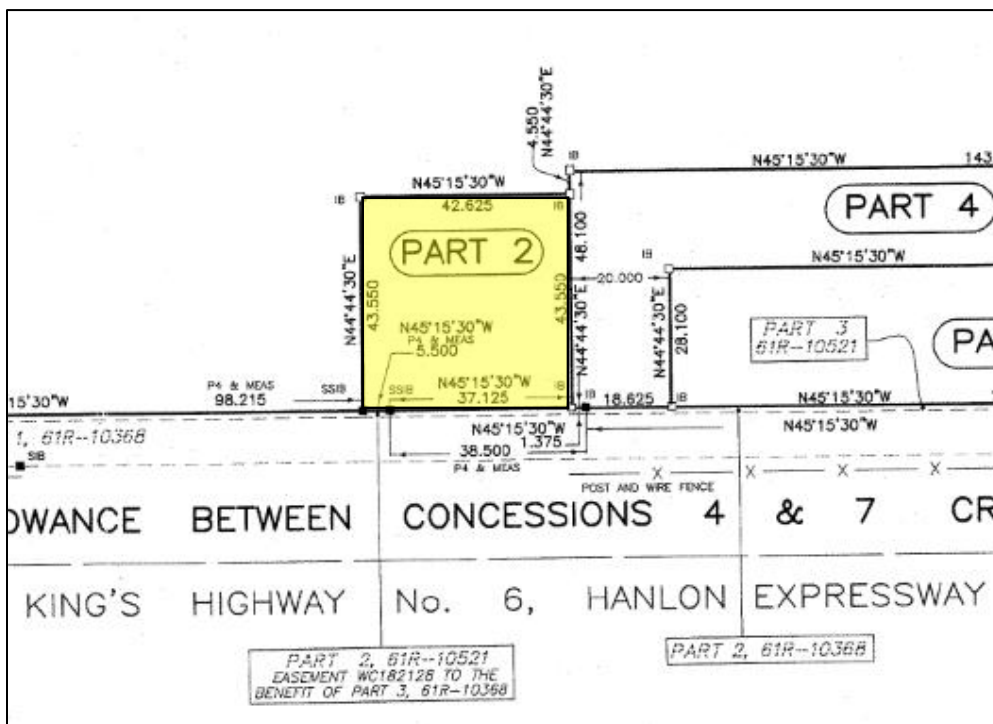
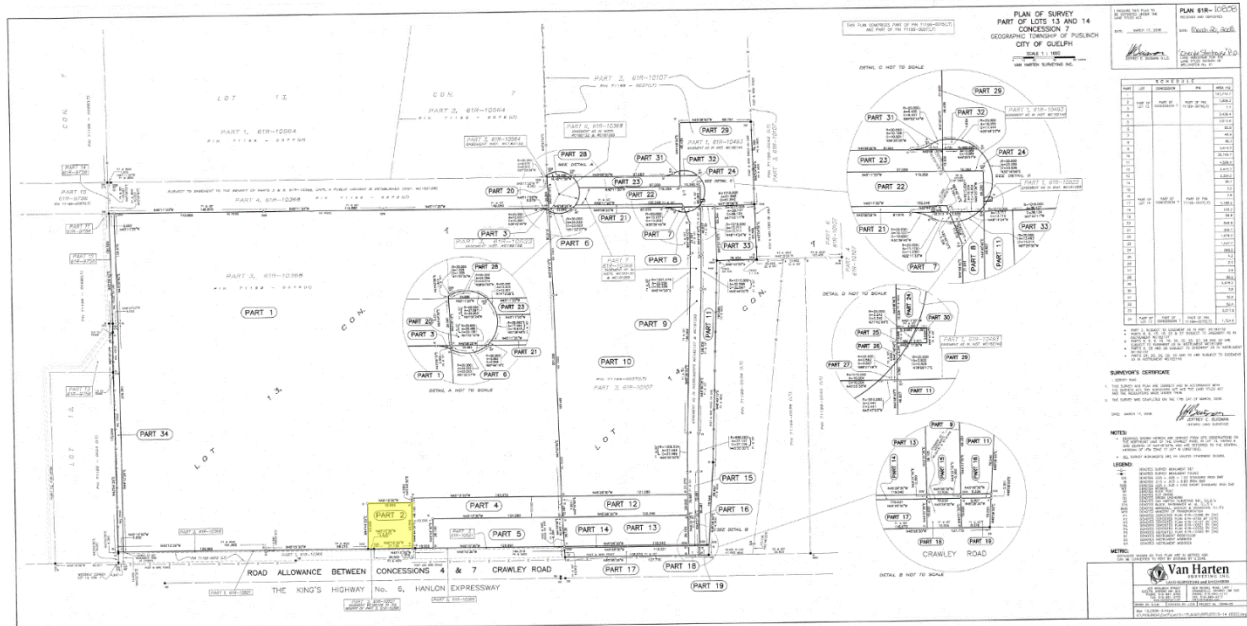
kealy.dedman@guelph.ca

**Attachment 1 – Location of subject property (Images: City of Guelph GIS and Google Streetview)**



**I**

# **Attachment 2 – Part 2 on Registered Plan 61R-10808 (subject property highlighted in yellow)**



(Image: *Historical Atlas of Waterloo & Wellington Counties, Ontario, Illustrated, 1881-1877*)



(Image: *Historical Atlas of Wellington County, Ontario, 1906*)



#### Attachment-4 Selected Entries from Land Title Abstract

Lot #	Instrument	Date of Registry	Grantor	Grantee	Quantity of Land	Consideration Amount	Other
<b>Pt. Lot 4, Conc. 7</b>	889, Mort	18 Mar 1873	Edward Crawley & Wife	John Gowdy	H. or S. W. 1/2	\$600.00	
	954, Mort	9 Jun 1873	Edward Crawley & Wife	John Gowdy	100 H. or S. W. 1/2	\$200.00	
	Patent	28 Apr 1873	The Crown	Edward Crawley	100 H. or S. 1/2		
	1310, Dis. Mg	23 Apr 1875	John Gowdy	Edward Crawley	100 H. or S. 1/2		Mg. 954
	1913, Dis. Mg	12 Mar 1878	John Gowdy	Edward Crawley	H. or S. 1/2		Mg. 889
	1915, Mort	14 Mar 1878	Edward Crawley & Wife	John Smith	H. or S. 1/2	\$600.00	
	4372, Dis. Mg	5 Mar 1878	John Smith	Edward Crawley	H. or S. 1/2		Mg. 1915
	5144, Pro Will	5 Mar 1892	Edward Crawley dec'd	Charles M. Crawley	W. 1/2		Subject to legacies - Others
	10874, Grant	8 May 1929	Edward J. Crawley and George F. Crawley Exors. Of Edward Crawley dec'd		Fr. or SW. 1/2	Premises and \$1.00	Subject to payments of legacies - Others

## Attachment-5 264 Crawley Road as Listed on Heritage Register

\*\*\*\*RECORD 21 IN HERITAGE

### CITY OF GUELPH INVENTORY OF HERITAGE STRUCTURES

ROLL NO. \_\_\_\_\_ DEFINED AREA MAP # 1993 Annexed Area

ADDRESS: 264 Crawley Road

PHOTO DATE: November 2, 1993

STRUCTURE NAME: Glencal Acres

INVENTORY DATE: Nov. 2, 1993

ORIGINAL OWNER: Crawley

CONST. DATE: c1850  
(Stated 1823-29 by  
present owner)

DESIGNER:  
(Architect (A), Engineer (E)  
Landscape Architect (L))

BUILDER:

ORIGINAL USE: Farmhouse

PRESENT USE: Single Family  
Residential

CURRENT OWNER & ADDRESS: Josephine Fair, 264 Crawley Road

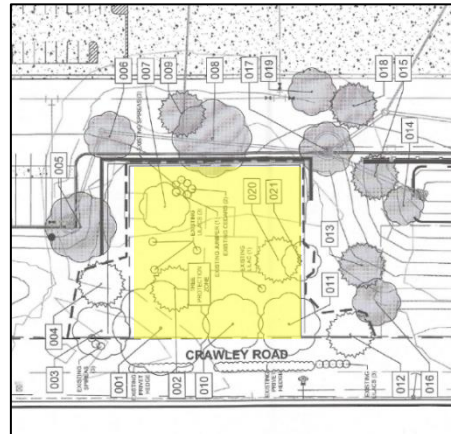
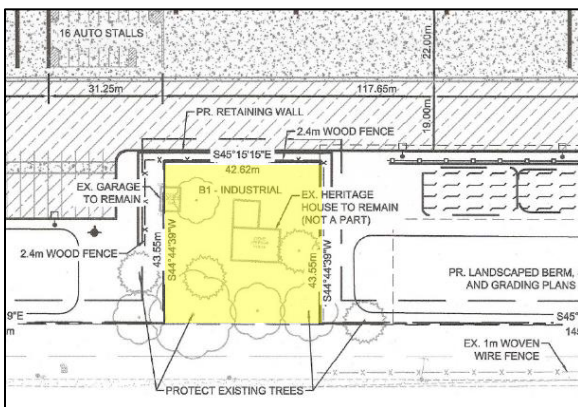
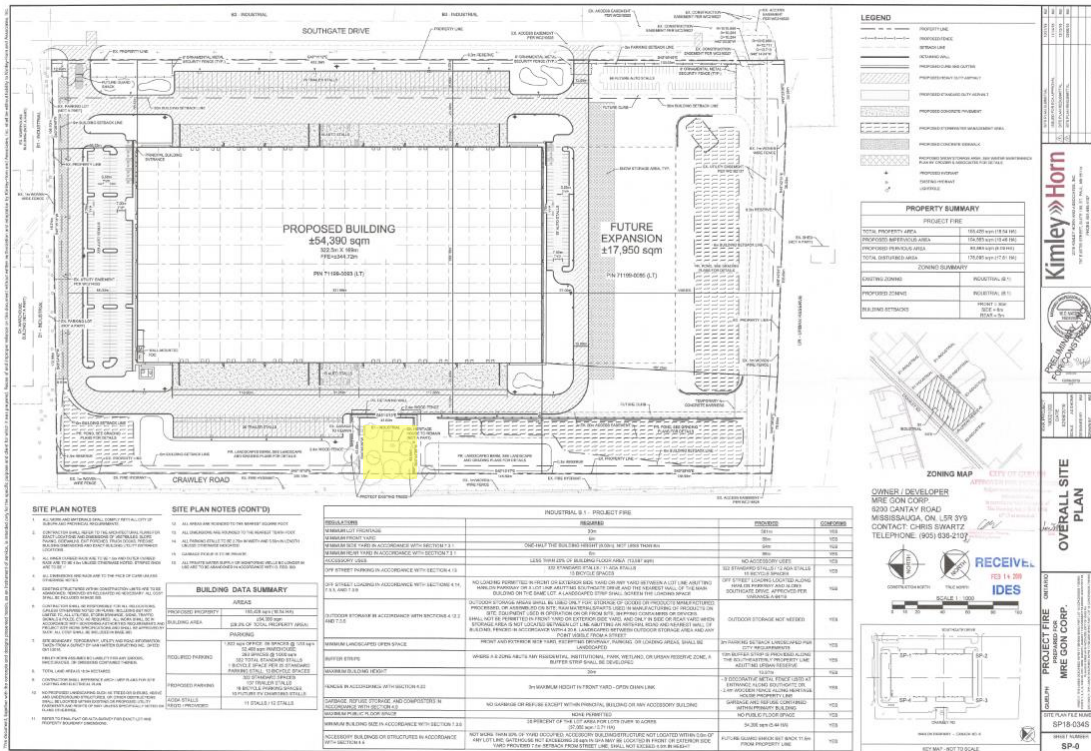
HERITAGE DESIGNATION:

CONSTRUCTION MATERIALS: Stone, squared, coursed, limestone and fieldstone

SIGNIFICANT FEATURES: Neo-Classic Vernacular, 2 storey and attic, 3 bay, gable roof, end chimneys, 1 storey kitchen wing



# Attachment-6 Overall Site Plan approved for 995 Southgate Drive and details from Overall Site Plan and Tree Inventory Plan (adjacent subject property highlighted in yellow)



**Attachment-7 Current Exterior Photos (November 2020)**









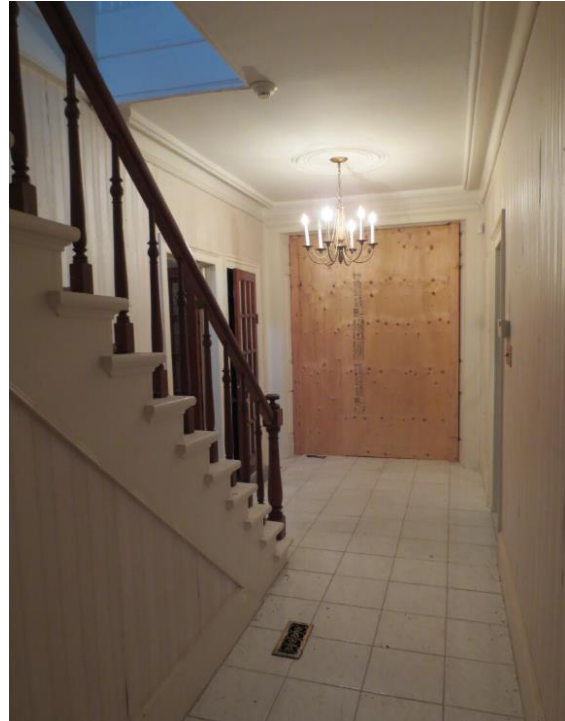




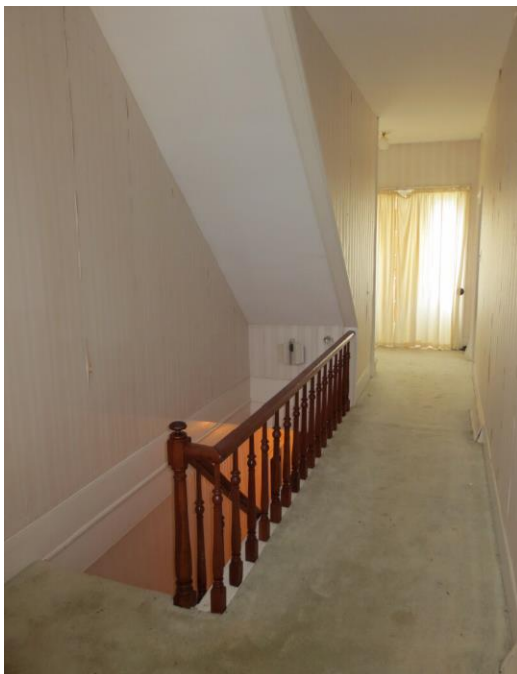


## Attachment-8 Interior Photos (April 2017)

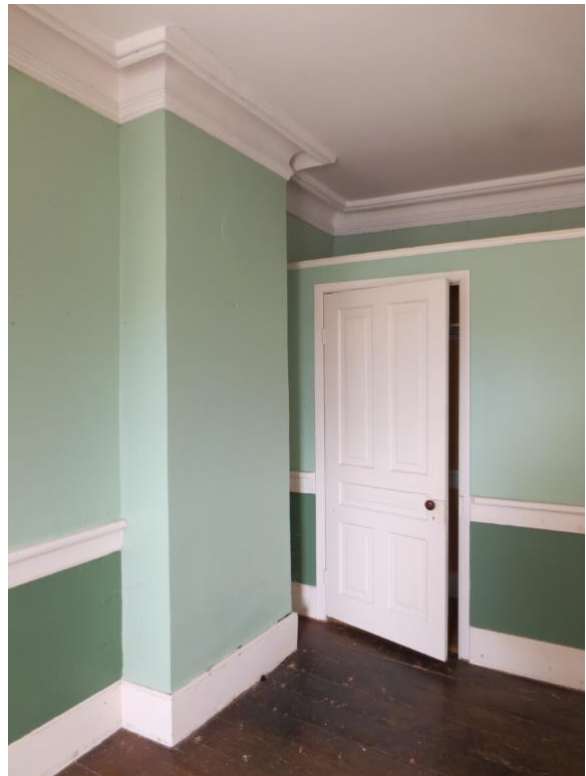
Front hall with stairway and plaster cavetto crown moulding



Upper hall stair railing and door to attic



Plaster cavetto crown mouldings in both upper bedrooms



North window in attic



North room in basement with exposed heavy timber summer beam in ceiling



## **Attachment-9 Statement of Cultural Heritage Value or Interest**

The stone farmhouse at 264 Crawley Road (described legally as Part 2, Reference Plan 61R-10808) is being recommended for designation under section 29, Part IV of the *Ontario Heritage Act* as it meets all three of the prescribed criteria for determining cultural heritage value or interest according to Ontario Regulation 9/06 under the *Ontario Heritage Act*. The heritage attributes of the subject property display design/physical, historical/associative and contextual value.

### **Design/Physical Value**

The Edward Crawley farmhouse at 265 Crawley Road is a two-storey, Neo-Classical structure built of limestone and granite fieldstone with dressed limestone quoins. It has a side gabled roof and chimneys. While its design is not unusual in Wellington County, this is a fine early example and one of the last remaining in this area of the City of Guelph. The enclosed, semi-circular front porch and shed roof dormer on the north side of the tail are additions made in mid-20<sup>th</sup> century and were not part of the in the original design. A large addition has been removed from the south side of the house which had been built in the 1970s to house an indoor pool.

### **Historical/Associative Value**

The Edward Crawley farmhouse, once known as "Willowgrove," and more recently as Glencal Acres, was built circa 1870 by Edward Crawley Jr. whose parents, Edward and Elizabeth Crawley, settled on the land around 1839. The house replaced a log cabin that was erected by Edward Sr. and his wife.

Edward Crawley Sr. emigrated with his younger brother Peter from Ireland in 1839. They settled in Puslinch Township on front Lots 12 and 13 within Concession 7. Though rocky towards the rear of the lots, the land they chose was rich and they were prosperous enough to purchase several nearby farm lots over the following years. After Edward Sr.'s death in 1863 the farm passed to his son, Edward Jr. The younger Edward built the house that stands today around 1870, with funds partly raised from the sale of wheat to the Union army during the American Civil War. The new house was erected a short distance to the west of the cabin, and the cabin was converted to equipment storage, a function it served until being demolished in the 1930s. After Edward Crawley Jr. died in 1928 at age 85 the property went to his son Charles, who continued to farm until retiring in 1947. Descendants of Edward Crawley Sr. continue to live in Guelph and Puslinch Township.

### **Contextual Value**

The Edward Crawley farmhouse has contextual value because it is historically linked to its surroundings. The farmhouse, at 264 Crawley Road, sits in its original location and serves as a lasting reference to the Edward Crawley farmstead and as a link to the early farming landscape of Puslinch Township, and what is now Guelph.

CRITERIA	NOTES	SCORE
The property has design value or physical value because it...		
... Is a rare, unique, representative or early example of a style, type, expression, and material or construction method.	... is a fine early example, and one of the last remaining, of a two-storey, Neo-Classical farmhouse in this area of Guelph.	✓
... Displays a high degree of craftsmanship or artistic merit		
... Demonstrates a high degree of technical or scientific achievement		
The property has historical value or associative value because it...		
... Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	... has direct associations with the Crawley family, one of the earliest settlers in the area and a prominent family of the Puslinch Township and Guelph community.	✓
... Yields, or has the potential to yield, information that contributes to an understanding of a community or culture		
... demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community		
The property has contextual value because it...		
... Is important in defining, maintaining or supporting the character of an area.		
... Is physically, functionally, visually or historically linked to its surroundings	... is historically linked to its surroundings as it sits in its original location and serves as a lasting reference to the Edward Crawley farmstead. The farmhouse is a link to the early farming landscape of Puslinch Township, and what is now Guelph.	✓
... Is a landmark		



## **Attachment-10 Recommended Heritage Attributes**

The following are recommended as heritage attributes to be protected by an individual heritage designation by-law for 264 Crawley Road:

- Two-story, side gable building form and single-storey, end gable tail;
- Three limestone chimneys at the peak of the gable walls;
- Exterior stone walls, including the stone tail at rear;
- All original door and window openings with their stone sills;
- All original wood window frames, sashes and glass panes;
- Original interior plaster cavetto mouldings;
- Original interior wood trim, including paneled window reveals and door and window casings;
- Front door, transom and side lights;
- Interior stairway and all wooden elements, including newel posts and railing on the upper floor.

## 264 Crawley Road

Notice of Intention to Designate  
under section 29, Part IV of the Ontario  
Heritage Act





- The property owner of 264 Crawley Road applied for a demolition permit on October 16, 2020.
- The demolition permit has been refused by Building Services as there are requirements to be satisfied under applicable law before a decision can be made.
- Council has a period of 60 days to consider whether to consent to the demolition or to move to protect this listed built heritage resource by designation under section 29, Part IV of the Ontario Heritage Act.
- If a decision is not reached within that 60-day period, Council would be deemed to have consented to the proposed demolition.



- A property may be designated under section 29, Part IV of the Ontario Heritage Act if it meets one or more of the criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06.
  - Design/Physical Value
  - Historical/Associative Value
  - Contextual Value



- Heritage planning staff, in consultation with Heritage Guelph, have compiled a statement of cultural heritage value including recommended heritage attributes of 264 Crawley Road.
- Staff recommends that the property meets all three criteria used to determine cultural heritage value or interest and, therefore, merits individual heritage designation under the Ontario Heritage Act.

## **Recommendation**

1. That the City Clerk be authorized to publish and serve notice of intention to designate 264 Crawley Road pursuant to section 29, Part IV of the Ontario Heritage Act.
2. That the designation bylaw be brought before City Council for approval if no objections are received within the thirty (30) day objection period.



Eileen P. K. Costello  
Direct: 416.865.4740  
E-mail: [ecostello@airdberlis.com](mailto:ecostello@airdberlis.com)

December 11, 2020

Our File No.: 145227

Email: [clerks@guelph.ca](mailto:clerks@guelph.ca)

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

Attention: Mayor and Members of Council

Dear Sir/Madam:

**Re: 264 Crawley Road – Notice of Intention to Designate under Section 29, Part IV, of the Ontario Heritage Act, 2020-227**

Please be advised that Aird & Berlis LLP acts on behalf of Industrial Equities Guelph Corporation, the owner of the property at 264 Crawley Road (the "subject property"). Our client has owned the subject property for over 15 years and has responsibly maintained, insured, managed and provided security to the property since that time at great cost, even absent a designating by-law requiring it to do so. Due to the non-availability of sewage services, the home has been unoccupied for over 12 years. On behalf of our clients, we object to the proposed designation of the subject property pursuant to Part IV of the Ontario Heritage Act ("OHA")

We appreciate the opportunity to provide correspondence in advance of Council's consideration of this item on December 14<sup>th</sup>, 2020. This is particularly important as the staff report on this matter has not included nor responded to significant issues which were raised at the meeting of Heritage Guelph when this staff recommendation was considered on November 9, 2020. These issues, which in our respectful submission militate against the designation of this property, are outlined below.

### **The Subject Property Cannot be Serviced**

The subject property is not currently serviced by the City of Guelph and introducing the required adequate municipal servicing to support permitted industrial uses is not feasible. This matter was raised at the meeting of Heritage Guelph and City staff did not address the issue, either at that meeting or in the report to Council.

Accordingly, our client retained an independent consultant to consider the issue of servicing. The report prepared by IBI Group, dated November 23, 2020, concluded as follows:

***Given our analysis, we conclude that there is no municipal sanitary infrastructure within proximity to the site that could be feasibly extended to service 264 Crawley Road, and that according to City policy, a private septic system cannot be utilized to service the industrial zoned property.***

Despite our client's good faith and sustained attempts, the identification of a sustainable adaptive reuse for the structure on the property has proven elusive and continues to do so. It is important to note that the existing Industrial B1 Zoning is restrictive and that the City's own rules require full municipal services. As determined in the IBI Group report, there is no municipal sanitary infrastructure within proximity to the site that could be feasibly extended to service 264 Crawley Road, and that according to City policy, a private septic system cannot be utilized to service the industrial zoned property.

The lack of servicing has resulted in the property remaining vacant for 12 years and there is no reasonable prospect of it being occupied for non-residential purposes.

Additionally, and as the photographs attached to this correspondence demonstrate, the subject property is not large (approximately ½ acre) and the area around the farmhouse is limited; accordingly, even if sewer services could be made available, there is insufficient room to accommodate required parking and loading facilities as would be required for any permitted industrial use. The existing farmhouse structure is not conducive to facilitate an industrial use and any expansion of the existing farmhouse to facilitate such use would not be consistent with the designation proposed by staff as substantial alterations would be required to heritage attributes on the farmhouse.

### **The Context of the Property was not considered Important by the City**

The original approvals for the subject property contemplated (through the severance development agreement) the relocation of the farmhouse to another location. This is no longer an option as the route to move the house (through what is now the warehouse site) has been developed and the agreement has since expired.

The Heritage Committee and the City previously agreed that the house could be relocated. The more generous list of uses which had been approved for the adjacent property (i.e. a restaurant) were only applicable if the structure was moved to these adjacent lands. Given that moving the house has been approved by the City previously the current location is clearly not considered intrinsic to its value.

### **The Context of the Property has Irrevocably Changed**

The subject property was part of a larger land holding (approximately 300 acres) that was subdivided in 2008 and which has seen the development of the area for industrial uses, in accordance with the City's in-force OP and by-laws.

The property is zoned B1 which is an industrial zone and, as can be ably seen from a site visit, the property is surrounded by an industrial warehousing facility.

As the photos attached to this correspondence ably demonstrate, the immediate context of the subject property is clearly industrial with contemporary built form and expansive parking and loading/shipping facilities necessary to support the approved warehouse use. The subject property is surrounded to the immediate north and both side yards with this use, separated only by a substantial retaining wall and fencing, neither of which are sympathetic to the cultural heritage value which may reside in the farmhouse structure.

The result of the City's approval and logical development of the adjoining business park resulted in a number of properties along Crawley Road, (now only 3) without options for sewer services which make any designation and reuse a practical impossibility.

### **Residential Use of the Subject Property is Not Viable**

We also acknowledge that a residential use for the house on a private septic system was permitted by a prior decision of the Committee of Adjustment (Application Number A-6/08, dated January 29, 2008). However, in our respectful submission a residential use located between the Hanlon Expressway and an industrial trucking and loading area is clearly not a viable use.

Further, as part of the development of the subdivision in 2008, the existing tile bed and septic tank were removed. Any residential use would therefore require a new tile bed and septic tank installation which would be inconsistent with the City's broader objectives related to groundwater protection.

We were surprised to hear Mr. Robinson opine at the Heritage Guelph meeting that a residential use would be an appropriate use for this property. Given the lack of consideration shown by staff to this matter, which in our view is clear based on a site visit, our client retained HGC Engineering an independent noise consultant, to assess the environmental noise condition for the subject property. The conclusion reached in their report dated December 7, 2020 was:

***The property is impacted by both provincial highway road traffic noise and stationary (industrial) noise. Through a review of relevant noise guidelines, site observations, acoustical measurements, and modelling, it is concluded that the use of the property for residential purposes would not comply with the guidelines for separation distances between noise sensitive uses and industries, would require significant noise mitigation measures, and would still impose risks for the continued operation of the neighbouring industrial uses.***

In our view it is unreasonable to expect that a residential use of the subject property, given the servicing constraints and industrial context, would be feasible. To the extent that such a use was contemplated by staff in considering the recommendation to designate this would further militate against designation in our view.

### **A Part IV Designation Creates Additional Legal Obligations**

In addition to the concerns noted above, it must be observed and appreciated by Members of Council that a Part IV designation of the subject property will immediately create potential legal liability and financial obligations for our client which, in our view, are unreasonable given the restrictions on an adaptive reuse. As Members of Council are aware, the City of Guelph has a Property Standards By-law with provisions specific to properties designated pursuant to Part IV of the OHA. These provisions create a higher standard of maintenance and other obligations that do not exist for owners of properties which are not designated, including exposure to fines.

While our client has maintained the property in good condition, to date this is not an obligation which can continue without end, particularly as the adaptive reuse of the structure and its use as

a residence have been frustrated by the City's own approvals of adjacent uses and the lack of sewage services make occupancy of the home in any way impossible.

This leads us to ask: is it fair and reasonable to expose property owners to the threat of legal liability and financial penalty when the property cannot be used in a sustainable manner and has remained vacant for over 12 years as a result of a lack of servicing?

### **Conclusion and Request**

The recommendation by City staff to proceed with a Part IV designation of the subject property given the above obstacles to a reasonable adaptive reuse of the farmhouse is unreasonable in our respectful opinion. Designating a structure without any consideration to the limitations on any adaptive reuse cannot be considered good heritage planning.

For all these reasons our client respectfully requests that City Council:

1. refuse the recommendation by staff to designate the property at 264 Crawley pursuant to Part IV of the OHA; and/or
2. grant the demolition permit application filed by Industrial Equities Guelph on condition that the owner of the subject property:
  - a. prepares archival plans and photographs of the farmhouse structure prior to demolition; and
  - b. provides this documentation to the City of Guelph.

Finally, our client remains willing to undertake a selective demolition process of the farmhouse structure and to provide elements of the building to either the City or such individual persons as may be interested in receiving same.

Yours truly,

AIRD & BERLIS LLP



Eileen P.K. Costello  
Partner

EPKC:lm  
Encl.

c: Industrial Equities Guelph, Mark Cowie  
Astrid Clos, Land Use Planner

December 7, 2020

Via email: [mmidgley@cowiecapital.com](mailto:mmidgley@cowiecapital.com)

**Matthew Midgley**  
**Director of Operations and Construction**  
**Cowie Capital**  
161 Bay Street, Suite 3930  
Toronto, ON M5J 2S1

**Re: Assessment of Environmental Noise Impact**  
**264 Crawley Road, Guelph, Ontario**  
**HGC Engineering Project Number 02000882**

---

Dear Mr. Midgely,

As requested, HGC Engineering has conducted a study of environmental noise impacting the property located at 264 Crawley Road in the City of Guelph. The purpose of our study is to assess the implications of the existing dwelling on the property being used for residential uses. The property is impacted by both provincial highway road traffic noise and stationary (industrial) noise. Through a review of relevant noise guidelines, site observations, acoustical measurements, and modelling, it is concluded that the use of the property for residential purposes would not comply with the guidelines for separation distances between noise sensitive uses and industries, would require significant noise mitigation measures, and would still impose risks for the continued operation of the neighbouring industrial uses.

Additional explanation of our findings is outlined below.

*Description of Property and Surrounding Area*

The property is a 2-storey single detached building and is located on the northeast side of Crawley Road and Highway 6. Figure 1 shows the aerial imagery of the property and the surrounding area. We understand that the building is of heritage interest and is currently on industrially zoned lands. HGC Engineering visited the property on December 2, 2020. The area around the site is surrounded by designated and zoned industrial lands. To the southwest of the property is a provincial highway (Highway 6) located approximately 85 m away from the closest façade to the northbound road centreline. To the immediate northeast, and surrounding the property on two sides, is a distribution and warehousing facility (Medline Industries Inc.) along with its associated outdoor truck parking and loading area. Based on information from Medline personnel, the facility operates 24 hours a day and has frequent trucking activities during daytime and nighttime hours. Sound emissions from the highway and loading activities at the Medline facility were audible at the site property during our site visit.

*Transportation Noise Impact*

Guidelines for acceptable levels of road traffic noise impacting residential land uses are provided in the Ontario Ministry of Environment, Conservation, and Parks (MECP) publication NPC-300, “Environmental Noise Guideline Stationary and Transportation Sources – Approval and Planning”, and is also referenced in

City of Guelph's guideline for compatibility of land uses and noise generating sources, titled 'Guelph Noise Control Guidelines'. The NPC-300 guideline provides indoor sound level limits for noise sensitive indoor spaces, namely 45 dBA during the daytime and 40 dBA during the nighttime, and outdoor limits for outdoor living areas, namely 55 dBA during the daytime with an allowable exceedance range of 5 dBA.

To assess the levels of road traffic noise which will impact the site in the future, sound level predictions were made using STAMSON version 5.04, a computer algorithm developed by the MECP. Road traffic noise data for Highway 6, obtained from published traffic volumes by the Ontario Ministry of Transportation (MTO), was projected 10 years into the future with an annual growth rate of 2.5% and was used to predict sound levels at prediction locations shown in Figure 2.

**Table 1: Future Road Traffic Sound Levels and MECP Road Traffic Noise Criteria**

Prediction Location	Description	Daytime Predicted L <sub>EQ</sub> -16 hr	Nighttime Predicted L <sub>EQ</sub> -8 hr
[A]	Southwest façade facing Highway 6	66 dBA	61 dBA
[B]	Northwest façade flanking Highway 6	63 dBA	58 dBA
[C]	Southeast façade flanking Highway 6	63 dBA	59 dBA
[OLA]	Backyard outdoor amenity area	57 dBA	--

During the site visit, we measured a sound level of 64 dBA at the southwest façade at daytime, with the highway noted to be clearly audible. To meet the indoor noise limits in this case, MECP guidelines would require that noise control measures in the form of central air conditioning and upgraded window glazing construction should be provided, along with applicable warning clauses in the property and tenancy agreements.

#### Stationary (Industrial) Noise Impact

MECP Guidelines D-1, 'Land Use Compatibility' and D-6 'Compatibility Between Industrial Facilities and Sensitive Land Uses' were prepared to address the potential incompatibility of industrial land uses and noise sensitive land uses in relation to land use approvals under the Planning Act. Guideline D-6 suggests certain potential zones of influence of industries for which adverse effects may be experienced, depending on the characterization of that industry as either Class I, II or III. Furthermore, in order to minimize the potential for land use conflicts, the MECP recommends that certain minimum separation distances be respected.

**Table 2: D-6 Guideline Zone of Influence and Minimum Separation Distances**

Industry Class	Zone of Influence Distance	Minimum Separation Distance
Class I	70 m	20 m
Class II	300 m	70 m
Class III	1000 m	300 m

As the adjacent Medline facility has frequent trucking and loading activities during both daytime and nighttime hours, it is suitable to be characterized as either a Class II, which can feature shift operations and frequent trucking movement with the majority during daytime hours, or a Class III industry, which can feature continuous movement of products throughout the day and night. The common property line is immediately adjacent to the vehicle tarmac of Medline facility and is 45 m away from the loading bays at the facility façade, which does not meet the recommended minimum separation distances.

The feasibility of using the property for residential purposes is also based on the anticipated adverse effects from the industrial uses, subject to site specific noise studies performed in accordance with guideline

NPC-300. A preliminary analysis of stationary noise impact from the Medline facility was conducted using a computational model made on acoustical modelling software (CADNA/A Version 2021) and based on site operation information obtained from Medline personnel, measured sound levels of various activities at the site, and previously measured sound levels of trucking activities by HGC Engineering personnel in similar past projects.

MECP guidelines categorize sounds from industry into non-impulsive sounds, which are steady and slowly varying in nature, such as those generated from an idling truck, and impulsive sounds, which are instantaneous or short-duration pressure pulses, such as those generated by coupling of trailers, forklifts driving in and out of trailers, and metal garbage/recycling bin drop-offs. Based on site observations and experience with similar facilities, impulsive sounds are expected to be frequent with more than 9 impulses in an hour.

NPC-300 provides exclusionary minimum sound level limits which are used to establish compliance with the operation of stationary sources and to settle noise-related incidents reported to the MECP through the Ontario Environmental Protection Act. The applicable exclusionary minimum limits are shown in Table 3 below along with modelling results taken at the façade facing the Medline facility.

**Table 3: Preliminary Stationary Noise Modelling Results and Exclusion Minimum Limits**

Prediction Location	Non-Impulsive Sound Levels $L_{EQ}$	Non-Impulsive Exclusion Limits $L_{EQ}$ (Day/Evening/Night)	Impulsive Sound Level $L_{LM}$	Impulsive Exclusion Limits $L_{LM}$ (Day/Evening/Night)
[D]	58 dBA	50 / 50 / 45 dBA	56 dBAI	50 / 50 / 45 dBAI

The results show sound levels exceeding the MECP exclusion limits by up to 13 dBA.

