

April 5, 2023

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: 816 Woolwich Street, City of Guelph
City of Guelph Comprehensive Zoning By-law Review
OUR FILE 1285D**

MHBC, on behalf of our client Granite Homes (816 Woolwich Street) Ltd and Granite Holdings (816 Woolwich Street) Ltd., is pleased to submit this letter with respect to the City of Guelph's Comprehensive Zoning By-law Review as it relates to the lands municipally known as 816 Woolwich Street (the "subject lands").

The subject lands comprise an area of approximately 3.9 hectares and are located north of the intersection of Woolwich Street and Woodlawn Road. A Zoning By-law Amendment for the subject lands was passed on November 9, 2020 (By-law (2020-20539)). The Zoning By-law Amendment zoned the subject lands Specialized Community Shopping Centre (CC-29) Zone to permit the development of 200 stacked townhouse units, a five storey apartment building, a commercial building and maintain the existing curling club. A Site Plan approval application was submitted in December 2020 and the Site Plan Agreements for the development have been issued and will be registered imminently.

We have reviewed the City's draft Zoning By-law and note that the subject lands are proposed to be zoned CMUC-5(PA). The site specific provisions are set out at Section 18.8.5 of the draft Zoning By-law and reflect the approved zoning for the subject lands. However, in our view, clarifications to the sections referenced in the site specific provisions should be made to assist in interpreting the zoning. A track changed version of Section 18.8.5 is attached to clarify. The track changes include the addition of references to the zoning by-law where the site specific provisions should take precedence over the regulations of the parent zone. Sections of the draft Zoning By-law that were not in place at the time the subject lands were rezoned have

also been excluded in the redline revisions. This revisions to Section 18.8.8 will assist in clarifying the application of the site specific zoning.

In addition, the parking rates proposed in the draft Zoning By-law are higher than what is presently required for the subject lands by By-law (1995) – 14864. We request that the previous parking rates be applied to this site. This is included in the redline attached.

Further, we note that Section 1.3.1(b)(ii) provides transition provisions for sites where site plan applications have been approved. This section states:

Notwithstanding Section 1.3.1(b) (i), if the site plan application was approved prior to the effective date of this by-law, nothing shall prevent the erection or use of the building or structure in the approved site plan application for which an application for a building permit was accepted within two years after the effective date of this by-law.

It is our view that the two year time limit related to approved site plan applications should be removed. In the case of the proposed development, build out will take longer than two years and completion of the development should not be impacted based on the proposed two-year time limit.

Finally, we 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 these lands.

Yours truly,

MHBC



Emily Elliott, BES, MCIP, RPP
Associate

cc. Pete Graham, GWD Developments Ltd.

18.8.5 CMUC-5

816 Woolwich Street

As shown on Map 22 of Schedule A of this by-law.

(a) Permitted uses

In accordance with the permitted uses under Table 7.1 (CMUC zone), and the following additional uses are permitted:

- Stacked townhouse in accordance with Section 6.3.5 of this by-law
- Apartment building in accordance with Section 6.3.9 of this by-law

The following definition shall apply in the CMUC-85 zone:

For the purposes of this zone, a stacked townhouse is defined as: 1 building or structure containing 2 or more townhouses, which are horizontally and vertically divided.

(b) Prohibited uses:

- Carwash, automatic
- Carwash, manual
- Vehicle service station
- Drive-through facility

(c) Regulations

In accordance with Section 7.3.1 of this by-law, with the following exceptions and additions:

i. Minimum landscaped open space

Despite Table 7.3, the minimum landscaped open space shall be 35% of the lot.

ii. Maximum net density

Despite Table 7.2, the net density for the CMUC-5 zone shall be a maximum of 150 units per hectare.

iii. Maximum commercial gross floor area (GFA)

Despite Section 7.3.2 (a), the maximum commercial gross floor area (GFA) shall be 5,920 square metres.

iv. Minimum parking required

Parking is required at the following rates:

- Apartment Building – for the first 20 units: 1.5 per unit, and for each unit in excess of 20: 1.25 per unit
- Staked townhouses – 1 space per unit
- Commercial – 1 space / 23 square metres GFA

~~iv.v.~~ Ministry of transportation setback

All buildings and structures shall be setback a minimum of 14 metres from the Ministry of Transportation highway property limit.

~~v.vi.~~ Severability provision

The uses and regulations of the CMUC-85 zone shall continue to apply collectively to the whole of the lands zoned as CMUC-85, despite any future severance or condo registration.

- (d) Regulations for stacked townhouses
In addition to the regulations outlined in Section 18.8.5 (c) and subject to regulations outlined in Section 6.3.5 and section 4.7, including permitted projections for balconies, of the by-law, the following exceptions and additions are applicable to stacked townhouses:
- i. Minimum rear yard
Despite Table 7.3, C, [and Table 6.18D](#), the rear yard shall be a minimum of 5.5 metres
 - ii. Maximum building height
Despite Table 7.4, B, [and Table 6.19A](#), the maximum building height shall be 4 storeys.
 - iii. Minimum private amenity area
Despite Table 7.4, A, [and Table 6.18](#), private amenity area shall be provided for each unit and it shall have a minimum area as follows:
 - Below grade units – a minimum of 9 square metres per unit;
 - Ground level units – a minimum of 3 square metres per unit; and,
 - Above grade units – a minimum of 3 square metres per unit.
- (e) [The following provisions of the Zoning By-law, do not apply:](#)
- [Section 5.8, Section 5.9](#)
 - [Section 6.3.5, Table 6.19 C, Table 6.19 D, Table 6.19, E, Table 6.19 G](#)
- (iv) Regulations for apartment buildings
In addition to the regulations outlined in Section 18.8.5 (c) and subject to regulations outlined in Section 7.3.1 and Table 4.7 including permitted projections for balconies of this bylaw, the following exceptions and additions are applicable to apartment buildings:
- A. Minimum common amenity area
Despite Table 7.4, [and Table 6.34](#), the minimum common amenity area shall be 10 square metres per unit.
 - B. Maximum building height
Despite Table 7.4, B, [and Table 6.34B](#), the maximum building height shall be 5 storeys.
 - C. [The following provisions of Section 6.3.9 do not apply:](#)
 - [Section 5.8, Section 5.9](#)
 - [Section 6.3.9, Table 6.33 A, Table 6.34 \(active entrance\)](#)