

Planning Memo

716 Gordon Street, Guelph

September 28, 2023

Katie Nasswetter
Senior Development Planner
City of Guelph

via Email: katie.nasswetter@guelph.ca

RE: Planning Memo
716 Gordon Street, Guelph

Dear Ms. Nasswetter,

Fotenn has prepared this Planning Memo to provide a professional planning assessment of the proposed Official Plan Amendment and Zoning By-law Amendment for the lands municipally known as 716 Gordon Street in the City of Guelph ("the subject site"). The following assessment recommends that the applications be approved subject to the modified site-specific zoning provisions as outlined within this report.

Fotenn has reviewed all relevant application materials provided by the municipality as well as the following policy documents which form the basis of our findings:

- / Provincial Planning Statement, (2020);
- / Growth Plan for the Greater Golden Horseshoe (2020);
- / City of Guelph Official Plan 2017 (OPA 80 Consolidation);
- / City of Guelph Zoning By-law (1995)-14864;
- / City of Guelph Comprehensive Zoning By-law (2023)-20790.

Please note that this report has assessed all applicable policy and regulatory framework, including the new zoning by-law which is currently under appeal and not in-force.

Sincerely,



Miles Weekes, MCIP, RPP
Senior Planner
Fotenn Planning + Design



Yuki Naganuma, BURPI.
Planner
Fotenn Planning + Design

1.0 Introduction

1.1 Purpose of Memorandum

Fotenn Planning + Design has been retained by the City of Guelph to provide a professional planning opinion on the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications for the lands municipally known as 716 Gordon Street ('the Subject Lands'). Based on a review of the current proposal, it has been determined that the proposed development is generally consistent with the relevant policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe Area. The proposal also conforms with the general intent of the City of Guelph Official Plan and Zoning By-law (1995)-14864. Accordingly, it is our opinion that the proposed applications for Official Plan Amendment and Zoning By-law Amendment should be approved, subject to certain modifications as outlined herein.

It should be noted that the proposed development was also reviewed against the applicable regulations of the City's new Zoning By-law (2023)-20790; however, no amendments to the City's new Zoning By-law (2023)-20790 were proposed by the applicant. As such, only those amendments which are required to bring the development into conformity with Zoning By-law (1995)-14864 are recommended to be approved. When Zoning By-law (2023)-20790 comes into effect, any development of the Subject Lands will be required to conform to any new regulations which have not been otherwise amended through a site-specific By-law.

1.2 Proposed Development Overview

In June 2023, OPA and ZBA applications were submitted to the City of Guelph for the development of a purpose-built post-secondary student residence. The proposed development consists of a single, large building featuring four towers sitting atop a 3-4 storey podium. Tower heights range between 6-11 storeys.

The Planning Justification Report prepared by GSP Group (dated May 2023) states that enrollment rates at the University of Guelph have been increasing 5% per annum since 2017 and is projected to continue to increase. However, the supply of student residents have not kept pace with this increase. The proposed housing development supports the provision of a greater quantity of housing options to meet projected needs to accommodate the growing student body. The Planning Report further states that the proposed units will be generally smaller in size to meet market-based needs, although it should be noted that in the event that the development may not be exclusively used as a post-secondary residence, the unit sizes should still be accommodating for non-student populations as well.

The proposed student residence will contain 532 dwelling units with a total of 1,149 bedrooms, as well as 90 m² of commercial retail space. A total of 303 parking spaces are proposed, of which 15 spaces will be visitor parking spaces at the surface. All other parking spaces will be located within a two-storey underground parking structure. A total of 590 bicycle parking spaces are also proposed. The residence is proposed to include a total of 5,633 square metres of amenity area and will feature 7,376 square metres of landscaped open space (43% of the lot area).

The applicant has submitted applications for Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA). The applications are required to amend the maximum permitted density for the Subject Lands, as well as to amend certain site-specific regulations to permit the proposed built form. The proposed amendments are described in greater detail under Sections 1.6 and 1.8 of this Memo, below.

The proposed OPA is required to amend the site-specific policies which apply to the site, to increase the density permitted on the site and to permit the site to calculate density on a bedroom per hectare basis. The ZBA is required to amend the site's existing zone provisions to facilitate the proposed post-secondary residence use through altering density calculation from a units/ha to a bedrooms/ha basis, calculate parking for residential units on a per bedroom basis, to calculate shared amenity areas on a per bedroom basis, to permit a reduced front/exterior side yard setback at the corner of Stone Road East and Gordon Street and to increase the permitted encroachment for a canopy into the front and exterior side yard setbacks.