#### Conclusions and Recommendations

The property does not meet the recommended minimum separation distances for noise sensitive land uses next to industrial facilities, and a preliminary analysis of sound emission from stationary sources demonstrates sound levels exceeding the MECP exclusion limits. The use of the property for residential purposes is not recommended as it would require significant noise mitigation measures and, even then, would impose risks for the continued operation of neighbouring industrial uses under MECP noise guidelines.

We trust that this is sufficient information for your present needs. Please do not hesitate to call if you have any further questions or require additional information.

Yours truly,

**HOWE GASTMEIER CHAPNIK LIMITED**



Harry Cai, BEng, EIT

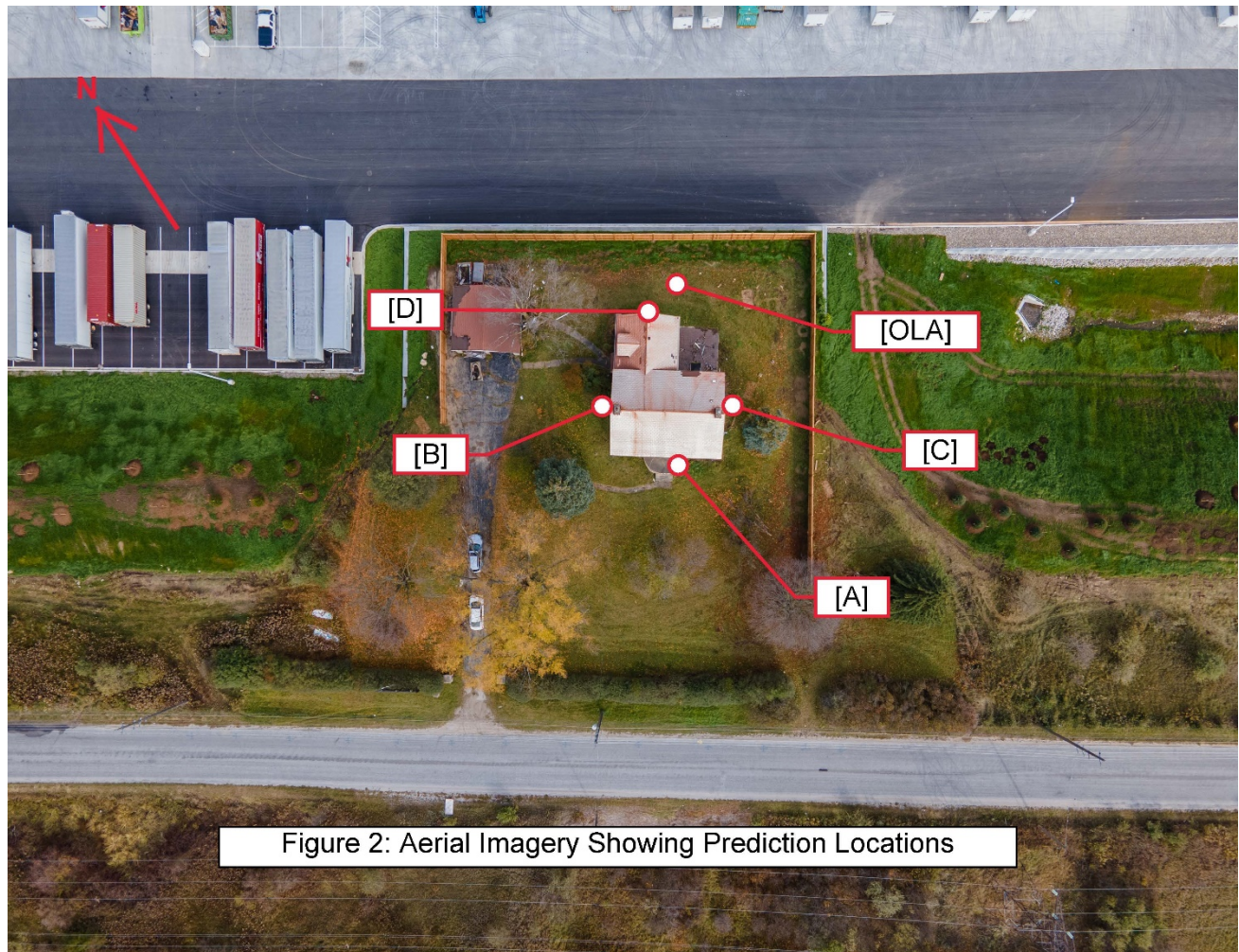


Brian Howe, MEng, MBA, LLM, PEng

Encl: Figure 1: Aerial Imagery Showing Property and Surrounding Area  
Figure 2: Aerial Imagery Showing Prediction Locations



**Figure 1: Aerial Imagery Showing Property and Surrounding Area**





**IBI GROUP**  
101 – 410 Albert Street  
Waterloo ON N2L 3V3 Canada  
tel 519 585 2255  
[ibigroup.com](http://ibigroup.com)

November 23, 2020

Mark Cowie  
Industrial Equities Guelph Corp  
161 Bay Street, Suite 3930  
Toronto, ON M5J 2S1

email: [mark.cowie@cowiecapital.com](mailto:mark.cowie@cowiecapital.com)

Dear Mr. Cowie:

**SOUTHGATE BUSINESS PARK  
264 CRAWLEY ROAD – POTENTIAL MUNICIPAL SANITARY SERVICING**

As requested, we have reviewed the potential municipal sanitary servicing of the existing 264 Crawley Road, Guelph.

**BACKGROUND**

IBI Group, under the direction of Mr. John Perks, MBA, P.Eng. as senior Engineer, has been the Engineer of record for the municipal engineering (design and construction) of the Southgate Business Park.

The Southgate Business Park includes approximately 200 acres of land south of Clair Road West, east of Crawley Road (having frontage onto the Hanlon), and north of Maltby Road West. Southgate Drive, to date, has been extended approximately 1,400m south of Clair Road West, with plans to ultimately extend it to Maltby Road West.

**EXISTING CONDITIONS**

An existing home of “Heritage Interest” currently exists on 264 Crawley Road. Historically this property was serviced by a private septic system and a private water well.

The septic system was decommissioned with the development of the adjacent lands in circa 2009, and the residence on 264 Crawley Road has remained unoccupied since that date due to no sanitary service being available.

Within existing and proposed Southgate Drive there is municipal sanitary sewer that services the adjacent industrial lands. The southern portions of Southgate Drive will require a sanitary pumping station that will pump northerly into the existing Southgate Drive sanitary sewer. There are also possible plans to extend the municipal sanitary along Maltby Road West.

To our knowledge, there are no plans to extend municipal sanitary along Crawley Road, nor would it be financially justifiable given there are only two residential properties that might utilize the sewer in addition to 264 Crawley Road. All remaining undeveloped land with frontage onto Crawley Road are zoned industrial, are owned by Industrial Equities Guelph Corporation, and also have frontage onto Southgate Drive. These lands have been planned and designed to be serviced by the proposed municipal servicing on the future extension of Southgate Drive. A final property on Crawley Road is the two acre home/office located at the northeastern corner of



**SOUTHGATE BUSINESS PARK  
264 CRAWLEY ROAD – POTENTIAL MUNICIPAL SERVICING**

Crawley and Maltby which is presumably serviced by private servicing (i.e., water well and septic system) as no existing municipal infrastructure exists at that location.

Finally, it is noted that Crawley Road has significant elevation relief (over 6.5m), and has significant “rolling” vertical alignment along its length which would make extension of a sanitary sewer challenging, if not impossible.

**MUNICIPAL SANITARY SERVICING ANALYSIS**

We have been asked to review the feasibility of providing municipal sanitary servicing to the 264 Crawley Road property. The only existing or proposed municipal sanitary sewer in proximity to 264 Crawley Road is the existing sanitary sewer on Southgate Drive. Existing private development land lies between 264 Crawley Road and Southgate Drive, and accordingly a sanitary sewer could not be extended directly to the subject property from Southgate Drive.

As a possibility, a sanitary sewer could be extended from the existing Southgate Drive sanitary sewer along the temporary “service easement” to Crawley Road (approx. 360m), and then northerly along Crawley Road to the subject property (approx. 300m). This route was analyzed based on the existing ground elevations and sanitary inverts. Assuming a minimum slope of 0.5%, it was found that there would be a significant length along the route where there would be insufficient cover on the sanitary, and in fact the sewer would be above ground elevation by upwards of 2m in the worst-case location (near Crawley Road) which is obviously not feasible. Refer to attached redlined plan.

Even if the sanitary was feasible to construct (which it is not), the capital construction cost would be significant and leave the municipality with a long length of sanitary sewer to maintain for the benefit of a single residential user. In our opinion this would not be economically justifiable.

Finally, we were provided a City of Guelph letter dated July 16, 2018 (see attached). This letter indicates that 264 Crawley Road is zoned Industrial and consequently states that private septic systems cannot be used to service the site.

**CONCLUSIONS:**

Given our analysis, we conclude that there is no municipal sanitary infrastructure within proximity to the site that could be feasibly extended to service 264 Crawley Road, and that according to City policy, a private septic system cannot be utilized to service the industrial zoned property.

We trust this information assists and meets your requirements for your review of 264 Crawley Road.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

**IBI GROUP**



John Perks, MBA, P.Eng.  
Associate Director

JRP/ms

**Attachment**

cc: Ms. Astrid Clos (via email: [astrid.clos@ajcplanning.ca](mailto:astrid.clos@ajcplanning.ca))

## PRELIMINARY LETTER



**To:** Thomas Lees/Matthew Midgley  
**Date:** Monday July 16, 2018  
**Email:** [guelph@selfstor.ca](mailto:guelph@selfstor.ca)  
**From:** Pat Sheehy  
**Division:** Building Services  
**Re:** 264 Crawley Rd  
Mechanical Permit 18 004539 PH

Please be advised of the outstanding issues concerning the application for the above noted permit:

The subject property is zoned B.1 Industrial in the Zoning By-law. Section 4.10 of the Zoning By-law requires: No land shall be Used or built upon and no Building or Structure shall be erected, Used or expanded for any purpose unless all Municipal Services including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are Available and Adequate.

The proposed permit for a private septic system can only be approved for Zoning in conjunction with Committee of Adjustment decision A-6/08 that allows only the residential re-use of the lands. There is no indication that the property is going to be reused for residential, therefore the permit application cannot be approved for zoning at this time. If contemplating industrial use of the lands, then full municipal services are required.

This permit has been placed in order to be reviewed but cannot be issued until our review is complete, the above noted items are received, paid and/or resolved and all other applicable law is complied with. If other items arise during our review, they will be forwarded to you in the form of a refusal letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick Sheehy".

**Patrick Sheehy**  
Program Manager-Zoning

Building Services  
Location: 1 Carden Street – 3<sup>rd</sup> Floor

T 519-837-5615 x 2338  
F 519-822-4632  
E [patrick.sheehy@guelph.ca](mailto:patrick.sheehy@guelph.ca)

**City Hall:**  
1 Carden St.  
Guelph, Ontario  
N1H 3A1

T 519-837-5615  
TTY 519-826-9771  
[guelph.ca](http://guelph.ca)







a -AL





so inff  
07

so it

7rgS



# Staff Report



---

To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 14, 2020
Subject	<b>Decision Report Additional Residential Unit Review: Planning Act Update Official Plan Amendment No. 72 and Zoning Bylaw Amendment File: OZS20-02</b>

---

## Recommendation

1. That City-initiated Official Plan Amendment No. 72 be approved in accordance with Attachment 1 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
  2. That the City-initiated Additional Residential Dwelling Unit Zoning Bylaw Amendment (OZS20-02), be approved in accordance with Attachment 2 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
- 

## Executive Summary

### Purpose of Report

This report provides a staff recommendation to approve a City-initiated Official Plan Amendment (OPA) and Zoning Bylaw Amendment for Additional Residential Dwelling Units in order to conform with changes to the Planning Act.

### Key Findings

Planning staff recommend approval of OPA 72 and the Additional Residential Dwelling Unit Zoning Bylaw Amendment to implement changes made to the Planning Act through Bill 108, More Homes, More Choice Act.

The recommended OPA 72 and Additional Residential Dwelling Unit Zoning Bylaw Amendment are consistent with the Provincial Policy Statement 2020 and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019.

### Financial Implications

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

---

# Report

## Background

The Official Plan and Zoning Bylaw Amendments for Additional Residential Dwelling Units have been initiated by the City to conform with recent changes to the provincial Planning Act policies and regulations for additional residential units and garden suites, known as Bill 108, More Homes, More Choice Act. The proposed Official Plan and Zoning Bylaw Amendments were developed based on the recommendations of the [Additional Residential Unit Review: Planning Act Update to the Official Plan and Zoning Bylaw Discussion Paper, July 2020](#), released for the statutory public meeting at City Council held on July 13, 2020. The proposed amendments build on the preliminary recommendations released and feedback received regarding accessory apartments through the City's ongoing Comprehensive Zoning Bylaw Review. Revisions to the proposed zoning bylaw regulations have been made based on Council and community feedback. Additional background information is available in the [Statutory Public Meeting Report, Additional Residential Dwelling Unit Review: Planning Act Update](#).

## Purpose and effect of Official Plan Amendment 72

The purpose and effect of the proposed Official Plan Amendment is to update the accessory apartment, coach house and garden suite policies and definitions in the Official Plan in accordance with the Planning Act.

## Overview of Official Plan Amendment 72

The proposed Official Plan Amendment included as Attachment 1:

- Modifies the accessory apartment policies to permit additional residential dwelling units within low and medium density residential designations to recognize the Planning Act regulations that permit additional residential units on rowhouse (townhouse) properties;
- Replaces "accessory apartment" references with "additional residential dwelling unit" to improve alignment of terminology with the Planning Act;
- Replaces "coach house" references with "additional residential dwelling units within a separate building on the same lot as the primary dwelling" to improve alignment of terminology with the Planning Act;
- Modifies the definition for "accessory apartment" and renames it "additional residential dwelling unit" in the Glossary to conform with the Planning Act;
- Deletes the definition for "coach house" in the Glossary to be consistent with the Planning Act; and
- Modifies the definition for "garden suite" to be consistent with the Planning Act.

## Purpose and effect of the Additional Residential Dwelling Unit Zoning Bylaw Amendment

The purpose and effect of the proposed Zoning Bylaw Amendment is to update the accessory apartment, coach house and garden suite regulations and definitions in the Zoning Bylaw in accordance with the Planning Act.

## Overview of the Additional Residential Dwelling Unit Zoning Bylaw Amendment

The proposed Zoning Bylaw Amendment included as Attachment 2:

- Replaces references to “accessory apartment” with “additional residential dwelling unit” to improve alignment with the Planning Act;
- Deletes the definition for “accessory apartment” and replaces it with “additional residential dwelling unit” to improve alignment with the Planning Act;
- Modifies the definition for “dwelling unit” to be consistent with the City’s Official Plan;
- Modifies the definition for “garden suite” to improve alignment with the Planning Act;
- Requires one parking space for each additional residential dwelling unit, in addition to the one parking space required for the primary dwelling to improve alignment with the Planning Act;
- Modifies section 4.15.1 “Accessory Apartments” with “Additional Residential Dwelling Units” which includes the following revisions:
  - Permits two additional residential dwelling units on a lot, one within the same building as the primary dwelling and one located in a separate building on the same lot
  - Permits the required off-street parking spaces to be in a stacked arrangement
  - Exempts existing lots with no legal off-street parking space for the primary dwelling from providing parking spaces for additional residential dwelling units.
  - Additional Residential Dwelling Unit within the primary dwelling:
    - Removes the maximum size of 80 m<sup>2</sup>
    - Measures total net floor area from the interior walls instead of floor area from the outside of exterior walls
    - Permits an additional residential dwelling unit located in a basement, to occupy the entirety of the basement
    - Modifies the maximum number of bedrooms from two to three
  - Additional Residential Dwelling Unit in a separate building on the same lot:
    - Sets the maximum size of 45% of the total net floor area of the primary building, or 80 square metres, whichever is less
    - Sets a maximum of 30% yard coverage
    - Sets a maximum of two bedrooms
    - Requires 1.2 m unobstructed pedestrian access to an additional residential dwelling unit from a driveway or street, unless access to the additional residential dwelling unit is provided from a rear lane
    - Sets a maximum height of two storeys and 6.1 metres, and shall not exceed the overall building height of the primary dwelling
    - Limits an additional residential dwelling unit in a separate building to rear and interior side yards
    - Sets a minimum side and rear yard setback that is consistent with the applicable zone.
    - Sets a minimum 3 m side and rear yard setback for a two storey additional residential dwelling unit where there is a window adjacent to the property line
    - Sets a minimum 1.2 m side yard setback for the primary dwelling on the side closest to the unobstructed pedestrian access leading to an additional residential dwelling unit, unless access to the additional residential dwelling unit is from the street or lane

- Sets a minimum distance of 3 m between the primary dwelling and the additional residential dwelling unit within a separate building on the same lot
- Prohibits the severance of an additional residential dwelling unit from the lot
- Permits additional residential dwelling units within zones that permit single detached, semi-detached and on-street townhouses; and
- Deletes various site-specific zones that permit coach houses and garden suites as the standard zone is recommended to permit the use.

## **Location**

The proposed amendments apply to lands designated low density residential and medium density residential in the Official Plan, and lands zoned Residential R.1, R.2 and R.3B, R.1B-19, R.1B-28, R.1B-33, R.1B-35, R.1B-44(H), R.1B-45, R.1B-49(H), R.1C-15, R.1C-23, R.1C-24, R.2-2, R.2-6, R.2-7, R.2-8, R.2-30, R.3A-12, R.3B-2, R.3B-10, R.3B-12, R.3B-14, Office Residential (OR), OR-7, OR-8, OR-9, OR-10, OR-11, OR-13, OR-17, OR-20, OR-21, OR-22, OR-23, OR-24, OR-25, OR-28, OR-33, OR-34, OR-36, OR-49, OR-50, OR-53, OR-54, Downtown D.1-3, D.1-24, Downtown D.2, and D.2-13 in Zoning Bylaw (1995)-14864, as amended.

## **Overview of key issues and staff responses**

### **1. Size of unit**

#### **Summary of issue:**

We heard concerns that allowing an additional residential dwelling unit to be up to 50% of the total net floor area of the primary dwelling would create a duplex and the additional residential dwelling unit would not be considered subordinate to the primary unit. We heard there should be flexibility based on housing types to help with the design and functionality of units. We also heard that larger units are needed to provide affordable housing for families.

More concern was expressed related to additional residential dwelling units in a separate building on the same lot as the primary unit than additional residential dwelling units within the primary dwelling. We heard that unit size should be based on property context and lot area, should be smaller and should protect setbacks from neighbouring properties and green space.

#### **Staff response:**

- The revised zoning bylaw amendment reduces the permitted size of an additional residential dwelling unit within the primary dwelling to 45% of the total net floor area of the primary dwelling. This is in line with the existing size regulation for accessory apartments
- A regulation has been added to allow the additional residential dwelling unit to occupy the entirety of a basement, when it is located exclusively in the basement
- The maximum unit size has been reduced based on community feedback and to ensure the unit is subordinate to the primary dwelling. Allowing the entire basement to be occupied by an additional residential dwelling unit will reduce barriers by allowing better utilization of the basement floor area and/or improve the layout and design of the unit while staying within the building footprint

- The revised zoning bylaw amendment reduces the permitted size of an additional residential dwelling unit in a separate building on the same lot to 45% of the total net floor area of the primary dwelling, or 80 square metres, whichever is less. The zoning bylaw amendment retains the maximum 30% yard coverage regulation
- The maximum unit size for detached structures has been reduced and an additional size limit of 80 square metres has been added based on community feedback and to ensure the detached structure remains smaller in scale, subordinate to the primary dwelling unit, maintains amenity area and green space in rear yards and fits within the existing context of the property

## **2. Number of bedrooms**

### **Summary of issue:**

We heard concerns about allowing three bedrooms in additional residential dwellings units as well as support for allowing three bedrooms. There is a desire for increased flexibility to allow for different types of housing options and an increase in affordable units appropriate for families rather than only single occupants. Comments also suggested further limiting the number of bedrooms for additional residential dwelling units in a detached structure (bachelor, one bedroom and two bedroom) and concerns that the overall number of bedrooms permitted on a property would be too much.

### **Staff response:**

- The revised zoning bylaw amendment reduces the number of bedrooms for additional residential dwelling units in detached structures to two to address community feedback related to size and number of bedrooms. The overall maximum size of 80 square metres applied to detached structures is closely linked to the number of bedrooms that can be accommodated in that space. This will ensure that detached structures remain subordinate and smaller in scale than the primary dwelling.
- Three bedrooms continue to be permitted in an additional residential dwelling unit within the primary dwelling. Allowing three bedrooms will allow for a variety of users while staying within the permitted building footprint on the lot. The impact of internal building changes to accommodate an additional residential dwelling unit is viewed as less impactful on neighbouring properties than an additional residential dwelling unit in a separate building.

## **3. Setbacks of detached structures**

### **Summary of issue:**

We heard concerns that a 0.6 metre interior side and rear yard setback is too small to allow for maintenance, and would contribute to loss of greenspace and privacy. Increasing setbacks and aligning them with the primary dwelling were suggested. We heard that setbacks for additional residential dwelling units in a separate building should be larger than setbacks required for a garage as people live in the space. We also heard that setbacks should provide flexibility to increase supply of available units within the city.

### **Staff response:**

- The revised zoning bylaw amendment increases the required interior side and rear yard setbacks by aligning them with the interior side yard setbacks of the

applicable zone. This ensures that habitable space is treated the same for the primary dwelling and the detached additional residential dwelling unit.

#### **4. Height of detached structures**

##### **Summary of issue:**

We heard concerns that allowing a maximum height of two storeys, with a maximum overall building height of 6.1 metres is too tall. We heard that detached structures should be the same height or lower than the primary dwelling to maintain the existing character. We also heard that the detached structure should be limited to one storey. There are concerns that a height of 6.1 metres would not be sufficient for a two storey building, particularly where a garage is located on the main floor.

##### **Staff response:**

- The revised zoning bylaw amendment permits a maximum building height of two storeys and 6.1 metres, and adds an additional regulation that prohibits the overall building height to exceed the height of the primary dwelling. This change addresses community feedback to ensure the detached structure is subordinate in size and scale to the primary dwelling, has negligible visual impact to the streetscape and ensures it is compatible in design and scale with the primary dwelling.

#### **5. Development Charges**

##### **Summary of issue:**

We heard concerns that additional residential dwelling units would be exempt from paying development charges, and about the overall financial implications related to permitting up to two additional residential dwelling units on a property.

##### **Staff response:**

- New regulations for legislated exemptions from development charges for purpose built additional residential dwelling units are not in effect yet, but will be on a date to be proclaimed by the lieutenant governor
- Until such time, the City's DC bylaw requires purpose build additional residential dwelling units to pay full DCs, but accessory apartments added to existing dwellings are entitled to the legislated exemptions as outlined in the City's DC bylaw.
- Finance reports on development charge exemptions on an annual basis
- Based on the information available, there have been 178 accessory apartments created to date in 2020. This equates to \$2.95 million in exemptions from development charges
- In 2019 the City experienced \$5.1 million in development charge exemptions, 50% of this was related to the creation of accessory apartments

#### **6. Lodging Houses**

##### **Summary of issue:**

We heard concerns that an additional residential dwelling unit would be permitted in combination with a lodging house.

**Staff response:**

- A lodging house is required to occupy the whole of a single-detached dwelling. A building with a lodging house cannot also have an additional residential dwelling unit.
- The Zoning Bylaw amendment has been modified to clarify that a lodging house is not permitted on a lot that contains an additional residential dwelling unit, within the primary dwelling or in a separate building on the same lot.

**7. Townhouses****Summary of issue:**

We heard concerns about permitting additional residential dwelling units in detached structures in townhouse zones.

**Staff response:**

- Additional residential dwelling units are recommended to be permitted within the primary dwelling and in a separate building on the same lot as the primary dwelling to conform with the Planning Act, which requires: "b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse (townhouse)".

**8. Residential stormwater charges:****Summary of issue:**

A question was raised at the statutory public meeting of Council related to how the stormwater charge would be applied to a property with additional residential dwelling units.

**Staff response:**

- Additional residential dwelling units are each subject to the residential stormwater charge.

**Planning analysis and staff recommendation**

The City initiated the Additional Residential Dwelling Unit Review to align existing policies and regulations with the Planning Act, including recent changes through Bill 108, More Homes, More Choice Act. The Planning Act requires municipalities to permit additional residential units in detached, semi-detached and rowhouse (townhouse) dwellings. In addition, the Planning Act requires that municipalities permit additional residential units in their official plans and zoning bylaws, in both a primary dwelling and an ancillary building or structure, in effect permitting three residential units on one residential property. A new regulation for additional residential units (O.Reg 299/19) came into effect that requires one parking space per unit unless the zoning bylaw sets out a lower standard and the spaces may be provided in a tandem or stacked arrangement.

The proposed OPA updates terminology to align with the Planning Act and allows additional residential dwelling units in the medium density residential designation to accommodate on-street townhouses.

The Planning Act further allows municipalities to determine appropriate zoning bylaw regulations for additional residential units. The City's review of zoning bylaw regulations focused on unit size, number of bedrooms, unit design, height of detached buildings, location and setbacks of detached buildings and parking. The

proposed zoning bylaw amendment ensures that additional residential dwelling units are: subordinate and smaller in size than the primary dwelling; fit within the lot's context and character; have access for maintenance and safety; provide for adequate amenity area and green space; and have proper lot drainage.

### **Provincial Policy Statement (PPS), 2020**

The PPS focuses on planning for strong, livable and healthy communities for people of all ages and encourages a range of housing options, including new development and residential intensification, to respond to current and future needs. The PPS also supports development that optimizes the use of land and existing infrastructure. The PPS outlines that healthy, livable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of housing types, which includes additional residential units, amongst other forms of housing and land uses. Residential intensification and densities that facilitate compact development, minimize the cost of housing and support the use of active transportation and transit, where appropriate, is also required.

Planning staff are satisfied that the recommended OPA 72 and the Additional Residential Dwelling Unit Zoning Bylaw Amendment are consistent with the PPS, 2020.

### **A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019)**

The Growth Plan provides growth management policy directions for the Greater Golden Horseshoe that supports economic prosperity, protect the environment and help communities achieve a high quality of life. A guiding principle of the Plan is to "support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households". Under the Growth Plan, municipalities are to support housing choice through the achievement of minimum intensification and density targets by identifying a diverse range and mix of housing options and densities, including additional residential units.

Planning staff are satisfied that the recommended OPA 72 and the Additional Residential Dwelling Unit Zoning Bylaw Amendment conform with the Provincial Growth Plan for the Greater Golden Horseshoe.

### **Financial Implications**

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

Staff will monitor the number of applications received to determine if there is any impact on staff capacity to process building permit applications as a result of this change in regulation.

### **Consultations**

The Notice of Public Meeting was advertised in the Guelph Tribune, mailed to local agencies and neighbourhood groups, and emailed to the Comprehensive Zoning Bylaw Review subscription list on June 18, 2020. The Statutory Public Meeting of Council was held on July 13, 2020.

A survey was posted to the City of Guelph "Have your Say" webpage from June 18 to September 13, 2020 and a summary report has been included as Attachment 3.

The Notice of Decision Meeting was sent on November 13, 2020 to members of the public and parties that provided comments or requested to receive further notice.

### **Strategic Plan Alignment**

The Additional Residential Unit Review: Planning Act Update and proposed Official Plan and Zoning Bylaw amendments support the City's existing policies and guidelines and align with the following priorities within Guelph's Strategic Plan:

Building Our Future – The proposed Official Plan and Zoning Bylaw amendments will assist in increasing the availability of housing that is affordable, meets the community needs and helps us continue to build strong, vibrant, safe and healthy communities.

### **Attachments**

Attachment-1 Additional Residential Dwelling Unit Official Plan Amendment No. 72

Attachment-2 Additional Residential Dwelling Unit Zoning Bylaw Amendment

Attachment-3 Additional Residential Dwelling Unit Review Survey Response Summary

Attachment-4 Public Notification Summary

Attachment-5 Staff Presentation Additional Residential Dwelling Unit Decision Meeting

### **Departmental Approval**

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

### **Report Author**

Abby Watts, Project Manager- Comprehensive Zoning Bylaw Review

### **This report was approved by:**

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2395

krista.walkey@guelph.ca

### **This report was 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- Additional Residential Dwelling Unit Official Plan Amendment 72 (OPA 72)**

## **PART A – THE PREAMBLE**

### **Title and Components**

This document is entitled 'Additional Residential Dwelling Units Amendment' and will be referred to as 'Amendment 72'. Part A - The Preamble provides an explanation of the amendment including the purpose, background, location, basis of the amendment, summary of changes to the Official Plan and public participation, but does not form part of this amendment.

Part B – The Amendment forms Amendment 72 to the Official Plan for the City of Guelph and contains a comprehensive expression of the new, deleted and amended policy.

### **Purpose**

The purpose of Amendment 72 is to update the accessory apartment and coach house objectives, policies and definitions in the Official Plan in accordance with policies and regulation for additional residential units in the Planning Act.

The Planning Act requires municipalities to permit additional residential units in detached, semi-detached and rowhouse (townhouse) dwellings. In addition, the Planning Act requires that municipalities permit additional residential units in their official plans and zoning bylaws, in both a primary dwelling and an ancillary building or structure, in effect permitting three residential units on one residential property. Ancillary means a use that is associated with the principal use. New regulations for additional residential units came into effect that established the following requirements and standards:

- no relationship restrictions allowed regarding the occupancy of the primary residential dwelling, additional residential unit and owner of the property;
- no restriction on the creation of an additional residential unit based on the date of construction of the primary or ancillary building; and
- each additional residential unit can be required to have one parking space, which may be stacked parking, however a lower standard, including no parking spaces, may be set by a municipal zoning bylaw.

Municipalities may still determine appropriate regulations for the additional residential units and consider constraints such as flood-prone areas or areas with inadequate servicing. The Planning Act also permits garden suites that are defined as "a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable". The Planning Act allows garden suites to be permitted as a temporary use only.

## **Background**

City staff initiated a review and amendment of the City's accessory apartment, coach house and garden suite policies, regulations and definitions to conform with provincial Planning Act policies and regulations for additional residential units and garden suites. The review and amendment of the City's Official Plan is building on preliminary recommendations released and feedback received regarding accessory apartments through the City's ongoing Comprehensive Zoning Bylaw Review. The Official Plan review and amendment is being advanced, ahead of the completion of the City's zoning bylaw review, to conform to provincial policy in a timely manner and ensure the health and safety of our community.

The [Comprehensive Zoning Bylaw Review Discussion Paper](#) was released on October 7, 2019 as the final component of the research and analysis phase of the zoning bylaw review. The discussion paper explored other municipal zoning trends, and provided a series of options and preliminary recommendations for each zoning topic including accessory apartments, referred to as accessory dwellings in the discussion paper. An [Information Report \(IDE-2020-21\) Comprehensive Zoning Bylaw Review: What we heard – summary of phase two public consultation](#) was released on February 28, 2020 to summarize phase two public feedback.

A Statutory Public Meeting of Council was held on July 13, 2020 for the Additional Residential Unit Review, which included the release of the [Additional Residential Unit Review: Planning Act Update to the Official Plan and Zoning Bylaw Discussion Paper](#). The discussion paper reviewed current City Official Plan policies and zoning bylaw regulations and other municipal practices in order to align the City's rules for accessory apartments, coach houses and garden suites with provincial rules for additional residential units. In addition, the discussion paper addressed preliminary recommendations released and feedback received regarding accessory apartments through the City's Comprehensive Zoning Bylaw Review.

## **Location**

Official Plan Amendment 72 applies to lands designated low density residential and medium density residential in the Official Plan.

## **Basis of the Amendment**

Amendment 72 sets out revised objectives, policies and definitions for accessory apartments and coach houses, known as additional residential units under the Planning Act. It addresses the necessary changes to ensure that the City's policies, related to additional residential units, comply with the Planning Act. The Planning Act requires municipalities to permit additional residential units in detached, semi-detached and rowhouse units. In addition, municipalities are required to permit an additional residential unit in both a primary dwelling and in an ancillary building or structure, in effect permitting three residential units on one residential property. Regulations under the Act allow each additional residential unit to be required to have one parking space, which may be stacked. A lower standard, including no parking spaces may be set by a municipal zoning bylaw.

The basis for the policy amendments come from Planning Act policies and regulations governing additional residential units.

## **Summary of Changes to the Official Plan**

The following is a summary of OPA 72:

- Revises the accessory apartment policies to permit additional residential dwelling units within medium density residential;
- Revises references to “accessory apartments” to “additional residential dwelling units”;
- Revises references to “coach houses” to “additional residential dwelling units within a separate building on the same lot as the primary dwelling”;
- Revises the definition for “accessory apartment” and renames it “additional residential dwelling unit” in the Glossary;
- Deletes the definition for “coach house” in the Glossary; and
- Revises the definition for “garden suite”.

## **Public Participation**

The development of the proposed Official Plan Amendment for Additional Residential Dwelling Units has involved community stakeholder engagement that included public meetings, stakeholder meetings and workshops held as part of the City’s Comprehensive Zoning Bylaw Review.

## **Background Studies**

The background studies include:

1. IDE-2019-92 Comprehensive Zoning Bylaw Review Discussion Paper and Guelph Parking Standards Review Discussion Paper, October 7, 2019
2. IDE-2020-21 Information Report Comprehensive Zoning Bylaw Review: What we heard – summary of phase two public consultation, February 28, 2020
3. IDE-2020-73 Council Report Additional Residential Dwelling Units Discussion Paper and Draft Official Plan, July 13, 2020

## **Public Engagement**

Between February 26 and 27, 2019, the City hosted three open houses to provide an overview of the comprehensive zoning bylaw review and gain input on what topics to explore in the development of a new bylaw. In addition, information was gathered through the City’s online engagement platform between February 26 and March 29, 2019. Individual meetings were also held with any community members and stakeholders who requested one between February 25 and March 15, 2019. The open houses and online engagement opportunities were promoted through advertisements in the Guelph Mercury Tribune and on the City’s social media accounts.

In October 2019, the City released the Comprehensive Zoning Bylaw Review Discussion Paper, which considered the community engagement input received and provided a series of options and preliminary recommendations for zoning topics including accessory apartments.

Community engagement was undertaken on the options and preliminary recommendations following the release of the Comprehensive Zoning Bylaw Review Discussion Paper. Between November 21 and November 28, 2019, six workshops were held on key themes including residential areas and specific housing types, and planning staff hosted four half day office hours throughout the city for individuals to attend. In addition, an online survey was conducted from November 29, 2019 to January 6, 2020 to solicit feedback from members of the community that were unable to attend workshops and office hours.

Information Report IDE-2020-21 Comprehensive Zoning Bylaw Review: What we heard – summary of phase two public consultation was released February 28, 2020 to provide Council with a summary of community engagement received.

The proposed Official Plan Amendment for Additional Residential Dwelling Units underwent a circulation period with agencies and other stakeholders to solicit feedback. No feedback was received.

The Statutory Public Meeting for Official Plan Amendment 72 was held on July 13, 2020. Council heard from 4 delegates and received 26 written comments.

A survey was posted to the City of Guelph "Have your Say" webpage from June 18 to September 13, 2020. A summary report was completed and included in the decision report as Attachment 3.

## **PART B – THE PREAMBLE**

### **Format of the Amendment**

This section of Amendment 72 for the Additional Residential Unit Review: Planning Act Update sets out additions and changes to the text in the Official Plan. Sections of the Official Plan that are proposed to be added, changed or deleted 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 72. 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 72 should be read in conjunction with the current Official Plan (2018 Consolidation) which is available on the City's website at **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 "accessory apartments" in policy 3.7.3 v) to "additional residential dwelling units" to be consistent with the dwelling type name used in the Planning Act.

