

Attachment 15- Public Comment Letters

From: Nancy Shoemaker <[REDACTED]>
Sent: Thursday, June 30, 2022 10:06 AM
To: Abby Watts <Abby.Watts@guelph.ca>; Katie Nasswetter <Katie.Nasswetter@guelph.ca>
Cc: [REDACTED]
Subject: Proposed Comprehensive Zoning By-law and 47-75 Willow Road

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

Good morning Abbey and Katie:

In reviewing the revised Comprehensive Zoning By-law, I am concerned about the proposed NCC-15 Zoning proposed for the recently approved zone change for the property at 47-75 Willow Road.

As I indicated in a note to Katie some months ago, this project can only meet the buffer strip requirements if the buffer can be satisfied by the provision of a fence. Although the new definition includes fence, the by-law still requires 3 metres so this development, although thoroughly vetted before a recommendation report to Council, will not meet the by-law requirements when it moves forward to site plan approval.

We are requesting either the definition of buffer be changed in the by-law to note that a privacy fence can satisfy the buffer requirement without the need for the 3 metres or a further change to the Specialized NCC-15 be added that allows a privacy fence to replace the 3 metre buffer strip requirement.

If you have any questions, please call me.

Regards

Nancy Shoemaker

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

October 21, 2022

Abby Watts
Project Manager, Comprehensive Zoning Bylaw Review
Infrastructure, Development and Enterprise Services
Planning and Building Services
Guelph City Hall
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Watts:

**RE: 103 and 105 Victoria Road North, Guelph
City of Guelph Comprehensive Zoning By-law Review
OUR FILE 18172B**

MHBC, on behalf of our clients Gemini Homes and Mr. Alex Maziarz, the property owner of 103 and 105 Victoria Road North (the “subject lands”), is pleased to submit this letter with respect to the City of Guelph’s Comprehensive Zoning By-law Review.

The subject lands are located at the northeast corner of the intersection of Victoria Road North and Cassino Avenue in the eastern portion of the City of Guelph. The site has an area of approximately 1.4 ha and a frontage of approximately 90 m along Victoria Road and approximately 156 m along Cassino Avenue. The site is currently occupied by two single-detached dwellings fronting onto Victoria Road North.

A Zoning By-law Amendment application was originally submitted for the subject lands in June 2021, with the most recent resubmission made in September 2022 (City File OZS21-008). The application is required to facilitate the redevelopment of the rear portion of the subject lands with a multiple residential development. The existing single detached dwellings fronting Victoria Road are proposed to be retained. A statutory public meeting was held for the application on September 13, 2021. MHBC and the property owners are currently working with Staff through the review process and anticipate a decision on the application in the coming months.

MHBC has reviewed the City’s Draft Zoning By-law released to the public on July 13, 2022. We note the proposed zone for the subject lands is **RL.1(CDA) – Low Density Residential 1, Current Development Application**. The purpose of the RL.1 zone is to accommodate single detached dwellings, semi-detached dwellings and duplex dwellings, as well as small apartment buildings and on-street townhouses. However, as per the Staff Report dated November 8, 2021, it is our understanding that the CDA suffix refers to a site

with an active development application and that a zoning category has not been assigned to these properties at this time.

We support maintaining the CDA suffix on the subject lands to reflect the ongoing review of the Zoning By-law Amendment application and request that this suffix be reflected on the mapping schedules as they are created. In the event that the Zoning By-law Amendment for the subject lands is approved in advance of Council's consideration of the Comprehensive Zoning By-law, we respectfully request that zoning of the subject lands in the Comprehensive Zoning By-law be revised to reflect the approved zoning of the subject lands.

We also request to be added to the City's circulation list with regard to the Comprehensive Zoning By-law review. We look forward to continuing to work with City staff in connection with this site.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "E Elliott". The signature is stylized and cursive.

Emily Elliott, BES, MCIP, RPP
Associate

cc. *Jason Fabbian, Darryl McMillan, Joe Harris*

From: [REDACTED]
Sent: Sunday, July 10, 2022 3:23 PM
To: Dominique O'Rourke <Dominique.ORourke@guelph.ca>; Clerks <clerks@guelph.ca>
Cc: [REDACTED]
Subject: 1166-1204 Gordon Street: Our Comments

Hello Dominique,

We are writing with our comments about 1166-1204 Gordon Street. As with our previous comments on other developments near Valley Road, we have chosen to focus solely on Parking because permitting buildings to be constructed with inadequacies affects the safety of all residents in our area.

To remind ourselves of the current situation, Solstice was allowed to be built at Gordon and Edinburgh with vastly inadequate parking so that residents and visitors regularly use Lansdown and Valley Road as their parking areas. The new development will dramatically impact the number of spaces that Solstice residents and visitors can use. We want to know from Guelph Council what is the plan for coping with this.

At first reading, the new proposal for 1166-1204 Gordon Street has adequate facilities for its residents and visitors in terms of total number of spaces. However, the developer has achieved this by reducing the size of each space down from the mandated 3.0m x 6.0m to a paltry 2.75m x 5.5m. With due respect council members, this will cause parking nightmares in very tight spaces. They are also asking that council agree to waive by-laws for location of parking proximal to property boundaries to squeeze in these inadequate facilities.

We strongly recommend that you refuse to accept this proposal in its current flawed format. Equally well, if you as a group are going to accept proposals for this area of Lansdown, you must have a plan for the well-known Solstice overspill parking issues.

On a final note, we understand the need for Guelph to actively promote and utilize the Intensification corridor concept as Guelph grows. Council should want to do this properly. We want to see it done properly. Parking is a critical issue. It cannot be treated lightly and any suggestion to "reduce parking minimums for high intensity buildings" should be treated as reckless to the safety and well-being of the community. So please don't even consider it.

Rgds,
Chris & Anne Marie Doyle



July 11, 2022

Project No. 2150

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Provided via email only to zoningreview@guelph.ca

Attention: Abby Watts, Project Manager – Comprehensive Zoning Bylaw Review

Re: Comprehensive Zoning By-law, Draft Zoning Bylaw – July 2022

Thank you for the opportunity to review the Guelph Comprehensive Zoning By-law, Draft Zoning Bylaw – July 2022.

The University of Guelph appreciates the ongoing working relationship enjoyed with the City of Guelph as it relates to the Comprehensive Zoning By-law Review. We would appreciate the opportunity to meet with you to review these additional comments and determine the best approach to resolve the feedback provided to ensure it is included in the final version of the by-law that will be presented to Council for approval.

The comments provided below are related to 5 College Ave West, 1 College Ave West, 0 Gordon Street & 363 - 369 Gordon Street and Site-specific institutional research park (IRP) zones.

Please review the feedback below that we would like to discuss related to the draft comprehensive zoning bylaw:

- The University of Guelph owns the properties with municipal addresses 5 College Ave West, 1 College Ave West, 0 Gordon Street & 363 - 369 Gordon Street. Currently, 363 – 369 Gordon Street is zoned NCC neighbourhood commercial centre. 5 College Ave West, 1 College Ave West, 0 Gordon Street is zoned RM.5 Medium density residential 5. The University is seeking to have the NCC, neighbourhood commercial centre zoning applied to 5 College Ave West, 1 College Ave West, 0 Gordon Street, to align with the adjacent NCC zoning at 363 – 369 Gordon Street.
- Please add a site-specific exemption to the new zoning bylaw parking rate regulations for 5 College Ave West, 1 College Ave West, 0 Gordon Street & 363 - 369 Gordon Street.



- Pertaining to 18.20 Site-specific institutional research park (IRP) zones, the University is seeking a maximum building height of 10 storeys across zones IRP-1, IRP-2, IRP-3, IRP-4, IRP-5.
- In IRP zones IRP-1, IRP-2, IRP-3, IRP-4, IRP-5, please add an exemption to the new zoning bylaw parking rate regulations.

We look forward to meeting with you to review and discuss the feedback provided above.

Sincerely,

Sonya Donovan

Sonya Donovan

Director of Real Estate

(416) 602-3562

Sdonov01@uoguelph.ca

University of Guelph

CC Harry Bakker

Associate Vice-President, Physical Resources

University of Guelph

Dave Hargreaves

Associate Vice-President, Finance

University of Guelph

Mellissa McDonald

Director, Government Relations, and Community Engagement

University of Guelph

Paul Mesman

Director, Design, Engineering and Construction, Physical Resources

University of Guelph

Brandon Raco

Sustainability Manager, Physical Resources

University of Guelph

From: Dawson McKenzie <dmckenzie@mhbcplan.com>
Sent: Tuesday, June 21, 2022 4:42 PM
To: Abby Watts <Abby.Watts@guelph.ca>
Cc: Dan Currie <dcurrie@mhbcplan.com>
Subject: City of Guelph Zoning By-Law Review: 5102 Whitelaw Road

Hi Abby,

We received the notice of Public meeting for the Comprehensive Zoning By-Law. The notice mentions that the purpose of the corresponding OPA is to re-designate site-specific properties from low density to medium density, high density, etc. The notice lists properties to which the OPA will apply to.

We submitted comments back in December on the proposed zoning by-law for our client whose property is located at 5102 Whitelaw Road (see attached). We requested that a medium density residential 6 zone be applied to the property. Our client's property was left off of the notice.

Could you provide some clarification on why our Client's property was not listed? Will the medium density residential 6 zone be considered for our client's property at this public meeting? Or perhaps are these properties listed being considered for a more site specific policy?

We would be happy to set something up to discuss further if needed. Any clarification would be greatly appreciated!

Thanks,

DAWSON MCKENZIE BA | Planner

MHBC Planning, Urban Design & Landscape Architecture

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From: [REDACTED]
To: [Abby Watts](#)
Cc: [Bob Bell](#); [Dominique O'Rourke](#); [Mark MacKinnon](#); [Cathy Downer](#); [Leanne Caron](#); [Christine Billings](#); [Mike Salisbury](#); [June Hofland](#); [Phil Allt](#); [Rodrigo Goller](#); [James Gordon](#); [Dan Gibson](#); [Mayors Office](#)
Subject: Re: Shipping Containers
Date: Wednesday, July 13, 2022 5:38:23 PM

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

I just checked the agenda for the sea can ban section of the meeting and noticed my correspondence is not included. Can someone please tell me why?

On Fri, Jul 8, 2022 at 9:50 AM darren strachan [REDACTED] wrote:

Hello,

I only learned about City staff wanting to practically ban sea cans Thursday morning. The City of Guelph should notify small businesses when they come up with such a devastating proposal.

Sea Cans have blended into the scenery and have been in use all over this city and others for many years. They have several practical uses for example offices, storage, housing, to grow food and even in Toronto there's a popular outdoor market called "Stackt".

Shipping Containers are the perfect solution for many problems we face today. They are versatile, climate change proof, completely recyclable at the end of their lifespan and from my personal experience they can be easily moved as my business grows and changes.

