

April 13, 2023

Sent via email to clerks@guelph.ca and abby.watts@guelph.ca

Mayor Guthrie and Members of Council
City of Guelph

Dear Mayor Guthrie and Council Members:

**RE: Draft Comprehensive Zoning By-law for Council Consideration April 18, 2023
601 Scottsdale Drive
Our File 1056G**

MHBC has been retained by Forum Asset Management ('Forum') to provide input to the City of Guelph ('City') regarding the Comprehensive Zoning By-law Review and related companion Official Plan Amendment ('Companion OPA'), particularly as it applies to the lands municipally known as 601 Scottsdale Drive (the 'lands').

We previously engaged with City staff and provided letters in that regard. Most recently in March of 2023, prior to the release of the April 18th version of the draft Comprehensive Zoning By-law, we submitted a letter including certain requests related to the lands. A copy of our March 2023 letter is enclosed for your review and consideration.

Please accept this letter and the attached March 2023 letter as Forum's submission with respect to the draft Comprehensive By-law and Companion OPA that are now before Council for its consideration.

April 18, 2023 Draft Zoning Bylaw

MHBC and Forum have reviewed the draft Comprehensive By-law that is being recommended for approval by staff (the 'April 18 version'). The regulations, as they would apply to 601 Scottsdale Drive and the proposed second phase of development (as described in our March 2023 letter and as presented to staff at a Pre-Consultation meeting) remain largely unchanged. In this regard, the concerns and request outlined in our March 2023 letter remain unresolved.

Although the Draft By-law does not propose to implement OPA 80, the province has since approved the Amendment including the height and density permissions contained therein, which along with other policies contained in OPA 80, are now in force and effect. In this regard, the March 2023 submission aligns with the direction of the current in force Official Plan, which now includes OPA 80.

In conclusion, we ask that Council consider the comments contained in the enclosed March 2023 letter when approving a final version of the Comprehensive Zoning By-law and Companion OPA. Specifically, we request the consideration for additional site-specific regulations for the lands to recognize the unique form of housing proposed, which is desperately needed within the community to satisfy the increasing demand for housing geared to students.

Yours truly,
MHBC

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

Trevor Hawkins, M.PL, MCIP, RPP
Partner

Encl.

cc. Dayna Gilbert, Forum Asset Management

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