Policy 3.7.3 v) is hereby amended as follows to replace the term "accessory apartments" with the term "additional residential dwelling units":

3.7.3. v) a range and mix of housing will be planned, taking into account *affordable housing* needs and encouraging the creation of ~~*accessory apartments*~~ ***additional residential dwelling units*** throughout the ~~*built-up area*~~.

**ITEM 2:** The purpose of 'ITEM 2' is to change the reference to "accessory apartment" in policy 4.4.1.34.2 to "additional residential dwelling unit" to be consistent with the dwelling type name used in the Planning Act. In addition, the reference to duplex dwelling, in relation to an accessory apartment, is removed since accessory apartments are not permitted with duplex dwellings.

Policy 4.4.1.34.2 is hereby amended as follows to replace the term "accessory apartment" with the term "additional residential dwelling unit":

4.4.1.34.2. *Residential intensification*, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an ~~*accessory apartment*~~ ***additional residential dwelling unit*** to an existing single/semi/~~duplex~~ building or the creation of a new lot by *consent* for a single/semi/duplex-dwelling, may be permitted provided that the new building or structure is *floodproofed* to an elevation no lower than one metre below the *regulatory flood level*; and:

**ITEM 3:** The purpose of 'ITEM 3' is to change the reference to "accessory apartments" in objective 7.2 d) to "additional residential dwelling units" to be consistent with the dwelling type name used in the Planning Act.

Objective 7.2 d) is hereby amended as follows to replace the term "accessory apartments" with the term "additional residential dwelling units":

7.2 d) To recognize the role of existing housing and ~~*accessory apartments*~~ ***additional residential dwelling units*** in providing choices for a full range of housing, including *affordable housing*.

**ITEM 4:** The purpose of 'ITEM 4' is to change the reference to "accessory apartments" in policy 7.2.1.2 to "additional residential dwelling units" to be consistent with the dwelling type name used in the Planning Act.

Policy 7.2.1.2 is hereby amended as follows to replace the term “accessory apartments” with the term “additional residential dwelling units”:

7.2.1.2. The annual *affordable housing* target requires that an average of 30% of new residential *development* constitute *affordable housing*. The target is to be measured city-wide. The target consists of 25% affordable ownership units, 1% affordable *primary rental* units and 4% affordable purpose built secondary rental units (which includes ~~*accessory apartments*~~ ***additional residential dwelling units***).

**ITEM 5:** The purpose of ‘ITEM 5’ is to create a new policy by modifying and combining policies 9.2.3.1 and 9.2.3.2 and to place the new policy in Section 9.2.1 to provide clarity to the provisions for additional residential unit permissions.

Policy 9.2.1.3 is hereby added as follows:

9.2.1.3 The City shall provide for the creation of *additional residential dwelling units* and specific regulations for *additional residential dwelling units* will be established in the Zoning Bylaw.

**ITEM 6:** The purpose of ‘ITEM 6’ is to delete Section 9.2.3 in its entirety and renumber the following sections 9.2.4, 9.2.5, and 9.2.6. The proposed new policy 9.2.1.3 replaces this section.

Section 9.2.3 is hereby deleted in its entirety and sections 9.2.4, 9.2.5, and 9.2.6 are renumbered as follows:

9.2.43 Lodging Houses

9.2.54 Coach Houses and Garden Suites

9.2.65 Home Occupations

**ITEM 7:** The purpose of ‘ITEM 7’ is to change the references to “main dwelling” in section 9.2.5 (renumbered to Section 9.2.4) to “primary dwelling” and references to “coach houses” to “additional residential dwelling units within a separate building on the same lot as the primary dwelling” to align references to the primary dwelling with terminology used in the Planning Act and to be consistent with the dwelling type name used in the Planning Act.

Section 9.2.5 (renumbered to 9.2.4) is hereby amended as follows to replace the term “main dwelling” with “primary dwelling” and to replace the term “accessory dwellings” with the term “additional residential dwelling units”, specifying that the additional residential dwelling units are within a separate building on the same lot as the primary dwelling. In addition, “by amendment to the implementing Zoning Bylaw” is removed and a new policy is added to recognize garden suites will be regulated in accordance with the Temporary Use By-law provisions of this Plan:

9.2.54 ~~Coach Houses~~ **Additional Residential Dwelling Units within a Separate Building on the Same Lot as the Primary Dwelling** and Garden Suites

1. ~~Coach houses~~ **Additional residential dwelling units within a separate building on the same lot as the primary dwelling** and *garden suites* may be permitted within land use designations permitting residential uses as alternative forms of housing in conjunction with detached, semi-detached and townhouse forms of housing.
2. The following criteria will be used as the basis for permitting ~~coach houses~~ **additional residential dwelling units within a separate building on the same lot as the primary dwelling** and *garden suites* ~~by amendment to the implementing Zoning By-law~~:
  - i) the use is subordinate in scale and function to the **primary** ~~main dwelling~~ on the lot;
  - ii) the use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - iii) the use is situated on an appropriately-sized housing lot;
  - iv) the use is *compatible* in design and scale with the built form of the **primary** ~~main dwelling~~ unit;
  - v) the orientation of the use will allow for optimum privacy for both the occupants of the new ~~coach house~~ **additional residential dwelling units within a separate building on the same lot as the primary dwelling** or *garden suite* and the **primary** ~~main dwelling~~ on the lot; and
  - vi) any other siting requirements related to matters such as servicing, parking and access requirements, storm water management and tree preservation can be satisfied.
3. ~~Coach houses~~ **Additional residential dwelling units within a separate building on the same lot as the primary dwelling** and ~~garden suites~~ will be regulated by the provisions of the implementing *Zoning By-law* and shall be subject to site plan control.
4. **Garden suites** will be regulated in accordance with the Temporary Use By-law provisions of this Plan and shall be subject to site plan control.

**ITEM 8:** The purpose of 'ITEM 8' is to change the references to "coach houses" in policy 10.11.2 i) to "additional residential dwelling units within a separate building on the same lot as the primary dwelling" to be consistent with the dwelling type name used in the Planning Act.

Policy 10.11.2 i) is hereby amended as follows to replace the term "coach house" with the term "additional residential dwelling units" and specifying that the additional residential dwelling units are within a separate building on the same lot as the primary dwelling":

- 10.11.2 i) low density residential, including single detached and semi-detached dwellings and buildings or structures accessory thereto, but not

including zero lot line dwellings, lodging houses, ~~coach houses~~  
**additional residential dwelling units within a separate building**  
**on the same lot as the primary dwelling**, garden suites, group  
homes or other special needs housing

**ITEM 9:** The purpose of 'ITEM 9' is to replace the term "accessory apartment" in policy 11.2.6.3.6.1 with the term "additional residential dwelling unit" to be consistent with the dwelling type name used in the Planning Act:

Policy 11.2.6.3.6.1. is hereby amended as follows to replace the term "accessory apartment" with the term "additional residential dwelling unit":

11.2.6.3.6.1. Notwithstanding any other provision of this Secondary Plan, only the following uses shall be permitted:

- a) Single detached dwelling;
- b) ~~Accessory apartment~~ **Additional residential dwelling unit**; and
- c) Home occupation.

**ITEM 10:** The purpose of 'ITEM 10' is to rename and revise the definition for "Accessory Apartment" within Section 12 Glossary to be consistent with the terminology used in the Planning Act and provide clarity.

Section 12 Glossary is hereby amended as follows:

**Additional Residential Dwelling Unit** ~~Apartment~~ means:

a dwelling unit **that is self-contained, subordinate to and** located within **the same building or on the same lot of a primary dwelling unit** ~~and subordinate to an existing single detached dwelling or semi-detached dwelling.~~

**ITEM 11:** The purpose of 'ITEM 11' is to delete the definition for "Coach House" within Section 12 Glossary. The definition is no longer required because this dwelling type is considered to be an "Additional Residential Dwelling Unit" in accordance with the regulations for additional residential units in the Planning Act.

The definition for Coach House is hereby deleted.

~~**Coach House**~~ means:

~~a one unit detached residence containing bathroom and kitchen facilities that is located on the same lot, but is subordinate to an existing residential dwelling and is designed to be a permanent unit.~~

**ITEM 12:** The purpose of 'ITEM 12' is to revise the definition for "Garden Suite" within Section 12 Glossary to align with the Planning Act.

Section 12 Glossary is hereby amended as follows:

**Garden Suite** means:

~~(also known as a Granny Flat):~~

a one-unit detached ~~residential structure~~ **dwelling unit** containing bathroom and kitchen facilities that is separate from and subordinate to **a primary dwelling unit** ~~an existing residential dwelling~~ and that is designed to be portable **and temporary**.

**ITEM 13:** The purpose of 'ITEM 13' is to revise the definition for "Residential Intensification" within Section 12 Glossary to replace "accessory apartments, secondary suites" with the term "additional residential dwelling units".

Section 12 Glossary is hereby amended as follows:

**Residential Intensification** means:

*Intensification* of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) *redevelopment*, including the *redevelopment* of *brownfield sites*;
- b) the *development* of vacant or underutilized lots within previously developed areas;
- c) *infill development*;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including **additional residential dwelling units** ~~accessory apartments, secondary suites~~ and rooming houses.

# Attachment 2- Additional Residential Dwelling Unit Zoning Bylaw Amendment

## The Corporation of the City of Guelph

### By-law Number (2020) - XXXXX

A by-law to amend By-law Number (1995)-14864, as amended, known as the Additional Residential Dwelling Unit Amendment (OZS20-02)

Whereas Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

### The Council of the Corporation of the City of Guelph enacts as follows:

1. Section 2.9 of By-law (1995)-14864, as amended, is hereby further amended as follows:
  - 1.1. Section 2.9.1 (xxiv) is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit.**"
2. Section 3.1 of By-law (1995)-14864, as amended, is hereby further amended as follows:
  - 2.1. The definition "**Accessory Apartment**" is deleted.
  - 2.2. The definition "**Additional Residential Dwelling Unit**" is added:

**"Additional Residential Dwelling Unit"** means a **Dwelling Unit** that is self-contained, subordinate to and located within the same **Building** or on the same **Lot** of a primary **Dwelling Unit**.
  - 2.3. The definition of "**Dwelling Unit**" be modified:

**"Dwelling Unit"** means a room or group of rooms occupied or designed to be occupied as an independent and separate self-contained housekeeping unit.
  - 2.4. The definition of "**Garden Suite**" be modified:

**"Garden Suite"** means a one-unit detached **Dwelling Unit** containing bathroom and kitchen facilities that is separate from and subordinate to a primary **Dwelling Unit** and that is designed to be portable and temporary.
3. Section 4.13 of By-law (1995)-14864, as amended, is hereby further amended, as follows:
  - 3.1. Section 4.13.3.1 is amended by replacing "**Accessory Apartments**" with "**Additional Residential Dwelling Units.**"
  - 3.2. Section 4.13.3.2.2 is amended by replacing "**Accessory Apartments**" with "**Additional Residential Dwelling Units.**"
  - 3.3. Section 4.13.4.3 is amended by deleting "**Semi-Detached Dwelling** with an **Accessory Apartment, 3**" and "**Single Detached Dwelling** with an **Accessory Apartment, 3**" and adding "**Additional Residential Dwelling Unit, 1 per unit.**"
  - 3.4. Section 4.13.4.3 is amended by adding section 4.13.4.3.2 as follows:

"Despite Section 4.13.4.3, if no legal off-street **Parking Space** can be provided for the primary **Dwelling**, as of the date of the passing of this **Bylaw**, no **Parking Spaces** are required for the **Additional Residential Dwelling Units.**"

4. Section 4.15.1 of By-law (1995)-14864, as amended, is deleted and replaced with the following:

4.1. "4.15.1 For the purposes of Section 4.15, the following term shall have the corresponding meaning:

**"Total Net Floor Area"** means the total floor area of the **Building** measured from the interior walls, including **Cellars** and **Basements** with a floor to ceiling height of at least 1.95 metres. **Total Net Floor Area** does not include stairs, landings, cold **Cellars**, **Garages**, **Carports**, and mechanical rooms. Section 2.7 does not apply to the floor to ceiling height of 1.95 metres.

Any **Additional Residential Dwelling Unit** shall be developed in accordance with the following provisions:

- 4.15.1.1 A maximum of two **Additional Residential Dwelling Units** shall be permitted on a **Lot**, one within the same **Building** as the primary **Dwelling Unit** and one located in a separate **Building** on the same **Lot**.
- 4.15.1.2 An **Additional Residential Dwelling Unit** in a separate **Building** on the same **Lot** is not permitted to be severed from the **Lot** of the primary **Dwelling Unit**.
- 4.15.1.3 Parking for **Additional Residential Dwelling Units** shall be developed in accordance with Section 4.13.
- 4.15.1.4 Notwithstanding Sections 4.13.2.1 and 4.13.3.1 the required off-street **Parking Spaces** for **Additional Residential Dwelling Units** may be stacked behind the required off-street **Parking Space** of the primary **Dwelling Unit** in the **Driveway (Residential)**.
- 4.15.1.5 Table 5.3.2, Row 18, shall not apply to **Additional Residential Dwelling Units** located in the R.3B **Zone**.
- 4.15.1.6 **Additional Residential Dwelling Unit** within a primary **Dwelling Unit**
  - 4.15.1.6.1 The **Additional Residential Dwelling Unit** shall not exceed 45% of the **Total Net Floor Area** of the **Building**.
    - 4.15.1.6.1.1 Despite Section 5.15.1.6.1, if the **Additional Residential Dwelling Unit** is located within the **Basement**, the **Additional Residential Dwelling Unit** may occupy the entirety of the **Basement**.
  - 4.15.1.6.2 The **Additional Residential Dwelling Unit** within a primary **Dwelling Unit** shall not contain more than three bedrooms.
  - 4.15.1.6.3 Interior access is required between floor levels and between the **Additional Residential Dwelling Unit** and the primary **Dwelling Unit**.
- 4.15.1.7 **Additional Residential Dwelling Unit** within a separate **Building** on the same **Lot**
  - 4.15.1.7.1 The **Additional Residential Dwelling Unit** shall not exceed 45% of the **Total Net Floor Area** of the primary **Building**, or a maximum of 80 square metres in **Floor Area**, whichever is less.

- 4.15.1.7.2 The **Additional Residential Dwelling Unit** within a separate **Building** on the same **Lot** shall not contain more than two bedrooms.
- 4.15.1.7.3 The **Additional Residential Dwelling Unit** shall not occupy more than 30% of the **Yard**, including all accessory **Buildings** and **Structures**, and shall be in accordance with Section 4.15.1.7.1, whichever is less.
- 4.15.1.7.4 The maximum **Building Height** shall be two **Storeys** and 6.1 metres, and shall not exceed an overall **Building Height** of the primary **Dwelling**.
- 4.15.1.7.5 A 1.2 metre wide unobstructed pedestrian access shall be provided to the entrance of the unit, unless access to the **Additional Residential Dwelling Unit** is provided directly from a **Street** or lane. A gate may be constructed within the pedestrian access.
- 4.15.1.7.6 A minimum 1.2 metre **Side Yard Setback** is required for the primary dwelling in the **Yard** closest to the unobstructed pedestrian access, unless access to the **Additional Residential Dwelling Unit** is provided directly from a **Street** or lane.
- 4.15.1.7.7 An **Additional Residential Dwelling Unit** in a separate **Building** on a **Lot** may occupy a **Yard** other than a **Front Yard** or required **Exterior Side Yard**.
- 4.15.1.7.8 An **Additional Residential Dwelling Unit** in a separate **Building** on a **Lot** shall have a minimum **Side** and **Rear Yard Setback** consistent with the **Side Yard Setback** for the primary **Dwelling** in the applicable **Zone**.
- 4.15.1.7.8.1 Notwithstanding Section 4.15.1.7.8, a two **Storey Additional Residential Dwelling Unit** shall have a minimum 3 metre **Side Yard** and **Rear Yard Setback** where a window is adjacent to the property line.
- 4.15.1.7.9 A minimum distance of 3 metres shall be provided between the primary **Dwelling Unit** and an **Additional Residential Dwelling Unit in a separate Building** on the same **Lot**."

5. Section 4.25 of By-law (1995)-14864, as amended, is hereby further amended as follows:

- 5.1. Table 4.25, Row 1, is amended by replacing "The whole of a **Single Detached Dwelling Unit**. A **Building** containing a **Lodging House Type 1** cannot contain an **Accessory Apartment**" with "The whole of a **Single Detached Dwelling Unit**. A **Lot** containing a **Lodging House Type 1** cannot contain an **Additional Residential Dwelling Unit** within the primary **Dwelling** or in a separate **Building** on the same **Lot**".

6. Section 5 of By-law (1995)-14864, as amended, is hereby further amended as follows:

- 6.1. Section 5.1.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 6.2. Section 5.2.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential**

**Dwelling Unit** in accordance with Section 4.15.1”.

- 6.3. Section 5.3.1.2 is amended by adding “**Additional Residential Dwelling Unit** in accordance with Section 4.15.1” as a permitted use.
7. Section 6 of By-law (1995)-14864, as amended, is hereby further amended as follows:
  - 7.1. Table 6.3.1.1 is amended by replacing “**Accessory Apartment**” with “**Additional Residential Dwelling Unit**” in the D.2 zone.
  - 7.2. Section 6.5.1 is amended by replacing “**Accessory Apartment** in accordance with Section 4.15.1” with “**Additional Residential Dwelling Unit** in accordance with Section 4.15.1”.
8. Part 1 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
  - 8.1. Section 5.1.3.2.19, R.1B-19 zone, be deleted.
  - 8.2. Section 5.1.3.2.28, R.1B-28 zone, be deleted.
  - 8.3. Section 5.1.3.2.33.1, R.1B-33 zone, be deleted.
  - 8.4. Section 5.1.3.2.35.1 is amended by replacing “**Accessory Apartment** in accordance with Section 4.15.1” with “**Additional Residential Dwelling Unit** in accordance with Section 4.15.1”.
  - 8.5. Section 5.1.3.2.44, R.1B-44(H) zone, be deleted.
  - 8.6. Section 5.1.3.2.45.1 is amended by replacing “**Accessory Apartment** in accordance with Section 4.15.1” with “**Additional Residential Dwelling Unit** in accordance with Section 4.15.1”.
  - 8.7. Section 5.1.3.2.49.1 be deleted.
  - 8.8. Section 5.1.3.2.49.2.1 be deleted.
  - 8.9. Section 5.1.3.2.49.2.2 be deleted.
  - 8.10. Section 5.1.3.2.49.2.3 is amended by replacing “Maximum **Building Height**” with “Maximum **Building Height** for an **Additional Residential Dwelling Unit** in a separate **Building**, and by replacing “**Coach House**” with “**Additional Residential Dwelling Unit.**”
  - 8.11. Section 5.1.3.2.49.2.5 is amended by replacing “**Coach House**” with “**Additional Residential Dwelling Unit.**”
  - 8.12. Section 5.1.3.2.49.2.7 is amended by replacing “**Coach House**” with “**Additional Residential Dwelling Unit.**”
  - 8.13. Section 5.1.3.2.49.2.8 be deleted.
  - 8.14. Section 5.1.3.2.49.3 be deleted.
  - 8.15. Section 5.1.3.3.15.1 is amended by replacing “**Accessory Apartment**” with “**Additional Residential Dwelling Unit.**”
  - 8.16. Section 5.1.3.3.23.1 is deleted and replaced with the following:

“Permitted **Uses**  
In accordance with Section 5.1.1 of this **Bylaw.**”
  - 8.17. Section 5.1.3.3.23.2.2 be deleted.

- 8.18. Section 5.1.3.3.24.1 is deleted and replaced with the following:  
"Permitted **Uses**  
 In accordance with Section 5.1.1 of this **Bylaw.**"
- 8.19. Section 5.1.3.3.24.2.4 is amended by replacing "**Garden Suite Dwelling Unit**" with "**Additional Residential Dwelling Unit** within a separate **Building** on the **Lot**" and by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit.**"
- 8.20. Section 5.1.3.3.24.2.4 ii) be deleted.
- 8.21. Section 5.1.3.3.24.2.4 iii) be deleted.
9. Part 2 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 9.1. Section 5.2.3.2.1.3 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 9.2. Section 5.2.3.6.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 9.3. Section 5.2.3.7.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 9.4. Section 5.2.3.8.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 9.5. Section 5.2.3.30.2.6 be deleted.
10. Part 3 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 10.1. Section 5.3.3.1.12.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 10.2. Section 5.3.3.2.2.1 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 10.3. Section 5.3.3.2.10.1 is amended by adding "An **Additional Residential Dwelling Unit** is permitted in **On-street Townhouses** in accordance with Section 4.15.1".
- 10.4. Section 5.3.3.2.12.1 is amended by adding "An **Additional Residential Dwelling Unit** is permitted in **On-street Townhouses** in accordance with Section 4.15.1".
- 10.5. Section 5.3.3.2.14.1 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
11. Part 7 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 11.1. Section 6.3.3.1.4.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
12. Part 9 of By-law (1995) – 14864, as amended, is hereby further amended as follows:



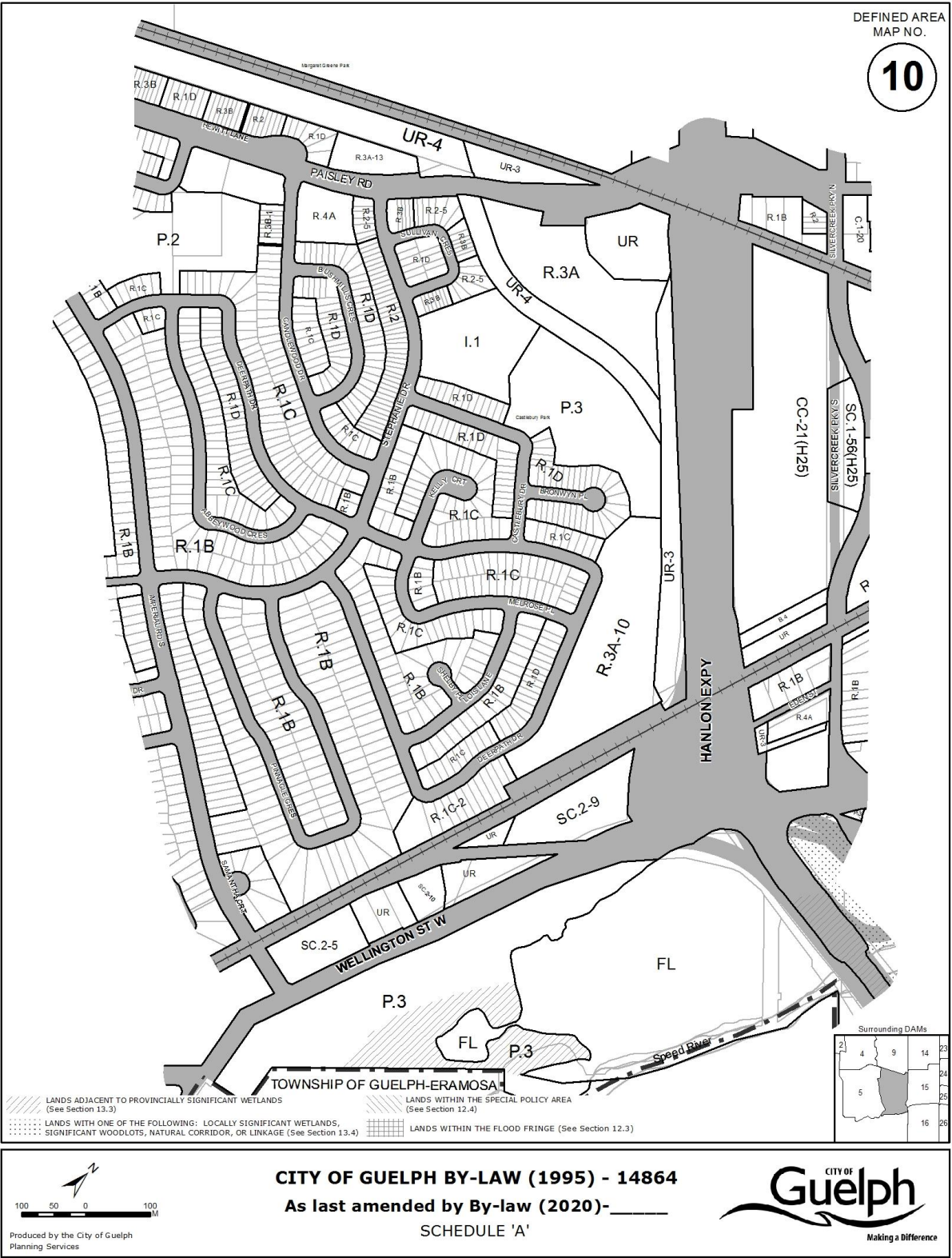
accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

- 12.18. Section 6.5.3.49.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
  - 12.19. Section 6.5.3.50.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
  - 12.20. Section 6.5.3.53.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
  - 12.21. Section 6.5.3.54.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
13. Part 16 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 13.1. Table 14.1.5, Row 3, is amended by replacing "***Accessory Apartment***" with "***Additional Residential Dwelling Unit***".
  - 13.2. Section 14.7.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
14. Schedule "A" of By-law (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map Numbers 10, 24, 34, and 45 and replacing them with new Defined Area Map Numbers 10, 24, 34, and 45 attached hereto as Schedule "A".

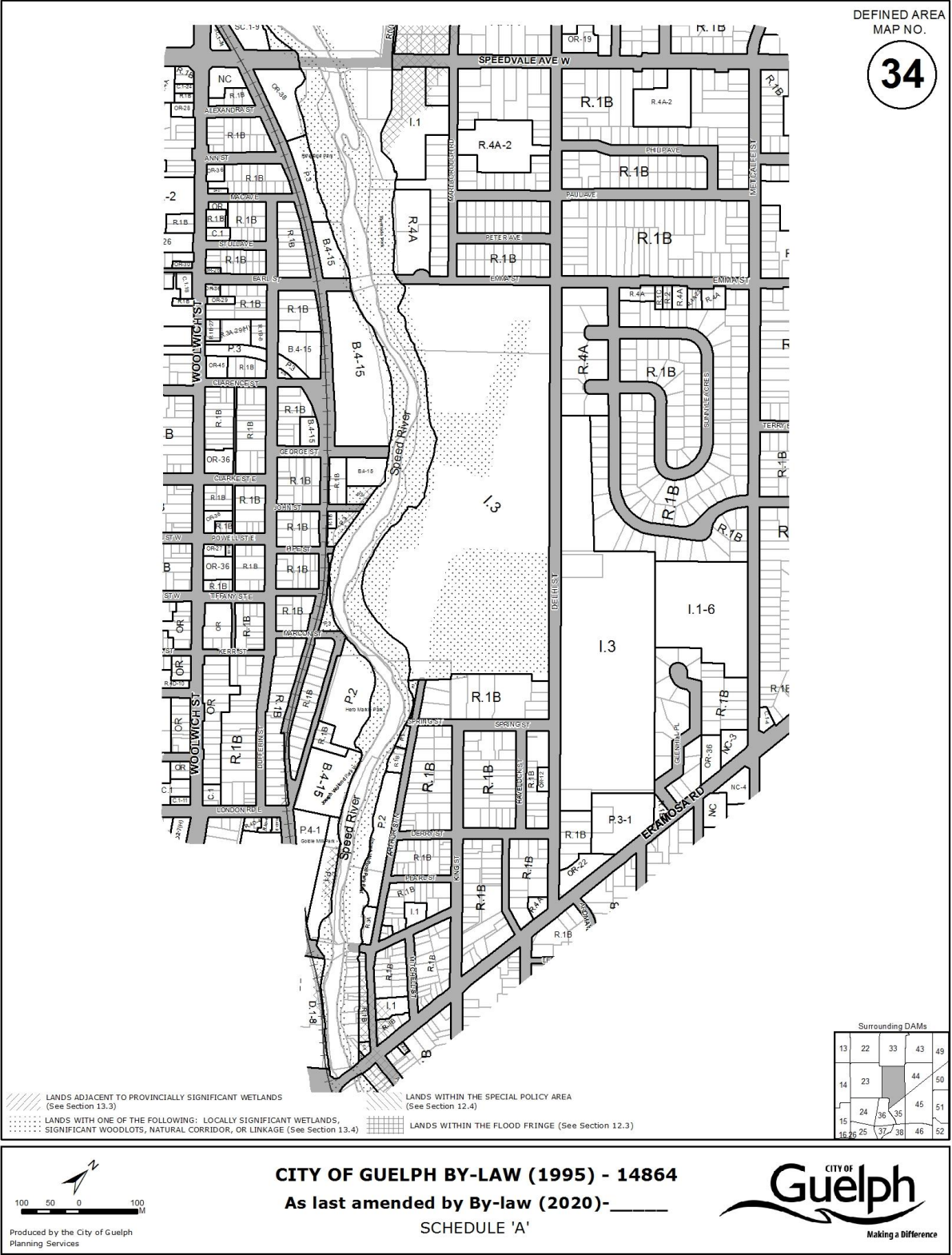
**Passed this [day of the month] day of [month], 2020.**

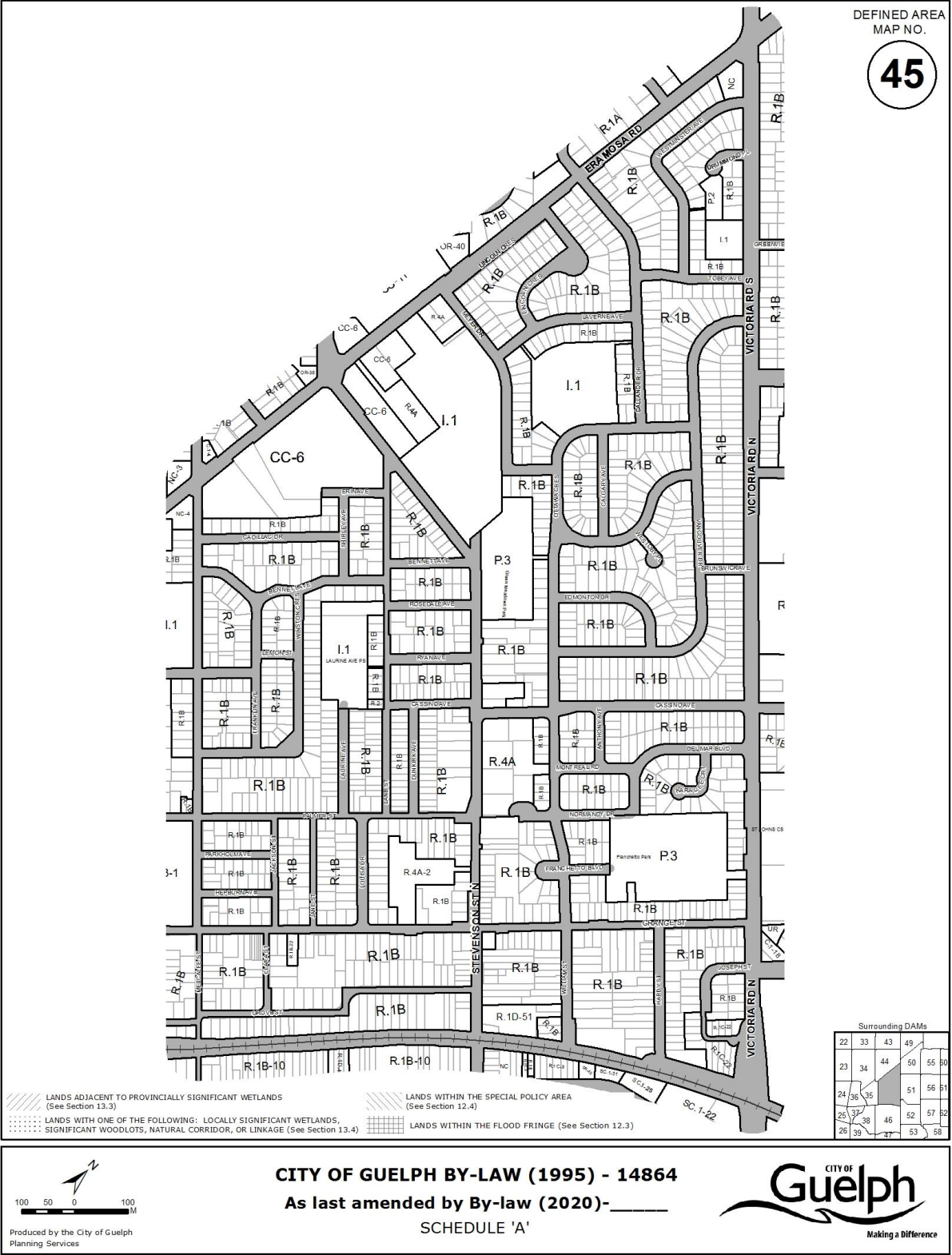
**Cam Guthrie, Mayor**

**Stephen O’Brien, City Clerk [or]  
Dylan McMahon, Deputy City Clerk**











**EXPLANATION OF PURPOSE AND EFFECT FOR BY-LAW NUMBER (2020)-XXXXX**

1. By-law Number (2020)-XXXXX has the following purpose and effect:

This By-law authorizes an amendment to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which is intended to delete, modify and introduce new regulations to the text and maps related to Additional Residential Dwelling Units.

The purpose of the Additional Residential Dwelling Unit Amendment is to update the accessory apartment, coach house and garden suite regulations in accordance with policies and regulation for additional residential units in the Planning Act.

The effect of the proposed Additional Residential Dwelling Unit amendment is to update definitions, modify section 4.15.1, general provisions for residential intensification, update permitted uses and parking requirements, and update specialized zones.

The proposed amendment would delete, modify or introduce new regulations related to Additional Residential Dwelling Units, including:

- New definitions;
- New General Provisions and parking standards;
- Permitted uses;
- Specialized residential zones.

Lands affected by this amendment include lands zoned Residential R.1, R.2 and R.3B, R.1B-19, R.1B-28, R.1B-33, R.1B-35, R.1B-44(H), R.1B-45, R.1B-49(H), R.1C-15, R.1C-23, R.1C-24, R.2-2, R.2-6, R.2-7, R.2-8, R.2-30, R.3A-12, R.3B-2, R.3B-10, R.3B-12, R.3B-14, Office Residential (OR), OR-7, OR-8, OR-9, OR-10, OR-11, OR-13, OR-17, OR-20, OR-21, OR-22, OR-23, OR-24, OR-25, OR-28, OR-33, OR-34, OR-36, OR-49, OR-50, OR-53, OR-54, Downtown D.1-3, D.1-24, Downtown D.2, and D.2-13 in Zoning Bylaw (1995)-14864, as amended.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on July 13, 2020.

Further information may be obtained by contacting Infrastructure, Development and Enterprise at 519-837-5616, extension 3314, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing".

## **Attachment 3- Additional Residential Dwelling Unit Review Survey Response Summary**

# Additional Residential Dwelling Unit Review Survey Response Summary

## **1. Purpose**

The Additional Residential Dwelling Unit Review Survey was undertaken to gain a better understanding of the public's views on draft regulations released as part of a discussion paper and statutory public meeting concerning amendments to the City's Official Plan and Zoning Bylaw to conform to provincial legislation. Additional Residential Dwelling Units (also known as accessory apartments) include additional units within the primary dwelling unit and additional units in a separate building on the same lot as the primary dwelling unit. Currently, the City's Zoning Bylaw permits accessory apartments within a primary dwelling unit and coach houses have been permitted through site specific zone changes. Provincial legislation introduced in 2019 requires municipalities to allow both an additional residential unit within a primary dwelling and on the same lot as a primary dwelling resulting in three units on a lot.