We should be celebrating and encouraging their use, not restricting and banning.

This proposal sounds like it is one person's effort in bylaw or zoning to push through this ban. We shouldn't let the opinion of one person harm and limit business and to ruin any future chance Guelph has of providing creative and innovative solutions to some of the biggest problems facing society today and believe me Sea Cans will be a big part of this.

Thank You,

Darren Strachan

[REDACTED]

To Whom It May Concern:

My name is Derek Vos, and I own/operate a local fresh produce business here in Guelph. My parents started this business in 1980 by farming fresh veggies and selling them at various farmers markets. Over the years we have opened several locations throughout Guelph, the Tri-Cities, and other surrounding regions. We only sell produce grown by Ontario farmers.

I purchased a property on Industrial Street back in 2020, with long term plans of using shipping containers for storage on my property. Before purchasing the property, I drafted exact designs of how the entire layout would look. In preparation for my seasonal operation in 2021, I purchased an insulated cooler which was converted from a shipping container. I spent very large amounts of money installing everything that was necessary in order for this cooler to be functional.

I have put considerable time and energy into making sure my property is well-organized and appealing to look at. I do not have the capital to afford upgrading my shipping containers to alternative forms of storage. I am asking that this zoning bylaw be reconsidered, as it would very negatively affect my business if I was unable to use shipping containers.

Thanks for your consideration,

Derek Vos
President and CEO
Barb's Inc.

From: [Bob Bell](#)
To: [Abby Watts](#)
Subject: Fwd: sea containers
Date: Sunday, June 26, 2022 9:18:59 AM

Fyi

From: Peter Bernardi [REDACTED]
Sent: Sunday, June 26, 2022 9:17:41 AM
To: Bob Bell <Bob.Bell@guelph.ca>
Subject: sea containers

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

Hi Bob. I hope all is well. Thank you for your great work at council. We have been in business for over 60 years and find it tougher every year that passes. We are against the proposed limit to containers on a property since they really help out in dealing with extra storage requirements from time to time. Since we cannot afford to build a building for this extra storage, containers really do help out.

thanks

Peter Bernardi
Bernardi Precast Inc.
412 Elizabeth St.
Guelph, Ontario
N1E 2Y1
519 822 4820
Bernardi Precast Inc.
412 Elizabeth St.
Guelph, Ontario
N1E 2Y1
519 822 4820

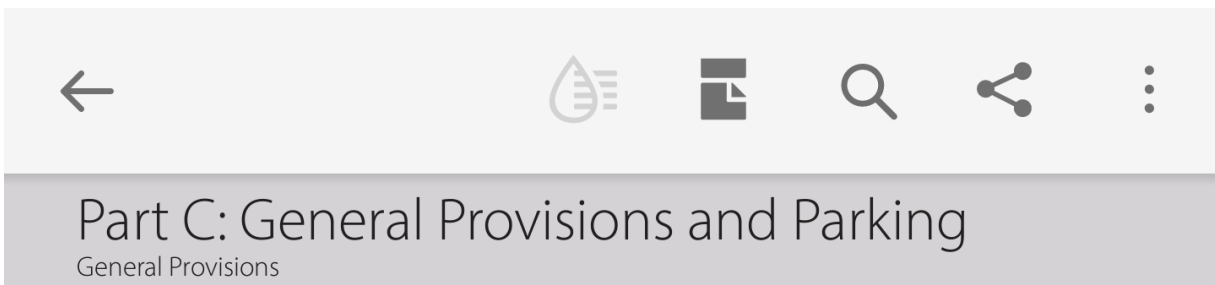
From: [REDACTED]
To: [ZoningReview](#)
Subject: Clarity - 4.28 shipping containers
Date: Tuesday, December 14, 2021 5:45:18 PM
Attachments: [Screenshot_20211214-153606.png](#)

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Good evening ,

To whom it may concern -.

I own and operate a few small business endeavours in the city of Guelph and I had a provisional zoning amendment sent to me today that states the following regarding shipping containers.



Section 4.6.

4.28 Shipping container

- (a) A shipping container may be **used** for outdoor storage where permitted and in accordance with the following provisions:
 - (i) 1 shipping container is permitted per 0.4 hectares of **lot area** or part thereof to a maximum of 4. In no case is a shipping container permitted on a **lot** with an area of less than 0.4 hectares.
 - (ii) In no case shall a shipping container exceed a height of 3 metres and a total length of 16.76 metres.
- (b) A shipping container is not permitted on a **lot** in a residential **zone**.
 - (i) Despite Subsection 4.28 (b), a shipping container may be permitted in a **driveway, residential** for a period not exceeding 30 days in any given year, provided that the shipping container is not located within or blocking access to a required **parking space**, and that the shipping container is **setback** a minimum of 0.6 metres from a **street line**.
- (c) Where a shipping container is converted and **used** as a construction material for a **building** or an **accessory building or**

a building or an accessory building or structure subject to the Ontario Building Code Act, it is considered a **building** or **structure**.



Part C: General Provisions and Parking

Parking

5. Parking

No land shall be **used**, and no **building** or **structure** shall be **used** or erected in any **zone** unless off-street **parking spaces, parking areas, driveways, loading spaces**, or any other applicable requirement specified within this Section, are provided and maintained in accordance with all applicable provisions, unless explicitly stated otherwise.

5.1 Calculation

- (a) If the calculation of the required **parking spaces** or **bicycle parking spaces** results in a fraction, the required **parking spaces** or **bicycle parking spaces** shall be the next higher whole number.

5.2 Location

metres from the **street line** and to the rear of the front wall of the **main building**.

- (ii) Where an off-street **parking space** does not exist and where such space cannot be provided to the rear of the front wall of the **main building** of an existing **dwelling unit**, 1 off-street **parking space** may be wholly or partially located within the required **front yard** provided such **parking space** is **setback** a minimum of 1.5 metres from the **side lot line**.
- (iii) Despite 5.2.1 (a) (i), in the case of a **through lot, parking space** may be wholly located within one of the **front yards**, behind the front wall of



One of my properties that I own has numerous containers on site that house building materials for small business across our city. This was a cost effective solution that followed all bylaws (being in an interior side yard, etc) prior to this proposal. I have around 15-20 small businesses that will be heavily impacted if the city of Guelph decides that this is to become effective and I really do not think there is a logical reason for making this become a reality. I would love to be a part of a conversation regarding this and how it will be implemented, when it will be implemented and is there a grandfathering of such? I have spoken to numerous of them today and there will be lots of letters to follow as you are picking on small business owners who A) Cannot afford to have any other space in our city limits. B) Cannot FIND any space in our city limits, and C) Service our community in many trades/construction/services that our city is very heavily already fighting hard to keep especially in these current times. I

urge you to re-think what this will do to our working class- the ones who keep your house together, the ones who pay our taxes, the ones who are your very neighbours who are also being told that they cannot park their commercial vehicles in their driveways , who also are the ones who will suffer from the current proposed changes to # of garages on single family dwellings etc. These people NEED this space . This is their livelihoods and their jobs at risk and I honestly think that the discussion needs to be well planned and executed.

I would like to be a delegate in a discussion whenever the time may come to fight for these people and their businesses. I must say I am extremely disappointed as well that changes like this were not even known by my council-men that represent our ward and small businesses/property owners in zones effected have not been notified ... This is a BIG deal. There are NUMEROUS businesses who this will effect (PDI being one off the top of my head who this will have a massive impact on- Are they aware of the changes ?). Although I can understand the proposal for this change in a residential dwelling it does not make ANY sense to have industrial and commercially zoned buildings to be put under the same umbrella. I do truly think you need to re-consider this idea and please keep me informed as to how to advocate and delegate for any upcoming talks regarding this matter. I look forward to working towards a resolution and to having a further discussion in the near future.

Thank you for your time.

Craig Dool
President
Dool Holding Corp.
519-362-0609

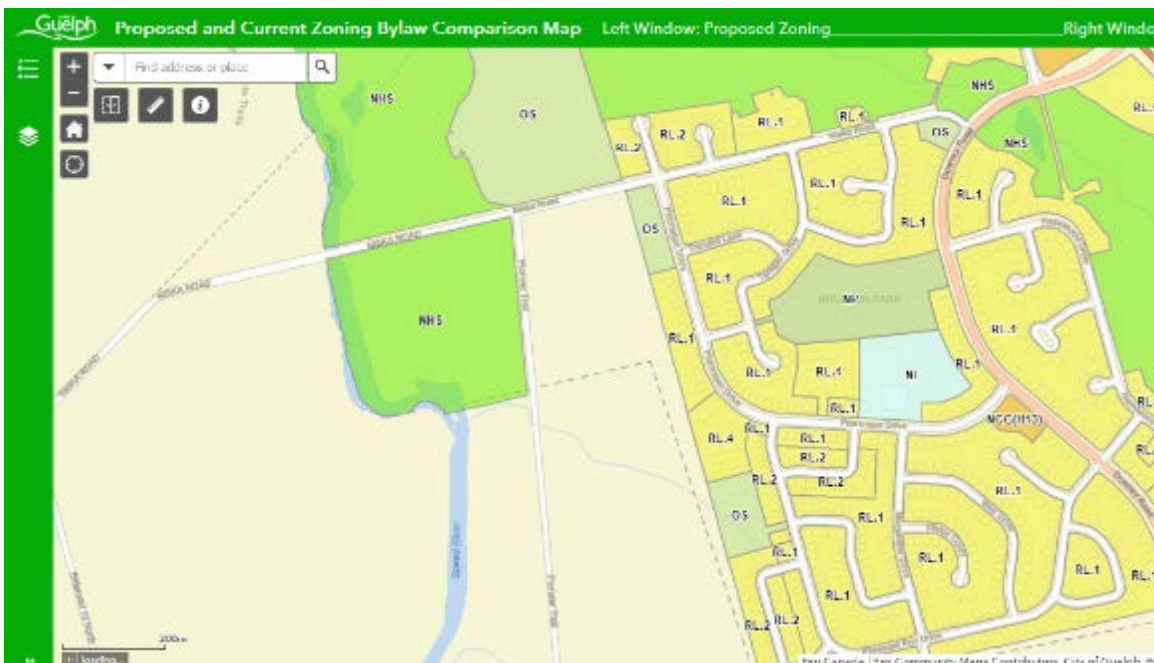
From: Paul Kraehling [REDACTED]
Sent: Wednesday, July 13, 2022 6:10:26 PM
To: Dominique O'Rourke <Dominique.ORourke@guelph.ca>
Subject: More Errors on the Mapping Schedules of the Zoning By-law

Hello Dominique,

I know you are now in council session; sorry for this late note. I have looked at the comprehensive zoning by-law and there are several glaring mapping errors. I do not understand the 'status' of this CZB edition as it appears to me similar to the one released last fall. So . . .

a) city storm water management ponds are zoned sometimes as OS and other times as NHS;
don't understand the distinctions and inconsistencies;

b) the large property on Niska at Pioneer is 'not zoned' - Why? see map image below:



FYI and consideration; all the best,

Paul



8 Smith Ave/101 Beverly Ave, Guelph ON, N1C 0A1

December 14, 2021

Recently we were made aware that the current proposed City of Guelph zoning bylaw includes a new provision limiting shipping containers to 1 per 0.4 hectares. Currently, we rent a shipping container from the landlord at this address in addition to renting a unit at 101 Beverly. We also own a shipping container on this lot that is used to store equipment.

