



SHAPING GREAT COMMUNITIES

September 18, 2023

File No. 23099

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

(sent via e-mail)

Attn: Secretary Treasurer
Committee of Adjustment

**Re: Minor Variance Application
Block 130 & 131/132 Cityview Subdivision**

Dear Secretary Treasurer:

On behalf of our client, Fusion Homes, please accept this cover letter as additional supporting material to be reviewed concurrent with our minor variance applications at 55&75 Cityview Drive, ahead of Fusion's final Site Plan Submission.

It is our intention to outline the minor variance requests and provide a background as to why the minor variance are being sought. We also provide planning justification for each variance request and demonstrate how they each meet the four texts of a minor variance.

Background

Blocks 130, 131, and 132 are multiple-residential blocks within Phase 2 of the Cityview Subdivision 23T-12501. Two site plan applications have been submitted for the development of the blocks. Block 130 proposes 32 residential units, and Blocks 131 and 132 are combined and propose 123 residential units. Though there are two separate site plan applications, the developments will function as a whole and the form and function between the two sites should, and has been considered throughout the design of the blocks. Further it is anticipated that these blocks will each form part of a single Standard Phased Condominium Corporation and so connectivity between the sites is crucial to allow residents to access the amenities provided across all blocks.

Thus far, the blocks have been reviewed through the site plan pre-consultation phase and two formal site plan submissions. Through these discussions between City staff and Fusion Homes, the design and layout of the blocks has transformed. Some modifications have been made which reflect improved functionality and design of the Sites at the request of City staff. However, some of these modifications have also resulted in the need for minor variances.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

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The minor variances are identified below along with the reasoning behind each.

Block 130 – By-law (2023)-20790 Under Appeal

1. Parking Location

Requesting relief from Section 5.2.2(c) which requires that on a lot 9,000 square metres and greater, a maximum of 75% of the residential parking spaces shall be permitted in surface parking areas. The proposal includes 100% of the residential parking spaces to be in surface parking areas.

2. Parking Space Dimensions

Requesting relief from Section 5.3.2 (a) which requires that all parking spaces shall be designed, installed and maintained in accordance with the dimensions set out in Table 5.2 which requires exterior parking spaces for stacked townhouses to be 2.75m x 5.5m. The parking spaces for the Proposed Development are 2.5m x 5.5m.

3. EV Parking

Requesting relief from Section 5.9(b) which requires a minimum of 80% of total required parking spaces for multi-unit buildings with 3 or more dwelling units, townhouse – cluster, stacked, stacked back-to-back, and mixed-use buildings shall be provided as designed electric vehicle parking spaces. The development includes the provision of 10% of required parking to be designed as electric vehicle parking spaces (i.e EV-ready).

4. Maximum Residential Driveway Width

Requesting relief from Table 5.10 Line 3 which permits a maximum residential driveway width of 5 m for Townhouses within the RL.4 zone, to permit double car driveways of 7m for two units (one located in Building A and on located in Building B).

5. Lot Area Per Dwelling Unit

Requesting relief from Table 6.19 which requires a minimum lot area per dwelling unit of 270m² whereas the proposal provides 225m² lot area per dwelling unit.

6. Yards From Private Streets/Sidewalks to Buildings

Requesting relief from Table 6.19 D which requires a minimum exterior side yard from private street back of curb or sidewalk or lot line of 4.5m whereas the minimum exterior side yard proposed for the development is 2.5m

Also requestion relief from Table 6.19 E which requires a minimum rear yard from private street back of curb or sidewalk or lot line of 7.5m whereas the minimum rear yard proposed for the development is 4m.

Block 131/132 – By-law (1995)-14864

1. Visitor Parking

Requesting relief from Section 4.13.6 which requires that In a R.3A or R.4 Zone, in addition to the requirements of Section 4.13.4.3, a minimum of 20% of the calculated total required number of Parking Spaces shall be provided for the use of visitors. The Proposed Development provides for 15% of the parking provided to be for the use of visitors.

2. Minimum Side Yard

Requesting relief from Section 5.4.2.1 which states that despite Row 8 of Table 5.4.2, where windows of a Habitable Room face on a Side Yard, such Side Yard shall have a minimum width of not less than 7.5 metres. The Proposed Development requires a minimum side yard of 6.0m.

Block 131/132 – By-law (2023)-20790 Under Appeal

1. Parking Location

Requesting relief from Section 5.2.2(c) which requires that on a lot 9,000 square metres and greater, a maximum of 75% of the residential parking spaces shall be permitted in surface parking areas. The proposal includes 100% of the residential parking spaces to be in surface parking areas.