## **2. Method**

The survey was posted on the City's Have Your Say platform on June 18, 2020 coinciding with the date of the City's notice of the statutory public meeting on the draft amendments. Information about the survey was included in the public meeting notice, the notice advertised in the Guelph Mercury Tribune, and the public meeting report. The public meeting notice was sent to the Comprehensive Zoning Bylaw Review mailing list, neighbourhood groups, County of Wellington, local school boards, and other interested agencies, parties and individuals.

Initially, the survey was to be posted for six weeks ending on July 31, 2020. However, at the public meeting concerns were expressed with consulting over the summer period. The survey was subsequently extended until September 13, 2020. As part of the extension, an additional email was sent to the project mailing list and a social media campaign was included to advertise the survey. The social media campaign highlighted stories of different populations that might be interested in the regulation changes. A total of 283 responses were received with 128 responses received by July 31<sup>st</sup> and the remaining 142 responses received after the original expiry date.

The survey included 25 questions. The first three questions asked respondents if they lived in Guelph, currently owned a property with an accessory apartment or coach house, and if they currently lived in an accessory apartment or coach house. This would provide an opportunity to sort responses if deemed relevant. The results did not warrant this additional analysis since overwhelmingly respondents lived in Guelph, did not own a property with an accessory apartment or coach house, and did not live in an accessory apartment or coach house.

Eleven questions asked respondents the level of agreement with the draft regulations ranging from strongly agree, somewhat agree, neutral, somewhat disagree and strongly disagree. The questions asked about:

# Additional Residential Dwelling Unit Review Survey Response Summary

- Size of units
- Number of bedrooms
- Location of separate building with units on a property
- Height of separate buildings with units
- Preservation of the existing character of the main building façade
- Pedestrian access to separate buildings with units
- Number of parking spaces required

Respondents were able to provide additional comments on each of the eleven regulation questions. Comments received have been summarized by theme. In addition, they are organized by the level of agreement respondents showed to the draft regulation, i.e. strongly and somewhat agreed, neutral, strongly and somewhat disagreed. In general, respondents tended to provide additional comments if they disagreed with proposed regulations.

Respondents were required to self identify however they did not have to respond to all questions. Self identification permitted the geographic spread of respondents to be tracked and the potential to ensure that only one response from a respondent was recorded. Approximately 45% of respondents lived south of Wellington Road, 27% lived west of the Speed River and 25% lived east of the Speed River. The remaining 3% of respondents lived out of town.

## Summary of Key Findings

### Respondent Characteristics (Questions 1-3)

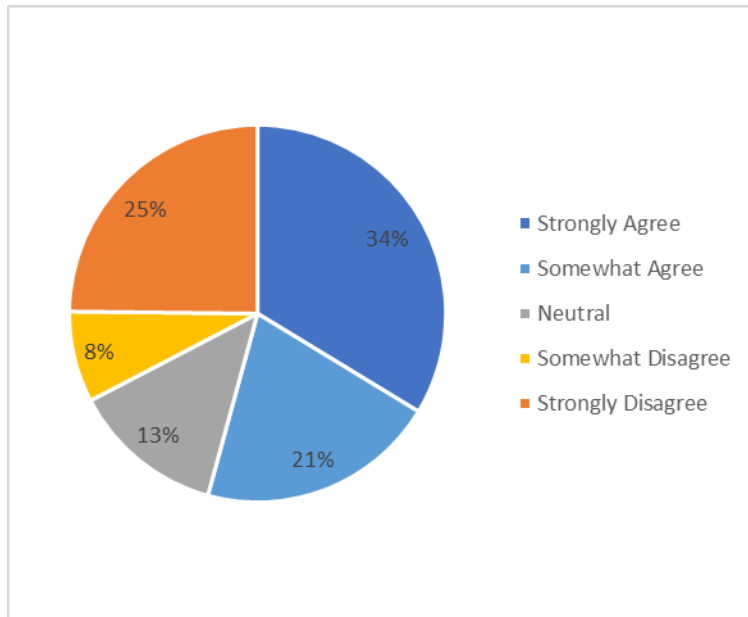
- 97% of respondents lived or owned property in Guelph
- 17% of respondents currently own a property with an accessory apartment or coach house
- 2% of respondents currently live in an accessory apartment or coach house

### Regulation Responses (Questions 4-11)

#### Question 4

The discussion paper recommends increasing the permitted size of additional residential dwelling units within the primary dwelling to be no greater than 50 per cent of the total net floor area of the primary building. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 282**

### Comments:

#### **Strongly and Somewhat Agree (57 Comments)**

- Should be ancillary and less than primary dwelling unit area
- 50% would essentially create a duplex, which is the main dwelling?
- Should allow up to 49%
- Permit 50% if unit below 1,000 square feet
- Permit use of entire basement, especially a bungalow
- Vary rules based on whether primary dwelling is a bungalow or two storey
- Support proportional limit with an overall size limit
- Setbacks and space between dwellings important not minimum or maximum size
- Provide flexibility based on building types and number of storeys, e.g. backsplits
- Increases flexibility and functionality of units and improves marketability
- Need larger units to house more people, multigenerational families, young families with children, space for laundry, storage, etc.
- Ensure infrastructure, especially parking, can handle increased capacity
- Not interfere with neighbours' privacy or enjoyment of property

#### **Neutral (5 Comments)**

- Permit entire use of basement in a bungalow
- Larger units needed since hard to find affordable housing for more than one person
- Units need to be large enough to ensure safety and dignity
- Would encourage more absentee landlords

# Additional Residential Dwelling Unit Review Survey Response Summary

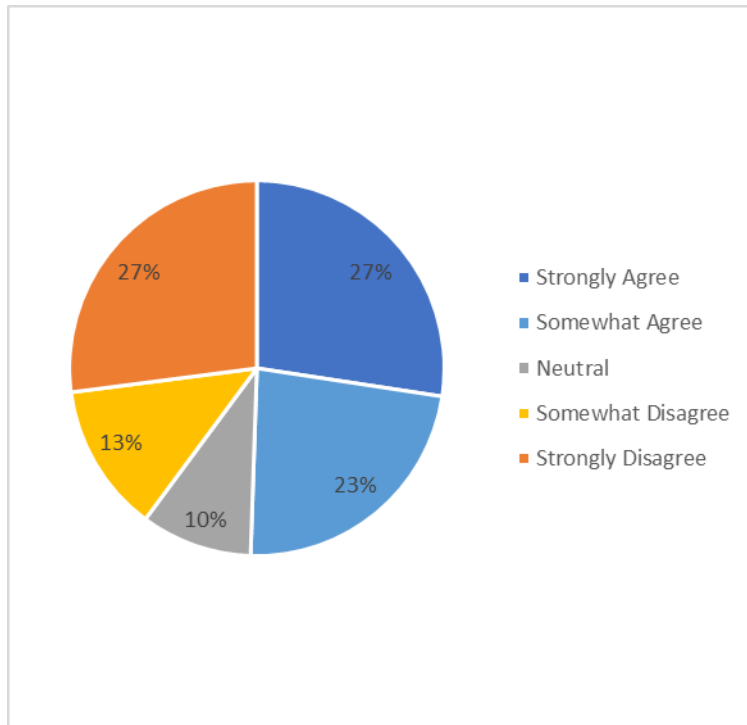
## **Strongly and Somewhat Disagree (60 Comments)**

- Depends on dwelling type, allow more for a bungalow, e.g. 60% to 70%
- Should be 100% of building footprint, support 75%
- Should relate more to size of lot, parking and lot coverage
- Should be 50% of ground floor area
- Some respondents stated that 50% is too high, others that it should be 40% or less, and others stated it should be 30% or less
- Maximum of 40% and not exceed 550 square feet
- Agree with 45%, keep current rules and enforce, what is the rationale for the change
- Should limit size to a bachelor unit
- This would automatically allow a single detached dwelling to be a duplex
- As small as possible, not two storeys and not so close to neighbour's dwelling
- Size doesn't matter. Need housing opportunities and not limit rental space
- Concerned it will increase student housing and absentee landlord problems and other issues such as parking, road congestion, noise, privacy, loss in property value
- Investors ruining neighbourhoods and greenspace
- Too high for a university town
- Increased pressure on schools, amenities, parking
- Need to evaluate each application
- Every increase in percentage will be pushed over allowable limits
- Privacy already lost with houses so close, should allow 14 foot fences in back and side yards
- Concern with loss of absolute size which will lead to larger units and more people
- Parts of City shouldn't have any additional residential units
- Permit outside of heavily populated subdivisions with higher percentage of owners than renters

## **Question 5**

The discussion paper recommends that additional residential dwelling units within a separate building not be greater than 50 per cent of the total net floor area of the primary dwelling and not more than 30 per cent of the of the area of the yard it is located in, whichever is smaller. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 281**

### Comments:

#### Strongly and Somewhat Agree (34 Comments)

- Helps create more rental and affordable living space with larger units increasing functionality for variety of users
- 30% yard coverage overly restrictive
- 30% yard coverage seems low
- % of yard coverage inadequate unless tied to physical sizes/dimensions
- Should be based on square footage of lot to determine number and size of dwellings on a lot
- Avoid creating another full house
- Specify minimum size, tiny homes good option
- Support two storeys or loft style
- Should be single storey and permit a basement
- Space between next residence more relevant than space on property
- Need some variability, need places to live, not slums
- Can impact different neighbourhoods in different ways
- Disagree with separate buildings
- Keep to 0.6m not 3m since reflective glass can be used on windows for privacy
- Preserve green open space and don't overcrowd City
- Parking an issue

# Additional Residential Dwelling Unit Review Survey Response Summary

## Neutral (7 Comments)

- Should limit to 50% to help properties with laneways and increase density, 30% limits properties
- Consider increasing yard coverage if green roof
- Don't like idea of people living in garages
- Depends on size of yard, location of yard and services to property

## Strongly and Somewhat Disagree (74 Comments)

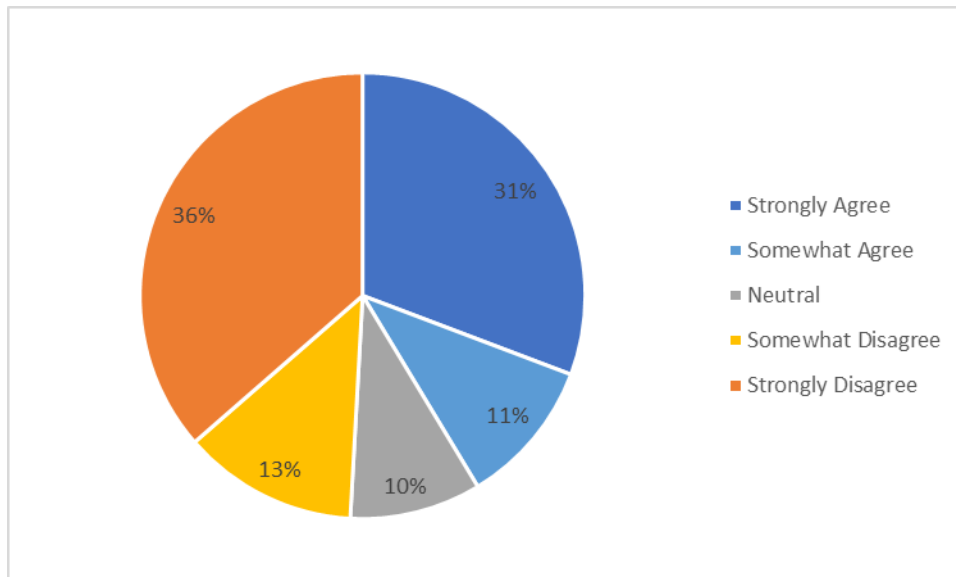
- Don't support second unit on lot
- Leave part of City with no additional residential units
- Build into new designation areas and leave existing residential areas alone
- If lot large enough split lot and build second house to zoning regulations
- Surely enough room to build multi-residential units
- Should be smaller, some respondents stated that it should be 45%, some suggested 40%, and others suggested 30% of primary dwelling floor area
- Yard coverage too high, should not be more than 25% of yard
- Too restrictive
- Affordable rental housing needed
- Limit to one or two people. A large home on a large lot could have a very large second unit, e.g. 1,000 square feet
- Too small, could be limiting, suggest 80% of primary dwelling to a maximum of 100 square feet
- Need to choose appropriate properties and not have new buildings take over nice neighbourhoods and schools
- More universal size limit. I have a small house on a double lot and a large house on a single lot would be permitted a larger additional unit
- Unfairly limits to homes with large yards
- Two storeys totally unacceptable, bigger problems since unit can be larger and fit more people
- Better protection of setbacks and green space
- Yard coverage without merit, perhaps dwelling space is better use of yard
- Should be based on yard size not house size
- Orientation of the proposed structure in relation to adjacent property's needs to be considered. Could be larger if orientation not disruptive
- Should use maximum floor area and maximum lot coverage for total dwellings on lot
- Why does it matter, infers that accessory dwelling inferior to primary dwellings
- Entice more absentee landlords, investor cash cow, student housing, Airbnb
- Concerns with parking, poor property maintenance, garbage, overcrowding, increased noise, privacy, light pollution, decrease green space and trees
- Destroy neighbourhood quality, contribute to slums

## Additional Residential Dwelling Unit Review Survey Response Summary

- Can't build a house that close to lot line, why permit a second house that close
- Too many large houses on tiny lots

### Question 6

The discussion paper recommends increasing the number of bedrooms permitted to allow a maximum of three (3) bedrooms. How strongly do you agree or disagree with this recommendation?



**Total Number of Responses: 283**

### Comments:

#### Strongly and Somewhat Agree (31 Comments)

- Three bedrooms is a good size or more. Two bedrooms can be limiting
- Increases flexibility of space and housing options. Will help with affordable housing for families, new Canadians, downsizers. Work from home office space
- Where is the logic in limiting accessory apartments to two bedrooms yet construction of high-rises approved in residential neighbourhoods
- If space permits and its safe
- Each bedroom should have a minimum size
- Limit will help manage student housing concerns
- Number of bedrooms shouldn't matter if other criteria fits
- Three bedrooms for accessory apartments however only one bedroom for coach house
- Why force people to live in illegal dwellings or commute. Build to Ontario Building Code

## Additional Residential Dwelling Unit Review Survey Response Summary

- If the size of dwelling is increasing so should the number of bedrooms
- Parking and overcrowding could become issues. Puts pressure on neighbourhood
- There are enough 4 to 7 bedroom houses. Need more affordable smaller units with one to two bedrooms
- Will allow units to suit families instead of students. Could create separate license for apartment housing three unrelated people
- Will ensure safety of residents by being upfront with design and allow homeowners more potential income

### **Neutral (11 Comments)**

- Should not limit number of bedrooms
- Should be two plus bedrooms
- Could base on percentage of square footage of dwelling
- Good to support families with children, however concerned with three unrelated student use
- How would the incorporation of innovative sleeping spaces in tiny houses be counted?
- Exact number of bedrooms should not be the criteria. Intent should be to increase unit availability

### **Strongly and Somewhat Disagree (88 Comments)**

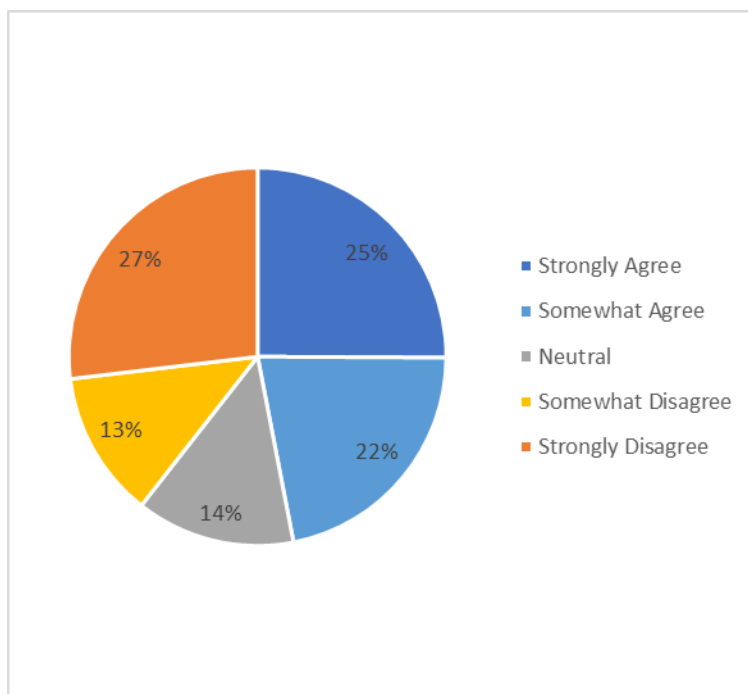
- Smaller units and not for multi family living
- One bedroom, bachelor maximum
- Two bedroom maximum so only suitable for adult children, elderly or small families
- What sort of accessory flat needs a three bedroom other than Airbnb or student slum
- Essentially a duplex. If you want a duplex apply for one. Essentially a separate house
- Don't limit bedrooms since could limit access to desperately needed rental housing
- Cap to two bedrooms or total number of bedrooms on the property. Could have over ten bedrooms on one property that is deemed as low density residential.
- Use a tiered approach and base on house size, e.g. 3,000 square feet could have three bedrooms
- If the rationale for moving from two to three bedrooms is about the use of special purpose rooms and lack of enforcement, worried that a three bedroom would become a four bedroom
- Concern with special purpose rooms becoming bedrooms, e.g. office, gym and sewing room. Prohibit special purpose rooms

## Additional Residential Dwelling Unit Review Survey Response Summary

- Concerns with parking, cluttered driveways, students, overcrowding, privacy, noise, absentee and slum landlords, investment properties, lower neighbourhood property values
- Infrastructure capacity issues such as sewage, water and roads etc.
- Concerns with loss of green space and views
- Disagree unless number of vehicles and parking are restricted
- Essential that larger families have sufficient bathrooms, good size kitchen and laundry room to live well. Bedrooms can be shared
- Shouldn't be permitted in certain zones in the City
- More bedrooms means more people, is review limiting number of people or beds
- Don't permit separate buildings

### Question 7

The discussion paper recommends deleting the regulation requiring the preservation of the external building façade, meaning that two front doors could be created for a single detached dwelling. How strongly do you agree or disagree with this recommendation?



**Total Number of Responses: 279**

### Comments:

#### **Strongly and Somewhat Agree (31 Comments)**

- Each "home" should have an entrance not just one per building
- Depends on visual result of change, could be nice or distract

## Additional Residential Dwelling Unit Review Survey Response Summary

- As long as balanced architectural composition, maintain streetscape and conforms to property standards
- Unless historic residence, should designate architecturally significant structures
- Manage design through urban design guidelines
- Reduce restrictions and increase density using existing units
- Façade appearance shouldn't be a limitation
- Permits more functional space, better noise separation, efficient use of interior spaces and cost effectiveness
- Should not be permitting "Poor Doors" through zoning
- Not sure interior connection needed if there is a separate exterior entrance
- Should access units from side or rear
- Private entry is a big deal in a post COVID world
- Sounds like a duplex, why not make duplexes easier to create
- Should note how big a building needs to be to permit two front doors
- Do not support two additional residential dwellings on a lot

### **Neutral (7 Comments)**

- Architectural preservation important especially in older sections of the City
- Okay as long as not a way to sneak in rental units
- Prefer this over an additional residential unit in a yard
- It may be that each situation is unique and should be decided individually

### **Strongly and Somewhat Disagree (52 Comments)**

- Regulation needed to preserve look of homes, maintain facades and street appeal, look and feel of neighbourhood especially in older neighbourhoods
- Changes often destroy the appearance of the building and neighbourhood
- Additional front door access compromises the look, feel and value of a residence and neighbourhood
- Front doors mean added mail and people congregating outside, especially if there is a shared porch. Too many unrelated people at the same address. Could mean over 10 people accessing the building at any one time creating tension between renters and homeowner occupants. Second door at back or sides would have less disturbance of people going in and out of residence
- This city defines itself on the older style being maintained and to have continuity throughout. Keep original historical style
- Treat on a case by case basis. Some buildings may accommodate but expect in most cases a side entrance preferred
- Worry about deregulating this leading to shoddy external additions and look of unit by do it yourself investor
- Will encourage more investors to buy rental properties killing the neighborhood feel and force current owners that live year round out
- An invitation for a slum. Absentee landlords don't care what building looks like or if changes are safe

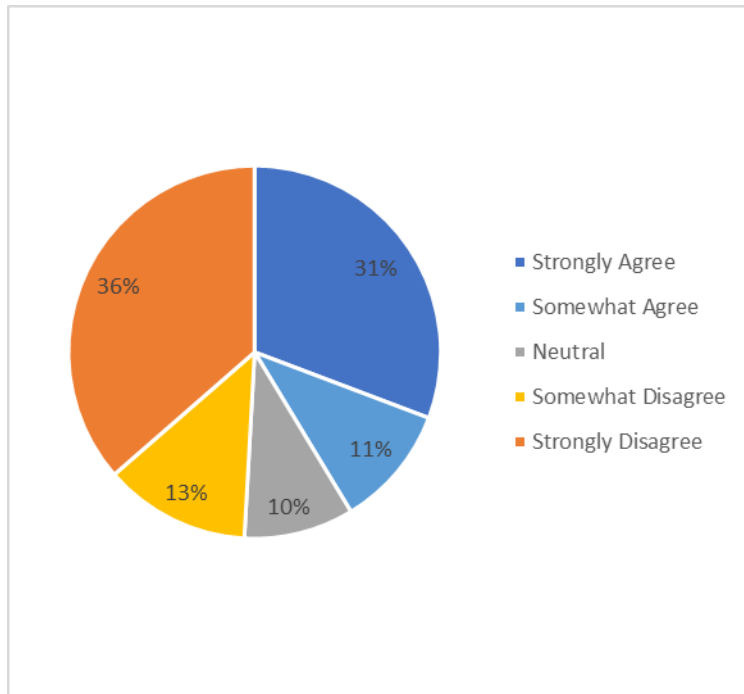
## Additional Residential Dwelling Unit Review Survey Response Summary

- Slippery slope. Might be easier to add a door to the facade but with no specific urban design guidelines in Guelph, I wonder how sensitivity this will be done by a profit-oriented absentee landlords
- Bigger issue is how traffic in/out of both houses will be managed and parking
- Modified garage doors to create a second front door don't look nice
- Use creative options for creating a secondary access that do not affect the look of the original building and the feel of a family neighbourhood of single family homes (side doors, garage doors, new entrances etc.)
- They shouldn't have to be exactly the same, but perhaps have some similar features that connect them
- If the intention of the change is to allow two doors, say this. Don't make such a broad change
- Why require a front door if a side door accommodates the same result?
- Second door should be on side of house, unless a new build in an area where it can be properly integrated
- New areas should be designated where these additional dwellings can be built so a buyer is aware
- Additional units do not need to be in all residential zones. Buildings need to be designed at the time of construction as a multiple unit thereby needing the requirement for the preservation of the external building façade
- Not appealing or safe. Entry points out of view could be broken into
- Guelph needs to have developers build affordable housing. Homeowners setting up large secondary dwellings in their back yards for students and other low-income tenants is not a substitute.
- Keep the old bylaw wording, one entrance and maintain character of dwelling
- Destroying existing neighbourhoods, negative to those already living in neighbourhood and would decrease property values
- Don't support two doors essentially turning single family homes into duplexes. If want duplex tear down house and build a duplex
- Why don't we just tear the houses down and build a bunch of row houses?
- Increased density will create parking, noise and property standards issues.
- Student rental problems already, unkept rental properties, will deteriorate an already compromised situation. Not fair for families
- Terrible idea, the city will be ugly, bad idea to change exterior

### Question 8

The discussion paper recommends that a regulation be added to establish a maximum height for an additional residential dwelling unit in a separate building, of two storeys with an overall maximum building height of 6.1 m. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 283**

### Comments:

#### **Strongly and Somewhat Agree (34 Comments)**

- Should match or be lower than primary dwelling
- Base on height of primary dwelling, i.e. if 2.5 storeys permit 2 storeys, if 1.5 storeys permit 1 storey
- Limit to one storey, privacy issues for neighbours, sun exposure
- Allow greater building height. 6.1 metres is barely two storeys
- Easier than fitting it into 3.6 metres
- Provided height is measured to roof mid-point. Otherwise, may be too restrictive
- Two storey is better use of land, provides more living space and may be required for smaller lots
- Depends on how close to adjacent properties and homes
- Depends on neighbourhood, maintain character
- Specific urban design guidelines needed
- Lift height restriction
- Tempting for greedy absentee landlords with no care for community

#### **Neutral (3 Comments)**

- Should be similar height and style as current neighbourhood. Different heights for different areas

# Additional Residential Dwelling Unit Review Survey Response Summary

- Each case requires review

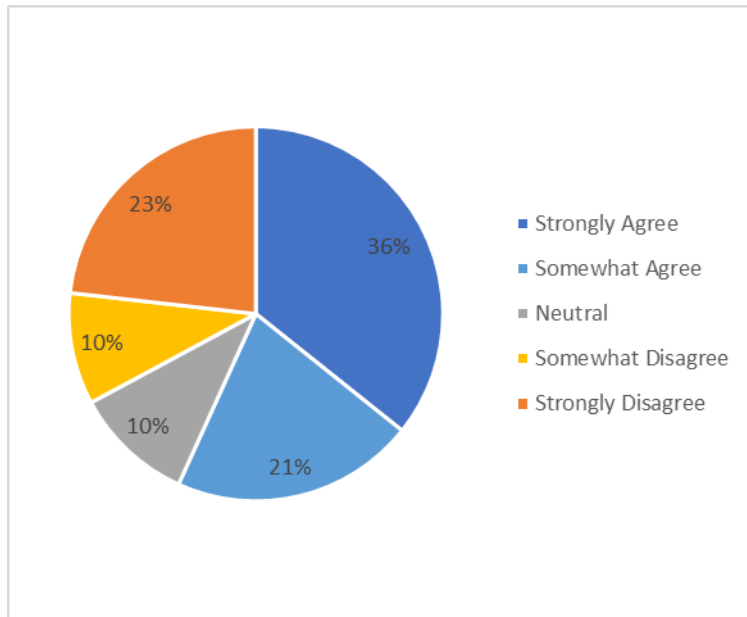
## **Strongly and Somewhat Disagree (83 Comments)**

- Limit to one storey
- One storey and maintains character of primary dwelling
- Suggest 1.5 storeys
- Need to be higher if want a garage beneath unit. Garage height approximately 3 metres. One storey 2.5 metres wouldn't leave enough room for roof trusses or two storeys above.
- Should match or be lower than primary dwelling
- Not exceed height of buildings on the lot nor the height of buildings on adjacent lots
- Only if building lower than roof line of primary dwelling
- Allow building height greater than 6.1 metres
- Why 6.1 metres, why not 6.432 metres. Can this be paired to existing dwelling height or otherwise?
- A family unit is 900 square feet and doesn't need two storeys. If there isn't enough room on the lot with the other rules in place there isn't enough space
- Over one storey should require neighbour's approval, variance, special limiting conditions and review
- Too high, neighbour's privacy, views, sun exposure, airflow, gardens, trees, electrical wires
- Additional students, absentee and investor landlords will maximize properties further deteriorating already compromised situation (crowding, parking, noise, etc). Will decrease property values
- Conform to existing structures in area
- Not sure having a blanketed two storey regulation is wise
- Disagree with how close a two storey building would be to people's backyards
- Allow some flexibility. Intent should be to increase availability of units
- Will fence height be able to increase?
- Okay with having an accessory unit above garage of an existing home.
- Don't support additional residential dwellings on the same property

## **Question 9**

The discussion paper recommends that an additional residential dwelling unit in a separate building be allowed in an interior side yard or rear yard. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 280**

### Comments:

#### **Strongly and Somewhat Agree (29 Comments)**

- Should not be a limitation. Will help increase the availability of units
- Infilling is an environmentally friendly means of creating additional housing
- Provides a much nicer living environment for accessory accommodation
- Depends on size and lot shape should determine location
- Should allow "tiny homes" including off-grid (solar, compost toilet, etc.)
- Access must be considered, not through existing house for fire safety
- Allow room for privacy screens
- Required green space is important so setbacks must be met.
- Prefer behind existing house or similar place for a corner lot
- Side yards may not be large enough. Where are cars going to park?
- Coach house in front would be disruptive visually
- Should also be accommodated in front yards for properties with generous setback from the street compared to adjacent neighbours and larger front than rear yard. Will allow property owners to "fill in" streetscape with gentle density that does not disturb street character
- Should not interfere with neighbour's view
- City should address light pollution, excessively bright external lights and lights left on without a purpose are disruptive. This likely to get worse with apartments in backyards
- Many variables. Depends on distance from fence line, orientation of entrance, height and size. A garden shed sized in the corner of a yard with entrance facing away from fence much more tolerable than a two storey 1000 square foot structure with windows facing neighbouring yards

# Additional Residential Dwelling Unit Review Survey Response Summary

## Neutral (6 Comments)

- Front yard an option for lots with large setbacks in older areas of the city
- Depends on size of yard
- Strict guidelines for side yard setbacks must be adhered to
- Needs to be compatible with existing built characteristics of neighbourhood and have design guidelines
- Assess each individual case to ensure strong protection for neighbouring properties
- Driveways shouldn't be widened partially to maintain soft landscapes

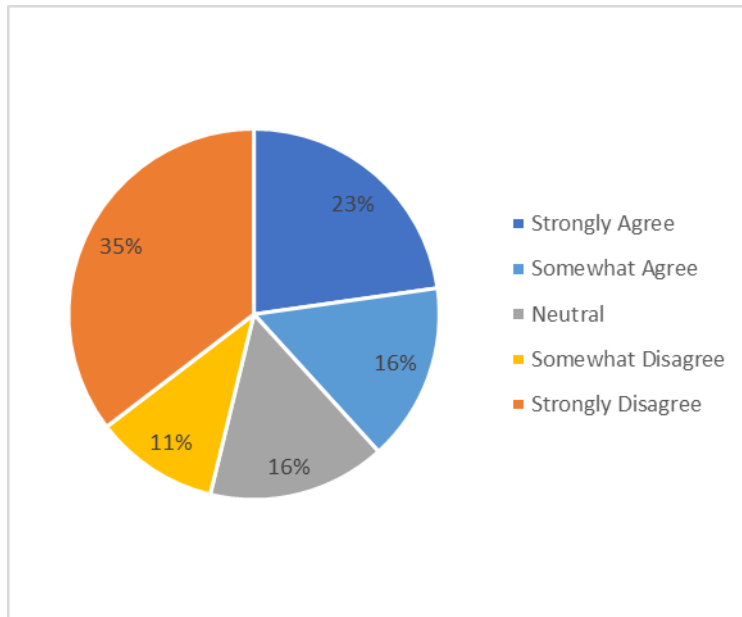
## Strongly and Somewhat Disagree (52 Comments)

- Should be required to go through OPA, ZBA, variance and agreement of adjacent landowners
- Each application assessed for how it would impact surrounding neighbours
- Not in side yard and should be small, low and proportionate in rear yards
- Side yard could become cluttered, crowded and an unappealing streetscape
- Exterior side yard makes sense on a corner lot provided no sight line issues
- Should be permitted in front yard if yard quite large
- Depends on lot size. Might work on large lot. Should be a minimum lot size
- Should be hidden by front view
- Provided present distances apply between new building and property lines
- Concerned with absentee landlords and creating more "student ghettos"
- Limit to one storey, 45% of total net floor area of primary dwelling, not more than 30% of yard, maximum of two bedrooms with no "special interest rooms", 3 metre side and rear yard setback, entrance at rear or side and a 1.5 metre wide unobstructed pathway
- Don't permit, don't need more people in these neighbourhoods
- Only permit in parts of the City, in new designated areas where people know what they are buying
- Impinges on neighbours' properties, backyards, parking, privacy, stress on green canopy and water supply, extra noise, decreased property values, security, rainwater/snow absorption, more runoff and potential flooding
- Opposed to in heavily "owner" verses "renter" subdivisions
- Will ruin neighbourhoods, changes culture of family neighbourhoods
- Concern with proximity to neighbouring properties, especially two storey units
- Need open space to enjoy and walk around especially with COVID

## Question 10

The discussion paper recommends that an additional residential dwelling unit in a separate building be located a minimum of 0.6 metres from an interior side or rear yard. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 277**

### Comments:

#### **Strongly and Somewhat Agree (11 Comments)**

- Too small. When the roof is added over the wall the resulting space is even less
- Should be 4 metres in keeping with most cases described in discussion paper
- Seems reasonable, appropriate
- Guelph is too restrictive. Cost of housing for University of Guelph verses McMaster is substantial
- Property owners should be able to do what they want
- Is that far enough? Could be higher for access to building from the property
- Important to allow room for plantings and greenspace for privacy and appearance
- Not large enough for windows under Ontario Building Code. Should be 1.2 metres as a minimum. More windows, larger setback

#### **Neutral (9 Comments)**

- Too small. Increase to 1 metre minimum
- Seems reasonable
- Should be a guide. If not suitable or easy to conform seek a practical solution
- Side yards should be same as the primary building. Modifications to the rear yard setback would need to be made
- Do not support a separate additional dwelling on the lot

# Additional Residential Dwelling Unit Review Survey Response Summary

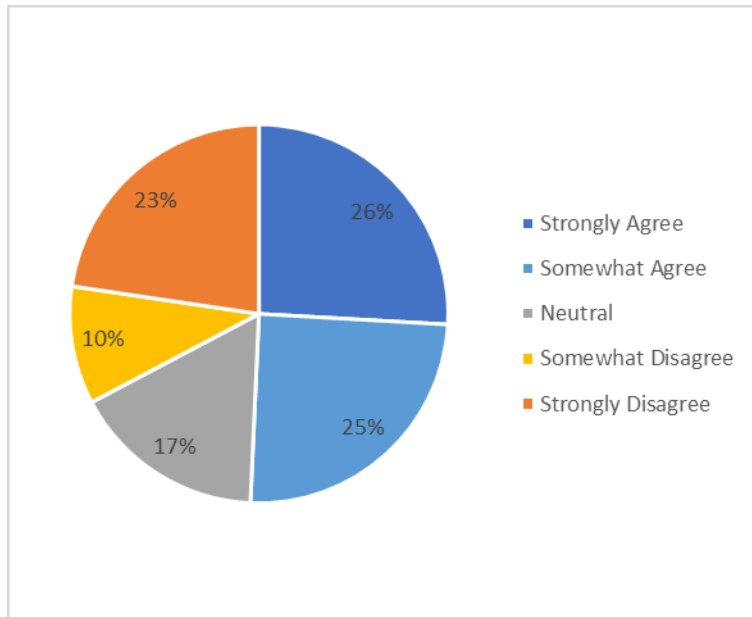
## **Strongly and Somewhat Disagree (85 Comments)**

- Should be increased. Suggestions included: 1 metre, 1.5 metres, 5 feet, 3 metres, several metres
- 1 metre for single storey and double or more for 2 storey with possible exemptions for existing structures
- Should be the same as existing building
- Should be larger than the setback for accessory buildings since people are living in the buildings
- 1 metre better to provide room to make building repairs, mow lawn, reach eaves, open crank style windows.
- 
- Too close especially if there is a building at or near lot line of adjacent property. 0.6 metres perfect space for garbage, litter or junk to accumulate
- Potential for a significant "wall" along property lines with height increases
- Depends on height, size, orientation of entrance and windows, location of unit on property and impact on neighbours
- Further unless abuts laneway, park, road or non-residential property
- Unless re-purposing an existing building. At least meet current building codes
- Smaller setback should be acceptable. Reduced to 0.3 metres due to limitations of area's within the City
- Why not eliminate setback?
- Need flexibility. Intent should be to increase availability of units
- Concern with loss of greenspace and gardens, views, sunlight, privacy, airflow, students, noise (people and air conditioners), parking, reduced property values
- Encouraging urban sprawl
- Consider drainage and maintenance
- Will change the use, feel and enjoyment of adjacent backyards, gardening
- Neighbours should have prior notification to present concerns based on predetermined criteria
- What is the purpose of the tiny gap?
- What a recipe for disaster. Ridiculous
- No accessory buildings on lot

## **Question 11**

The discussion paper recommends that a two-storey separate building containing an additional residential dwelling unit have a minimum 3 metres interior side or rear yard setback where there is an entrance door or window adjacent to the property line. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 278**

### Comments:

#### **Strongly and Somewhat Agree (23 Comments)**

- Not enough, increase to 5 metres
- Maintain setbacks of current buildings in area
- Should follow Ontario Building Code
- Should at least be chicken coop standards
- Disagree with two storeys
- Appropriate for doors but not windows
- Makes sense for windows, not sure about doors or windows unless part of living space
- Disagree with additional dwelling in yards to protect privacy
- Important to protect sunlight, privacy, safety, exit strategies and allow room for vegetation to obscure new view
- Neighbours should have opportunity to raise concerns within prescribed criteria to retain neighbourhood character and enjoyment of property

#### **Neutral (7 Comments)**

- Could be too large especially if not directly facing another habitable room
- Ensure enough room for safety exit
- Disagree with additional dwelling in yards
- Depends on yard layout. Be flexible to allow more tiny homes
- Would prefer one rule whether there are windows, doors or not. Seems strange to have a 0.6 metre rule and a 3 metre rule
- Not possible on most properties

# Additional Residential Dwelling Unit Review Survey Response Summary

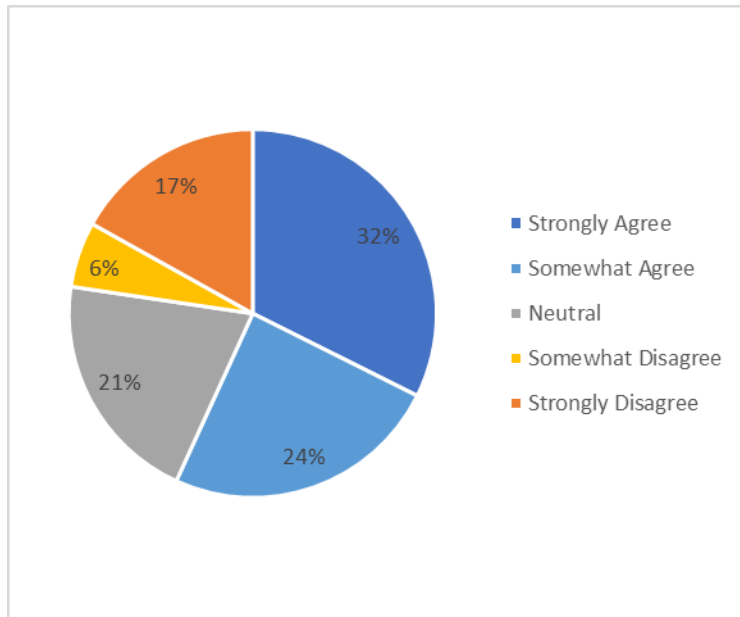
## **Strongly and Somewhat Disagree (49 Comments)**

- Excessive, limiting, exceeds current setbacks, some respondents suggested 1-2 metres and others suggested 1.5 metres since many lots are only 30 feet wide
- Side yard to build a house is 1.5 metres, perhaps side yard should be different than rear yard
- Maintain existing side yards, meet Ontario Building Code
- Seems excessive given Ontario Building Code
- May need to be larger, 6 metres for privacy, neighbourhood integrity, property values
- Assess case by case
- Why is pedestrian access different between a one or two storey dwelling, emergency access?
- Should have to build a fence at a minimum
- Better and more creative privacy options, e.g. permanent fixed screens, window placement
- Disagree with two storeys
- Disagree with additional dwelling in yards
- Will deteriorate an already compromised situation with students
- Not possible on most properties
- Bad, enough, horrible planning

## **Question 12**

The discussion paper recommends that a property with an additional residential dwelling unit in a separate building on the same lot, have a minimum of 1.2 metres unobstructed pedestrian access in the side yard leading to the entrance of the additional unit, unless access to the additional residential dwelling unit is provided directly from the street or lane. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 278**

### Comments:

#### **Strongly and Somewhat Agree (26 Comments)**

- Appropriate, reasonable
- Important for safety (fire/EMS/police emergency access), privacy, open space and ability to move things in and out of dwelling
- Mobility access, wheelchair access (width and gradient), AODA compliant
- Separate access important that is not through existing dwelling or garage. Emergency access should be enabled.
- May be a challenge in older neighbourhoods
- Opens the door to backyard rentals to non-family. Not 'granny flats' or 'mother-in-law suites.'
- Should increase, suggestions included minimum of 1.5 metres, 3 metres, 5 metres.
- Flexibility needed to increase availability of units
- Path should be allowed to curve around a tree
- Encourage walking or cycling with less car usage
- Laneway access better
- Parking?