This shipping container restriction would be disruptive to our business as well as many of the other businesses that work in the area.

Sincerely

Richard Preiss
Cofounder

From: [REDACTED]
To: [Abby Watts](#); [Krista Walkey](#); [Mayors Office](#); [Dan Gibson](#); [Bob Bell](#); [James Gordon](#); [Rodrigo Goller](#); [Phil Allt](#); [June Hofland](#); [Mike Salisbury](#); [Christine Billings](#); [Leanne Caron](#); [Cathy Downer](#); [Mark MacKinnon](#); [Dominique O'Rourke](#)
Subject: Shipping Container Bylaw Change
Date: Thursday, July 7, 2022 6:25:01 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
Importance: High

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

Good evening,

I'm writing in regard to the proposed shipping container restrictions for business properties in Guelph. If passed it would be extremely detrimental to local manufacturing and construction businesses, hindering our ability to supply them as an electrical parts distributor.

Supply chain issues have given us no choice but to take on more inventory than ever to mitigate the lengthy lead times of crucial materials. Taking away this needed storage would disrupt the supply to important businesses such as Linamar and Skyjack who rely heavily on us. So please reconsider this because it will impact all of us.

Thank you,



James Steeds

Branch Manager

C (519) 501 7254
A 120 Dawson Rd, Guelph ON N1H 1A6
W <https://www.quillevin.com>
E james.steeds@quillevin.com



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Avant d'imprimer, pensez à l'environnement.

From: [REDACTED]
To: [Clerks](#)
Cc: [ZoningReview](#); [REDACTED]
Subject: Sea cans as storage units
Date: Thursday, July 14, 2022 4:43:20 PM

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to be part of the community discussion that was proposed at the City Hall meeting last night.

I am one of the contractors that Craig Dool mentioned in his address to Council members and if the zoning bylaw is changed to eliminate sea cans as storage units my business and many others will be greatly affected.

I look forward to hearing from you and to giving my thoughts on how contractors like myself rely on these storage units.

Thank you,

Greg Hartmann
Hartmann Windows & Doors

From: Hugh R Whiteley [REDACTED]
Sent: Thursday, July 7, 2022 1:14 PM
To: ZoningReview <ZoningReview@guelph.ca>
Subject: How to access Schedule B-8

Greetings:

I notice that the definition of proposed zone (NHS) says this zone applies (1) to lands designated as significant natural areas and natural areas and (2) to the floodway portion of the regulatory floodplain in the Official Plan.

I understand that in the portions of the Speed and Eramosa River valley that have two-zone floodplain designation the portion of the regulatory floodplain that is the hydraulic floodway is mapped in the Official Plan and thus the area to be zoned (NHS) is clearly identified.

I am not clear on what portion of the regulatory floodplain should be zoned (NHS) in the one-zone portions of the Speed and Eramosa river valleys or the valleys of tributaries to the Speed and Eramosa Rivers.

Please explain how (NHS) zoning applies to one-zone floodplain portions of river and tributary vallies. In particular is the whole floodplain considered a hydraulic floodway in one-zone areas ?

Also could you provide the url which gives access to the Schedule B maps in particular Schedule B-8 ?

Thanks for your help in clarifying this aspect of the proposed zoning.

Best regards

Hugh Whiteley

VIA EMAIL

July 7, 2022

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

Attention: Mr. Stephen O'Brien, General Manager / City Clerk

Dear Mr. O'Brien:

**Re: July 13, 2022 Public Meeting
City of Guelph – Comprehensive Zoning By-law Review
Second Draft of the Comprehensive Zoning By-law (July 2022)
Preliminary Comments on Behalf of Loblaw Companies Limited
Guelph, Ontario
Our File: LPL/GPH/21-01**

We are the planning consultants for the City of Guelph Comprehensive Zoning By-law Review for Loblaw Companies Limited ("Loblaw"), the land owner and/or lease holder of lands within the City of Guelph, including:

- The vacant lands at 115 Watson Parkway North (formerly 72 Watson Road North), which are currently split zoned CC-15(H), P.1 and FL, and are proposed to be split zoned CMUC-14(PA)(H11)(H13) and NHS, with a portion of the NHS zoned lands shown on Schedule B-8: Floodplain Overlay and a portion shown on Schedule B-11: Wellhead Protection Overlay. The lands are subject to a Zoning By-law Amendment application (File No. ZC0512);
- The existing Zehrs at 1750 Gordon Street, which is currently zoned CC-17 and proposed to be zoned CMUC-1(PA)(H13);
- The existing Zehrs store at 1045 Paisley Road, which is currently zoned CC-28 and proposed to be zoned CMUC-11(PA)(H13);
- The existing Zehrs store at 297-299 Eramosa Road, which is currently zoned CC-6 and proposed to be zoned MUC(PA)(H13) and shown on Schedule B-1: Older Built-up Area Overlay, which are subject to a number of minor variances;
- The existing No Frills store at 111-191 Silvercreek Parkway North, which is currently zoned CC-9 and proposed to be zoned MUC(PA)(H13)(CDA);
- The existing No Frills store at 35 Harvard Road, which is currently zoned CC and proposed to be zoned NCC-14(PA)(H13); and
- The existing Zehrs store at 160 and 170 Kortright Road West, which is currently zoned CC-4 and are proposed to be zoned NCC-11(PA)(H13).

On behalf of Loblaw, we have been monitoring the City of Guelph Comprehensive Zoning By-law Review. On January 12, 2022 we provided comments for the City's First Draft Comprehensive Zoning By-law dated November 2021 and discussed our comments with Staff at a meeting on February 1, 2022.

On June 16, 2022, we received Notice of a Public Meeting where a revised Draft Zoning By-law dated July 2022 (the “Draft By-law”) will be considered at a July 13, 2022 Public Meeting. According to the Staff Report 2022-245 dated June 30, 2022 it is our understanding that Staff will review feedback received at the open house and statutory public meeting and make appropriate changes to the By-law. Staff anticipate bringing the final Zoning By-law to Council for approval in Q1 of 2023. Lastly, we note that the Staff Report included responses to our comments dated January 12, 2022.

On behalf of Loblaw, we have the following preliminary comments for the Draft By-law, and may provide further comments as required:

- In general, Loblaw wants to ensure that the development potential and existing zoning permissions for their stores and lands will not be compromised by the Draft By-law. In addition, Loblaw wants to ensure that the permissions previously secured through approved minor variances affecting their lands remain intact.
- Section 5.2.3 for the Location of Parking and Commercial, mixed-use, employment, institutional, utility uses states:
 - (a) No parking area or parking space shall be located within 3 metres of any street line or any other lot line.
 - (b) A parking area shall be screened from view from any street with suitable landscaping consisting of sod, trees, shrubbery or berms.
 - (c) In any commercial, mixed-use, or downtown zone, parking spaces and parking areas shall be located in interior side yards or rear yards.
 - (d) In any commercial or mixed-use zone, no parking area or parking space shall be located within 15 metres of the corner lot line of any intersections of a street, public.
 - (e) In any mixed-use zone, no parking area abutting an arterial road, identified in the City's Official Plan in force and effect on the effective date, shall be greater in length than 25% of the length of any lot line adjacent to an arterial road.

In our comments dated January 12, 2022, we submitted that in order to avoid rendering existing conforming developments as non-conforming under the new By-law, it would be appropriate to add a “Vacuum” clause to the Draft By-law, where notwithstanding any other provisions of the new By-law, any lot and the location thereon of any building or structure, existing on the effective date of the new By-law, would be deemed to comply and would be permitted by the new By-law. In addition, it would be appropriate to provide an allowance for additions and alterations to legally existing buildings without rendering the existing development as non-conforming as a result of the addition or alteration.

For Section 5.2.3(e) we submitted that the corresponding Official Plan Policy 8.12.9 states “The Zoning By-law may establish the maximum length of frontage along arterial roads that may be used for surface parking. This provision may provide different standards for various land uses”. Based on Minutes of Settlement resulting from the OLT appeal of OPA 48, for the Loblaw lands the interpretation of Policy 8.12.9 “is intended to be implemented through site-

specific applications and shall be interpreted to include flexibility by allowing for the maximum length to be determined through the implementing zoning by-law.” Accordingly, further review is required for the Loblaw Lands, whereby site-specific exceptions may be appropriate.

In response, Staff advised “Official Plan policy 8.12.1 provides direction for building placement in combination with landscaping to be used to screen surface parking areas. In addition, the Commercial Built Form Standards provides direction to not locate surface parking along the front or exterior side yard of a commercial or mixed-use property. The location of parking should contribute to barrier-free and efficient circulation for people walking, cycling and driving, and appropriate transition between the public and private realm. The appearance of parking should not dominate the visible edges of a site and buildings entrances should align with the grade of adjacent sidewalks or public walkways. Section 1.4.3 provides appropriate protection for noncomplying buildings and lots. Any pre-existing legal building or structure, or lot that does not comply with the new by-law is deemed to conform with the new by-law. Also, this section provides appropriate permission for enlarging, repairing and reconstructing existing buildings and structure. Beyond this permission, either a minor variance application or rezoning application would be required.” In addition, Staff advised “The intent of the proposed zoning bylaw is to pre-zone lands to the maximum height and density of the Official Plan. This will limit the need for individual site-specific zoning bylaw amendments.”

Section 1.4.3 includes “repair” and “renovation” provided that the repair” or “renovation” complies with all other applicable provision of this by-law”, whereby we are concerned that the repair or renovation to the existing retail stores would trigger a minor variance or rezoning application. In addition, Staff Report 2022-245 notes that “Section 34 (10.0.0.1) of the Planning Act establishes a two-year moratorium for applications to amend the bylaw when Council repeals and replaces the zoning bylaw in effect ... A recommendation related to the two-year moratorium will be provided at the Council decision meeting.” (p. 8) Accordingly, we continue to suggest that it would be appropriate to include a provision that the location of parking legally existed on the effective date of the by-law are exempt from the new requirement and that further review is required for the Loblaw Lands, whereby site-specific exceptions may be appropriate.

- Section 5.4 for Loading space requirements states “(a) All loading spaces shall be located to the rear of the front wall of a building or to the rear of an exterior side wall of a building facing a street, public”.