2. Parking Space Dimensions

Requesting relief from Section 5.3.2 (a) which requires that all parking spaces shall be designed, installed and maintained in accordance with the dimensions set out in Table 5.2 which requires exterior parking spaces for stacked townhouses to be 2.75m x 5.5m. The parking spaces for the Proposed Development are 2.5m x 5.5m.

3. Visitor Parking

Requesting relief from Section 4.13.6 which requires that In a R.3A or R.4 Zone, in addition to the requirements of Section 4.13.4.3, a minimum of 20% of the calculated total required number of Parking Spaces shall be provided for the use of visitors. The Proposed Development provides for 15% of the parking provided to be for the use of visitors.

4. Secure Bicycle Parking

Requesting relief from Table 5.7 Row 2 which requires 1 secure bicycle storage space per residential unit, whereas the Proposed Development provides 0.67 secure bicycle storage spaces per unit.

5. EV Parking

Requesting relief from Section 5.9(b) which requires a minimum of 80% of the total required parking spaces for multi-unit buildings with 3 or more dwelling units, townhouse – cluster, stacked, stacked back-to-back, and mixed-use buildings shall be provided as designed electric vehicle parking spaces. The development includes the provision of 10% of required parking to be designed as electric vehicle parking spaces (i.e EV-ready).

6. Rear Yard to Property Line

Requesting relief from Table 6.18 D which requires a minimum rear yard of half the building height or 3.0m whereas the proposed development is providing 2.75m.

7. Lot Area Per Dwelling Unit

Requesting relief from Table 6.19 which requires a minimum lot area per dwelling unit of 270m² whereas the proposal provides 128m² lot area per dwelling unit.

8. Yards to Private Streets and Sidewalks

Requesting relief from Table 6.19 D which requires a minimum exterior side yard from private street back of curb or sidewalk or lot line of 4.5m whereas the minimum exterior side yard proposed for the development is 1m.

Also requestion relief from Table 6.19 E which requires a minimum rear yard from private street back of curb or sidewalk or lot line of 7.5m whereas the minimum rear yard proposed for the development is 4m.

Four Tests

Parking Location

1. Is it minor?

The requirement to provide 25% of parking underground is only found in the 2023 Zoning By-law. Since the 2023 Zoning By-law is under appeal, and this requirement does not exist

under the 1995 Zoning By-law, the deduction to 0% required underground parking can be considered minor in nature.

2. Is it desirable?

The provision of underground parking comes with significant construction costs. With parking being a required part of the development on a per-unit basis, this cost is directly reflecting in the cost of each unit. Not requiring underground parking will result in a development which is more affordable for end users which is a desirable outcome given the ever-rising cost of housing seen across the City and Province.

3. Is it in line with the intent of the Official Plan

The intent for the Site is to create housing on these blocks which meet the needs of current and future residents of the City. The Proposed Development aims to create housing and provide for the associated amenities for the residential units such as parking. In general, the Proposed Development is in line with the intent of the Official Plan

4. Is it in line with the intent of the Zoning By-laws?

The Proposed Development includes the sufficient parking spaces for all residents and visitors for the Site. The Site will also feature appropriate landscaping, buffers to parking areas, and screening where necessary. All of these things contribute to a residential development which is in line with the intent of the Zoning By-laws.

Parking Space Dimensions

1. Is it minor?

Parking spaces that are 2.5m in width and 5.5m in length have been being built in the City of Guelph since the 1995 By-law came into force and effect, and before. The request to maintain the same dimensions for the Site which was designed under the 1995 Zoning By-law is minor as it will have no impact to the overall function of the Block.

2. Is it desirable?

Maintaining the parking space dimensions permitted under the 1995 Zoning By-law allows for the efficient use of the land within the Block and prioritizes land for people and housing rather than land for cars. This is a desirable use of land that has no impact on the functionality of the Block.

3. Is it in line with the intent of the Official Plan?

The intent of the site in the Official Plan is to provide for residential uses for the Site. Residential uses are being provided as well as the necessary parking to accommodate the

cars of residents and visitors. The request variance is in line with the intent of the Official Plan as it does not impact the ability to achieve the goals of the Official Plan policies.

4. Is it in line with the intent of the Zoning By-laws?

The intent of this section of the 2023 Zoning By-law is to provide functional parking for the Site. It has been proven through the implementation of the 1995 Zoning By-law that 2.5m by 5.5m parking spaces are sufficient for the function of the parking spaces. As such, the proposed dimensions are in line with the intent of the Zoning By-laws.