#### **Neutral (6 Comments)**

- Increase distance
- Would lose houses with 2 foot side yards
- Agree with separate entrance from street
- Ensure enough space for police and fire trucks

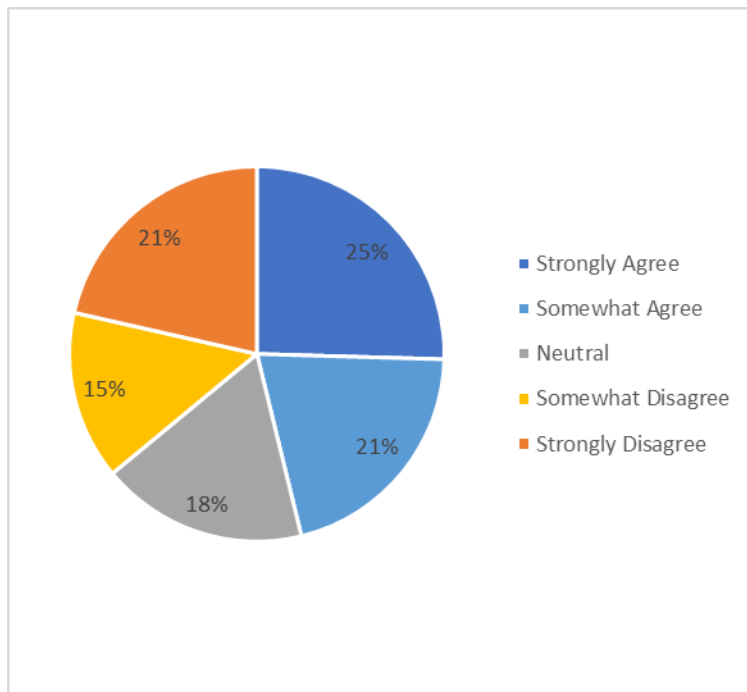
# Additional Residential Dwelling Unit Review Survey Response Summary

## Strongly and Somewhat Disagree (30 Comments)

- Don't regulate, be optional
- Could reduce slightly, .9 metres
- Most lots cannot accommodate
- Should increase, suggestions included 1.6 metres, 2 metres, 3 metres
- Be flexible. Gas metre or window well could reduce space available
- Specify accessibility for mobility devices
- Interior side yard should match dwelling requirement in zone
- Don't support, losing green space, a two storey, three bedroom 200 foot rental in backyard would be a disaster

## Question 13

The discussion paper recommends a regulation be added to establish a minimum distance of 3 metres between the primary dwelling and the additional residential dwelling unit in a separate building on the same lot. How strongly do you agree or disagree with this recommendation?



**Total Number of Responses: 275**

## Comments:

### Strongly and Somewhat Agree (19 Comments)

- Protects sunlight, outdoor amenity space, access, privacy fence
- Maintain current setbacks

## Additional Residential Dwelling Unit Review Survey Response Summary

- Bigger issue is distance from property line.
- Why more space for owner than neighbours?
- Decrease space if less infringement on neighbours
- Could increase depending on height and entrance location
- Too small, 5 metres, 10 metres suggested

### **Neutral (6 Comments)**

- Should increase housing options provided they are safe and accessible
- Placement important to minimize negative impact of separate building housing three or more people on neighbouring properties
- Would block some projects

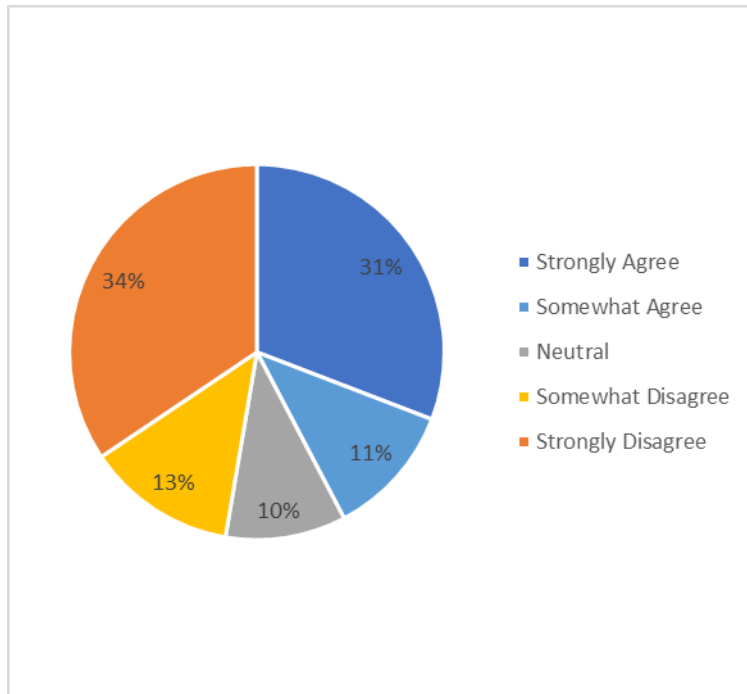
### **Strongly and Somewhat Disagree (50 Comments)**

- Why does it matter if owner doesn't mind
- Could be closer to neighbour's house than house on lot. Owner gets 3 metres and neighbour 0.6 metres?
- Too restrictive, limits new housing stock. Suggestions included 1.2 metres, 1.5 metres, 2 metres
- Only benefits larger properties and people with money
- Should be a ratio depending on height
- Too small for a two storey
- Don't permit, find better ways to densify than stuffing new houses on small lots
- Increase, suggestions included 4 metres, 5 metres, 10 metres
- Infrastructure capacity
- Student rental concerns
- Suggest different rules for existing properties verses new builds

## **Question 14**

The discussion paper is further recommending that existing lots that have no legal off-street parking space for the primary dwelling, as of the date of the passing of the bylaw, be exempt from providing parking spaces for additional residential dwelling units. How strongly do you agree or disagree with this recommendation?

## Additional Residential Dwelling Unit Review Survey Response Summary



**Total Number of Responses: 279**

### Comments:

#### Strongly and Somewhat Agree (42 Comments)

- There should be no parking requirements for any additional residential dwelling units
- Parking can be reduced with arrival of self-driving cars and should be building safe and efficient transit
- Many of the residents won't have cars, may car share, walk, bike, use transit. Could fluctuate
- If tenant doesn't need space why make parking mandatory. Can opt to live in an apartment without parking
- Housing is more important than storage of cars which takes away city's ability to provide adequate housing
- Commit more to walkable neighbourhoods.
- Elitist, pro-poverty, anti-environmental. Some people can't afford cars or drive anymore. Rental housing without parking will be more affordable
- If Guelph is investing in non-car transportation infrastructure, parking should not be a hard requirement
- Many houses especially in older sections of towns could benefit from additional housing, these are some of the best walkable neighbourhoods and would be limited by parking
- More flexibility in older part of town so front yards could be used when no other parking option on site

## Additional Residential Dwelling Unit Review Survey Response Summary

- Exemption in older homes where only 1 legal off-street parking space. Often these areas permit year round street parking
- Permit exemptions where parking limited, e.g. permit a very small parking space with landscaping of majority of front yard
- Seems onerous to require three parking spaces if there are three residential units on the property. Could miss gentle density housing opportunity. Consider one on-street parking space when three residential units on a property of a certain size. Planning Act seems to permit Guelph Zoning By-law to permit a reduced standard
- Don't take up more permeable land leading to more stormwater runoff and flooding
- More dwelling units often means more cars to hinder traffic. People will park all over the streets
- Tenants should not park on-street. Causes congestion, noise, pollution, unsightly, challenges for emergency or service vehicles to get through
- Driveways that accommodate two cars side by side need to have sufficient egress for cars and not use adjacent property's side yard
- Parking is an absolute must for every dwelling unit

### **Neutral (5 Comments)**

- Parking may be a non-issue in 20 years. Ease up now
- Question permitting an additional residential dwelling in areas that already have no off street parking
- Where are they to park when streets already lined with cars causing a hazard in many parts of the city
- Don't want more cars on the street or driveways on front lawns
- Don't agree with requiring parking space for any dwellings in the city. If a resident can live without a vehicle it should be encouraged. This will encourage increased use of public transit, reduced vehicle transmissions, etc.

### **Strongly and Somewhat Disagree (84 Comments)**

- These neighbourhoods already have parking problems especially downtown residential areas and will be made worse for those already living in the area
- If property has no legal off street parking the neighbourhood likely already has over subscribed street parking
- Make on street parking available year round everywhere
- Need one parking space per unit. Most tenants have a car
- Overcrowding street creates safety and traffic issues especially during school year with cars prohibiting traffic flow and emergency vehicle access
- Don't allow additional residential units if parking not available
- Acceptable if owner can demonstrate nearby alternatives to on-street parking
- Only allow in the Downtown core where residents have close access to transit
- Streets will become impassable and change the dynamics of neighbourhoods. Considerations for pedestrians, bikes, scooters, children playing on streets

## Additional Residential Dwelling Unit Review Survey Response Summary

- At least require them to pay for a parking pass
- A plan needs to be in place from the outset to deal with parking. People will start parking on the street
- Should require two parking spaces for apartments
- Look at multi-residential parking needs. Two parking spaces for two bedrooms or at least 1.5 spaces
- Should require a minimum of one parking space per bedroom
- Creates an unfair playing field for units that have parking
- People will break rules without parking. They will park sideways on driveways, on lawns and clutter streets
- Absentee landlords don't care about "neighbourhood" or parking details, just want rental money. Concern for community of neighbours
- Don't allow overnight street parking in the winter. We need safe streets and to accommodate City street maintenance operations
- Use the Committee of Adjustment process to vary minimum parking required in exceptional instances
- Should be no minimum parking requirements
- Parking access should be flexible and not a limitation. Intent should be to increase availability of units
- Parking requirements overly restrictive when combined with efforts to reduce motor vehicle use. Reducing parking allows construction of units also supporting reduced dependency
- Allow parking spaces within the 30% yard allotment
- Not fair to have taxpayers funding parking resources while investors reap gains
- First priority is to provide a parking space on the lot which can be shared by landowner and tenant. Parking cannot obstruct pathway to unit.

## **Attachment 4- Public Notification Summary**

June 18, 2020	Notice of Public Meeting advertised in the Guelph Tribune and mailed to prescribed agencies and interested parties that requested notice
July 13, 2020	Statutory Public Meeting of City Council
August 20, 2020	Survey extension email sent to interested parties that requested notice
November 16, 2020	Notice of Decision Meeting emailed to interested parties that commented at the Public Meeting or requested notice
December 3, 2020	Notice of Decision Meeting advertised in the Guelph Tribune
December 14, 2020	City Council Meeting to consider staff recommendation

# **Decision Meeting**

## **Additional Residential Dwelling Unit Official Plan and Zoning Bylaw Amendments**

**December 14, 2020**

# Purpose

- The Planning Act has changed and requires municipalities to:
  - permit additional residential units within and on the same lot as detached, semi-detached and townhouse dwellings
  - establish a parking rate of no more than 1 space for each additional unit provided and
  - parking spaces are permitted in a stacked arrangement (one in front of the other)

# **Additional Residential Dwelling Unit Review**

- Public Meeting July 13, 2020
- Community engagement survey  
June 18- September 13, 2020
- Key issues:
  - Size
  - Number of bedrooms
  - Height of detached ARDU
  - Setbacks of detached ARDU

## **Size and number of bedrooms:**

- Maximum size of 45% of the total net floor area of the primary building

### **Interior units:**

- Can occupy the entirety of the basement
- 3 bedrooms

### **Detached units:**

- Overall maximum size of 80 m<sup>2</sup>
- Maximum 30% yard coverage
- 2 bedrooms

## **Height and setbacks of detached ARDU's:**

- Maximum height of 2 storeys, and shall not exceed the overall building height of the primary dwelling
- Side and rear yard setbacks consistent with the primary dwelling in the applicable zone

# ARDU Concept Plan- R.1B Zone

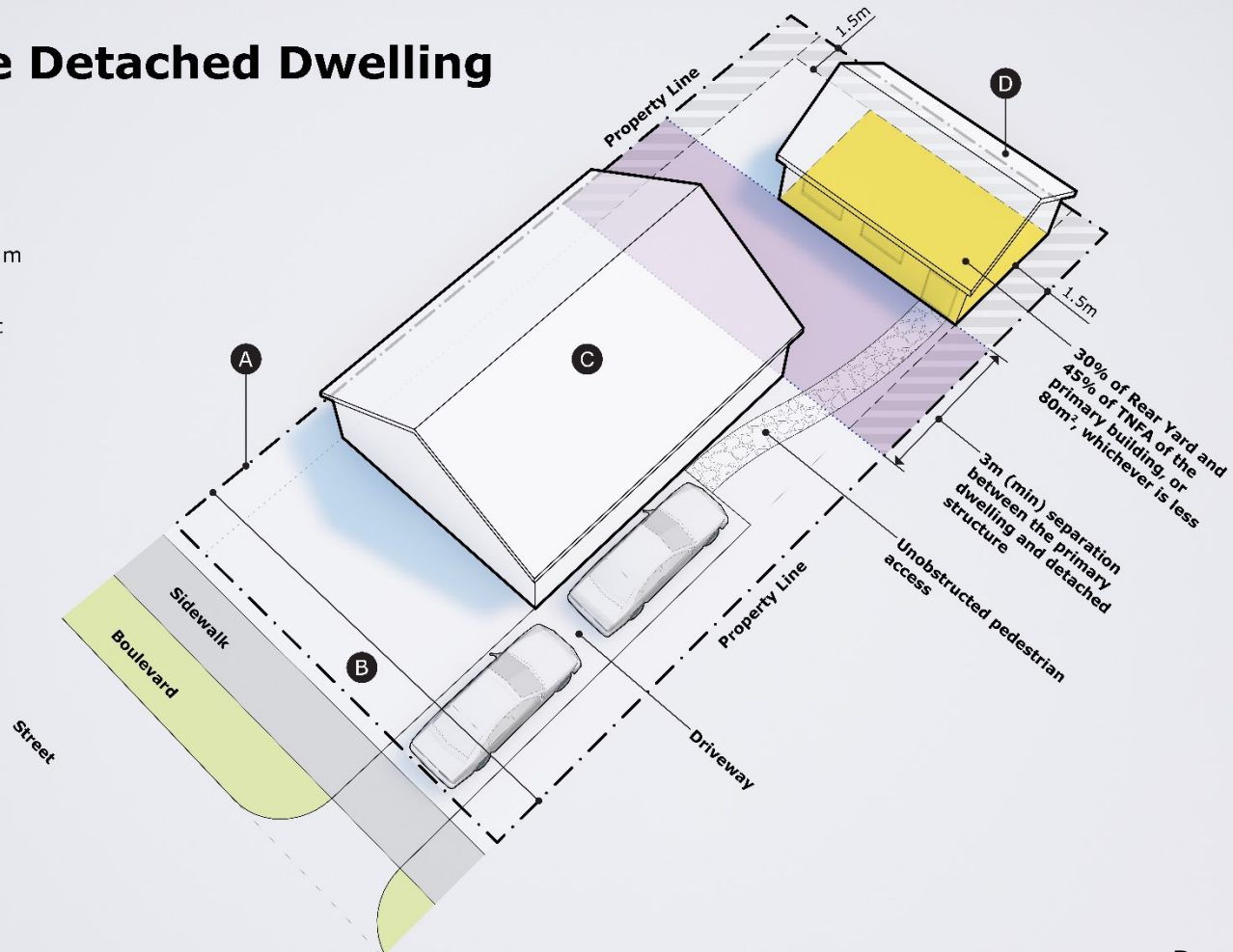
## R.1B Single Detached Dwelling

Single Storey

### Regulation Index

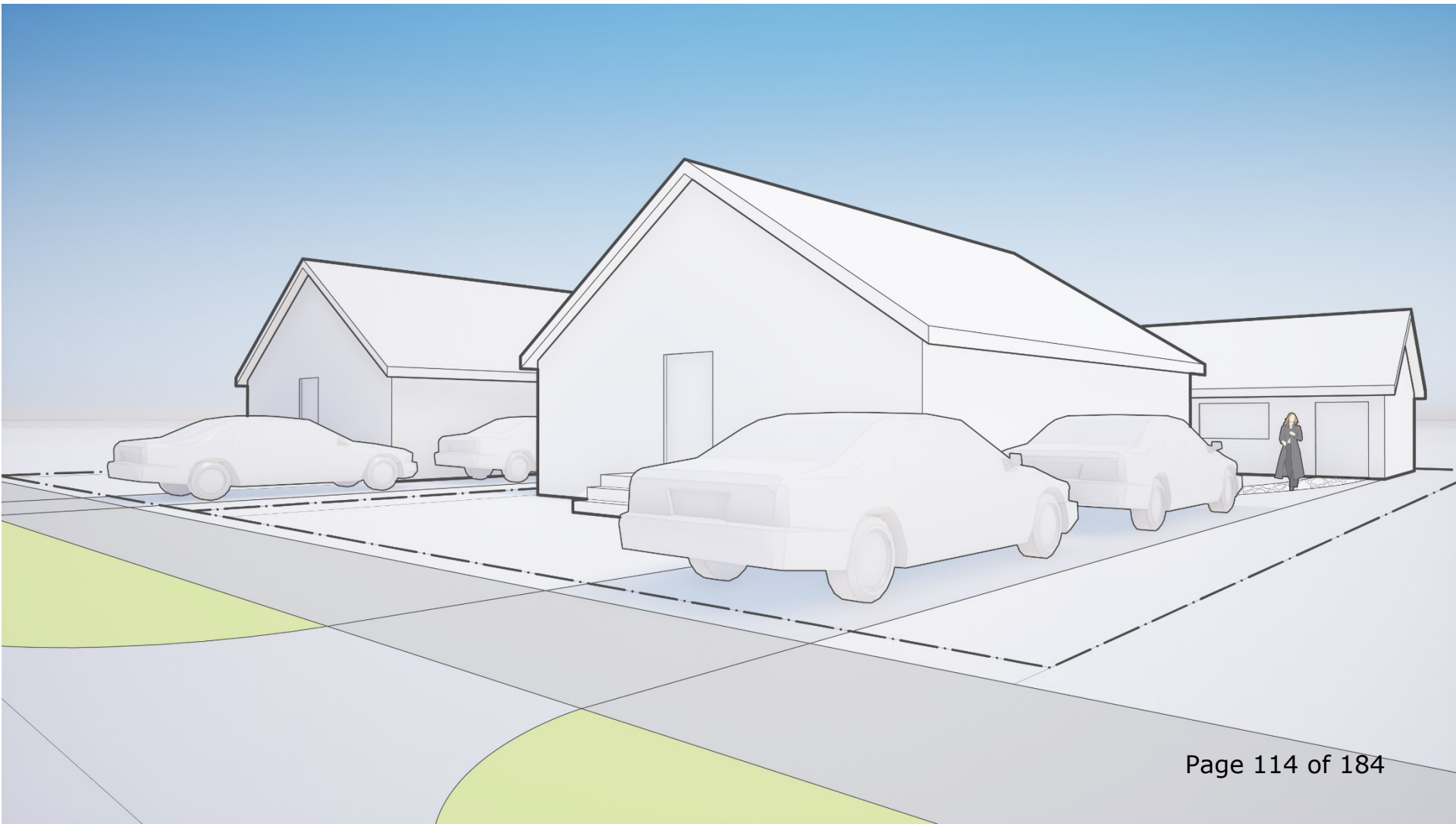
- A** Min. Lot Area = 460 m<sup>2</sup>
- B** Min. Lot Frontage = 15 m
- C** Main Dwelling
- D** Accessory Dwelling Unit

TNFA = Total Net Floor Area



Note:  
Above image is illustration purpose only

# Street View- R.1B Zone



# ARDU Concept Plan- R.1C Zone

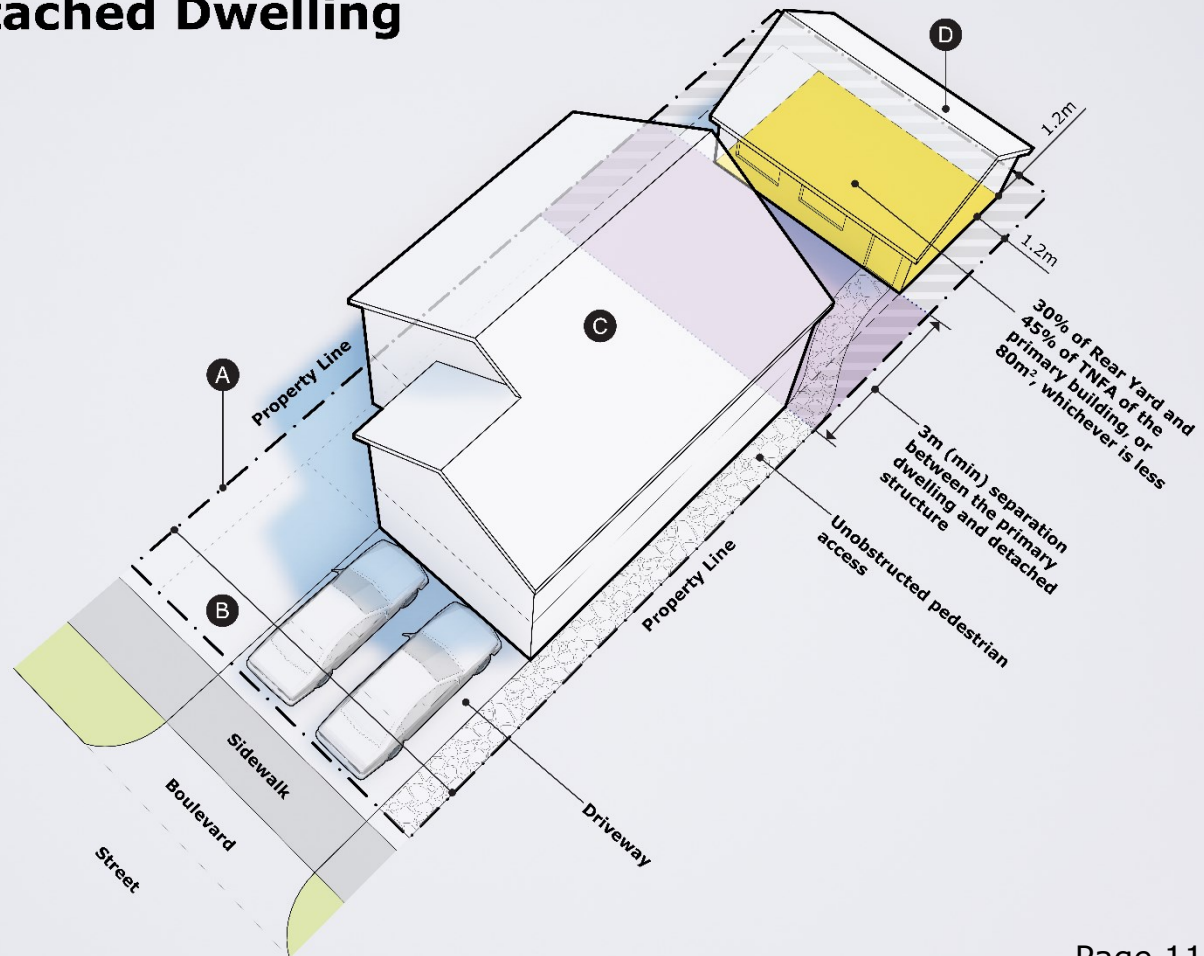
## R.1C Single Detached Dwelling

2 Storey

### Regulation Index

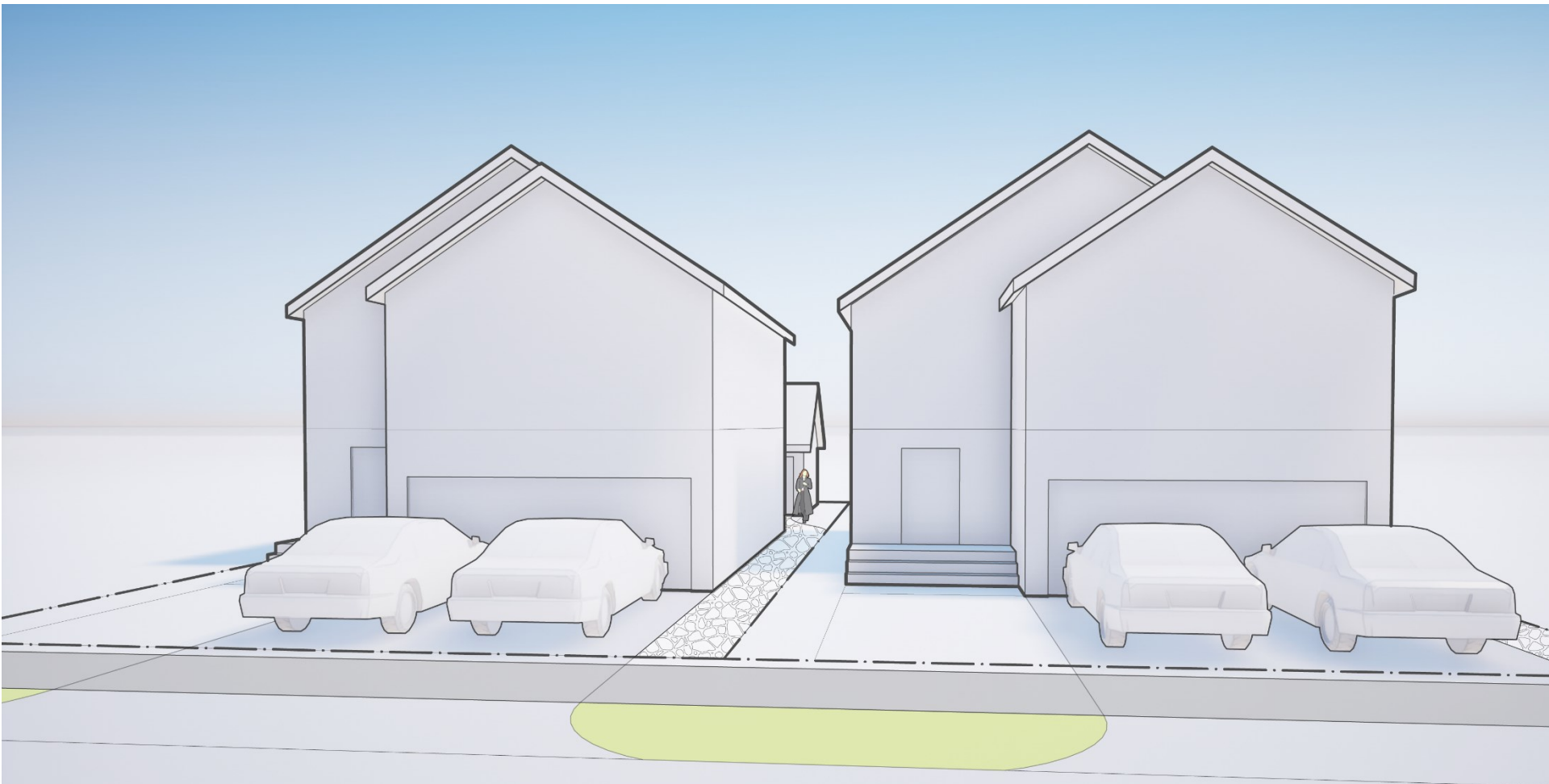
- A** Min. Lot Area = 370 m<sup>2</sup>
- B** Min. Lot Frontage = 12 m
- C** Main Dwelling
- D** Accessory Dwelling Unit

TNFA = Total Net Floor Area



Note:  
Above image is illustration purpose only

# Street View- R.1C Zone



# ARDU Concept Plan- R.2 Zone

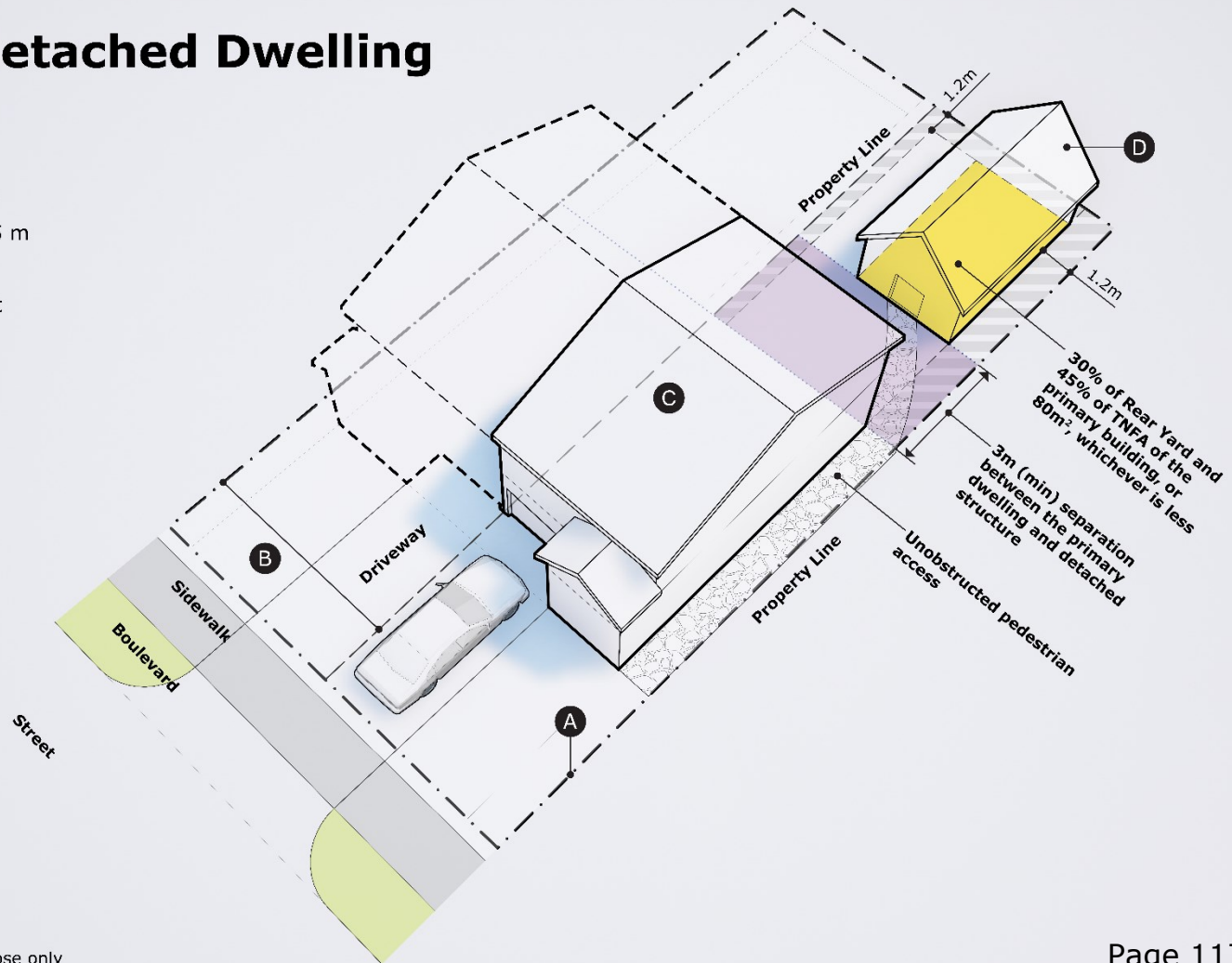
## R.2 Semi-detached Dwelling

2 Storey

### Regulation Index

- A** Min. Lot Area = 230 m<sup>2</sup>
- B** Min. Lot Frontage = 7.5 m
- C** Main Dwelling
- D** Accessory Dwelling Unit