In our comments dated January 12, 2022, we requested clarification as to the interpretation of “front wall” and “exterior side wall” that are not defined terms, particularly for sites where existing retail stores have frontage on the side of the building where loading is located (e.g., the No Frills at 191 Silvercreek Parkway North and the Zehrs at 1045 Paisley Road). We submitted that it would be appropriate to include existing loading within a vacuum clause as described above, in order to ensure that the existing condition remains conforming.

In response, Staff advised “‘Front wall’ and ‘Exterior side wall’ of a building aligns with the front lot line and exterior side lot line of a property. Section 1.4.3

provides appropriate protection for noncomplying buildings and structures. Any pre-existing legal building or structure, or lot that does not comply with the new by-law is deemed to conform with the new by-law. Also, this section provides appropriate permission for enlarging, repairing and reconstructing existing buildings and structure. Beyond this permission, either a minor variance application or rezoning application would be required.

As noted above, Section 1.4.3 includes “repair” and “renovation” provided that the “repair” or “renovation” complies with all other applicable provision of this by-law”, whereby we our concerned that a renovation to the existing retail stores would trigger a minor variance or rezoning application. Accordingly, we continue to suggest that it would be appropriate to include a provision that loading spaces legally existed on the effective date of the by-law are exempt from the new requirement.

- Section 5.4 for Loading space requirements states “(b) All loading spaces facing a street, public shall be screened with a minimum 3 metre wide buffer strip.”

In our comments dated January 12, 2022, we submitted that it would be appropriate to include existing loading within a vacuum clause in order to ensure that the existing condition remains conforming where a minimum 3 m wide buffer strip is not currently provided.

There was no response provided by Staff for the comment. Based on the Staff response to our comment for Section 5.4 as noted above, we continue to suggest that it would be appropriate to include a provision that loading spaces legally existed on the effective date of the by-law are exempt from the new requirement.

- Section 5.8 and Table 5.6 Required bicycle parking rates in all zones except downtown zones, provides for minimum short term and long term bicycle parking spaces requirements. The corresponding Official Plan Policy 8.12.6 states “Bicycle parking shall be provided and conveniently located in close proximity to building entrances. Sheltered bicycle parking should be integrated into the built form.”

Our comment dated January 12, 2022 submitted that as there are no bicycle parking requirements under the current By-law, the supply of parking existing on the effective date of passing of the new By-law should be deemed to comply with the By-law in order to ensure that existing development remains conforming.

In response, Staff advised “Section 1.4.3 of the proposed zoning bylaw provides the appropriate permission for any existing non-complying building or lot. This section provides appropriate protection for existing uses, lots and buildings/structures and it provides an appropriate permission for enlarging, repairing, and reconstructing existing buildings and structures.”

As noted above, Section 1.4.3 includes “repair” and “renovation” provided that the “repair” or “renovation” complies with all other applicable provision of this by-law”. We are concerned that the repair or renovation to existing retail stores will trigger the need for a minor variance or rezoning application. We continue to

suggest that it would be appropriate to include a provision that the supply of bicycle parking that legally existed on the effective date of the by-law is exempt from the new requirement.

- Section 5.9 Electric vehicle parking requirements states “(c) For any non-residential use, a minimum of 10% of required parking spaces shall be provided as electric vehicle parking spaces and a minimum of 20% of required parking spaces shall be provided as designed electric vehicle parking spaces”. Based on the definitions, “Designed electric vehicle parking space means a parking space designed and constructed to be electric vehicle ready, allowing for the future installation of electronic vehicle supply equipment that conforms to Section 86 of the Electrical Safety Code.”

Our comments dated January 12, 2022 submitted that the installation of electrical charging stations should be optional and not a requirement for all developments. The Guelph Commercial Built Form Standard 3.2.1.9 states “Electrical Vehicle Charging Stations should be provided on commercial and mixed-use sites”, whereby electric vehicle parking is currently encouraged.

In response to our comments, Staff advised “The Ontario Building Code does not provide electric vehicle parking requirements. In order to be future ready and have the infrastructure in place, the proposed zoning bylaw has maintained electric vehicle parking space requirements. These regulations will contribute to supporting the increased demand for electric vehicle parking and will help to reduce barriers to the use of electric vehicles and ensure that this option becomes increasingly practical for consumers. The City of Guelph’s Community Energy Initiative identifies increasing the share of electric passenger vehicles and commercial vehicles by 2030 as key actions in the “low carbon pathway” to becoming a Net Zero Community by 2050. This direction is also supported by the recently approved Transportation Master Plan.”

We reiterate our comment that the installation of electrical charging stations should be optional and not a requirement for all developments.

- For the proposed CMUC, MUC and NCC zones, we have the following comments:
 - For Section 7.31(a), the lands at 115 Watson Parkway at approximately 64,500 ha, exceed the maximum lot area of 50,000 sq. m, whereby it would be appropriate to include a site specific regulation under the proposed CMUC-14 zone;
 - Section 7.3.1(b): Under the existing CC zones for the Loblaw lands, a planting area comprised of a landscaped strip of land 3 m in width shall be maintained adjacent to the Street Line, except for those areas required for entry ramps, whereas the minimum buffer strip has been revised to require a 3 m wide buffer strip adjacent to interior side and rear lot lines, which could render existing developments non-conforming. In our submission, it would be appropriate to include a provision that existing

buffer strips that legally existed on the effective date of the by-law are exempt from the new requirement;

- Sections 7.3.1(b) and 7.3.3.(b): Under the existing CC zones for the Loblaw lands, the minimum landscaped open space is 9% of the lot area, whereas the proposed minimum landscaped open space is 20% of the lot area (30% of the required landscaped open space area can be in the form of a green roof or blue roof).

In our comments dated January 12, 2022, we submitted that a minimum landscaped open space of 20% is considerably higher and will render existing developments non-conforming. For new development, the minimum landscaped open space of 20% may be a barrier to redevelopment and could result in less intensive development and may preclude modest expansions and additions to existing buildings.

In response, Staff advised “Landscaped open space requirements have been developed for mixed-use zones in the new zoning bylaw. The current 9% requirement is for existing commercial zones. Landscaped open space regulations have been reviewed and revisions have been made”.

In our submission, we reiterate our comment that the existing minimum of 9% should be maintained.

- Sections 7.3.1(c) and 7.3.3.(c): the proposed minimum building height is “7.5 m for buildings located within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date.”

In our comments dated January 12, 2022, we noted that corresponding Official Plan Policy 8.6.13 states “Generally, a minimum building height of 2 storeys will be *encouraged* [emphasis added] to provide definition to streets and open spaces. Regulations for minimum building heights *may* [emphasis added] be incorporated into the Zoning By-law for nonresidential uses at key locations such as sites fronting onto arterial or collector roads, identified Main Streets and at intersections.” In our submission, as the Official Plan provides “encouragement” language, it is not appropriate to incorporate a minimum building height requirement in the implementing zoning on a comprehensive basis. The “may” under Policy 8.6.13 should be interpreted as not mandatory but rather optional or discretionary. In our submission, regulations for minimum building height should be considered on a site-specific basis under future zoning by-law amendments and not through the new comprehensive Zoning By-law.

In response, Staff advised “Once the new zoning bylaw is in effect, it is anticipated that many development projects would not be required to go through a full zoning bylaw amendment process to comply with the Official Plan designation. The purpose of the new zoning bylaw is to pre-zone lands for maximum permissions under the Official Plan. With pre-zoning lands, built form regulations have been applied on a city-wide

basis to ensure appropriate development and transitions are built into the bylaw. It is anticipated that minor variances will be the appropriate route to deal with site specific situations.”

We continue to be concerned with the required minimum building heights and note that for any “repair or “renovation” of existing buildings under Section 1.4.3 would require compliance. In addition, small building additions to existing commercial buildings such as the enclosure of cart corrals or loading facilities would need to have a minimum building height of 7.5 m under Section 1.4.3. Accordingly, we submit that minimum building height should not be included under the new comprehensive Zoning By-law.

- Sections 7.3.1(c) and 7.3.3.(c): the proposed maximum building length is “75 m for buildings located within 15 m of a street”.

In our comments dated January 12, 2022, we noted that the corresponding Official Plan Policy 8.6.8 states “Long building facades that are visible along a public street will incorporate recesses, projections, windows or awnings, colonnades and/or landscaping along the length of the facade to reduce the mass of such facades.” We note Official Plan Policy 8.8.1v) for Mid-rise buildings that states “where buildings are taller than four (4) storeys, building length may be restricted through the Zoning By-law to reduce impacts such as shadowing”.

In response, Staff advised “The Commercial Built Form Standards recommended limiting commercial building lengths to 75 metres for buildings that are located within 15 metres of the front or exterior side lot lines. This will allow for larger commercial buildings to be located on the interior of the site. This regulation ensures pedestrian scale buildings and reduces shadowing impacts. The proposed zoning bylaw has been updated to add flexibility by specifying that this regulation only applies to buildings within 15 metres of a street for the mixed-use zones and the residential RM.6 and RH.7 zones.”

In our submission, we reiterate that the maximum building length regulation should be removed since Official Plan policy 8.6.8 is not appropriately implemented and would be more appropriate as an urban design guideline.

- Sections 7.3.1(d) and 7.3.3.(c): the proposed minimum first storey transparency is “40 % of the surface area of the first storey facing a street, up to 4.5 m from the ground, be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date.”

Our comments dated January 12, 2022 submitted that the corresponding OLT approved Official Plan Policy 8.6.1 states “New buildings shall address the street. Buildings will enhance the rhythm and frequency of the immediate vicinity, and where appropriate, will have entrances and windows that face the street” and OLT approved Policy 8.6.2 states “The

principal entrances of commercial and mixed-use buildings shall be oriented toward and/or visible from the street and provide direct user entrances from adjacent streets and walkways. Blank facades facing a street, open space or park shall not be permitted.” Under minutes of settlement for the Loblaw appeal of OPA 48, with respect to Policy 8.6.2 the term “blank facades”, which is not defined, shall not be defined to exclude or preclude the use of glazed windows or alternatively a combination of glazed display windows together with façade articulation and/or spandrel windows in order to facilitate operational requirements. In our submission, the regulations for transparency would be appropriate as guidelines (the Guelph Commercial Built Form Standard 4.2.6 states “Include transparent windows and/or active entrances along the ground floor façades of corner buildings that face a public street or urban square. Do not use highly reflective or mirrored glass”) and should be removed.

In response, Staff advised “The Commercial Built Form Guidelines reviewed appropriate transparency requirements to promote active uses along a street and contribute to a vibrant public realm by recommending that where commercial uses abut an arterial or collector road, a minimum of 40% of the surface area of the first Storey façade measured from the finished grade up to a height of 4.5 metres, should be comprised of a transparent window and/or active entrances. The proposed zoning bylaw has been revised to add clarity and flexibility to the regulation. The proposed zoning bylaw requires a minimum 40% transparency when abutting an arterial or collector road.”