1.3 Planning Approvals History

The Subject Lands were subject to a prior development application for OPA and ZBA in 2011, which was ultimately appealed to the Ontario Municipal Board (OMB – now known as the Ontario Land Tribunal). In 2013, the Subject Lands were subject to an OMB decision to approve the proposed OPA and ZBA, resulting in various site-specific regulations to regulate density, massing, and other performance standards for the Subject Lands. The OMB decision added a Post-Secondary School Residence, restaurant, convenience store and accessory uses as permitted uses on the site. Site-specific regulations were also introduced to permit a maximum height of up to 11-storeys (subject to certain restrictions) and a maximum site density of 156 units per hectare, which were intended to realize the proposed development at this site as a gateway to the City and the University of Guelph. Additional regulations regarding setbacks, parking, and other performance standards were also implemented.

1.4 Location & Context

The Subject Lands are located at the south-east corner of the intersection of Stone Road and Gordon Street. The site is 1.72 hectares in size and currently vacant. Previously the lands contained a hotel, which has since been demolished. The following uses are located immediately adjacent to the Subject Lands:

- / **North** Low-rise residential uses, and the University of Guelph further north across Stone Road East;
- / **East** Low-rise residential uses;
- / **South** Low-rise commercial use to the south across Gordon Street, including a hotel and a retail plaza;
- / **West** Provincial government and university research-related institutional uses located at the opposite corner of the Gordon Street and Stone Road West intersection.

The Subject Lands are located across Stone Road East from the University of Guelph's main campus. There are numerous commercial amenities located within walking distance of the site, including a grocery store, convenience store, multiple restaurants and fast-food establishments, and various other services. The surrounding street network supports active transportation modes, featuring sidewalks along all nearby streets, signalized pedestrian cross-walks, and dedicated bicycle lanes along Gordon Street and Stone Road East. The site is also located approximately 800 metres south of the University Centre bus loop, which features access to a wide range of City bus routes, as well as GO Transit bus service for regional connections.

1.5 Existing Official Plan (OPA 80 Consolidation) Land Use Designations and Policies

The subject lands are located within a Strategic Growth Area, as per Schedule 1a of the Official Plan. The OP promotes intensification throughout the built-up areas of the City, particularly within Strategic Growth Areas. Strategic Growth Areas are planned to provide for higher density mixed-use development in proximity to transit services.

The Subject Lands are designated *High Density Residential* as per Schedule 2 of the City of Guelph Official Plan (the OP). The Subject Lands are also subject to site-specific policy 9.12.3.4, which permits building heights ranging between 3-11 storeys. The site is also subject to a net density range of 100-156 units per hectare. The site-specific policy reflects the decision of the OMB in 2013.

The *High Density Residential* designation is intended to be used predominantly for high density multiple unit residential building forms. Permitted uses in this designation include multiple unit residential buildings such as townhouses and apartments.

1.6 Proposed Official Plan Amendment

The applicant is proposing to maintain the existing *High Density Residential* designation and amend site-specific policy 9.12.3.4 to permit a maximum net density of 676 bedrooms per hectare.

1.7 Existing Zoning

The City of Guelph currently has two (2) Zoning By-laws which are approved by Council. For the purposes of this application, Zoning By-law (1995)-14864 represents the in-effect zoning applicable to the subject lands. The Subject Lands are currently zoned Specialized Residential Apartment Zone [R.4B-14] in the City of Guelph Zoning By-law (1995) – 14864, as per Defined Area Map 40 in Schedule A. The R.4B-14 Zone permits a Post-Secondary School Residence, Restaurant, Convenience Store and Accessory Uses. The site-specific zoning also describes the performance standards applicable to the Subject Lands, including matters such as density, setbacks, building height, angular planes, parking, and more. The site-specific zoning reflects the decision of the OMB in 2013.

However, it should be noted that on April 18, 2023, City Council approved the new Zoning By-law (2023)-20790 which is currently under appeal and therefore not yet in force-and-effect. When the appeals to the City's new Zoning By-law (2023)-20790 are resolved, the new Zoning By-law will become the applicable zoning for the Subject Lands. The Subject Lands are zoned site-specific High Density Residential 7 [RH.7-4(PA)] Zone under Zoning By-law (2023)-20790. The RH.7-4 Zone is intended to generally reflect the 2013 OMB approved zoning for the Subject Lands.

1.8 Proposed Zoning By-law Amendment

The purpose of the proposed ZBA is to amend the applicable R.4B-14 Zone by adding specialized regulations to permit increased maximum density, reduced parking requirements, added bicycle parking requirements, increased canopy encroachment into the front and exterior side yard setback, reduced front and rear yard setbacks and reduced common amenity space, and an amendment to the Post-Secondary School Residence definition.

