

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