While we recognize that Staff adjusted the requirement, we continue to submit that the regulation should be removed as outlined in our previous comment.

- Section 7.3.2(b) for the CMUC zone and Section 7.3.4.(e) for the MUC and NCC zones state that the minimum commercial gross floor area is “(i) Not less than 25% of the commercial gross floor area (GFA) existing on the date of the passing of this bylaw. (ii) Where no commercial gross floor area (GFA) exists, as of the date of the passing of this by-law, the minimum commercial gross floor area (GFA) shall be 0.15 floor space index (FSI)”.

The corresponding Official Plan Policy 9.4.3.10 states “Proposals to decrease the existing commercial gross floor area by more than 25 per cent or to provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan” and Policy 9.4.5.11 states “Development proposals that would decrease the existing commercial gross floor area within a Neighbourhood Commercial Centre by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.”

Our comments dated January 12, 2022 submitted that since Policies 8.6.10 and 9.4.5.11 provide for tests related to the requirement for a

Commercial Function Study and do not provide for prescriptive implementation through minimum gross floor area under the implementing zoning, the regulations are not appropriate and should be removed.

In response to our comments, Staff advised “The Commercial Policy Review recommended that minimum commercial gross floor area zoning regulations be applied to commercially zoned properties within Commercial Mixed Use Centres ... on a property basis that requires a commercial density of 0.15 FSI, or 25% less gross floor area than existed on the date of the passing of the bylaw, whichever is the greater amount of gross floor area. The implementation of these policies will allow the City to determine if the commercial vision and principles will continue to be met and how a reduction in commercial floor space will affect the needs of the community. The potential loss of commercial space is a concern given the long-term need for additional commercial land supply and the evolution commercial areas into mixed use developments that allow for additional uses to complement the commercial space.”

While we recognize the recommendations of the Commercial Policy Review, we reiterate our comment that since the Council adopted Official Plan Policies 8.6.10 and 9.4.5.11 provide for tests related to the requirement for a Commercial Function Study and do not provide for prescriptive implementation through minimum gross floor area under the implementing zoning, the regulations are not appropriate and should be removed.

- For the lands located at 297-299 Eramosa Road, which are currently zoned CC-6 and proposed to be zoned MUC(PA)(H13), as it is our understanding that existing minor variances will not be pulled through into the Draft By-law, we request that the minor variance File Number A-2/12 to permit a 2.25 m landscape strip adjacent to Stevenson Street, except for those areas required for entry ramps, be pulled through as a site specific exception.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matter as well as Notice of the approval of the Zoning By-law.

Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
Senior Associate

cc. Loblaw Companies Limited (via email)
Aird & Berlis LLP (via email)
Abby Watts, City of Guelph (via email)



08 July 2022

To Whom it May Concern,

I strongly oppose the Guelph bylaw change with regards to the use of shipping containers (a.k.a. 'seacans'). Please do not move forward with this as it will cause a severe hardship for many businesses and business owners including myself.

I own and operate a small contracting business, Parsons Maintenance, based in the city of Guelph. Due to the ever increasing costs of commercial rent in Guelph it is impossible to rent an affordable shop/warehouse space for my business as storage for our tools, supplies and equipment while still remaining competitive and fair to our customers with regards to pricing. So, for the last 4 years I have rented 3 sea containers from Craig Dool Property Maintenance at 101 Beverley St. Guelph. This has allowed me to have secure storage for all the supplies and equipment that I need to run my business and to have access to it whenever I need. Having these sea containers allows small businesses like mine to continue operating. These sea containers are essential to my business. Without this storage option, I will have no choice but to either shut down my business and/or move out of the city of Guelph.

Thank you for your consideration.

Sincerely,

Chris Parsons
Owner/Operator
Parsons Maintenance

From: [REDACTED]
To: [ZoningReview](#)
Subject: Re: 113 Emma st
Date: Thursday, July 28, 2022 4:33:14 PM

Hello Abby,

It was nice talking to you today regarding the subject property on 113 Emma st. We have spoken in the past regarding building, zoning and possible uses. We purchased this property with the thought of one day building an apartment due to its current zoning being RL4. We have had several conversions with builders and been challenging to get the project off the ground given trade availability and Covid constraints in the last few years. Times are changing. We have started the work with an architect and we would like to build on this land. We can meet and show you the building we are planning on building on this lot. We have drawings of the outside, and floor plans of what we are looking at and assessing the details. . However we recently noticed that the city has done a preliminary land use change which would off-set our goals and intentions.

We are proposing to you and your department to please keep the use of this land as it was originally designed. R4L and currently is. Please discuss with your team about our past discussions regarding development and zoning on this subject property and that proposed changes poses a challenge for us to build an apartment building. The original owners of this land also owned the land / apartment on 109 Emma which was originally owned by the General hospital or the Homewood as i was told by the previous owners, and that is how the zoning was changed for both lots. Since then the owners exchanged hands several times and it was our time to make this work. 109 Got built as an apartment.

We have a registered survey for this lot size and its 66' wide 132' Deep. This equates to 8,712 sqf and if 1 hectars of land uses equates to 100 apartment units, then if my math serves me correct we are looking at under 8 apartment units. I will obviously consult with a land developer and any further details and project scope and number of units permitted under current RL4 zoning.. However we are proposing at this stage to have the zoning department review these proposals and not to make any changes to the land use.

I can always be contacted directly and meet in person should you guys have any questions.

KIND REGARDS

SAL RAHMATY/ SOUTH WESTERN ONTARIO, CONSULTANT
Government Grant Advisor

[REDACTED]

GRANTS ONTARIO
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203 – 30 Duncan Street
Toronto ON, M5V 2C3

416-516-6151
info@ridertraining.ca
www.ridertraining.ca

Dear Members of Council,

I am writing on behalf of the Rider Training Institute, a national not for profit motorcycle licensing and safety training organization that has been operating in Guelph since 2002. We value being part of the local business and transportation safety community in Guelph, and hope to remain for many years to come. It has been brought to our attention that a proposed by-law amendment related to the storage of shipping containers on industrial and employment lands may compromise our ability to maintain operations in the city. We are hopeful that our current storage facility, located at **15 Malcolm Rd (JMH Auto)** meets current zoning permissions, and therefore be eligible for legal non-conforming use status.

We respectfully request that the property at 15 Malcolm Rd be reviewed to confirm that the site meets current zoning permissions.

Additionally, we encourage City Council to consider extending the compliance deadline for businesses affected by the proposed amendment. Considering that local businesses, the lifeblood of any community, have only recently had the opportunity to begin to recover from the COVID lockdowns, extending the compliance deadline would constitute a meaningful sign of support on the part of Council, and one that is unlikely to compromise the City's long term planning objectives.

Signed,

A handwritten signature in black ink that reads "Sharron St-Croix".

Sharron St-Croix

Executive Director, RTI

sharron@ridertraining.ca

From: [Abby Watts](#)
To: [Elyssa Pompa](#)
Subject: FW: Shipping Container Regulations Comments for Comprehensive Zoning Bylaw Review Statutory Meeting July 13
Date: Monday, July 11, 2022 1:21:00 PM

From: Robert Mason <rmason@masonrealestate.ca>
Sent: Thursday, July 7, 2022 9:13 PM
To: Clerks <clerks@guelph.ca>; ZoningReview <ZoningReview@guelph.ca>
Cc: Mayors Office <Mayor@guelph.ca>; Dan Gibson <Dan.Gibson@guelph.ca>; Bob Bell <Bob.Bell@guelph.ca>; James Gordon <James.Gordon@guelph.ca>; Rodrigo Goller <Rodrigo.Goller@guelph.ca>; Phil Allt <Phil.Allt@guelph.ca>; June Hofland <June.Hofland@guelph.ca>; Mike Salisbury <Mike.Salisbury@guelph.ca>; Christine Billings <Christine.Billings@guelph.ca>; Leanne Caron <Leanne.Caron@guelph.ca>; Cathy Downer <Cathy.Downer@guelph.ca>; Mark MacKinnon <Mark.MacKinnon@guelph.ca>; Dominique O'Rourke <Dominique.ORourke@guelph.ca>
Subject: Shipping Container Regulations Comments for Comprehensive Zoning Bylaw Review Statutory Meeting July 13

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

We are writing to comment further on the shipping container language in the City of Guelph July 2022 version of the Draft Zoning Bylaw Update.

We previously voiced our objections to the first bylaw draft (Fall 2021) shipping container language and the proposed language in this second draft remains overly restrictive, arbitrary, and punitive. There are many businesses (small and large) that rely on shipping containers as a substitute, or a complement to their main business location (either on the same site or a different site altogether) and many sites, particularly in the industrial and service commercial zones where multiple storage containers on smaller lots are utilized and function fine without more regulation. Shipping containers are also utilized to securely store machinery, goods, or inventory and to prevent theft, as even a fenced yard is not a deterrent to determined thieves.

Unfortunately, despite numerous submissions objecting to the new regulations on shipping containers in the first draft of this zoning bylaw review, changes were only made in the second (ie. current) draft to further restrict their usage to the primary use in an on-site building, meaning if a business wasn't the primary use in an on-site building, or didn't occupy any building area on-site, they would be prohibited from making use of shipping containers even if they complied with all the other provisions being proposed. It is not clear why regulating shipping containers needs to be addressed at this time in the absence of known problems with their usage, and why the proposed rules only allow shipping containers to be placed on sites greater than 0.4 hectares (1 acre) and capped out at 4 regardless of the land parcel size. Staff

comments about employment lands may be valid but are concerns far out into the future, and severely restricting or eliminating the use of shipping containers now does not offer a solution to those currently using shipping containers as a critical component for operating their businesses. The city needs to provide those businesses making use of shipping containers reasonable and objective answers (and alternatives) to their continued use, in particular because of the rapid major changes and upheavals most businesses have faced over the past two years of the pandemic. And finally, targeted communication and broad consultation on this specific issue may be necessary to ensure those affected by these proposed rules are fully aware of pending regulation and restriction.

Thank you for the opportunity to comment on the zoning bylaw review.

Robert Mason

Mason Real Estate Limited, Brokerage
32 Douglas Street
Guelph, ON N1H 2S9

519-824-1811 phone
519-824-1160 fax
rmason@masonrealestate.ca

From: Ron [REDACTED]
Sent: Monday, December 5, 2022 9:21 PM
To: Elyssa Pompa <Elyssa.Pompa@guelph.ca>
Cc: [REDACTED]
Subject: RE: Zoning By-law: Shipping Container Regulations

Good evening Elyssa,

At the outset I thank you for the follow up.