EV Parking

1. Is it minor?

Since the provision of EV parking and EV-ready parking is a new regulation under Zoning By-law (2023)-20790 and it is currently under appeal, it is impossible to know how much EV parking (if any) will be required. The proposal to include 10% EV-ready parking has regard for the future-proofing of the Blocks which is the intent of the regulation under the 2023 Zoning By-law. Until the 2023 Zoning By-law appeals conclude the proposal exceeds the 1995 Zoning By-law requirement of zero.

2. Is it desirable?

The provision of EV parking is being accommodated while also balancing end user's desire for EV parking availability. Overall, the proposed reduction represents a desirable amount of EV-ready parking to future-proof the Blocks.

3. Is it in line with the intent of the Official Plan?

The development of residential lands with affordability in mind is at the forefront of the Official Plan's housing goals. The proposed development aims to achieve residential development which balances the EV needs of residents of the future and provision of new housing development now. As such, the variance request is in line with the intent of the Official Plan.

4. Is it in line with the intent of the Zoning By-laws?

The requirement for EV parking spaces and EV-ready parking spaces is a new requirement under the 2023 Zoning By-law which is currently under appeal. It is difficult to say with certainty that the amount of EV parking set out in the 2023 Zoning By-law will be maintained through the appeal process. The proposal for 10% EV-ready parking achieves the intent of the 2023 Zoning By-law to include EV parking in new developments while respecting that the 1995 Zoning By-law requires zero.

Visitor Parking (Block 131/132 Only)

1. Is it minor?

The request for a reduction in visitor parking is minor in nature because it is a reduction from 0.2 spaces per unit, to 0.15 spaces per unit. This is a difference of 0.05 which is very minor.

2. Is it desirable?

The reduction in visitor parking allows for additional parking spaces to be provided for resident use. The current proposal shows a residential parking rate of 1.06 parking spaces per unit which exceed the minimum of 1 parking space per unit. From a development and end-user perspective, it is more desirable to offer more than 1 parking space for some units with reduced visitor parking. As such, the requested variance is desirable.

3. Is it in line with the intent of the Official Plan

The reduction of 0.05 spaces for visitors to the Block is a minor request which will facilitate the new residential development. It is believed that this reduction will still result in sufficient visitor parking for the Block, especially when combined with the available street parking in proximity to the Block. For this reason, the proposed reduction is in line with the intent of the Official Plan.

4. Is it in line with the intent of the Zoning By-laws?

The reduction in visitor parking is further justified when considering the subdivision as a whole. Street parking is available throughout the subdivision providing for an abundance of available parking for visitors to the Block. Therefore, the reduction is in line with the intent of the Zoning By-laws.

Secure Bicycle Parking (Block 131/132 Only)

1. Is it minor?

Secure bicycle parking is being provided on-site in two ways. The first is within secure weather-protected bicycle lockers which are shown throughout the site plan. These are the lockers being calculated in the overall secure bicycle spaces calculation. Secure bicycle storage is also being provided on each of the ground-floor units within the stacked townhouses. These represent 41 of the proposed units. However, these units are not counted towards Zoning By-law (2023)-20790's definition of secure weather protected bicycle parking and as such, the site seems deficient. If these were counted, the Block would be providing 124 long-term bicycle parking spaces which is more than is required in the Zoning By-law. In all, the technical request is minor in nature.

2. Is it desirable?

The ground-floor units of the stacked townhouses will have space to store bicycles within the unit underneath the stairs of the above-ground units, close to the front door. It is understood that bicycle storage within the unit is preferable to a bicycle locker provided elsewhere on the Site. As such, the provision of bicycle storage within 41 of the units is desirable.

3. Is it in line with the intent of the Official Plan?

The Official Plan does not speak directly to bicycle storage, however it does speak to urban design. Removing some required bicycle storage to instead provide them indoors will allow for more landscaping throughout the Site and will provide for a more attractive streetscape. Generally the removal of some bicycle storage is more in line with the intent of the Official Plan than the alternative.

4. Is it in line with the intent of the Zoning By-laws?

The requirement for secure bicycle storage for residents does not exist in the 1995 Zoning By-law. Providing for bicycle storage within units and throughout the site is in line with the intent of the 2023 Zoning By-law.

Lot Area Per Dwelling Unit

Block 130 is requesting a lot area per dwelling unit of 225m² and Block 131/132 is requesting a lot area per dwelling unit of 128m² whereas 270m² is required.

1. Is it minor?

In both circumstances, the proposed lot area per dwelling units represent a minor reduction to the requirement in the Zoning By-law (2023)-20790. The reduction is not required at all under Zoning By-law (1995)-14864. For Block 131/132, the reduction is greater because the Site is entirely made up of stacked townhouse product which is smaller than two-storey cluster towns. Block 130 has a blend of two-storey townhouses and stacked townhouses bringing the area per unit higher. The stacked townhouse product is the same for both blocks and have been proven to be a comfortable and desirable size home for end users.