TNFA = Total Net Floor Area



Note:  
Above image is illustration purpose only

# Street View- R.2 Zone



# ARDU Concept Plan- R.3B Zone

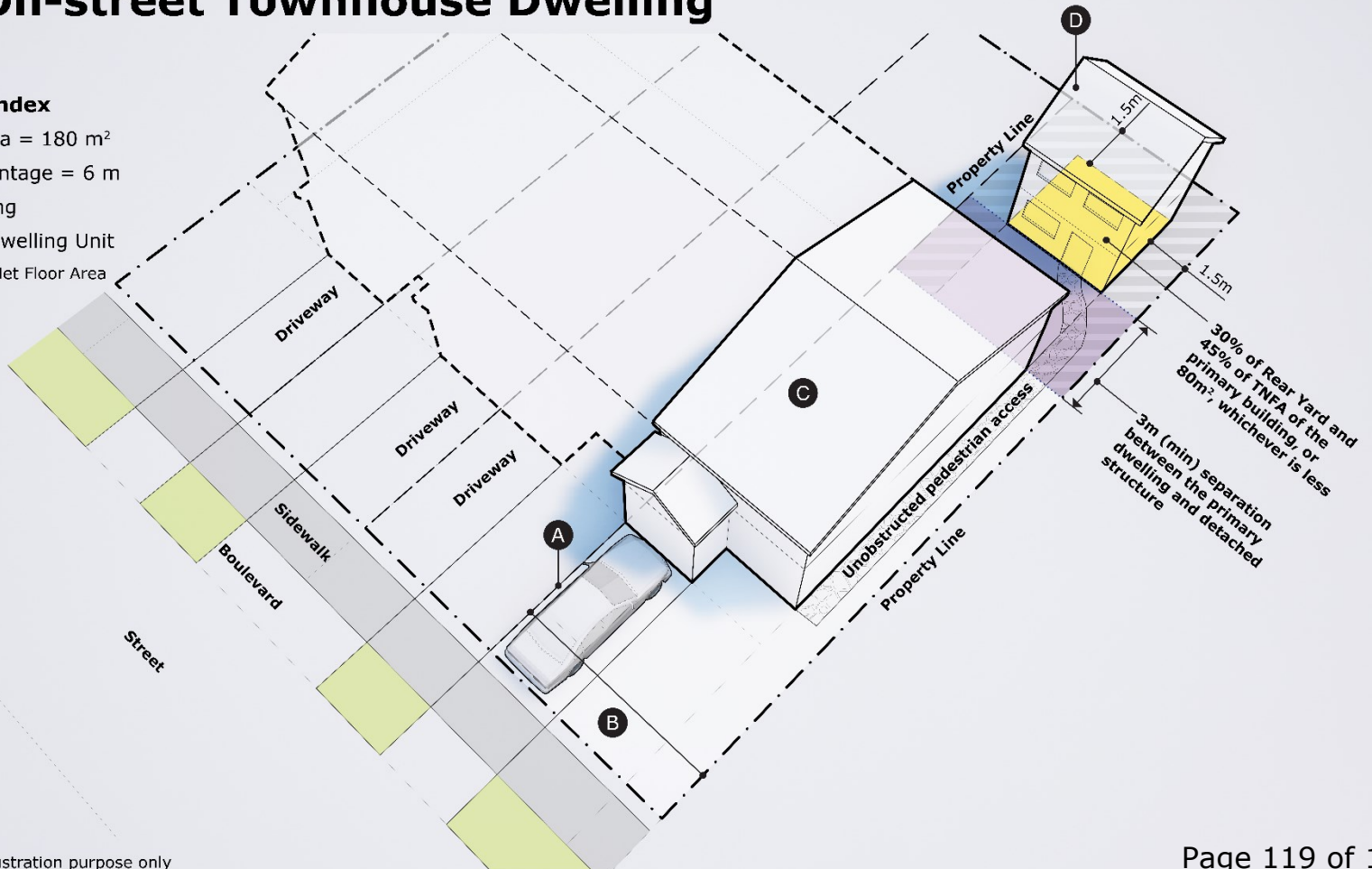
## R.3B On-street Townhouse Dwelling

2 Storey

### Regulation Index

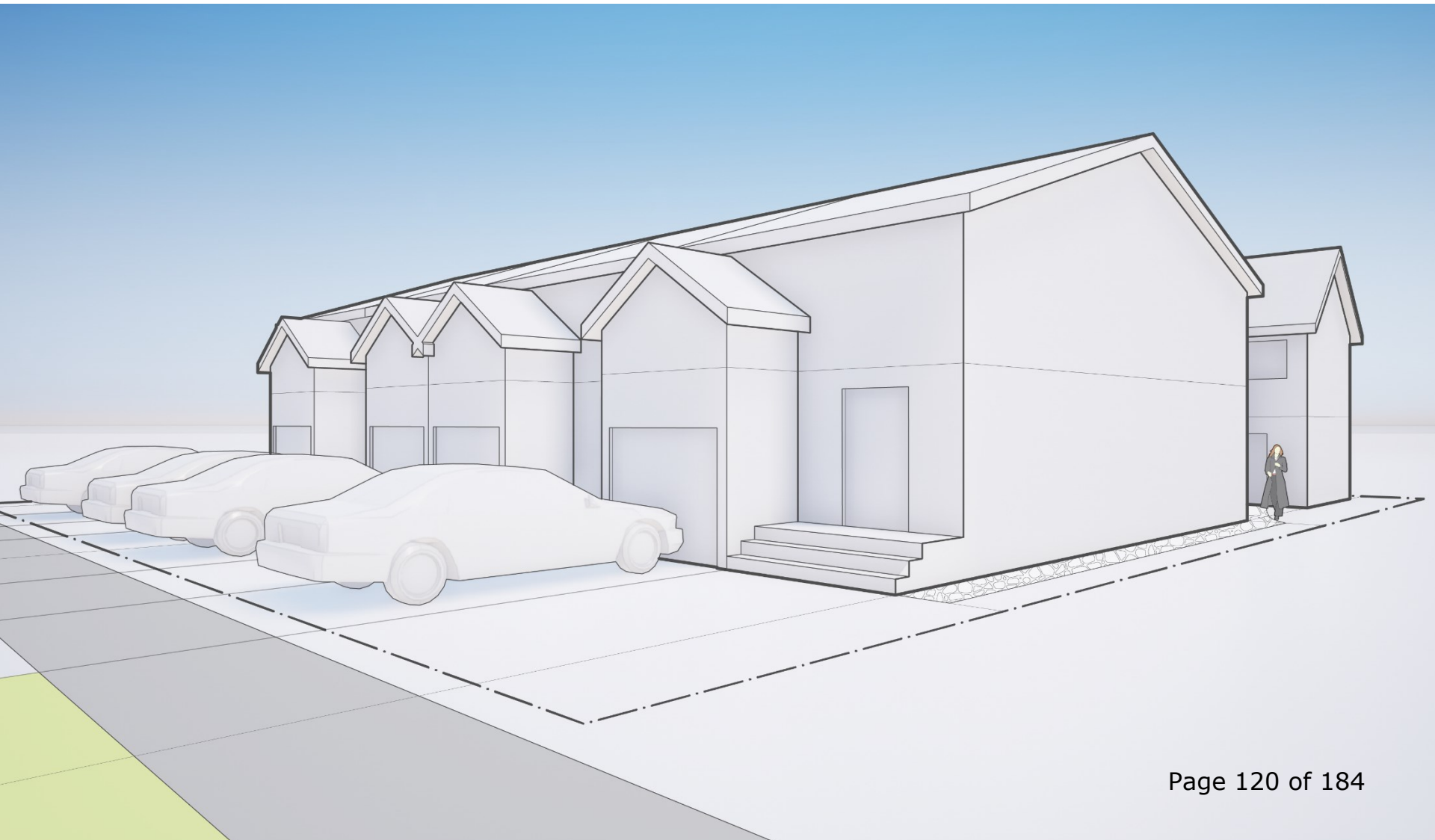
- A** Min. Lot Area = 180 m<sup>2</sup>
- B** Min. Lot Frontage = 6 m
- C** Main Dwelling
- D** Accessory Dwelling Unit

TNFA = Total Net Floor Area



Note:  
Above image is illustration purpose only

# Street View – R.3B Zone



# Recommendation:

1. That City-initiated Official Plan Amendment No. 72 be approved in accordance with Attachment 1 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
2. That the City-initiated Additional Residential Dwelling Unit Zoning Bylaw Amendment (OZS20-02), be approved in accordance with Attachment 2 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.

**General Correspondence:**

**Decision Report – Additional Residential Unit Review: Planning Act Update  
OPA No. 72 Zoning By-Law Amendment File: 0ZS20-02, 2020 214**

Re this issue, I wish to express the following view:

1. In-fill structures should be restricted as much as possible in size, height and proximity to property lines, specifically limited to a single, one-storey, one-bedroom unit per lot.
  2. The units should be located abutting the property owner's home and at least 3 meters on all sides from fence lines. The property owner is the one profiting from the rental fee, not the neighbours. Hence the owner should be the one to bear any inconvenience of noise, loss of privacy, impeded sightlines and blockage of sunlight.
  3. Infill structures should be allowed only in areas not already clogged with student rentals, such as those close to university. To do so would only exacerbate an on-going problem with parking, noise and other disturbances.
  4. Infilling should also avoid environmentally sensitive areas. I urge the city to bear in mind that forested and wetland areas, for example the area around Preservation Park, Hanlon Creek Park, Crane Park, have been already badly encroached on by development. We all have a duty of conservation toward preserving what remains of our natural environment.
  5. The city should be prepared to increase staffing in appropriate departments in order to deal with the undoubted increase in complaints and issues of compliance.
  6. I understand that infilling is provincially mandated. However, it is within Guelph's power to apply this policy wisely both from the perspectives of creating a balanced community and a healthy natural environment.
- I urge City Council members to give serious consideration to my concerns. I know they are shared by many.

Michelle Wan

\*\*\*

Michelle Wan voiced her concerns about this issue and translated exactly my reluctance to your project. The Campus Estates area is already overcrowded by students with its inherent problems of noise, traffic, parking. Covid 19 forced on-line education, with a quieter neighbourhood as a side effect, and might well impact the way knowledge is transmitted in the future. Is it then wise to add buildings harbouring students?

Best regards,  
Françoise Py-MacBeth

\*\*\*

Please don't do this, Guelph doesn't have the parking for these structures with all the student housing we currently have. An average of 6-8 cars are at each student rental currently.

No is our vote

Faye Hamilton

\*\*\*

I would like to voice my support for the proposed Official Plan and Zoning By-Law amendments to provide greater opportunities for additional residential units across the city, to be discussed on December 14. As both an urban planner and an owner of a detached house with a legal basement apartment, I think it is long overdue to have policies and regulations that improve the flexibility to introduce additional units in our existing residential areas - whether basement apartments or standalone/accessory structures.

I recall two rules for healthy neighbourhood change from a StrongTowns [article](#) I read earlier this year, that I think should offer some guidance here:

1. No neighbourhood can be exempt from change
2. No neighbourhood should experience sudden, radical change.

Policies and regulations allowing incremental change like this are a perfect example of this idea. They introduce opportunities for greater density and diversity in residents, housing types, and building forms that will strengthen our city and its neighbourhoods, with minimal disruption/impact to existing neighbourhoods/residents. For too long, we have exempted almost all of our existing residential areas from any change beyond a single detached home, often mis-labeling it as radical or sudden change.

I am sure these policies and regulations are not perfect, as few are when initially introduced. However, these changes are the least we can be doing to improve livability and residential availability across the city. I remain optimistic that the Zoning By-Law review, Growth Management Strategy, and upcoming Official Plan review will offer additional policies and regulations to address demand for more homes in our existing built area.

Thank you.

Darren Shock

\*\*\*

I am strongly against the proposal for additional backyard houses. In a neighbourhood already overflowing with student rental properties, it would cause even more strain on the permanent residents. My understanding is this is designed to increase affordable housing spots. The absentee landlords that already own a vast majority of property in our neighbourhood, certainly wouldn't offer these dwellings to low-income individuals and families. They would be targeting the university students at very high rental prices. These dwellings should not be allowed in wards 5 or 6.

The other serious concern is the parking, noise issues and property issues from these rental properties. The streets are packed with vehicles day and night. The noise from parties and students walking the streets late at night affect those living full time in the area.

I would hope that the councillors for Ward 5 would have the same concerns and vote against this proposal.

Steve Fleming

\*\*\*

First, I understand that one of the Province's objectives in mandating accessory structures is to increase affordable housing for lower income individuals and families. I wish to point out that this plan simply devolves the responsibility onto city residents and private landlords. There is no guarantee that such rentals, if they are built, will be "affordable". Landlords will charge what they can get. In a free enterprise market, how will the city regulate this? Even tracking for data and reporting reasons will be difficult unless you create a registry of such structures. Other cities have licensed accessory buildings. Guelph should seriously consider doing the same.

Second, in a student-dense city like Guelph, and given students' preference for living off campus, students will offer strong competition to lower income tenants for new accessory housing. So unless we consider students among the target population (which I don't think is the intention), here is another obstacle to meeting the provincial objective. All that will be achieved will be more housing for students.

Third, this leads me to the issue of where accessory housing will be allowed. If infilling is allowed in areas surrounding the university, again it will be students tenanted these rentals. Moreover, these areas are already student saturated and intensifying the student population will only add to existing problems and cost to city and taxpayers for policing and by-law enforcement. I believe the University once required first-year students to live on campus but removed this requirement. I would urge Council to strongly encourage the University to reinstate this requirement.

Fourth, I think it would be more supportive of the Province's goal to zone accessory housing in areas near high employment concentration, such as the industrialized northeast part of the city. This would allow workers to live closer to work and reduce travel expenses. I would exclude areas adjacent to environmentally sensitive forests and wetlands, such as Preservation Park, Crane Park, the Ignatius Old Growth Forest, to name a few.

Thank you for your attention and for giving me the opportunity to voice my concerns.

Tim Johnson

\*\*\*

We request that this email be included in the package for the council meeting on December 14th, 2020.

We live in a neighbourhood that is 'student-heavy' We submitted concerns some time ago when initial feedback and comments were invited and continue to have significant concerns about recommended changes sent out recently and find them unacceptable.

**Students and Affordable Housing:** The need for affordable housing is important in the student-heavy neighbourhood we have, the only ones to benefit will be absent landlords who care little about the neighbourhood or the property they rent out and more about profit that the students can provide to them. Issues such as noise, property standards, loud and large gatherings, respect for existing bylaws continue to be an issue and will only be exacerbated further with an influx of additional students in accessory dwellings. Given that the city does not licence rental properties, there is limited to virtually no control, which impacts resident/tenant safety and neighbourhood safety. There would also be increased foot and vehicle traffic as well as the impact on parking.

**Size and Setbacks:** As said in our initial submission, the proposed size is too large and should be less than 500 sq ft. Many condos in Guelph are this size or smaller. The proposed setbacks are much too close to property lines, with 1.5 meters being too little. The setback should be increased to provide more distance from the property line. This will minimize or eliminate any buffer space, resulting in increased noise complaints, along with possible light pollution and other expected disturbances. Any unit should be one (1) storey only. Creating a unit on most properties that are more than one storey will impact the privacy of neighbouring properties and be very obtrusive.

I have lived in Guelph for over 30 years and having lived in both the downtown core and the neighbourhood we are currently in. I have seen Guelph grow and develop but as I said previously, the growth in absentee landlord owned property in this neighbourhood has increased over the years, to the detriment of the neighbourhood. The recommended changes as presented will do nothing to improve a situation that the city has yet to be able to fully manage given existing zoning restrictions.

Thank you in advance for your attention to these concerns,  
Michelle McCarthy & Mario Gozzi

\*\*\*

I would like to comment on the proposal In the above subject line.

I believe that if this proposal is for one Area of the city, in all fairness to all residents of the city, the amendments should allow all areas of the city to participate.

Additionally, for accessory apartments, a ceiling height if 6feet 5 inches under duct work is an unreasonable expectation for older areas of the City. The ceiling height should not matter. If the proposed renter does noT have an issue with the ceiling height, why should it matter to the city. It would provide additional affordable housing.

Sincerely,  
Cathy Aldersley  
\*\*\*

The ability of having our son & daughter-in-law build a residence on the back of our property of XX Hastings Blvd, would not only secure our future capacity of staying in a home we have owned for 50 years last August, as well as securing the possibility of our grandchildren the opportunity to live comfortably when they are starting out in the real estate market! In hindsight, we wish we had the opportunity to do the same for our parents, twenty years ago! Securing this viability to live out our days, knowing that assistance is available in our own back yard! Thank you for listening to our view as seniors who like to chose our destiny,

Barry & Lillian Bower  
\*\*\*

objections.listed below for rejecting the recommendations

- Two Storeys: will reduce sunlight, privacy & shade vegetation; will loom over neighbouring backyards; will result in an ugly backdrop for neighbours; you can't build a fence tall enough to block the view of a 2-storey 860 square foot extra residence so close to your own deck; reduce to single storey to be less obtrusive
- Size: 860 square feet is bigger than some houses in Guelph; reduce maximum size to 500 square feet or less, the size of a small apartment; ample room for an aging parent or young adult son or daughter;
- Setbacks: 1.5 meters is too close to the property line & will eliminate the possibility of a green space buffer; noise from foot traffic, music, loud talking, illumination at night will have a negative impact on adjacent dwellings
- Affordable Housing: will not be achieved by allowing backyard residences in our area; students come first because they offer landlords the most lucrative proposition;
- Licensing of Rental Properties: most cities license rental properties to facilitate inspections and bylaw enforcement; because Guelph does not, the city has no handle on rentals, whether they comply with current bylaws,

whether they are safe, and whether an absentee landlord arranges even minimal care for property standards; licensing would be an added tool both for the City and tenants

- Student issues: include examples of issues that have not easily been resolved under the current bylaws; calls to Police and Bylaw re noise, large gatherings, property standards etc. because adding an extra 2-bedroom dwelling to a problem house passes a tipping point; the proportion of students relative to the general population is very high in Guelph compared to some other university cities which is why we have many of the issues we currently do; dangerous precedent to allow absentee landlords to add 820 square feet of accommodation in the backyard of a problem student house.

Yvonne Paterson

\*\*\*

Good day

I would like this letter added to Council's package for the December 14 meeting.

The most contentious aspects of these recommendations (for our neighbourhoods anyway) include permitting accessory dwellings up to 860 square feet in back or side yards of detached, semi-detached and townhomes, two storeys tall and about 1.5 meters from the property line, and with up to 2 bedrooms. Most of us in Wards 5 and 6 need no explanation of why, in a student-heavy neighbourhood, this is NOT acceptable. We also take the position that if affordable housing is the goal of permitting accessory houses in backyards, it will not have the intended effect in Wards 5 and 6. Those who need affordable housing the most will not be able to compete with absentee landlords who cater to students.

- I can imagine how my quality of life would be impacted by a 2-storey accessory residence, 1.5 meters from my deck or patio, rented by students who are night owls and love to party.
- Two Storeys: will reduce sunlight, privacy & shade vegetation; will loom over neighbouring backyards; will result in an ugly backdrop for neighbours; you can't build a fence tall enough to block the view of a 2-storey 860 square foot extra residence so close to your own deck; reduce to single storey to be less obtrusive
- Size: 860 square feet is bigger than some houses in Guelph; reduce maximum size to 500 square feet or less, the size of a small apartment; ample room for an aging parent or young adult son or daughter.
- Setbacks: 1.5 meters is too close to the property line & will eliminate the possibility of a green space buffer; noise from foot traffic, music, loud talking, illumination at night will have a negative impact on adjacent dwellings
- Affordable Housing: will not be achieved by allowing backyard residences in our area; students come first because they offer landlords the most lucrative proposition;

- Licensing of Rental Properties: most cities license rental properties to facilitate inspections and bylaw enforcement; because Guelph does not, the city has no handle on rentals, whether they comply with current bylaws, whether they are safe, and whether an absentee landlord arranges even minimal care for property standards; licensing would be an added tool both for the City and tenants
- Student issues: include examples of issues that have not easily been resolved under the current bylaws; calls to Police and Bylaw re noise, large gatherings, property standards etc. because adding an extra 2-bedroom dwelling to a problem house passes a tipping point; the proportion of students relative to the general population is very high in Guelph compared to some other university cities which is why we have many of the issues we currently do; dangerous precedent to allow absentee landlords to add 820 square feet of accommodation in the backyard of a problem student house.
- Re: Attachment 1- "Residential Intensification means"...page 9..e) "the conversion or expansion of existing residential buildings to create new residential units or accommodation, including residential dwelling units and rooming houses." I take exception to having rooming houses in this description. Are they regulated? We have an absentee landlord who owns the home across from our house that we purchased and have lived in since 1976, which is being rented by Family and Children Services. This was unknown to the city until I emailed my Ward councillor regarding the fires and disruptive behavior of the teenagers and foul language that was yelled at all hours. Only then, upon visiting did the city know what that house was being used for. I can see a very many future issues just like this if rooming houses are left in the description.
- Re: Survey Response Summary...3% of respondents lived out of town. It is not indicated if these were included in the results. Reading through the comments, some were mis-allocated to the Strongly and Somewhat Agree portion and should have been re-allocated to the correct Strongly and Somewhat Disagree portion. Looking at the number of responses, the Strongly and Somewhat Disagree responses far outweigh the Agree responses for all the questions.
- Most homes that could have an Additional Residence on the property are the older homes with treed lots. Our canopy cover is at 23.3% according to the Urban Forest Management Plan and we should be at 40%. To allow more trees to be removed, as they most certainly will to facilitate construction of an additional residence and driveway, we will see this 23.3% be significantly reduced. This should not be allowed! The Tree Protection Bylaw on private property MUST be enhanced, if not already.
- The city is already looking for more water sources, according to the papers, so this will just add to the issue. When Clair/Maltby is constructed, then what is the plan for a water source?
- Re: Intensification... I understand that Clair/Maltby will be home to a new 25,000 people. Is that not enough to satisfy the intensification quota? Why is this Additional Residential Dwelling Unit being pushed through?
- Please rethink very carefully what you are doing to our city and neighbourhoods.

Kind regards  
Linda Liddle  
\*\*\*

Honestly, this proposal is absurd. The south end (Ward 5) is already inundated with student rentals. If the objective is to improve the stock of affordable housing in Guelph at the expense of stable family neighborhoods where we are already under pressure with absentee landlord student housing is a short sighted solution.

This sounds typical with Guelph though, runaway property taxes, housing with drive waves onto busy roadways, unchecked development along Gordon with substandard road infrastructure, a downtown which is scary etc etc.

The city needs to start listening to the silent majority in this town. Backyard residences will only exasperate these issues. As it is I am exhausted with how many times I have had my car rifled which is something that has only begun in the last 4 or 5 months.

The elite of this city, especially some of our elected officials need to speak up and remember who put them there in the first place

Stephen Runge  
\*\*\*

Hello,

This is very concerning living in a high investor area.  
I know the intent is for family homes to expand to meet the need of kids and parents, however it opens up a whole new problem.  
The changes are scary, investors will bend every rule and act dumb to the regulations just as they do now.  
WOW....if this ever goes through it will cause MORE problems.  
God help us....here goes the anxiety. When will peace come to family homes in the area.

SO much for quality of life here !!!!!!!!!!!!!!!!!!!!!!!

Rick Davidson  
\*\*\*

I am very concerned about the above issue. I understand the province is encouraging infill to increase density, however, residents who have lived in the area should be taken into consideration. I have lived in the Old University neighborhood for 30 years and have seen it change from a lovely, "green" area with unique homes, big trees and beautiful gardens into a subdivision, where trees have been removed to make room for monster houses that have been squeezed, two at a time, on previously one house lots. There has been a significant increase in traffic, pollution and noise. We already have a large student population in this neighborhood and are often subjected to loud and "interesting" conversation as well

as littering when bars are open and some of these students wander home in the middle of the night. So, if people choose to build additional structures and benefit from the income, at least let the impact on neighboring properties be minimal. Strict rules need to be in place.

I totally agree with Michelle Wan's recommendations to keep it to one, one story structure with only one bedroom and at least three meters away from the property line. In fact I agree with all her points. (her e-mail dated December 8)

Sincerely,  
Gitta Eizinger-Housser  
\*\*\*

Dear Ward 6 Councillors Mark and Dominique,

Please accept this letter as a written letter of our objection to the proposed zoning bylaw concerning additional dwellings in the Hilldale Crescent/Ironwood Road area of Ward 6. We have lived at 7 Hilldale Crescent for 18 years and have significant concerns with the zoning bylaw you will be discussing in Council on December 14th. I invite you to stop by any of the properties listed below to get a clear picture of the very real issues we are raising.

1. Height. We cannot accept "2 storeys or not more than height of the main dwelling". The multi-unit rental house directly behind us (387 Ironwood) built a 10'x14' "shed" (landlord went to OMB to overrule City some years ago when forced air heating was being installed). I have attached a photograph of this "shed". If this type of structure were allowed to be 2 storeys, it would tower above us because we are at quite a steep grade down hill from that property. (See 387 Ironwood to 7 Hilldale Crescent for example.) Two storeys on that lot would be the height of 3 storeys from our property, and would effectively block sunlight, and cast shade. This landlord WILL build secondary structures because City Inspectors documented that the "shed" was a planned student rental at that time.

Recommendation: that we limit to 1 storey only.

2. Setbacks from Neighbour's Property is proposed at only 1.2m from the property line. See for example the construction of an even larger "shed" at 3 Sagewood Place (photo attached). Since 3 Sagewood is on a corner, the structure is incredibly close to the neighbouring house facing Ironwood Road. (See photographs).

Recommendation: that we increase the setback significantly, e.g., to 3m from neighbouring property lines. Especially at 2 storeys, these structures will have a significant impact on neighbours on either side/back and will significantly alter the nature of this mixed residential neighbourhood.

Question/Concern:

Under this proposal, would it be possible for landlords to erect multiple 2-storey secondary dwellings to exist in one backyard (if total footprint was <30%)? We already have significant noise issues in this neighbourhood from student rentals (at the back of our home is 387, 389, 391 Ironwood Rd -- all of which have given reason to cause police/bylaw/UG every year for noise/safety issues.

Recommendation: we need to limit the total number of renters that can be crammed into these homes -- regardless of number of bedrooms (e.g., LICENSING of rental properties subject to restrictions, with clear penalties to absentee landlords. Much as many cities govern the use of short-term rentals (AirBnb), we need regulations to protect long-term homeowners and residents from ongoing issues with student rentals around us.

The issues with student rentals are increasing in this neighbourhood. We will likely sell our home in 2021 and leave Ward 6 altogether -- for the sole reason that we

can no longer sit outside or have our windows open due to these rental properties behind us.

We appreciate your taking this letter into your consideration as you discuss adding additional dwellings into an already-challenging environment of student rentals and absentee landlords.

If you need any further detail, or wish to view the situation on the ground here, please do contact us.

This issue matters a great deal to this neighbourhood.

Thank you.

Deb Maskens & Ken Dodge







To: Mayor Guthrie, City Councillors, Staff

From: Reid Davis

Re: Additional Residential Dwelling Unit Bylaw Amendments

---

I wish to comment on the amendments coming before you on December 14<sup>th</sup>. Please consider the following:

- **Affordable housing:** If the goal of allowing additional dwelling units to be built in back & side yards is to increase affordable mixed housing, this bylaw will fail. It is left to the private sector to determine where these units will be constructed and we all know that will be in student-heavy Wards 5 & 6. Who actually needs affordable housing options? Low-income working people are the most deserving but they will not be able to compete with students for these units and the additional dwellings will not be built in areas close to where they work or shop.

**Recommendation:** include some incentive for homeowners to construct backyard dwellings in wards outside the near-university neighbourhoods.

- **Height and Setbacks of Additional Dwelling Units:** Permitting 2 storeys for accessory dwellings is a recipe for disaster. As the report recommends 2-storey houses only 1.5 meters from an adjacent property, it is easy to foresee the complications, especially when they are student-occupied as those in my neighbourhood will inevitably be. The extra dwellings, which will be 3 meters from the existing house, but much closer to the fence, will loom over the gardens and patios of the near neighbours. Is it fair to existing home owners to be forced to accept the daytime shadowing, the night-time light and disruption from an accessory residence this tall and this close to the property line? It certainly doesn't feel fair to those of us who have diligently cared for our homes & gardens over decades and value our peace above all. Who is being catered to with these two regulations? They absolutely favour absentee landlords who already cause so much angst in

this area with their lack of courtesy for the neighbours and lack of respect for bylaws in place to regulate noise & property standards. It is fine to say that the accessory dwelling should not be higher than the primary dwelling but that's not where the impact will be. It will be on the neighbours beside and behind.

It is also worth noting that many properties in this area are elevated or lower relative to the neighbouring property. This can add significantly to the impact of two storeys.

**Recommendation:** Do not accept two storeys for height and 1.5 meters for setbacks. Single storey should be the maximum and increased setback is necessary for privacy and protection of green space.

- **Size of Dwelling:** The recommendation in the report is to allow dwellings of up to 80 square meters in size. We are accustomed to thinking of the size of our houses in square feet. This measure equates to a size of 861 square feet. There are many cottages and small homes in Guelph that are this size so please try to envision one of those houses plunked in your neighbour's back yard with the rear of it close to your patio, deck or vegetable garden. In my particular case, I would be forced to sell my house and move. It would be intolerable. I think I speak for many families and seniors in my neighbourhood who would follow suit if they have to contend with an extra dwelling of this size next door. That would leave the city with a neighbourhood full of investor-owned student-occupied rentals instead of a vibrant mix of seniors, families and singles. Is the risk worth it? While some yard sizes may not support 861 square foot dwellings, in many cases in my area, it definitely would.

**Recommendation:** Send this back to staff to reduce the size of dwelling permitted. 600 square feet is more than adequate and equivalent to the size of a small condo.

In conclusion, I ask that you seriously consider the implications for current residents with these proposed bylaw changes. Knowing that Guelph already has massive problems with student rentals including defiance of the bylaws we already have in place, it is most unwise to give such latitude to backyard additional dwellings.

As it stands, Building Services cannot even properly investigate and confirm lodging houses, most of which are not registered. You can and should take a stand here since rental properties are not licenced and bylaw enforcement is hampered by the rapid growth of the city. This is the time to plan for the future with prudence and not with a short-term fix to satisfy the provincial push for intensification.

Thank you for your consideration on this important matter.

To Mayor, Members of Council & Staff

From Tracey Duffield

**Re: Additional Residential Dwelling Unit Review Report**

Understanding that this issue will have serious long-term repercussions for the City overall, I think the following should be given serious consideration before approving the recommendations before you:

- 1) At this point in time, we do not have a reliable means of tracking the number of residents living in rental properties as we do not have any licensing requirements in place for detached, semi-detached or townhouse housing. Perhaps now could be the opportunity to rethink the framework of such policies looking ahead to adding licensing amendments. Is there a way to incorporate these amendments, for instance, to allow for this new bylaw to be approved contingent on part of the structure being owner-occupied?
- 2) This licensing could be implemented upon application by the landowner to either alter the existing building or applying to add another structure to the property for rental purposes. A license registry would keep in check the total number of residents per property while still providing affordable rental accommodation.

For instance, in comparing our City of Guelph to London, Ontario (both having active student-rental markets) we discovered the following:

**London has a bylaw that limits detached rentals to 5 bedrooms & with licensing, they have that info to ensure compliance. The new bylaw on backyard dwellings says that rentals can only have 5 bedrooms in total so if a house has 4 rental bedrooms, an additional backyard dwelling could only have 1; if the house has 5, then no backyard accessory building is permitted. This helps to ensure that neighbourhoods not fall victim to a situation where an unregistered lodging house with 7 bedrooms can also accommodate an additional backyard dwelling with two additional bedrooms. What London has in place is a much more sensible approach.**

Comparison re Rental saturation just with respect to the student population London vs Guelph:

	Approx. Population	# of dwellings	University enrollments 2019
London	384 000	175 550	32 100
Guelph	138 500	55 000	30 310

The above illustrates that considering the student numbers and the general population, Guelph is a much more saturated market for student rental requirements. (London has almost three times the general population, more than three times the number of dwellings, yet only needs rental accommodation for slightly more students than Guelph). This translates to more residents per property (especially in wards that may be more attractive to renters). As we have no licensing requirements in place, it means a loss of information and lack of management of issues regarding investor-owned dwellings. As the need for infill and intensification becomes more urgent, so too is the need to incorporate it wisely along with some sort of licensing system. It would be prudent to proactively manage the issue now vs band-aid solutions later.

Also, one other issue I didn't see addressed in the outline was any specifics relating to property owners trying to garner perhaps outdoor space by adding rooftop decks or common areas to newbuild structures perhaps as a way of skirting the 30% yard coverage regulation. This too would have a high impact on any neighbours and hopefully not be allowed.

In summary, I ask that council direct staff to add a licensing component to the bylaw governing new additional backyard residential units. This would ensure that the City has a complete record of where these are located and it would also provide assurance to potential tenants that the accommodation is licensed and approved. Because this new form of housing has the potential to have such an impact on neighbourhoods, it is imperative that controls to monitor that impact be in place. It's easier to do it now than regret it later.

To: Guelph City Councillors, Mayor Guthrie & Staff

From: Sandra Wolting

Re: Additional Residential Units in Back and Side Yards

---

I have lived in Guelph my entire life and value its community feel and supportive nature. However, after 28 years of living in my current home, the character of my neighbourhood is rapidly declining in terms of our quality of life and in affordability for young families in This is overwhelmingly due to the influx of absentee landlords, who put profit ahead of community, and to unruly student tenants, who are frequently disrespectful and obnoxious.

The thought of additional 2-storey residences, of up to 860 square feet, only 1.5 meters from neighbourhood fences terrifies me and this is why:

- Rental house next door, 5 students, 4 cars, backs on to another student rental made up of the same components; parties, group gatherings in spite of Covid restrictions, climbing fences, breaking gates, noise complaints to Police/Bylaw; street parking preventing leaf collection after specifically being asked to keep the area clear etc. etc.
- Rental house behind and to the side, similar issues
- Student rental down the street and behind a neighbour, belligerent behaviour, excessive noise, obstructing the police, property standards issues, parking on the lawn, uncooperative landlord etc. etc.

I could highlight a dozen properties within a 5-minute walk that create chaos in our previously-quiet community-oriented neighbourhood. Dealing with the constant uncertainty of what might happen next is exhausting and discouraging. No combination of education, enforcement & building 8-foot fences seems likely to alter our situation.

To allow 2-storey additional dwellings of 860 sq. feet so close to property lines in our backyards will exacerbate this beyond endurance. I anticipate having to move should I be faced with one of these backyard dwellings and many of my longstanding neighbours feel the same.

I know Council has no alternative but to allow backyard dwellings but please get the size and height down so our neighbourhood is not overwhelmed. I feel like we are not being heard on this issue and that student housing is given priority over family housing.

Thank you for seriously considering the negative impact of large additional backyard dwellings that, in our area, will inevitably be rented to students, on our quality of life.

Stephen O'Brien  
City Clerk  
City of Guelph

Dear Mr. O'Brien,

Please ensure that my comments below are made available to City Council for the December 14, 2020 meeting regarding *Decision Meeting for Proposed Amendments to City of Guelph Official Plan and Zoning By-law - Additional Residential Dwelling Units*.

I am concerned with the potential negative impact of the amendments being proposed, as they relate to additional residential units, in the current proposal. I understand that this is partially being mandated by the Province, but this amendment has the potential of severely decreasing both current property values as well as enjoyment of personal property, if not implemented properly.