I would suggest that as identified in item 4.28 (a) and as a small company who owns and uses 3 shipping containers for outdoor storage purposes only, I do not consider a shipping container a structure being that it definitely is not a permanent entity and definitely should not would require a “building permit” and be subject to “Site Plan Control”. Please note that many small companies as you are aware require this type of storage as we are not in a position to afford the rental of interior space in order to accommodate our storage needs.

I trust you will find this satisfactory.

Thanks again, Ron

[REDACTED]

VIA EMAIL

July 7, 2022

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

Attention: Mr. Stephen O'Brien, General Manager / City Clerk

Dear Mr. O'Brien:

**Re: July 13, 2022 Public Meeting
City of Guelph – Comprehensive Zoning By-law Review
Second Draft of the Comprehensive Zoning By-law (July 2022)
Preliminary Comments on Behalf of Tercot Realty Inc.
115 Watson Parkway (Formerly 72 Watson Road North)
Guelph, Ontario
Our File: TCT/GPH/22-03**

We are the planning consultants for the City of Guelph Comprehensive Zoning By-law Review for Tercot Realty Inc. ("Tercot") for the vacant lands in the City of Guelph known municipally as 115 Watson Parkway North (formerly 72 Watson Road North) (the "subject lands").

While the subject lands are currently owned by Loblaw Properties Limited, Tercot Realty Inc. is proposing a mixed use development, which was submitted for pre-consultation on April 29, 2022. A preliminary Site Concept Plan was prepared for pre-consultation in the context of the applicable Official Plan policies and the Watson Parkway/Starwood Community Mixed-Use Node Urban Design Concept Plan. A Zoning By-law Amendment application is expected to be submitted in the coming months in order to permit development of the lands for mixed residential and commercial uses.

The subject Lands which are currently split zoned CC-15(H), P.1 and FL, and are proposed to be split zoned CMUC-14(PA)(H11)(H13) and NHS, with a portion of the NHS zoned lands shown on Schedule B-8: Floodplain Overlay and a portion shown on Schedule B-11: Wellhead Protection Overlay. The subject lands are subject to a Zoning By-law Amendment application (File No. ZC0512).

On behalf of Tercot, we have been monitoring the City of Guelph Comprehensive Zoning By-law Review. On June 16, 2022, we received Notice of a Public Meeting where a revised Draft Zoning By-law dated July 2022 (the "Draft By-law") will be considered at a July 13, 2022 Public Meeting. According to the Staff Report 2022-245 dated June 30, 2022 it is our understanding that Staff will review feedback received at the open house and statutory public meeting and make appropriate changes to the By-law. Staff anticipate bringing the final Zoning By-law to Council for approval in Q1 of 2023.

On behalf of Tercot, we have the following preliminary comments for the Draft By-law, and may provide further comments as required:

- In general, the regulations as outlined below for CMUC-14 zone do not anticipate the preliminary site concept plan, whereby site specific regulations are anticipated to be required through a Zoning By-law Amendment application in order to permit development of the lands for mixed residential and commercial uses. In addition, Section 17.1.11 for the H11 holding provision pulls through the conditions under the existing holding provision and Section 18.8.14 for the CMUC-14 zone pulls through the existing CC-15 site specific regulations, which relate to a 2002 Staff concept plan associated with the rezoning. Staff Report 2022-245 states “The proposed zoning bylaw pre-zones land for the maximum height and density permissions of the Official Plan, which in effect streamlines the development process. Fewer site-specific zoning bylaw amendments will be required to undergo rezoning applications, which are time consuming and can add expense to a project. Pre-zoning will allow many developments that comply with the Official Plan to go straight to site plan and building permit review. ... One purpose of the new zoning bylaw is to pre-zone lands to the maximum height and density proposed within the Official Plan designation. This provides additional development permissions, beyond the current zoning bylaw, to many properties within the city while complying with the Official Plan. Furthermore, a main objective of the new zoning bylaw is to simplify uses and generally be more permissive (within the extent of the Official Plan designation) and reduce the number of site specific zones. This will eliminate the need for many site-specific development applications that require Council approval.” (p. 6) In addition, the Report states “Staff acknowledge that in some cases, based on the site-specific context of a lot, variances may be appropriate.” (p. 7)

In addition, Staff Report 2022-245 notes that “Section 34 (10.0.0.1) of the Planning Act establishes a two-year moratorium for applications to amend the bylaw when Council repeals and replaces the zoning bylaw in effect ... A recommendation related to the two-year moratorium will be provided at the Council decision meeting.” (p. 8)

As a site specific Zoning By-law Amendment application is expected to be submitted for the subject lands in order to permit a mixed use development, we request clarification as to the transition protocol for the Draft By-law and applicability to lands with active rezoning applications that have not yet received a building permit to allow ongoing processes to be completed within the context of existing policies and regulations.

- For the CMUC Zone under Section 7.2 and the permissions for Townhouse uses under Table 7.1, note 16 indicates that the use is in accordance with Section 6.3.5. We request clarification as to the applicable regulations where they are different between the CMUC zone and Section 6.3.5. In addition, for Section 6.3.5, we request clarification as to whether regulations specific to another zone are applicable for Townhouse uses within the CMUC Zone (e.g., under Table 6.18, Lot Coverage (max), for the RL.4 zone “30 %” is indicated), while various Tables reference the RL.4 and RM.6 zones, whereby it is not clear if they are applicable for lands zoned CMUC.

- For the proposed CMUC zone, we have the following comments for the regulations under Section 7.3:
 - For Section 7.3.1(a), the subject lands at approximately 64,500 ha, exceed the maximum lot area of 50,000 sq. m, whereby it would be appropriate to include the lot area as a site specific regulation under the proposed CMUC-14 zone.
 - Section 7.3.1(a) regulates minimum and maximum residential density. Since the CMUC zone permits a range of townhouse dwellings in accordance with Section 6.3.5, in our submission there should be consideration as to interpretation whereby the minimum and maximum density would be applicable collectively to the whole of the lands zoned as CMUC, despite any future severance or condo registration.
 - Section 7.3.1.(b) for buffer strip (min) requires a 3 m wide buffer strip is adjacent to the interior side and rear lot line. In our submission, for circumstances where there is an adjacent NHS zone, which has incorporated minimum buffers to the environmental feature, a lower minimum buffer should be required.
 - Section 7.3.1.(b) for landscaped open space (min) requires 20% of the lot area. For the subject lands, if they are divided into smaller development parcels, it would be appropriate for the 20% to be applicable collectively to the whole of the lands zoned as CMUC, despite any future severance or condo registration.
 - Section 7.3.1(c) for building height (max) permits 10 storeys and in accordance with Section 4.14, while Section 7.3.1(e) relates to angular planes (min). Section 4.14.4 for angular planes states “(a) In addition to maximum building height, in certain zones, angular planes will also be required in determining maximum building height. Where an angular plane is required, it shall be determined as follows: (i) Building heights shall not exceed an angular plane of 45 degrees from the centre line of the street. (ii) Building heights shall not exceed an angular plane of 40 degrees from the lot line when adjacent to a river or park”. In our submission, the angular plane regulations will limit building heights that otherwise may be achievable up to 10 storeys, whereby the angular plane regulations would be more appropriate as an urban design guideline.
 - Section 7.3.1(c) provides limitations for floorplate size (max) of 1,200 sq. m for the 7th and 8th storeys and 1,000 sq. m for above the 8th storey along with minimum building setbacks of 3 m for all portions of the building above the 6th storey facing a street. We note Official Plan policy 8.9.1 that states “The following policies apply to tall building forms, which generally means buildings above six (6) storeys: ... i) to ensure tall buildings act as landmarks, they shall incorporate a distinctive bottom (e.g., a podium), middle and top. Interesting architectural features and roof treatments should be considered for all rooftops of tall buildings; ... iv) floor plate sizes of the tower portion (e.g., storeys five (5) and above) of the building may be limited to encourage slender and elegant tall building designs.” In

our submission, the maximum floor plate size and minimum building setbacks will limit flexibility for site specific design and context and would be more appropriate as an urban design guideline.

- Section 7.3.1(c) relates to building length (max) of 75 m for buildings located within 15 m of a street and 7.3.1(d) relates to building length to width ratio above the 8th storey, which will limit flexibility for site specific context. We note that the corresponding Official Plan Policy 8.6.8 states “Long building facades that are visible along a public street will incorporate recesses, projections, windows or awnings, colonnades and/or landscaping along the length of the facade to reduce the mass of such facades.” Official Plan Policy 8.8.1v) for Mid-rise buildings states “where buildings are taller than four (4) storeys, building length may be restricted through the Zoning By-law to reduce impacts such as shadowing”.

In response to comments related to building length, Staff advised “The Commercial Built Form Standards recommended limiting commercial building lengths to 75 metres for buildings that are located within 15 metres of the front or exterior side lot lines. This will allow for larger commercial buildings to be located on the interior of the site. This regulation ensures pedestrian scale buildings and reduces shadowing impacts. The proposed zoning bylaw has been updated to add flexibility by specifying that this regulation only applies to buildings within 15 metres of a street for the mixed-use zones and the residential RM.6 and RH.7 zones.”

In our submission, maximum building length regulations should be removed since Official Plan policy 8.6.8 is not appropriately implemented and the Staff Response relates to commercial uses. Considerations as to Maximum building length would be more appropriate as an urban design guideline.

- Section 7.3.1(c) related to distance between buildings (min) and first storey building height as well as related to a minimum first storey height of 4.5 m may not anticipate the permitted townhouse building forms. In our submission, the regulations that should relate only to commercial and mixed use buildings and should be reviewed and revised accordingly.
- Sections 7.3.1(d), states that the proposed minimum first storey transparency is “40 % of the surface area of the first storey facing a street, up to 4.5 m from the ground, be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date.” The corresponding OLT approved Official Plan Policy 8.6.1 states “New buildings shall address the street. Buildings will enhance the rhythm and frequency of the immediate vicinity, and where appropriate, will have entrances and windows that face the street” and OLT approved Policy 8.6.2 states “The principal entrances of commercial and mixed-use buildings shall be oriented toward and/or visible from the street and provide direct user

entrances from adjacent streets and walkways. Blank facades facing a street, open space or park shall not be permitted.” Under minutes of settlement for the Loblaw appeal of OPA 48, with respect to Policy 8.6.2 the term “blank facades”, which is not defined, shall not be defined to exclude or preclude the use of glazed windows or alternatively a combination of glazed display windows together with façade articulation and/or spandrel windows in order to facilitate operational requirements.

In response to comments related to transparency, Staff advised “The Commercial Built Form Guidelines reviewed appropriate transparency requirements to promote active uses along a street and contribute to a vibrant public realm by recommending that where commercial uses abut an arterial or collector road, a minimum of 40% of the surface area of the first Storey façade measured from the finished grade up to a height of 4.5 metres, should be comprised of a transparent window and/or active entrances. The proposed zoning bylaw has been revised to add clarity and flexibility to the regulation. The proposed zoning bylaw requires a minimum 40% transparency when abutting an arterial or collector road.”