2. Is it desirable?

The reduction of lot area per dwelling unit allows for a mix of smaller and more dense unit types which have been proven to be a desirable built form for the City. Within the same subdivision there is a range of single detached homes. These blocks provide for a mix of residential unit sizes in the area.

3. Is it in line with the intent of the Official Plan?

The intent of the Low Density Residential designation is to permit a mix of residential development from single detached, to townhouses, and apartments. The Proposed Development aims to achieve the goal of providing housing within this range of built form, conforming to the intent of the Official Plan

4. Is it in line with the intent of the Zoning By-laws?

The blocks are meeting the minimum and maximum density requirements which would not be met if more land per unit were needed. Furthermore, the intent of the Zoning By-law is to provide for a mix of townhouse uses on these two Blocks which is being provided in this Proposal.

Yard Setbacks to Private Sidewalks

1. Is it minor?

The variances required on Blocks 130 and 131/132 for setbacks to private sidewalks to buildings is a new regulation under Zoning By-law (2023)-20790. The reduction in the required setback are minor and will not have an impact on the overall function or aesthetic of the Blocks. Sufficient landscaping has been provided on the Blocks, so setbacks to sidewalks would result in wasted land within the Blocks. Therefore, the reduction in setbacks to private sidewalks is minor in nature.

2. Is it desirable?

The Proposed Developments on Blocks 130 and 131/132 have been designed to be pedestrian-scale with good connectivity to the residential units, amenity areas, and parking. The reduced yard from the sidewalks is a demonstration of the compact built-form which was the goal of the Blocks within the larger subdivision. The achievement of this goal is desirable for the Blocks, and the subdivision as a whole.

3. Is it in line with the intent of the Official Plan?

Compact built-form allows for the efficient use of the land within the City's Urban Boundary and reduces the need for sprawl. The proposed variances make use of the land while creating an attractive, compact, and walkable Site which are all mentioned in the City's Official Plan as intended goals for the City. As such, the proposed variances are in line with the intent of the Official Plan.

4. Is it in line with the intent of the Zoning By-laws?

The intent of the regulations is to provide sufficient space between buildings and sidewalks, perhaps to provide the opportunity to provide landscaped spaces. The Blocks all provide

sufficient landscaped open space and amenity area to support the residential uses on the Blocks. For that reason, the proposed variances are in line with the intent of the Zoning By-law.

Yard Setbacks from Property Line to Buildings (Block 131/132)

1. Is it minor?

Under the 1995 Zoning By-law, a 7.5m side yard is required whereas only 6m is provided. Under the 2023 Zoning By-law, the same regulation does not exist, but a rear yard of 3m is required whereas only 2.75m is provided. Under the 1995 Zoning By-law, the rear yard set back requirement is being met. Both requests represent minor adjustments to their respective Zoning By-law. The unique shape of the Block makes it difficult to meet all setback requirements, but the Proposed Development had achieved a desirable outcome requiring minor relief under the Zoning By-laws.

2. Is it desirable?

The request relief is a result of working with an irregular shaped Block. The layout of the residential units made the best use of the Site as possible and was able to achieve the legislated density for the Block. Overall, the minor setback relief will have a desirable outcome for the Block.

3. Is it in line with the intent of the Official Plan?

The layout of the Block allows for the best use of the Site to create a residential development that achieves the density targets of the Official Plan. As such, the request is in line with the intent of the Official Plan.

4. Is it in line with the intent of the Zoning By-laws?

As these regulations are new under Zoning By-law (2023)-20790 and do not exist under Zoning By-law (1995)-14864, the request is in line with the intent of the 1995 Zoning By-law. It is believed the intent of the regulations under the 2023 Zoning By-law is to provide adequate space between the sidewalks and the buildings. The Proposed Development of both blocks provides ample space between the sidewalks and the buildings to create a functional and aesthetically pleasing development with soft landscaping between sidewalks and buildings. As such, it is believed that the intent of the Zoning By-law is met.

Conclusions

Overall, it is believed that the design of the site is a result of collaboration with Fusion Homes and City staff. The result is two functional site plans which aim to meet the needs of the City in regards to permeability and connectivity between the sites, good quality common amenity space, and an attractive streetscape. Overall, the requested variances meet all four tests of a minor variance being minor in nature, desirable, and in line with the intent of the Official Plan and Zoning By-laws.

If you have any questions regarding the information provided, please feel free to reach out.

Yours truly,
GSP Group Inc.



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