Please consider the following:

**1** – My understanding is that the objective of the population intensification set out by the province is to facilitate *permanent* residences for future growth, as opposed to *transient* or *short-term rental* accommodations. With this in mind please ensure that there are restrictions in place to prevent permitting an additional detached residential unit in areas within close proximity to Universities and Colleges. Otherwise, these new buildings would most likely end up being rented out by absentee landlords to seasonal students, thus permitting up to three separate residential dwelling on a single residential property as student housing in established neighbourhoods.

I have no objection to students living close to the schools that they attend, just the higher density of students living on a single lot. In these cases, the students could still find accommodations within the primary dwelling, as is done now, or in designated student housing buildings.

**2** – The heights of the “new accessory residence” should be limited to a single story, and not a two-story structure. The additional height will not only restrict sunlight and airflow, but will also have a detrimental impact of privacy and personal enjoyment of property of the primary landowner and neighbours.

**3** – The size of the additional units should be limited to a maximum 400-500 square feet. Last year a Guelph family of three (plus dog) moved to a Hamilton location and into a 240 square foot home.

“Kitchener changed its zoning bylaw to allow tiny houses, as well as granny flats, coach houses and other small units, without the need for a zoning change or Official Plan amendment. The changes were mandated under Bill 108, provincial legislation passed this spring that requires all municipalities to allow such units, as a way to create a broader range of housing types, especially inexpensive ones that make use of existing land.”,  
<https://www.thespec.com/news/ontario/2019/11/07/why-a-couple-sold-their-guelph-condo-to-live-in-this-tiny-house.html>

**4** – There should be a maximum limit of two bedroom (including an area designated as a “den”). If the goal is to provide living space for new employees within the city, this should suffice.

**5** – If these are to be considered “rental units”, there need to be regulations in place for the primary landowner, as well as the City, for inspections and bylaw enforcement. If these are not “rental” units, will the current property end up being sub-divided? Will the “new accessory residence” patch into the current property’s hydro, water, and other services, or will they have their own separate services run in? If the former, and there is a sewer blockage between the primary dwelling and the “new accessory residence”, who is responsible for the cost of repairs?

**6** – Consider also that if the “new accessory residence” is being rented, and the primary homeowner of the total property wishes to sell the primary house and the “new accessory residence”, will they be able to force the renter to move and vacate the structure for the new owner? Would the potential purchaser have any rights over the “new accessory residence” that was purchased? My understanding is that currently, if the property owner is not living in the (primary) building, they cannot raise the rent over a certain value, and can not evict the current renter due to sale of the property. How will this change if they live in the primary building, but not in the detached “new accessory residence”?

**7** – We all know that what is officially designated as a “den” will at some point be converted to a bedroom. Possibly as soon as the City’s final inspection is completed. As such, it is important to ensure there are as many additional legal parking spots on the property as there are new bedrooms/dens in the “new accessory residence”.

**8** – I have not seen any references to basements in these “new accessory residences” discussions. What’s to prevent additional bedrooms/kitchens from being built in the basement? This new two-bedroom structure could conceivably end up with five bedrooms and as many additional vehicles parked somewhere.

**9** – A wider setback from property lines should be considered. On page 33 of your discussion paper for the July 2020 meeting, it mentions that “In Kingston, the detached additional residential unit must comply with the minimum yard setbacks applicable to the primary dwelling unit.” And on page 34, “The City of Ottawa sets a minimum 1 m interior side yard setback and rear yard setback for detached additional residential units where there is no window or entrance. In all other cases the interior side yard and rear yard setback is 4 m.”

I would propose the side and rear setbacks be the same as the primary dwelling, such as Kingston has done, as well as the 4 m setback as mentioned for Ottawa.

**10** – I could find no reference for the need for easements on adjoining lots, but with a small setback between the “new accessory residences” and the property line / fence, there is likely insufficient room for ongoing maintenance. I am not in favour of forcing existing homeowners to have to grant easement rights in these situations.

Regards,

Al Pentland

City of Guelph  
Attn: City Clerk  
1 Carden Street  
Guelph, ON N1H 3A1

9 December 2020

Dear Mr. O'Brien,

On December 14, City Council will discuss recommendations to update policies and regulations for additional residential dwelling units—known as accessory apartments, basement apartments and coach houses—in Guelph's Official Plan and Zoning Bylaw. Would you kindly provide my comments to the Mayor and City Council prior to the meeting of Council on December 14.

My comments follow my earlier letter to Council, dated July 7, 2020, on this same matter. This most recent staff report follows consultation with the community and suggests a path for City Council to approve staff recommendations. I appreciate the opportunity to have input to the debate and will restrict my input to written comments.

The recommendations, should they be adopted, will result in significant impacts on residential neighbourhoods. The Ward 5 and Ward 6 neighbourhoods are currently negatively impacted by "student rentals" and absentee owners; these neighbourhoods will be further impacted with the addition of rear yard Additional Residential Dwelling Units. The initial staff report concluded that "*Streamlined and simple to understand rules will assist with the creation of affordable housing units, ensure the health and safety of our residents, and protect the character of our residential neighbourhoods*". While the goal of affordable homes is laudable, in Wards 5 and 6 which are in close proximity to the University there is a much stronger likelihood that additional residential units will reflect the student rental market which offers a greater return to an absentee owner. So if Council is to protect the character of our residential neighbourhoods it must respect that Wards 5 and 6 already experience an overwhelming student rental presence and that any expansion of that will result in deterioration in those neighbourhoods. With regards to the staff recommendations my comments are noted in the following:

#### Additional unit within the primary building

In the initial Staff Report there was a reference to amending the two bedroom limit to a three bedroom limit. Apparently this acknowledged a lack of enforcement and the fact that 2 bedroom units are often converted to a 3 bedroom unit, albeit not legally. The staff recommendation to allow 3 bedrooms seems to acquiesce to the current state. However I recommend to Council that it be cautious with this approach so we do not have in the future a 3 bedroom unit being converted to a 4 bedroom unit.

#### Additional Residential Dwelling Units in rear yards

Staff proposes that accessory dwellings occupy up to 30% of a back yard, I would suggest 20% would be more appropriate for many backyards to allow adequate amenity space for outdoor activities and gardens and to limit the overall size of the added structure.

Staff proposes a 2 bedroom maximum for separate rear yard Additional Residential Dwelling Units. In my earlier letter to Council I recommended that Council limit the size to one bedroom and I recommend Council adopt the one bedroom limit. Staff has amended the initial proposal on setbacks to abutting properties from 0.6 meter to 1.2 and 1.5 meters depending on the lot. I note that the Additional Residential Dwelling Unit has to be minimum of 3 meters from the main primary dwelling. In my view a 1.5 meter setback is inadequate for property maintenance, does not allow for a green space buffer. In addition the potential for intrusion through noise from foot traffic, music, loud talking and illumination at night will have negative impacts on adjacent dwellings.

Staff has also recommended that a structure may be up to 2 storeys or not more than the height of the main dwelling. In my earlier letter I suggested that a single storey structure was more appropriate. I urge Council to adopt a single storey structure limit. There are several reasons :

For the majority of lots within the City a 2-story structure in a rear yard close to property lines will create privacy issues and possibly shadowing issues for adjacent properties by blocking sunlight.

There are many homes in the Ward 5 and Ward 6 neighbourhoods that are well below the grade level of the abutting property due to the slopes and grades in those areas (Keats and McElderry are but one example). Allowing a 2 storey structure would be much more obtrusive and dominant to the property at the lower grade level.

A 2 storey building close to a property line presents the possibility of an ugly backdrop for neighbours; you can't build a fence tall enough to block the view of a 2-storey extra residence so close to your own deck or patio. Staff recommends that the Additional Residential Dwelling Unit be up to 80 M2. In imperial measurement terms this is 860 square feet. That size of structure is bigger than some houses in Guelph. A single storey building with one bedroom could possibly reduce the maximum size to 500 square feet, the size of a small apartment. I suggest this would be ample room for an aging parent or young adult.

#### Related Matters

The Staff Report and Presentation includes several slides of how the Additional Residential Dwelling Unit would sit on various property layouts. However the presentations are all on-grade, same level perspectives. It would be useful for Council and the public to see those same perspectives where there are significant grade differences between abutting properties which would address the comment I presented earlier.

This current review and discussion has again brought the matter of Licensing of Rental Properties to the fore. To my knowledge many cities, if not most, license rental properties to facilitate inspections and bylaw enforcement. Guelph does not have a rental property license regime and as a result the City has inadequate information with respect to rental properties. How does the City address compliance with current bylaws, the safety of rental properties, and the performance of an absentee landlord with respect to even minimal care for property standards? A license regime would bring added benefit for the City, the tenants and residents. Living in Ward 5 and Ward 6 we cannot avoid the issues that are related to absentee landlords and properties rented to students. I will not repeat the examples of issues of noise, large gatherings, property standards, parking etc. that challenge the Police and By-law enforcement as well as the local neighbourhood. With those issues in mind I question the staff recommendation that would allow the addition of a 2-bedroom dwelling in a rear yard. The scenario of an absentee landlord with a problem rental adding a further 860 square feet of rental accommodation in the rear yard is not a happy prospect for our neighbourhoods. I appreciate that the City is responding to a Provincial mandate that is to promote affordable housing. As I noted previously, a very laudable step. I also understand that it is up to the City how it responds to the requirements of the Province in regards to the how the City amends its zoning bylaws to permit backyard accessory dwellings. The City does have control over the various regulations it wishes to adopt that determine size of building, number of bedrooms, the definition of the structure. If the goal is affordable housing the reality is, at least in Wards 5 and 6 that this goal is unlikely to be achieved with the recommendations presented to Council, as the student rental market offers a greater return on investment for those who invest in income property. Adopting a one bedroom limit on Additional Residential Dwelling Units in rear yards would provide suitable accommodation for adults, both young and old, and meet the goal of affordability without the intrusions that larger units would bring to bear on neighbourhoods.

The McElderry neighbourhood is one of several that have endured issues related to student rentals and absentee owners. Recommendations in this report, if adopted, could exacerbate an already challenging situation for the McElderry community. Previously we have acknowledged the challenges of enforcement, as well enforcement resources have been a point of discussion in the past as we addressed student rentals with the City. So we would request that City Council take time to examine the enforcement capability and engage the necessary resources to make that viable. We also want to have confidence that the basic infrastructure of services (e.g. water, sanitation, parking and electricity supply) already existing in a neighbourhood are capable of meeting the additional demands that increased residents would bring.

Thank you for considering my comments.

*J. A. MacKenzie*

(Original signed by)

J. MacKenzie

Gow's Bridge



Linking the Old University Neighbourhood to the City of Guelph since 1897

## Old University Neighbourhood Residents' Association Inc.

### Submission to Guelph City Council - 11 December 2020

The Executive of Old University Neighbourhood Residents' Association (OUNRA) gave input to Guelph City Council on 13 July 2020 regarding the bylaw review in terms of intensification, accessory apartments and additional residential dwelling units.

We wish to very briefly underlined a few concerns as you consider the final adoption of these recommended bylaw changes.

We support the provincial mandate as well as support City Council in trying to bring about an intensification of housing in Guelph as well as an increase in rental supply. These are both laudable goals. And furthermore, these bylaw changes should help to meet those goals.

1. The City has set a goal of increasing the city tree canopy to 40%. In absence of effective tree protection bylaws on private property, how can this laudable goal be accomplished if the building of new additional residential dwelling units take up further green space on residential properties? We suggest that City Council instruct city staff to see how these two competing goals can be managed.
2. The building of large two-story additional residential dwelling units would in most areas of the city run counter to the Urban Design Action Plan of 2017 when it states the need to "Ensure that the design of the built environment respects the character of existing distinctive areas and neighbourhoods of the city" (*Urban Design Vision, 2017*). We believe that single story structures will be most appropriate in our area.
3. Our concern is not ameliorated by the bylaw in present form to protect our area from some landlords who rent to students who have no commitment to the neighbourhood and are only interested in maximizing their profit. We believe that Guelph should follow the example of cities such as London who have licensing bylaws regarding rental property in the city. That would give a measure of oversight as well as awareness on the part of the City to the rental situation including, if needed, control to ensure safe new housing that also respects the neighbourhood of which it is a part.

We believe that any bylaw such as the one being considered, needs to work with those other aspirations of the City to have environmental protection as well as healthy neighbourhoods.

Thank you for your consideration.

John Lawson - President – Old University Neighbourhood Residents Association

December 11, 2020

Guelph City Council  
c/o City Clerk

Sent by email: [clerks@guelph.ca](mailto:clerks@guelph.ca)

Dear Council,

I am writing to express my strong opposition to any Council resolution that would permit the development of 2-storey rental properties with setbacks of 1.5 meters from existing property lines.

Our street abuts Ironwood which includes several student rental properties. I have witnessed a bonfire set close to a deck; and have had several sleepless nights with students partying late into the night. One evening a colleague in the neighbourhood witnessed a student jumping from rooftop to rooftop.

If an additional student rental property is built close to our property line, I am certain that the quality of our life will be negatively impacted. The additional noise and night illumination, combined with lack of privacy; and combined with absentee landlords and students who often take no effort in caring for the property, would degrade the quality of our living standards.

If City Council permits the development of additional rental properties on the back or side yards of existing properties and close to property lines, they are supporting the incomes of landlords and developers at the cost of community members who take great care and pride in their neighbourhoods. Despite already paying close to \$7,000 in property taxes, I would rather support an increase in Guelph property taxes rather than an income stream to the City from landlords who don't care for the quality of their neighbourhoods.

I would respectfully ask each Council member to reflect on how you would feel if a 2-storey student rental was built just over your fence line. If you are comfortable with this, and you support a resolution to permit the development of these properties, I would suggest you be the first in line to encourage your neighbor to build such a property in their backyard.

Please vote with your community and personal conscience.

Thank you for considering this letter,

Carol Hunter  
22 Princeton Place  
Guelph, Ontario  
N1G 3S4

Clerk, City of Guelph

1 Carden St. , Guelph ON

Dear Sir:

Subject: **Additional Residential Unit Review**

I am requesting that I receive from you a written notice of Council's decisions on OPA 72 and on Zoning Amendment OZS20-02.

The report before Council fails to mention a number of direct and indirect negative financial implications for both the City and for residents that arise from the many issues that were brought to the City's attention as expressed in the course of the Have Your Say process. The following are but a few examples that indicate the lack of analysis in the report of important implications of the initiative.

**Flooding** – the additional impermeable surfaces from the added roofs and driveways will increase the frequency and severity of flooding. The City will be obliged to increase spending beyond its current plans on stormwater management and increased sewer capacity. Given that the majority of the City lacks any stormwater controls, this will prove most expensive. Homeowners will suffer direct losses from floods and from increased insurance premiums. The City and Province will shoulder increased costs of claims and disaster relief, indefinitely.

**Bylaw and Zoning Administration and Enforcement** – there will be a need for significant expansion of staff needed to administer and enforce this initiative. These are *direct* financial implications. Moreover, as neighbours both fear and feel the impacts of the initiative, they will be increasingly demanding and assiduous in filing formal complaints and expecting follow-up action by staff and Councillors both to ensure compliance with the letter of the ZB as well as the usual rental property standards issues.

**Assessment Loss** – as expressed in Have Your Say, the initiative has understandably fueled fears that much larger student ghettos will now expand to engulf areas of larger lot, single family residential streets that have been stable to date with relatively small amounts of student rentals. The quality and appearance of some recent student-focused additions and renovations by some absentee investors in my own neighbourhood have been akin to mining camp bunkhouses or barracks. As quality neighbourhoods near the University degrade into student ghettos and are no longer seen as attractive for single family occupancy, the remaining homeowners will increasingly organize appeals to the Assessment Review Board for reductions in their taxable assessments. This will not only offset increased assessments for the second and third units, but will also trigger the need for the City to spend staff time making ARB hearing appearances in defense of assessed values.

What appears to be also missing from the report is a fulsome and honest discussion of effective *mitigative* measures that the City could and should take to manage the initiative sensibly. Until such information is presented to Council, it would be quite premature for it to consider and act on the recommendations.

Bill Mungall

To: Mayor, Councillors and Staff

I am very concerned about the impact of backyard ARDUs:

1. Impact on Existing Trees

I am afraid that in the construction of a backyard ARDU trees may be removed. I don't believe the City of Guelph has yet implemented its Private Tree Bylaw so what protection will trees in mature neighbourhoods be afforded? The city needs to look at the goal of allowing more housing options through backyard ARDUs in tandem with tree protection.

2. Urban Design

The city in its Urban Design Manual, 2017 states that a principle based on Official Plan Objectives is "to ensure that the design of the built environment respects the character of the existing distinctive areas and neighbourhoods of the city." How is the city going to ensure that a backyard ARDU isn't a visual blight for the neighbours of adjoining properties? With minimal setbacks and potential two story ARDUs, will these buildings fit the urban fabric as it presently exists?

And one final thought: in a university town the potential for absentee landlord/ investors, who only rent to students, to monetize their properties exists with these ARDUs. If you already have five bedrooms rented in the main dwelling, add three bedrooms to the basement and build a two bedroom dorm space in the backyard, you now have 10 bedrooms rented at \$600-\$800 room.

With thanks for the opportunity to add my comments,

Sylvia Watson

# Council Memo

---

To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 14, 2020
Subject	<b>Additional Residential Unit Review: Planning Act Update</b>

---

Planning staff received a request from members of the public to provide a rear yard perspective of a two-storey detached additional residential dwelling unit (ARDU). A concept plan using the proposed zoning bylaw regulations has been prepared for illustration purposes.

The concept plan in Figure 1 is based on a standard residential R.1B lot. The detached ARDU is located in the rear yard, has a footprint of 40 square metres and a total floor area of 80 square metres. The ARDU is setback 1.5 metres from the side and rear yard lot lines and has a height of 6 metres.

The perspective is shown from a back yard neighbouring property, shown from eye level (1.68 metres) and at the mid-point of the back of the neighbouring property's house. A 2.5 metre high fence has been included in the concept plan. Please note, this is a concept plan that shows a standard R.1B lot size and every property varies in terms of lot grading, vegetation and existing structures such as garages and sheds.

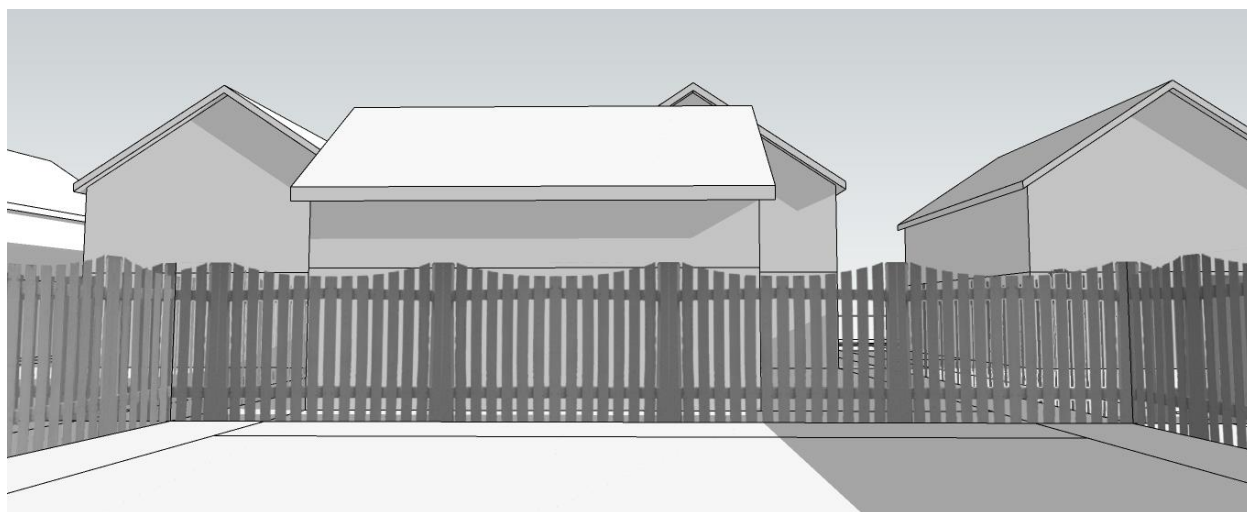


Figure 1 - Two-storey Additional Residential Dwelling Unit in Rear Yard

**This memo was approved by:**

Krista Walkey, MCIP, RPP  
General Manager, Planning and Building Services  
Infrastructure, Development and Enterprise Services  
519-822-1260 extension 2395  
krista.walkey@guelph.ca

**This memo was 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

## **THE CORPORATION OF THE CITY OF GUELPH**

### **By-law Number (2020)-20554**

A by-law to amend the Official Plan for the City of Guelph to implement the Additional Residential Dwelling Unit recommendations.

**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 13, 2020 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 72 to the Official Plan for the City of Guelph, as amended, consisting of the text attached to and forming part of this By-law 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 FOURTEENTH day of DECEMBER 2020.**

---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**

**EXPLANATION OF PURPOSE AND EFFECT AND  
KEY MAP FOR BY-LAW NUMBER (2020)-20554**

1. By-law Number (2020)-20554 has the following purpose and effect:

The purpose of By-law (2020)-20554 is to update the accessory apartment and coach house objectives, policies and definitions in the Official Plan in accordance with policies and regulation for additional residential units in the Planning Act.

The proposed Official Plan Amendment, to be known as Official Plan Amendment No. 72, amends the following:

- Revises the accessory apartment policies to permit additional residential dwelling units within medium density residential;
- Revises references to "accessory apartments" to "additional residential dwelling units";
- Revises references to "coach houses" to "additional residential dwelling units within a separate building on the same lot as the primary dwelling";
- Revises the definition for "accessory apartment" and renames it "additional residential dwelling unit" in the Glossary;
- Deletes the definition for "coach house" in the Glossary; and
- Revises the definition for "garden suite".

OPA 72, as proposed, was considered by Guelph City Council at a Public Meeting held on July 13, 2020 and was approved by Guelph City Council on December 14, 2020.

Further information may be obtained by contacting or visiting Planning and Building Services, 519-837-5616, extension 3314, 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.

**AMENDMENT NO. 72  
TO THE OFFICIAL PLAN  
FOR THE CITY OF GUELPH**

## **PART A – THE PREAMBLE**

### **Title and Components**

This document is entitled 'Additional Residential Dwelling Units Amendment' and will be referred to as 'Amendment 72'. Part A - The Preamble provides an explanation of the amendment including the purpose, background, location, basis of the amendment, summary of changes to the Official Plan and public participation, but does not form part of this amendment.

Part B – The Amendment forms Amendment 72 to the Official Plan for the City of Guelph and contains a comprehensive expression of the new, deleted and amended policy.

### **Purpose**

The purpose of Amendment 72 is to update the accessory apartment and coach house objectives, policies and definitions in the Official Plan in accordance with policies and regulation for additional residential units in the Planning Act.

The Planning Act requires municipalities to permit additional residential units in detached, semi-detached and rowhouse (townhouse) dwellings. In addition, the Planning Act requires that municipalities permit additional residential units in their official plans and zoning bylaws, in both a primary dwelling and an ancillary building or structure, in effect permitting three residential units on one residential property. Ancillary means a use that is associated with the principal use. New regulations for additional residential units came into effect that established the following requirements and standards:

- no relationship restrictions allowed regarding the occupancy of the primary residential dwelling, additional residential unit and owner of the property;
- no restriction on the creation of an additional residential unit based on the date of construction of the primary or ancillary building; and
- each additional residential unit can be required to have one parking space, which may be stacked parking, however a lower standard, including no parking spaces, may be set by a municipal zoning bylaw.

Municipalities may still determine appropriate regulations for the additional residential units and consider constraints such as flood-prone areas or areas with inadequate servicing. The Planning Act also permits garden suites that are defined as "a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable". The Planning Act allows garden suites to be permitted as a temporary use only.

### **Background**

City staff initiated a review and amendment of the City's accessory apartment, coach house and garden suite policies, regulations and definitions to conform with

provincial Planning Act policies and regulations for additional residential units and garden suites. The review and amendment of the City's Official Plan is building on preliminary recommendations released and feedback received regarding accessory apartments through the City's ongoing Comprehensive Zoning Bylaw Review. The Official Plan review and amendment is being advanced, ahead of the completion of the City's zoning bylaw review, to conform to provincial policy in a timely manner and ensure the health and safety of our community.

The [Comprehensive Zoning Bylaw Review Discussion Paper](#) was released on October 7, 2019 as the final component of the research and analysis phase of the zoning bylaw review. The discussion paper explored other municipal zoning trends, and provided a series of options and preliminary recommendations for each zoning topic including accessory apartments, referred to as accessory dwellings in the discussion paper. An [Information Report \(IDE-2020-21\) Comprehensive Zoning Bylaw Review: What we heard – summary of phase two public consultation](#) was released on February 28, 2020 to summarize phase two public feedback.

A Statutory Public Meeting of Council was held on July 13, 2020 for the Additional Residential Unit Review, which included the release of the [Additional Residential Unit Review: Planning Act Update to the Official Plan and Zoning Bylaw Discussion Paper](#). The discussion paper reviewed current City Official Plan policies and zoning bylaw regulations and other municipal practices in order to align the City's rules for accessory apartments, coach houses and garden suites with provincial rules for additional residential units. In addition, the discussion paper addressed preliminary recommendations released and feedback received regarding accessory apartments through the City's Comprehensive Zoning Bylaw Review.

## **Location**

Official Plan Amendment 72 applies to lands designated low density residential and medium density residential in the Official Plan.

## **Basis of the Amendment**

Amendment 72 sets out revised objectives, policies and definitions for accessory apartments and coach houses, known as additional residential units under the Planning Act. It addresses the necessary changes to ensure that the City's policies, related to additional residential units, comply with the Planning Act. The Planning Act requires municipalities to permit additional residential units in detached, semi-detached and rowhouse units. In addition, municipalities are required to permit an additional residential unit in both a primary dwelling and in an ancillary building or structure, in effect permitting three residential units on one residential property. Regulations under the Act allow each additional residential unit to be required to have one parking space, which may be stacked. A lower standard, including no parking spaces may be set by a municipal zoning bylaw.

The basis for the policy amendments come from Planning Act policies and regulations governing additional residential units.

## **Summary of Changes to the Official Plan**

The following is a summary of OPA 72:

- Revises the accessory apartment policies to permit additional residential dwelling units within medium density residential;
- Revises references to “accessory apartments” to “additional residential dwelling units”;
- Revises references to “coach houses” to “additional residential dwelling units within a separate building on the same lot as the primary dwelling”;
- Revises the definition for “accessory apartment” and renames it “additional residential dwelling unit” in the Glossary;
- Deletes the definition for “coach house” in the Glossary; and
- Revises the definition for “garden suite”.

## **Public Participation**

The development of the proposed Official Plan Amendment for Additional Residential Dwelling Units has involved community stakeholder engagement that included public meetings, stakeholder meetings and workshops held as part of the City’s Comprehensive Zoning Bylaw Review.

## **Background Studies**

The background studies include:

1. IDE-2019-92 Comprehensive Zoning Bylaw Review Discussion Paper and Guelph Parking Standards Review Discussion Paper, October 7, 2019
2. IDE-2020-21 Information Report Comprehensive Zoning Bylaw Review: What we heard – summary of phase two public consultation, February 28, 2020
3. IDE-2020-73 Council Report Additional Residential Dwelling Units Discussion Paper and Draft Official Plan, July 13, 2020

## **Public Engagement**

Between February 26 and 27, 2019, the City hosted three open houses to provide an overview of the comprehensive zoning bylaw review and gain input on what topics to explore in the development of a new bylaw. In addition, information was gathered through the City’s online engagement platform between February 26 and March 29, 2019. Individual meetings were also held with any community members and stakeholders who requested one between February 25 and March 15, 2019. The open houses and online engagement opportunities were promoted through advertisements in the Guelph Mercury Tribune and on the City’s social media accounts. In October 2019, the City released the Comprehensive Zoning Bylaw Review Discussion Paper, which considered the community engagement input received and provided a series of options and preliminary recommendations for zoning topics including accessory apartments.

Community engagement was undertaken on the options and preliminary recommendations following the release of the Comprehensive Zoning Bylaw Review Discussion Paper. Between November 21 and November 28, 2019, six workshops were held on key themes including residential areas and specific housing types, and planning staff hosted four half day office hours throughout the city for individuals to attend. In addition, an online survey was conducted from November 29, 2019 to January 6, 2020 to solicit feedback from members of the community that were unable to attend workshops and office hours.

Information Report IDE-2020-21 Comprehensive Zoning Bylaw Review: What we heard – summary of phase two public consultation was released February 28, 2020 to provide Council with a summary of community engagement received.

The proposed Official Plan Amendment for Additional Residential Dwelling Units underwent a circulation period with agencies and other stakeholders to solicit feedback. No feedback was received.

The Statutory Public Meeting for Official Plan Amendment 72 was held on July 13, 2020. Council heard from 4 delegates and received 26 written comments.

A survey was posted to the City of Guelph "Have your Say" webpage from June 18 to September 13, 2020. A summary report was completed and included in the decision report as Attachment 3.

## **PART B – THE PREAMBLE**

### **Format of the Amendment**

This section of Amendment 72 for the Additional Residential Unit Review: Planning Act Update sets out additions and changes to the text in the Official Plan. Sections of the Official Plan that are proposed to be added, changed or deleted 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 72. 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 72 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 "accessory apartments" in policy 3.7.3 v) to "additional residential dwelling units" to be consistent with the dwelling type name used in the Planning Act.

Policy 3.7.3 v) is hereby amended as follows to replace the term "accessory apartments" with the term "additional residential dwelling units":

3.7.3. v) a range and mix of housing will be planned, taking into account *affordable housing* needs and encouraging the creation of ~~accessory apartments~~ **additional residential dwelling units** throughout the ~~built-up area~~.

**ITEM 2:** The purpose of 'ITEM 2' is to change the reference to "accessory apartment" in policy 4.4.1.34.2 to "additional residential dwelling unit" to be consistent with the dwelling type name used in the Planning Act. In addition, the reference to duplex dwelling, in relation to an accessory apartment, is removed since accessory apartments are not permitted with duplex dwellings.

Policy 4.4.1.34.2 is hereby amended as follows to replace the term "accessory apartment" with the term "additional residential dwelling unit":

4.4.1.34.2. *Residential intensification*, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an ~~accessory apartment~~ **additional residential dwelling unit** to an existing single/semi-/duplex building or the creation of a new lot by *consent* for a single/semi/duplex-dwelling, may be permitted provided that the new building or structure is *floodproofed* to an elevation no lower than one metre below the *regulatory flood level*; and:

**ITEM 3:** The purpose of 'ITEM 3' is to change the reference to "accessory apartments" in objective 7.2 d) to "additional residential dwelling units" to be consistent with the dwelling type name used in the Planning Act.

Objective 7.2 d) is hereby amended as follows to replace the term "accessory apartments" with the term "additional residential dwelling units":

7.2 d) To recognize the role of existing housing and ~~accessory apartments~~ **additional residential dwelling units** in providing choices for a full range of housing, including *affordable housing*.

**ITEM 4:** The purpose of 'ITEM 4' is to change the reference to "accessory apartments" in policy 7.2.1.2 to "additional residential dwelling units" to be consistent with the dwelling type name used in the Planning Act.

Policy 7.2.1.2 is hereby amended as follows to replace the term "accessory apartments" with the term "additional residential dwelling units":

7.2.1.2. The annual *affordable housing* target requires that an average of 30% of new residential *development* constitute *affordable housing*. The target is to be measured city-wide. The target consists of 25% affordable ownership units, 1% affordable *primary rental* units and 4% affordable purpose built secondary rental units (which includes ~~accessory apartments~~ **additional residential dwelling units**).

**ITEM 5:** The purpose of 'ITEM 5' is to create a new policy by modifying and combining policies 9.2.3.1 and 9.2.3.2 and to place the new policy in Section 9.2.1 to provide clarity to the provisions for additional residential unit permissions.

Policy 9.2.1.3 is hereby added as follows:

9.2.1.3 The City shall provide for the creation of *additional residential dwelling units* and specific regulations for *additional residential dwelling units* will be established in the Zoning Bylaw.

**ITEM 6:** The purpose of 'ITEM 6' is to delete Section 9.2.3 in its entirety and renumber the following sections 9.2.4, 9.2.5, and 9.2.6. The proposed new policy 9.2.1.3 replaces this section.

Section 9.2.3 is hereby deleted in its entirety and sections 9.2.4, 9.2.5, and 9.2.6 are renumbered as follows:

9.2.43 Lodging Houses

9.2.54 Coach Houses and Garden Suites

9.2.65 Home Occupations

**ITEM 7:** The purpose of 'ITEM 7' is to change the references to "main dwelling" in section 9.2.5 (renumbered to Section 9.2.4) to "primary dwelling" and references to "coach houses" to "additional residential dwelling units within a separate building on the same lot as the primary dwelling" to align references to the primary dwelling with terminology used in the Planning Act and to be consistent with the dwelling type name used in the Planning Act.

Section 9.2.5 (renumbered to 9.2.4) is hereby amended as follows to replace the term “main dwelling” with “primary dwelling” and to replace the term “accessory dwellings” with the term “additional residential dwelling units”, specifying that the additional residential dwelling units are within a separate building on the same lot as the primary dwelling. In addition, “by amendment to the implementing Zoning Bylaw” is removed and a new policy is added to recognize garden suites will be regulated in accordance with the Temporary Use By-law provisions of this Plan:

9.2.54 ~~Coach Houses~~ **Additional Residential Dwelling Units within a Separate Building on the Same Lot as the Primary Dwelling** and Garden Suites

1. ~~Coach houses~~ **Additional residential dwelling units within a separate building on the same lot as the primary dwelling** and *garden suites* may be permitted within land use designations permitting residential uses as alternative forms of housing in conjunction with detached, semi-detached and townhouse forms of housing.
2. The following criteria will be used as the basis for permitting ~~coach houses~~ **additional residential dwelling units within a separate building on the same lot as the primary dwelling** and *garden suites* ~~by amendment to the implementing Zoning By-law~~:
  - i) the use is subordinate in scale and function to the **primary** ~~main-dwelling~~ on the lot;
  - ii) the use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - iii) the use is situated on an appropriately-sized housing lot;
  - iv) the use is *compatible* in design and scale with the built form of the **primary** ~~main-dwelling~~ unit;
  - v) the orientation of the use will allow for optimum privacy for both the occupants of the new ~~coach house~~ **additional residential dwelling units within a separate building on the same lot as the primary dwelling** or *garden suite* and the **primary** ~~main-dwelling~~ on the lot; and
  - vi) any other siting requirements related to matters such as servicing, parking and access requirements, storm water management and tree preservation can be satisfied.
3. ~~Coach houses~~ **Additional residential dwelling units within a separate building on the same lot as the primary dwelling** and ~~garden suites~~ will be regulated by the provisions of the implementing *Zoning By-law* and shall be subject to site plan control.
4. **Garden suites** will be regulated in accordance with the Temporary Use By-law provisions of this Plan and shall be subject to site plan control.

**ITEM 8:** The purpose of 'ITEM 8' is to change the references to "coach houses" in policy 10.11.2 i) to "additional residential dwelling units within a separate building on the same lot as the primary dwelling" to be consistent with the dwelling type name used in the Planning Act.

Policy 10.11.2 i) is hereby amended as follows to replace the term "coach house" with the term "additional residential dwelling units" and specifying that the additional residential dwelling units are within a separate building on the same lot as the primary dwelling":

10.11.2 i) low density residential, including single detached and semi-detached dwellings and buildings or structures accessory thereto, but not including zero lot line dwellings, lodging houses, ~~coach houses~~ **additional residential dwelling units within a separate building on the same lot as the primary dwelling**, garden suites, group homes or other special needs housing

**ITEM 9:** The purpose of 'ITEM 9' is to replace the term "accessory apartment" in policy 11.2.6.3.6.1 with the term "additional residential dwelling unit" to be consistent with the dwelling type name used in the Planning Act:

Policy 11.2.6.3.6.1. is hereby amended as follows to replace the term "accessory apartment" with the term "additional residential dwelling unit":

11.2.6.3.6.1. Notwithstanding any other provision of this Secondary Plan, only the following uses shall be permitted:

- a) Single detached dwelling;
- b) ~~Accessory apartment~~ **Additional residential dwelling unit**; and
- c) Home occupation.