In our submission, the regulation for transparency may not anticipate the permitted townhouse building forms and would be appropriate as a guideline (the Guelph Commercial Built Form Standard 4.2.6 states “Include transparent windows and/or active entrances along the ground floor façades of corner buildings that face a public street or urban square. Do not use highly reflective or mirrored glass”). While we recognize that Staff adjusted the requirement from the initial draft By-law, we continue to submit that the regulation should be removed.

- Section 7.3.1(d) for tower separation (min), requires that the tower portion of the building which is the portion of a building above the 6th storey shall be setback a minimum of 25 m from any portion of another tower measured perpendicularly from the exterior wall of the 6th storey and the tower portion of a building shall be setback a minimum of 12.5 m from an interior side lot line and rear lot line measured perpendicularly from the exterior wall of the 6th storey. We note Official Plan policy 8.9.1 that states “The following policies apply to tall building forms, which generally means buildings above six (6) storeys: v) the tower portion (e.g., storeys five (5) and above) of the building shall be carefully placed to ensure adequate spacing between towers to allow for solar access and privacy.” In our submission, the minimum tower separation will limit flexibility for site specific context and would be more appropriate as an urban design guideline.
- Section 7.3.2(b) for the CMUC zone states that the minimum commercial gross floor area is “(i) Not less than 25% of the commercial gross floor area (GFA) existing on the date of the passing of this bylaw. (ii) Where no commercial gross floor area (GFA) exists, as of the date of the passing of this by-law, the minimum commercial gross floor area (GFA) shall be 0.15 floor space index (FSI)”.

The corresponding Official Plan Policy 9.4.3.10 states “Proposals to decrease the existing commercial gross floor area by more than 25 per cent or to provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.”

In response to comments related to minimum commercial GFA, Staff advised “The Commercial Policy Review recommended that minimum commercial gross floor area zoning regulations be applied to commercially zoned properties within Commercial Mixed Use Centres ... on a property basis that requires a commercial density of 0.15 FSI, or 25% less gross floor area than existed on the date of the passing of the bylaw, whichever is the greater amount of gross floor area. The implementation of these policies will allow the City to determine if the commercial vision and principles will continue to be met and how a reduction in commercial floor space will affect the needs of the community. The potential loss of commercial space is a concern given the long-term need for additional commercial land supply and the evolution commercial areas into mixed use developments that allow for additional uses to complement the commercial space.”

In our submission, since Policy 8.6.10 provide for tests related to the requirement for a Commercial Function Study and do not provide for prescriptive implementation through minimum gross floor area under the implementing zoning, the regulation is not appropriate and should be removed.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matter as well as Notice of the approval of the Zoning By-law.

Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
Senior Associate

cc. Tercot Realty Inc. (via email)
Abby Watts, City of Guelph (via email)

March 3, 2023

Abby Watts, Project Manager, Comprehensive Zoning Bylaw Review
Infrastructure, Development and Enterprise Services
Planning and Building Services
City of Guelph

Dear Ms. Watts,

**RE: Comprehensive Zoning By-law Review
601 Scottsdale Drive
Our File 1056G**

MHBC has been retained by Forum Asset Management ('Forum') to provide input to the City of Guelph's Comprehensive Zoning By-law Review and related companion Official Plan Amendment, particularly as it applies to 601 Scottsdale Drive (the 'lands'). We understand that City staff will be bringing forward a revised Comprehensive Zoning Bylaw and a companion Official Plan Amendment to Council in April for consideration and approvals and that the related staff reports are currently being prepared. Please accept this letter as Forum's submission with respect to the City's Draft Comprehensive Zoning By-law and companion Official Plan Amendment (the 'Companion OPA') and our request that the matters contained herein are included within the revised Comprehensive Zoning Bylaw and Companion OPA as they relate to the lands at 601 Scottsdale Drive.

Background

The lands are owned by the University of Guelph (the 'University') but are subject to a long-term ground lease in favour of Forum. A multi-storey building exists on a portion of the lands, which was the subject of a recently approved Zoning By-law Amendment to permit a 'student residence' (referred to and defined as *residential suites* in the site specific by-law) and 'apartment building' on the lands (approved by By-law 2022-20703 – attached for ease of reference). The building is now occupied and is being used for those purposes. The lease with the University requires that the suites/rooms be made available to students of the University.

The University of Guelph, and by extension the City, is experiencing a steady growth in the student population (both domestic and international students), which is increasing demand for off-campus housing. Students looking for housing in the community still rely disproportionately on the supply of housing on-campus, which is not able to keep up with the demand.

This student housing supply shortage has created cascading impacts on the overall supply of rental housing in the community by increasing demand and putting upward pressure on rent costs for units that would otherwise be available to families and non-student households. The student housing shortage has also had an impact on neighbourhoods near the University by increasing the demand for housing in those neighbourhoods, resulting in more students within established residential neighbourhoods and less housing available to the broader community. This is all occurring within the broader context of a general housing crisis, as identified by the province and acknowledged by the City. The result is long line ups for any available housing, increasing rents, and students struggling to find accommodation so they can attend university in the community.

The development of Forum's first phase (Phase 1) within the previous hotel building opened in 2022 and accommodates more than 170 students in a building designed for students at the University, with a broad array of amenities within the building and the availability of nearby transit and shopping. While Phase 1 represents the type of student housing that is needed to help meet the demand and balance the supply/demand equation for rental housing in the community, there remains significant demand for additional student housing.

To further assist in alleviating the student housing crisis, Forum has prepared plans for a second Phase (Phase 2) of development on the remainder of the lands. Forum met with City staff in the fall of 2022 to discuss Phase 2 through the formal pre-consultation process. Phase 2 proposes the same land uses that were approved by Council through By-law 2022-20703 in a multi-unit, multi-building format. . As discussed earlier, the land lease between Forum and the University requires that the units in Phase 2 (as well as Phase 1) be made available to students at the University. The advancement of Phase 2 will contribute more than 700 additional beds for students attending the University – further helping to meet the demand in the community, and freeing up housing in residential neighbourhoods for non-student households and families.

At the time of the pre-consultation meeting, the City had proposed a Draft of the new Comprehensive Zoning By-law and had completed a Growth Management related Amendment to the Official Plan (OPA 80). OPA 80 has since been adopted and submitted to the province for approval. The Draft Comprehensive By-law and companion Official Plan Amendment has not yet been considered by Council for approval.

Official Plan

The lands are designated "Mixed-Use Corridor 1" and are located within a "Strategic Growth Area" as included in OPA 80. Lands within a Strategic Growth Area that are designated Mixed-Use Corridor 1 are permitted a maximum height of 14 storeys and a maximum density of 250 units/ha. The Mixed-Use Corridor 1 designation permits 'medium and high-density multiple unit residential buildings and apartments.' Although the housing contained within Phase 1 and proposed for Phase 2 are not traditional multi-unit residential buildings or apartments, we understand the aforementioned

permission for 'residential suites' conforms to the Official Plan and that housing geared to students is permitted in the Official Plan on the subject lands.

The residential suites proposed for Phase 2 operate in a format more closely aligned with a student residence that would be located on the University's campus. In this regard, a suite/room in the development proposed by Forum and a unit in a typical apartment (or other multi-unit) building are not equivalent and the measurement of density is also not equivalent (e.g. a one-bedroom apartment unit permits two people, whereas a one-bedroom suite in the Forum development permits only one person).

Staff may be aware that the City of Waterloo, both in their 2012 Official Plan and their 2018 Comprehensive Zoning By-law adopted a new measurement of density intended to specifically address the concept of housing geared to students. Waterloo measures density in bedrooms per hectare, rather than units per hectare and when making the transition from units per hectare (as it was measured previously in their Official Plan and Zoning By-law), a single unit is deemed to be equivalent to 3 bedrooms. In this manner, the High Density Residential designation, which previously permitted 250 units per hectare now permits 750 bedrooms per hectare. While we recognize that Guelph's Official Plan does not currently make this distinction, there is an opportunity to consider an alternative 'measurement' of density for housing geared to students within the Comprehensive Zoning By-law and through the Companion OPA.

Draft Comprehensive Zoning By-law

The lands are proposed to be zoned Mixed-Use Corridor (MUC-2(PA)(H13)) in the most recently available Draft Comprehensive Zoning By-law. The MUC zone permits a range of residential uses, including:

- Apartment building
- Group home
- Home occupation
- Live-work unit
- Long term care facility
- Mixed-use building
- Retirement residential facility

A 'Hotel' is also a permitted use, as are a number of other commercial and service commercial uses.

The '-2' refers to site specific regulations that apply to the lands. In this regard, the previously approved site specific by-law has been carried forward into the Draft Comprehensive Zoning By-law, and both 'residential suites' and 'apartment building' are permitted uses. We support this inclusion, as it recognizes the existing uses on the lands approved by Council and reflects the intention of Forum to expand those uses through Phase 2 and provide the aforementioned needed housing for students.

Although the MUC zone does not permit 'dwelling units' in the first storey of a building – the inclusion of the site specific regulations carried forward from By-law 2022-20703 would prevail, allowing residential suites on the ground floor of both the current and any future buildings. We also support this direction.

Request of the City

On behalf of Forum, and in consideration of the preceding discussion and the need for housing geared to students, we request that the City amend the Draft Comprehensive By-law as it applies to the lands zoned MUC-2, and as necessary, the Official Plan through the companion Official Plan Amendment, in accordance with the comments below, which we have divided into topics.

Height and Density

The MUC zone, as contained in the most recently available Draft Comprehensive By-law, contains regulations regarding height and density that are more restrictive than those approved by Council through OPA 80. Specifically, the MUC zone limits density to 150 units/ha and height to 6 storeys, whereas OPA 80 permits a maximum density of 250 units/ha and a maximum height of 14 storeys for lands within Strategic Growth Areas.

On behalf of Forum, we request that the MUC zone be updated to reflect the permissions for height and density in OPA 80. This change is appropriate and is consistent with provincial policy direction regarding accommodating more growth within the Strategic Growth Areas. Furthermore, the change would implement Council's direction as contained in OPA 80.

In addition to the recognition of the permitted height and density planned for through OPA 80, and in consideration of the discussion regarding the unique use and housing type permitted on the lands, we request that the City amend the Draft Comprehensive By-law and Companion OPA to permit a specific measurement of density for the lands that better reflects the housing type. More specifically, we request that the instruments be modified to permit a maximum density of 250 units per hectare, where 3 bedrooms/suites are equivalent to one dwelling unit for the purposes of measuring density (or the equivalent of 750 bedrooms per hectare). In this regard, the unique nature of the 'residential suites' can be more appropriately recognized, and how that housing type differs from a traditional 'dwelling unit' as defined in the Official Plan and Zoning By-law. This measurement of density, which would be specific to 'residential suites' as already defined (and permitted only on the subject lands) in the By-law, can be concurrently implemented through the Companion OPA, such that the Official Plan and Zoning By-law align after both are approved.

Parking

We request that the City reconsider the proposed minimum parking rate of 1 space per unit in areas well served by transit and cycling and that have community amenities in proximity (such as Mixed-Use Corridors in Strategic Growth Areas), including the subject lands. Reducing the minimum

parking requirement will recognize the impact of oversupplying parking and discouraging alternative forms of travel, as well as the costs associated with that parking that are transferred to the rental rates and/or purchase price of a unit.

Furthermore, and as discussed earlier, the development proposed by Forum differs from a traditional residential development. The demographic occupying the suites differ from the demographic that purchase and/or rent residential units in other forms of multi-storey, multi-unit residential buildings. In this regard, the City should consider an alternative parking rate for 'residential suites' (housing geared to students) in locations that are well served by transit and active transportation, such as Strategic Growth Areas. The City of Waterloo, in its Northdale neighbourhood near the University of Waterloo and Wilfrid Laurier University requires parking at a rate of 0.2 spaces per bedroom, plus 0.05 spaces per bedroom for visitors. Those regulations have been in place since 2012 and were carried forward when the City approved its Comprehensive Zoning By-law in 2018. **We request that the City of Guelph adopt a similar requirement that more accurately captures the uniqueness of housing geared to students and the related need/demand for parking.**

Sites with Multiple Buildings

Although we understand that the MUC-2 zone permits both 'residential suites' and 'apartment buildings' without restrictions on ground floor residential units/suites, to ensure clarity in this regard, we request that staff consider adding regulations that provide more flexibility regarding ground floor residential uses for sites that have multiple buildings – for example, a site planned with more than one multi-storey building (as is proposed for the subject lands). Such sites will often be challenged to locate more than one building adjacent to the street (in this case, Scottsdale Drive). In this regard, having buildings located internal to a site subject to the same regulations (e.g. no ground floor residential units) does not appear to achieve the overall objective of the policy (ground floor commercial along the street) and instead may result in the inefficient use of land and building floor area by limiting what can be included on the ground floor.

Common Amenity Area

Forum supports the provision of common and private amenity area for residential or mixed-use developments. Forum provided a significant amount of amenity space in Phase 1. However, the proposed requirement is onerous and will be very challenging to satisfy for intensification and redevelopment projects within the City and particularly, for developments that propose housing geared to students, where the unit sizes are significantly smaller than typical residential dwelling units. **In this regard, we request that the City lower common amenity area requirements as those requirements apply to student housing.**

The proposed MUC zone requires 20 m² per dwelling unit. We support the revisions to the Draft Comprehensive By-law that reduced this requirement from the first Draft that had a higher requirement (30 m² per unit for the first 20 units). However, if this regulation were applied to the approved development that currently occupies the lands (which contains 164 'units'), 3,280 m² of common

amenity area would be required, which is the equivalent of more than 2 full floors of a building that maximizes the permitted length (75 m) in the MUC zone or almost 1 acre of land. This regulation should be reduced significantly. Unlike typical condominiums and other traditional residential buildings, student residences have the benefit of using amenities provided by the University. Further, the required amount of amenity area will be challenging to achieve for intensification projects. On that basis, this regulation should be reconsidered as it would apply to lands that are redeveloped with housing geared to students, such as the development proposed by Forum. Similar to the discussion regarding the measurement of density for 'residential suites' (housing for students), the calculation of amenity area should also consider the housing type and its intensity and should instead, require a lower amount of amenity area on a per bedroom or suite basis, rather than a higher amount on a per unit base, which may be more appropriate for self-contained dwelling units.

In this regard, we note that the City of Waterloo, which contains many developments that contain housing geared to students, instead allows for consideration of both private and common amenity areas to count towards the overall requirement (e.g. private balconies and terraces) and the requirement is substantially less (3 m² per bedroom for first bedroom in a unit and 2 m² for each additional bedroom), while still providing adequate amenity space for its residents. A comparable building in Waterloo would require 1/6 the amount of amenity area. We recommend that this approach be taken here, at least as such requirements apply to housing geared to students ('residential suites'). **We request that the City include a similar amenity area requirement, based on a per bedroom calculation, as has been used successfully in Waterloo for 10 years.**

Building length

Although the MUC zone does not include specific regulations regarding building length/width ratio and building footprint, other proposed zones which permit taller buildings include such regulations. In consideration of the enclosed letter prepared by Sweeny & Co Architects, **we request that the City not include such regulations for the MUC-2 Zone that would apply to the subject lands.**


Holding Provision (H13)

The Draft Comprehensive By-law proposes a holding 'H' provision on the subject lands (H13). As described in the Draft Comprehensive By-law, the intent of the H13 provision is to "ensure that municipal services are adequate and available, to the satisfaction of the City, prior to intensification of the lands." The regulation goes on further to note that the H cannot be lifted until a municipal services review has been completed to the satisfaction of the City. The City also determines the scope and boundary of the review. Subsections (d), (e) and (f) provide further regulations regarding the potential outcomes of the review. We understand this series of regulations to essentially require the submission of a Functional Servicing Report and/or other technical report (e.g. a Transportation Impact Study) prior to a development proceeding, and that any improvements, if necessary, would be secured by the City (in the form of securities) before the H could be lifted.

The lands will subject to the development approval process, including Site Plan approval, where detailed servicing capacity along with infrastructure improvements (if required) must be reviewed before approval. **As such, we ask that the City removes the proposed Holding provision on the lands, as it would effectively add an extra step and related delays into the process requiring information that would otherwise have been required and provided through the normal planning approvals process.**

In conclusion, we ask that staff consider the comments contained in this letter when preparing a final By-law and Companion OPA for Council consideration, and specifically, the consideration for additional site-specific regulations for the lands to recognize the unique form of housing proposed.

Yours truly,
MHBC

A handwritten signature in cursive script that reads "Trevor Hawkins".

Trevor Hawkins, M.PL, MCIP, RPP
Partner

cc. Dayna Gilbert, Forum Asset Management

Abby Watts, Project Manager, Comprehensive Zoning Bylaw Review
Infrastructure, Development and Enterprise Services
Planning and Building Services
City of Guelph

**RE. Alma Guelph - Student Housing
601 Scottsdale Dr., Guelph**

Dear Ms. Watts,

The development of the site at 601 Scottsdale Drive, Guelph, by Forum Asset Management, represents a important contribution to much needed student housing in support of the University of Guelph. The imminent completion of the Phase I conversion of the existing low-rise hotel building on the property to student housing and associated amenity spaces is an valuable initial step towards the fulfillment of this objective. However, the development opportunity on the vacant land south-east of the hotel building presents the greatest potential to significantly increase the amount of high-quality student accommodation and to build a vibrant and successful student community on the site.

We understand that a potential zoning restriction that limits the length of new buildings may significantly impact the design opportunities of the site. For reasons described below, we believe that (1) the unique conditions of the site and immediate context do not warrant such limitations, and that the restrictions contemplated may (2) negatively impact the design of the site by reducing the amount of desirable student housing that can be provided, impacting the quality of the student community space, and (3) negatively impact the sustainability and energy performance opportunities of the project.

1. Unique Site and Context

The development site is bounded by a highway (Highway 6, Hanlon Parkway), an arterial road (Stone Road), the undeveloped land of the Priory Park Baptist Church, the vacant land of a potential future high-rise residential development, and the hydro corridor that separates the development site from the remainder of the property that includes the existing Phase I converted hotel building. The development site has no street exposure to Scottsdale Drive other than a connection through the Phase I site. As such, any new building will be located remotely from Scottsdale Drive with no discernable design impact on that street. The Stone Road frontage is planned for a potential on-ramp connection to Highway 6 and is essentially a high-volume vehicular condition. The Highway 6 frontage will be set back 14m from the

property line to conform with MTO regulations and is shielded from highway visibility by a significant berm.

Overall, the conditions of the site including its physical and legal inability to create an active street frontage due to its adjacency to strictly vehicular highway and arterial road conditions, and shielded from lively urban conditions, suggest that buildings that exceed the proposed zoning maximum length will have minimal or no discernable negative impacts on the site and context. Typically, the proposed zoning maximum building lengths are more suited to more active, urban and pedestrian locations. Moreover, the solar orientation of the site is such that shadow impact can be minimal on neighbouring existing and planned buildings and will not be materially exacerbated by building length within the permitted building area of the property.

2. Programmatic Design Implications

Architecturally, the common typology of student residence buildings is a double-loaded corridor design resulting in narrow building configurations. This approach provides for the suitable depth of comfortable student housing suites with good natural light penetration and efficient design. Longer buildings of this type provide overall efficiency from a spatial and construction cost perspective leading to more affordable student housing and are generally desirable in this typology. Further, the narrow nature of this building typology leads to slimmer, less obtrusive massing than other building types such as office buildings with significantly deeper depths, even with longer building lengths. A restriction of building length on this site will be particularly burdensome on this building type which cannot benefit from increased building depth.

Further, the space efficiencies that can be found in planning larger, longer, consolidated student housing floor plates can translate into larger, more useful common amenity spaces on the site. Minimizing the division of buildings that would be needed to address maximum length restrictions, allows for a more compact program design and opens up greater opportunity for larger, central landscaped amenity areas that will serve the student community and contribute to an attractive and comfortable campus feel for the project.

3. Environmental Sustainability Implications

Also, limiting the length of buildings on the site thereby reducing the building footprints, will naturally lead to more divided building volumes on the property. This result will reduce the energy performance and sustainability potential for the project and could impact larger sustainability goals such as Net-Zero Carbon and mass timber construction. Smaller building footprints require a greater amount of building envelope per interior volume. As building envelope performance is the first and most critical consideration in the energy performance of a building, an increase in envelope area negatively impacts its performance. Further, the

division of program area into multiple buildings, or separated building components, impacts the type and efficiency of the mechanical equipment needed for heating and cooling. Separate systems are typically less efficient than larger central systems due to their smaller capacities and distributed configuration that require duplicated equipment and mechanical distribution for each separate building component.

In addition, the loss of space planning efficiency that would result from limitations in building length may need to be compensated for with the construction of taller buildings. Exceeding 12 storeys in building height would eliminate the potential under the Ontario Building Code to build using a mass timber structure and in doing so, eliminate the embedded carbon sustainability benefits that come with this construction approach.

Overall, we feel that the zoning restrictions being contemplated to limit building length are not warranted at 601 Scottsdale Drive, Guelph, and would, in fact, negatively impact the creation of an effective, active, sustainable new student community on the property.

Yours truly,

Sweeny & Co Architects Inc.

A handwritten signature in black ink, appearing to read "John Gillanders". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John Gillanders
Principal

c.c. Dayna Gilbert, Forum Asset Management
Trevor Hawkins, MHBC Planning