**ITEM 10:** The purpose of 'ITEM 10' is to rename and revise the definition for "Accessory Apartment" within Section 12 Glossary to be consistent with the terminology used in the Planning Act and provide clarity.

Section 12 Glossary is hereby amended as follows:

**Additional Residential Dwelling Unit** ~~Apartment~~ means:  
a dwelling unit **that is self-contained, subordinate to and** located within **the same building or on the same lot of a primary dwelling unit** ~~and subordinate to an existing single detached dwelling or semi-detached dwelling.~~

**ITEM 11:** The purpose of 'ITEM 11' is to delete the definition for "Coach House" within Section 12 Glossary. The definition is no longer required because this dwelling type is considered to be an "Additional Residential Dwelling Unit" in accordance with the regulations for additional residential units in the Planning Act.

The definition for Coach House is hereby deleted.

~~**Coach House** means:~~

~~a one-unit detached residence containing bathroom and kitchen facilities that is located on the same lot, but is subordinate to an existing residential dwelling and is designed to be a permanent unit.~~

**ITEM 12:** The purpose of 'ITEM 12' is to revise the definition for "Garden Suite" within Section 12 Glossary to align with the Planning Act.

Section 12 Glossary is hereby amended as follows:

**Garden Suite** means:

~~(also known as a Granny Flat):~~

a one-unit detached residential structure **dwelling unit** containing bathroom and kitchen facilities that is separate from and subordinate to **a primary dwelling unit** ~~an existing residential dwelling~~ and that is designed to be portable **and temporary**.

**ITEM 13:** The purpose of 'ITEM 13' is to revise the definition for "Residential Intensification" within Section 12 Glossary to replace "accessory apartments, secondary suites" with the term "additional residential dwelling units".

Section 12 Glossary is hereby amended as follows:

**Residential Intensification** means:

*Intensification* of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) *redevelopment*, including the *redevelopment* of *brownfield sites*;
- b) the *development* of vacant or underutilized lots within previously developed areas;
- c) *infill development*;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including **additional residential dwelling units** ~~accessory apartments, secondary suites~~ and rooming houses.

# The Corporation of the City of Guelph

## By-law Number (2020)-20555

A by-law to amend By-law Number (1995)-14864, as amended, known as the Additional Residential Dwelling Unit Amendment (OZS20-03).

Whereas Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

### The Council of the Corporation of the City of Guelph enacts as follows:

1. Section 2.9 of By-law (1995)-14864, as amended, is hereby further amended as follows:
  - 1.1. Section 2.9.1 (xxiv) is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit.**"
2. Section 3.1 of By-law (1995)-14864, as amended, is hereby further amended as follows:
  - 2.1. The definition "**Accessory Apartment**" is deleted.
  - 2.2. The definition "**Additional Residential Dwelling Unit**" is added:

**"Additional Residential Dwelling Unit"** means a **Dwelling Unit** that is self-contained, subordinate to and located within the same **Building** or on the same **Lot** of a primary **Dwelling Unit**.
  - 2.3. The definition of "**Dwelling Unit**" be modified:

**"Dwelling Unit"** means a room or group of rooms occupied or designed to be occupied as an independent and separate self-contained housekeeping unit.
  - 2.4. The definition of "**Garden Suite**" be modified:

**"Garden Suite"** means a one-unit detached **Dwelling Unit** containing bathroom and kitchen facilities that is separate from and subordinate to a primary **Dwelling Unit** and that is designed to be portable and temporary.
3. Section 4.13 of By-law (1995)-14864, as amended, is hereby further amended, as follows:
  - 3.1. Section 4.13.3.1 is amended by replacing "**Accessory Apartments**" with "**Additional Residential Dwelling Units.**"
  - 3.2. Section 4.13.3.2.2 is amended by replacing "**Accessory Apartments**" with "**Additional Residential Dwelling Units.**"
  - 3.3. Section 4.13.4.3 is amended by deleting "**Semi-Detached Dwelling** with an **Accessory Apartment, 3**" and "**Single Detached Dwelling** with an **Accessory Apartment, 3**" and adding "**Additional Residential Dwelling Unit, 1 per unit.**"
  - 3.4. Section 4.13.4.3 is amended by adding section 4.13.4.3.2 as follows:

"Despite Section 4.13.4.3, if no legal off-street **Parking Space** can be provided for the primary **Dwelling**, as of the date of the passing of this **Bylaw**, no **Parking Spaces** are required for the **Additional Residential Dwelling Units.**"
4. Section 4.15.1 of By-law (1995)-14864, as amended, is deleted and replaced with the following:

- 4.1. "4.15.1 For the purposes of Section 4.15, the following term shall have the corresponding meaning:

**"Total Net Floor Area"** means the total floor area of the **Building** measured from the interior walls, including **Cellars** and **Basements** with a floor to ceiling height of at least 1.95 metres. **Total Net Floor Area** does not include stairs, landings, cold **Cellars**, **Garages**, **Carports**, and mechanical rooms. Section 2.7 does not apply to the floor to ceiling height of 1.95 metres.

Any **Additional Residential Dwelling Unit** shall be developed in accordance with the following provisions:

- 4.15.1.1 A maximum of two **Additional Residential Dwelling Units** shall be permitted on a **Lot**, one within the same **Building** as the primary **Dwelling Unit** and one located in a separate **Building** on the same **Lot**.
- 4.15.1.2 An **Additional Residential Dwelling Unit** in a separate **Building** on the same **Lot** is not permitted to be severed from the **Lot** of the primary **Dwelling Unit**.
- 4.15.1.3 Parking for **Additional Residential Dwelling Units** shall be developed in accordance with Section 4.13.
- 4.15.1.4 Notwithstanding Sections 4.13.2.1 and 4.13.3.1 the required off-street **Parking Spaces** for **Additional Residential Dwelling Units** may be stacked behind the required off-street **Parking Space** of the primary **Dwelling Unit** in the **Driveway (Residential)**.
- 4.15.1.5 Table 5.3.2, Row 18, shall not apply to **Additional Residential Dwelling Units** located in the R.3B **Zone**.
- 4.15.1.6 **Additional Residential Dwelling Unit** within a primary **Dwelling Unit**
  - 4.15.1.6.1 The **Additional Residential Dwelling Unit** shall not exceed 45% of the **Total Net Floor Area** of the **Building**.
    - 4.15.1.6.1.1 Despite Section 5.15.1.6.1, if the **Additional Residential Dwelling Unit** is located within the **Basement**, the **Additional Residential Dwelling Unit** may occupy the entirety of the **Basement**.
  - 4.15.1.6.2 The **Additional Residential Dwelling Unit** within a primary **Dwelling Unit** shall not contain more than three bedrooms.
  - 4.15.1.6.3 Interior access is required between floor levels and between the **Additional Residential Dwelling Unit** and the primary **Dwelling Unit**.
- 4.15.1.7 **Additional Residential Dwelling Unit** within a separate **Building** on the same **Lot**
  - 4.15.1.7.1 The **Additional Residential Dwelling Unit** shall not exceed 45% of the **Total Net Floor Area** of the primary **Building**, or a maximum of 80 square metres in **Floor Area**, whichever is less.
  - 4.15.1.7.2 The **Additional Residential Dwelling Unit** within a separate **Building** on the same **Lot** shall not contain more than two bedrooms.

- 4.15.1.7.3 The **Additional Residential Dwelling Unit** shall not occupy more than 30% of the **Yard**, including all accessory **Buildings** and **Structures**, and shall be in accordance with Section 4.15.1.7.1, whichever is less.
- 4.15.1.7.4 The maximum **Building Height** shall be two **Storeys** and 6.1 metres, and shall not exceed an overall **Building Height** of the primary **Dwelling**.
- 4.15.1.7.5 A 1.2 metre wide unobstructed pedestrian access shall be provided to the entrance of the unit, unless access to the **Additional Residential Dwelling Unit** is provided directly from a **Street** or lane. A gate may be constructed within the pedestrian access.
- 4.15.1.7.6 A minimum 1.2 metre **Side Yard Setback** is required for the primary dwelling in the **Yard** closest to the unobstructed pedestrian access, unless access to the **Additional Residential Dwelling Unit** is provided directly from a **Street** or lane.
- 4.15.1.7.7 An **Additional Residential Dwelling Unit** in a separate **Building** on a **Lot** may occupy a **Yard** other than a **Front Yard** or required **Exterior Side Yard**.
- 4.15.1.7.8 An **Additional Residential Dwelling Unit** in a separate **Building** on a **Lot** shall have a minimum **Side** and **Rear Yard Setback** consistent with the **Side Yard Setback** for the primary **Dwelling** in the applicable **Zone**.
- 4.15.1.7.8.1 Notwithstanding Section 4.15.1.7.8, a two **Storey Additional Residential Dwelling Unit** shall have a minimum 3 metre **Side Yard** and **Rear Yard Setback** where a window is adjacent to the property line.
- 4.15.1.7.9 A minimum distance of 3 metres shall be provided between the primary **Dwelling Unit** and an **Additional Residential Dwelling Unit in a separate Building** on the same **Lot**."

5. Section 4.25 of By-law (1995)-14864, as amended, is hereby further amended as follows:

- 5.1. Table 4.25, Row 1, is amended by replacing "The whole of a **Single Detached Dwelling Unit**. A **Building** containing a **Lodging House Type 1** cannot contain an **Accessory Apartment**" with "The whole of a **Single Detached Dwelling Unit**. A **Lot** containing a **Lodging House Type 1** cannot contain an **Additional Residential Dwelling Unit** within the primary **Dwelling** or in a separate **Building** on the same **Lot**".

6. Section 5 of By-law (1995)-14864, as amended, is hereby further amended as follows:

- 6.1. Section 5.1.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 6.2. Section 5.2.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 6.3. Section 5.3.1.2 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1" as a permitted use.

7. Section 6 of By-law (1995)-14864, as amended, is hereby further amended as follows:
  - 7.1. Table 6.3.1.1 is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit**" in the D.2 zone.
  - 7.2. Section 6.5.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
8. Part 1 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
  - 8.1. Section 5.1.3.2.19, R.1B-19 zone, be deleted.
  - 8.2. Section 5.1.3.2.28, R.1B-28 zone, be deleted.
  - 8.3. Section 5.1.3.2.33.1, R.1B-33 zone, be deleted.
  - 8.4. Section 5.1.3.2.35.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 8.5. Section 5.1.3.2.44, R.1B-44(H) zone, be deleted.
  - 8.6. Section 5.1.3.2.45.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 8.7. Section 5.1.3.2.49.1 be deleted.
  - 8.8. Section 5.1.3.2.49.2.1 be deleted.
  - 8.9. Section 5.1.3.2.49.2.2 be deleted.
  - 8.10. Section 5.1.3.2.49.2.3 is amended by replacing "Maximum **Building Height**" with "Maximum **Building Height** for an **Additional Residential Dwelling Unit** in a separate **Building**, and by replacing "**Coach House**" with "**Additional Residential Dwelling Unit.**"
  - 8.11. Section 5.1.3.2.49.2.5 is amended by replacing "**Coach House**" with "**Additional Residential Dwelling Unit.**"
  - 8.12. Section 5.1.3.2.49.2.7 is amended by replacing "**Coach House**" with "**Additional Residential Dwelling Unit.**"
  - 8.13. Section 5.1.3.2.49.2.8 be deleted.
  - 8.14. Section 5.1.3.2.49.3 be deleted.
  - 8.15. Section 5.1.3.3.15.1 is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit**".
  - 8.16. Section 5.1.3.3.23.1 is deleted and replaced with the following:

"Permitted **Uses**  
In accordance with Section 5.1.1 of this **Bylaw.**"
  - 8.17. Section 5.1.3.3.23.2.2 be deleted.
  - 8.18. Section 5.1.3.3.24.1 is deleted and replaced with the following:

"Permitted **Uses**  
In accordance with Section 5.1.1 of this **Bylaw.**"

- 8.19. Section 5.1.3.3.24.2.4 is amended by replacing "**Garden Suite Dwelling Unit**" with "**Additional Residential Dwelling Unit** within a separate **Building** on the **Lot**" and by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit.**"
- 8.20. Section 5.1.3.3.24.2.4 ii) be deleted.
- 8.21. Section 5.1.3.3.24.2.4 iii) be deleted.
9. Part 2 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
  - 9.1. Section 5.2.3.2.1.3 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 9.2. Section 5.2.3.6.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 9.3. Section 5.2.3.7.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 9.4. Section 5.2.3.8.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 9.5. Section 5.2.3.30.2.6 be deleted.
10. Part 3 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
  - 10.1. Section 5.3.3.1.12.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 10.2. Section 5.3.3.2.2.1 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
  - 10.3. Section 5.3.3.2.10.1 is amended by adding "An **Additional Residential Dwelling Unit** is permitted in **On-street Townhouses** in accordance with Section 4.15.1".
  - 10.4. Section 5.3.3.2.12.1 is amended by adding "An **Additional Residential Dwelling Unit** is permitted in **On-street Townhouses** in accordance with Section 4.15.1".
  - 10.5. Section 5.3.3.2.14.1 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
11. Part 7 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
  - 11.1. Section 6.3.3.1.4.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
12. Part 9 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
  - 12.1. Section 6.5.3.7.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".

- [illegible]

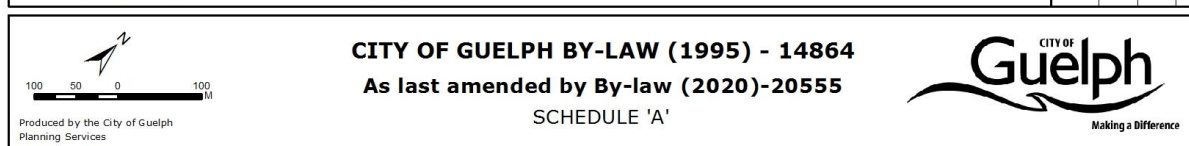
accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

- 12.19. Section 6.5.3.50.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
  - 12.20. Section 6.5.3.53.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
  - 12.21. Section 6.5.3.54.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
- 13.Part 16 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
- 13.1. Table 14.1.5, Row 3, is amended by replacing "***Accessory Apartment***" with "***Additional Residential Dwelling Unit***".
  - 13.2. Section 14.7.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".
- 14.Schedule "A" of By-law (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map Numbers 15, 24, 34, and 45 and replacing them with new Defined Area Map Numbers 15, 24, 34, and 45 attached hereto as Schedule "A".

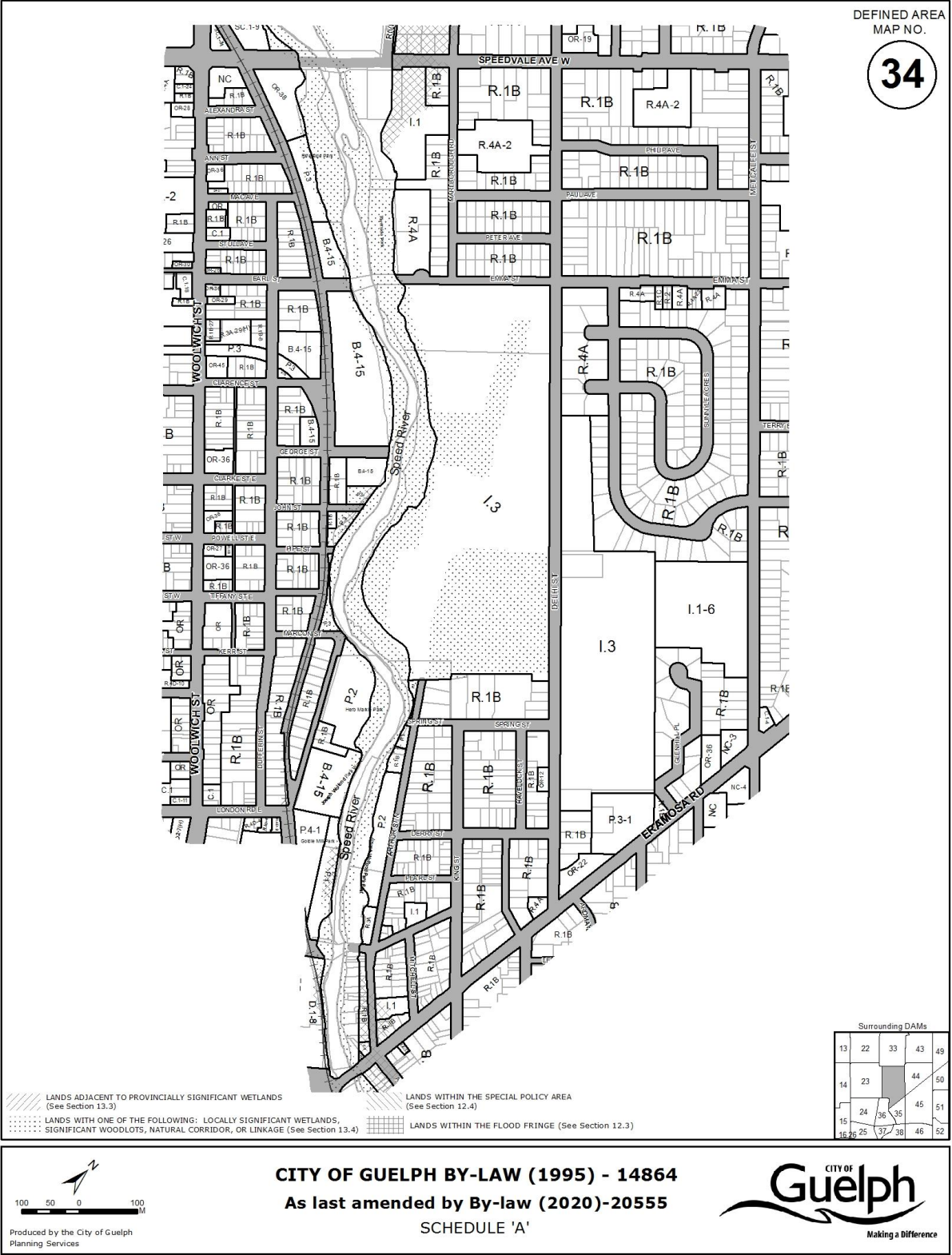
**Passed this FOURTEENTH day of DECEMBER, 2020.**

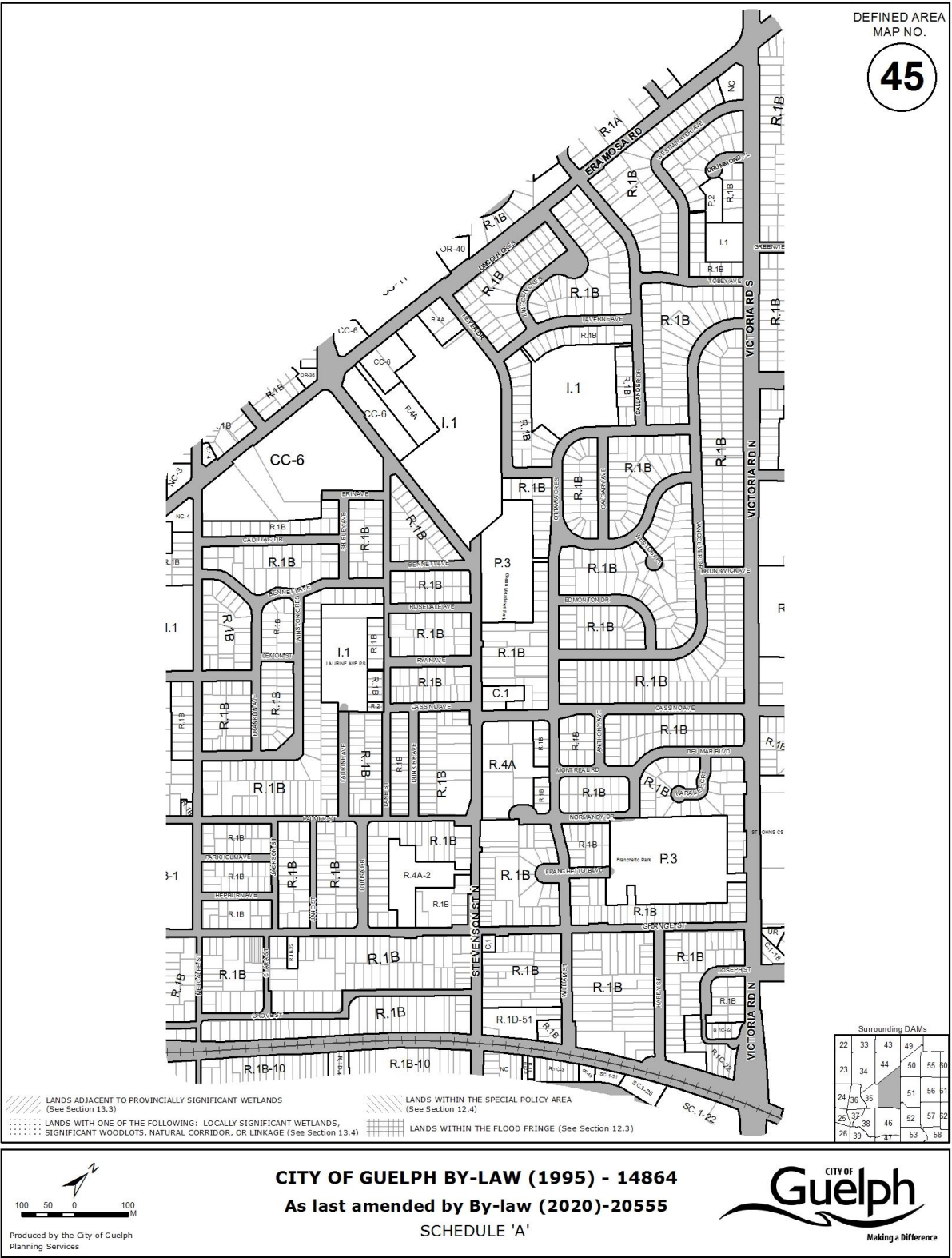
\_\_\_\_\_  
**Cam Guthrie, Mayor**

\_\_\_\_\_  
**Dylan McMahon, Deputy City Clerk**









**EXPLANATION OF PURPOSE AND EFFECT FOR  
BY-LAW NUMBER (2020)-20555**

1. By-law Number (2020)-20555 has the following purpose and effect:

This By-law authorizes an amendment to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which is intended to delete, modify and introduce new regulations to the text and maps related to Additional Residential Dwelling Units.

The purpose of the Additional Residential Dwelling Unit Amendment is to update the accessory apartment, coach house and garden suite regulations in accordance with policies and regulation for additional residential units in the Planning Act.

The effect of the proposed Additional Residential Dwelling Unit amendment is to update definitions, modify section 4.15.1, general provisions for residential intensification, update permitted uses and parking requirements, and update specialized zones.

The proposed amendment would delete, modify or introduce new regulations related to Additional Residential Dwelling Units, including:

- New definitions;
- New General Provisions and parking standards;
- Permitted uses;
- Specialized residential zones.

Lands affected by this amendment include lands zoned Residential R.1, R.2 and R.3B, R.1B-19, R.1B-28, R.1B-33, R.1B-35, R.1B-44(H), R.1B-45, R.1B-49(H), R.1C-15, R.1C-23, R.1C-24, R.2-2, R.2-6, R.2-7, R.2-8, R.2-30, R.3A-12, R.3B-2, R.3B-10, R.3B-12, R.3B-14, Office Residential (OR), OR-7, OR-8, OR-9, OR-10, OR-11, OR-13, OR-17, OR-20, OR-21, OR-22, OR-23, OR-24, OR-25, OR-28, OR-33, OR-34, OR-36, OR-49, OR-50, OR-53, OR-54, Downtown D.1-3, D.1-24, Downtown D.2, and D.2-13 in Zoning Bylaw (1995)-14864, as amended.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on July 13, 2020.

Further information may be obtained by contacting Infrastructure, Development and Enterprise at 519-837-5616, extension 3314, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing".

# **The Corporation of the City of Guelph**

## **By-law Number (2020) - 20556**

A by-law to designate portions of the building and property known municipally as 120 Huron Street, and described legally as PART LOT 2, RANGE 2, DIVISION F, GUELPH, PARTS 3 AND 6, PLAN 61R-21616; TOGETHER WITH AN EASEMENT OVER PART LOT 2, RANGE 2, DIVISION F, GUELPH, PART 2, PLAN 61R-21616 AS IN WC586931; SUBJECT TO AN EASEMENT OVER PART 6, PLAN 61R21616 AS IN WC594030; CITY OF GUELPH, as being a property of cultural heritage value or interest.

Whereas the *Ontario Heritage Act, R.S.O. 1990, Chapter 0.18*, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, or portions thereon, to be of cultural heritage value or interest;

And whereas on 23 July 2020 the Council of the Corporation of the City of Guelph has caused to be served upon the owners of the lands and premises known municipally as 120 Huron Street, and described legally as PART LOT 2, RANGE 2, DIVISION F, GUELPH, PARTS 3 AND 6, PLAN 61R-21616; TOGETHER WITH AN EASEMENT OVER PART LOT 2, RANGE 2, DIVISION F, GUELPH, PART 2, PLAN 61R-21616 AS IN WC586931; SUBJECT TO AN EASEMENT OVER PART 6, PLAN 61R21616 AS IN WC594030; CITY OF GUELPH, and upon the Ontario Heritage Trust, notice of intention to designate portions of the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality;

And whereas the cultural heritage value or interest of the property is set out in Schedule "A" hereto;

And whereas no notice of objection to the said property designation was served upon the clerk of the municipality;

### **The Council of the Corporation of the City of Guelph enacts as follows:**

1. Portions of the building and property known as 120 Huron Street, as described in Schedule "B" to this By-law, are designated as being of cultural heritage value or interest under Part IV, Sec. 29 of the *Ontario Heritage Act, R.S.O. 1990, Chapter 0.18*.
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "C" to this By-law in the proper Land Registry Office.
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owners of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Guelph.

**Passed this fourteenth day of December, 2020.**

### **Schedules:**

Schedule A: Statement of Cultural Heritage Value or Interest: 120 Huron Street

Schedule B: Description of Heritage Attributes: 120 Huron Street

Schedule C: Legal Description: 120 Huron Street

**Cam Guthrie, Mayor**

**Dylan McMahon, Deputy City Clerk**

The former Northern Rubber Company building at 120 Huron Street is a prominent example of early 20th century industrial Guelph and has long been a landmark building at the east corner of Huron and Alice Streets. St. Patrick's Ward was developed in the early 20th century through J. W. Lyon's plan to create an industrial neighborhood in Guelph. Situated east of the Speed River and north of the Eramosa River, the Ward extends to Eramosa Hill. In 1906, Lyon bought 400 acres on both sides of York Road from the Speed and Eramosa Rivers to Victoria Road and proceeded to secure development by giving away 12 to 16 acres of land free of charge to industries willing to locate in Guelph. The attraction of free land brought companies such as the International Malleable Iron Company and the Guelph Stove Company to the Ward. Remaining properties not suitable for industry were subdivided into smaller plots subsequently sold to workers and their families for housing.

In July of 1919, the Northern Rubber Company purchased the property from the Kennedy family and took out a \$50,000 mortgage with the Corporation of the City of Guelph; presumably this is when construction began on the factory building. The Northern Rubber Company was a locally-owned and controlled company that produced rubber boots among other products for a national market. The company was a major addition to the post-war industrial sector and was directed by individuals such as J. G. Smith, F. W. Kramer, George Drew as well as local Kennedy family members. By 1925 the company had skyrocketed to first place among Guelph's industries in employment with a payroll of roughly 600 individuals and was a prime example of J. W. Lyon's planned integration of industrial establishments and residential housing. The four-storey, state-of-the-art factory on Huron Street also boasted more square footage than any other Guelph industry at the time. The post-war period saw a decline in staff, products and local control. By 1942 the factory was granted to Northern Woodstock Rubber Company Ltd and by the 1950s, the property was under the ownership of Uniroyal Chemical Ltd.

The subject property is worthy of designation under section 29 of Part IV of the Ontario Heritage Act as it meets three of the prescribed criteria for determining cultural heritage value or interest, according to Ontario Regulation 9/06 made under the Ontario Heritage Act. The heritage attributes of 120 Huron Street display: design or physical, historical or associative and contextual value.

#### Design/Physical Value

The property has design value or physical value because it is a rare and representative example of a construction method as a four-story, state-of-the-art early 20th-century industrial factory with reinforced structural concrete and red brick spandrels. It demonstrates a high degree of technical achievement as the building design and construction method is similar to the industrial building designs of the American architect Albert Kahn.

#### Historical/Associative Value

The property has historical value or associative value because it has direct association with an activity that is significant to the community. The Northern Rubber Company was locally controlled and managed, sustained by local capital and employed 600 individuals in its heyday. The subject property yields, or has the potential to yield, information that contributes to an understanding of a community in that it represents the second stage of industrial development in St. Patrick's Ward following the First World War.

#### Contextual Value

The property has contextual value because it is important in defining the character of the area as a prime example of J. W. Lyon's planned integration of industrial establishments and residential housing. The subject building is visually and historically linked to its surroundings and is a landmark within the St. Patrick's Ward.

The following elements of the property at 120 Huron Street should be considered heritage attributes in a designation under Part IV of the Ontario Heritage Act:

- roof parapet;
- 'breakfront' design feature on west elevation;
- concrete front entrance stair;
- red brick panels between columns;
- window openings with multi-pane style windows;
- reinforced concrete structure including the interior mushroom-shaped concrete support posts

It is intended that non-original features may be returned to documented earlier designs or to their documented original without requiring Council amend the designation by-law.

Schedule C: Legal Description: 120 Huron Street

PART LOT 2, RANGE 2, DIVISION F, GUELPH, PARTS 3 AND 6, PLAN 61R-21616;  
TOGETHER WITH AN EASEMENT OVER PART LOT 2, RANGE 2, DIVISION F,  
GUELPH, PART 2, PLAN 61R-21616 AS IN WC586931; SUBJECT TO AN EASEMENT  
OVER PART 6, PLAN 61R21616 AS IN WC594030; CITY OF GUELPH

# **The Corporation of the City of Guelph**

## **By-law Number (2020) - 20557**

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects lands municipally known as 1657 and 1665 Gordon Street and legally described as Part of Lot 9, Concession 7, and a parcel of land legally described as Part of the Road Allowance between Concessions 7 and 8 and Part of Lot 9, Concession 8, designated as Part 3 on Reference Plan 61R-21700, City of Guelph (File# OZS20-011).

Whereas Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

And whereas on December 9, 2019, the Council for the Corporation of the City of Guelph passed By-law (2019)-20463, which affects the lands municipally known as 1657 and 1665 Gordon Street;

And whereas By-law (2019)-20463 contains Holding (H) provisions for the R.3A-65(H) Zone that requires the following condition to be met to the satisfaction of the City prior to development occurring on the subject lands:

Prior to the removal of the Holding ('H') Symbol, the Owner shall acquire the parcel of land legally described as Part of the Road Allowance between Concessions 7 and 8 and Part of Lot 9, Concession 8, designated as Part 3 on Reference Plan 61R-21700, City of Guelph, to the satisfaction of the City.

And whereas the Owner has acquired the parcel of land to the satisfaction of the City;

### **The Council of the Corporation of the City of Guelph enacts as follows:**

1. By-law Number (1995)-14864, as amended, is hereby further amended by deleting the (H) from the title of Section 5.3.3.1.65 and deleting Section 5.3.3.1.65.3 in its entirety.
2. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 30 and substituting a new Defined Area Map 30 attached hereto as Schedule "A".

**Passed this fourteenth day of December, 2020.**

### **Schedules:**

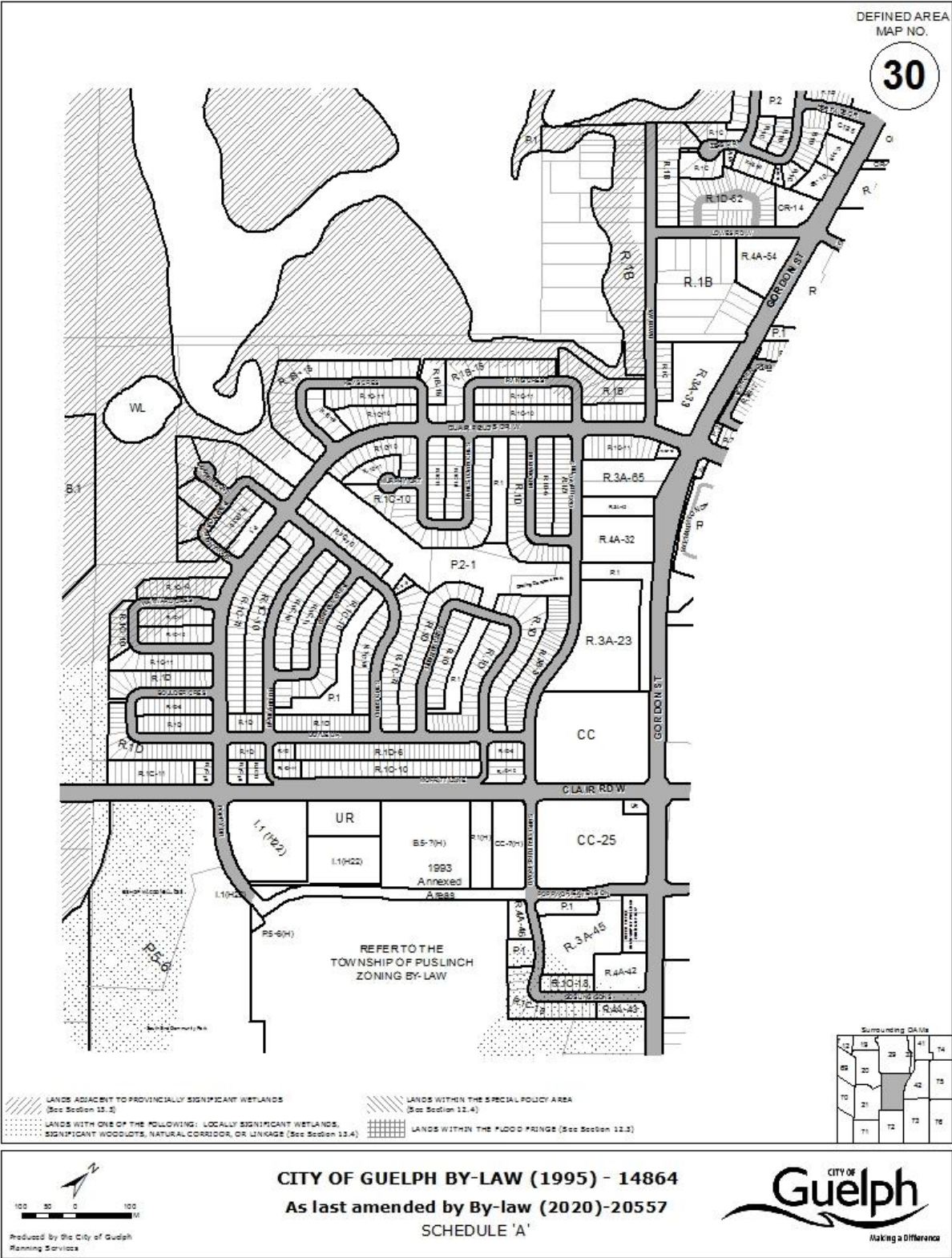
Schedule A: Defined Area Map 30

---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**



# **The Corporation of the City of Guelph**

## **By-law Number (2020) – 20558**

A by-law to confirm proceedings of a meeting of Guelph City Council held December 14, 2020.

### **The Council of the Corporation of the City of Guelph enacts as follows:**

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed, and every resolution passed at that meeting, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at this meeting, are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed, shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

**Passed this fourteenth day of December, 2020.**

---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**