A number of specialized regulations are being requested for the proposed development, including:

- / Calculating maximum density on a bedrooms per hectare basis (bph), and proposing a maximum density of 676 bph
- / Calculating amenity area on a per bedroom basis, and proposing a minimum of 4.9m² per bedroom
- / Calculating required parking rate on a per bedroom basis, and proposing a minimum of 0.25 spaces per bedroom plus a minimum of 15 visitor parking spaces
- / Applying a bicycle parking rate of:
 - o Residential: 1 long term and 0.1 short term spaces per unit
 - o Restaurant: 0.1 long term spaces per 100 m² GFA (2 spaces minimum) and short term 2 spaces per use
- / 6.7 m minimum front yard and exterior side yard setback
- / 2.9 m maximum encroachment into the front yard, and 3.6m into the exterior side yard, and 8.1m at corner of Gordon Street and Stone Road East
- / Amending definition of "Post-Secondary School Residence"

It should be noted that the applicant did not include a review of the City's new Zoning By-law (2023)-20790, despite being requested to do so by City Planning Staff. As such, no amendments to the new Zoning By-law were proposed. Therefore, only those amendments which are required to bring the development into conformity with Zoning By-law (1995)-14864 were examined as part of this planning analysis. Once Zoning By-law (2023)-20790 comes into effect, any development of the Subject Lands will be required to conform to any new applicable regulations which have not been otherwise amended through a site-specific By-law.

2.0 Planning Analysis

2.1 Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement (PPS) provides high-level land use policy direction on matters of Provincial Interest as they relate to land use planning in Ontario municipalities. The provincial vision for land use planning states “efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities”. Decisions of municipal councils must be consistent with the PPS, which outlines key objectives such as building strong healthy communities, wise use and management of resources, and protecting public health and safety.

The OPA and ZBA applications received for 716 Gordon Street are supportive of a number of key policy directions to develop healthy, liveable and safe communities as set out in Section 1.1.1 of the PPS. The proposal speaks to a 532-unit development, ranging from 6-11 storeys, and directed primarily for student apartment use. The Subject Lands are within short walking distance to the University of Guelph. As such, the proposed development promotes an efficient form of land use and infrastructure through its compact design on a site that is well-located to be transit supportive. The provision of student-oriented apartments responds to local housing demands for residential uses geared towards the student population. The proposal is anticipated to help meet the long-term housing needs of the surrounding area. Further, the intensification of the subject lands represents the promotion of the integration of land use planning, growth management and transit-supportive development which is beneficial for optimizing infrastructure investments and minimizing costs for expansion of services.

Given that the subject lands are located within a Settlement Area, particularly within an Intensification Corridor and the Built-Up Area as identified within the City’s Official Plan, the proposed scale of the development at this location is consistent with the policy direction outlined in Section 1.1.3.1 of the PPS. The subject site is within walking distance of two GO Transit stops, local bus services, and the university campus, thereby promoting active transportation modes amongst residents. The incorporation of bicycle parking within the site will also support the use of existing nearby bicycle lanes and mitigate the need for personal vehicle trips. In this regard, the proposal is consistent with PPS direction for the efficient use of existing transit infrastructure.

Section 1.4.3 of the PPS promotes the provision of all housing options to meet the needs of the regional market area, and to encourage all forms of residential intensification and redevelopment. The proposed development will introduce 532 units and 1,149 bedrooms geared towards post-secondary students, which will help to alleviate pressure on the local housing market in proximity to highly compatible uses and services.

The proposed development to facilitate the redevelopment of a vacant parcel of land to introduce apartments for student-oriented use is generally consistent with the policies and objectives of the PPS.

2.2 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (2020), hereafter referred to as “the Growth Plan”, together with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan, builds on the Provincial Policy Statement (PPS) to provide a long-term land use planning framework for where and how the region and its municipalities will grow. The Growth Plan encourages the creation of complete communities that supports economic prosperity, protects the environment and helps achieve a high quality of life.

Section 2.2.1 of the Growth Plan supports the achievement of complete communities, featuring a diverse mix of land uses with convenient access to local services and amenities, improved quality of life, diverse housing options, and convenient access to active transportation options, among other things. The Subject Lands are located at a significant intersection in proximity to the University of Guelph, with convenient access to existing local and regional transit services and open spaces. The proposed development will facilitate residential intensification of underutilized lands, improve social equity for a

significant population group, contribute to the needs of the existing and future student population through the provision of housing options, and support efficient use of existing servicing and transit infrastructure.

As per Section 2.2.2 of the Growth Plan, the proposal represents appropriate intensification of a site located within the Built-Up area of the City of Guelph, where a minimum of 50% of all residential development is to occur annually. Given that the site is located within a Strategic Growth Area as per the Official Plan, the proposal contributes positively towards the Growth Plan's minimum intensification targets. The new residential use is intended to be housing for students and therefore will also be in conformity with housing policies as per Section 2.2.6, by providing a mix of housing options to meet the projected needs of existing and future residents.

Section 3 of the Growth Plan requires that large-scale developments be supported by appropriate technical plans and studies, demonstrating that the proposed use may be accommodated on the site. The applicant has prepared numerous technical studies relating to matters such as stormwater management, grading, servicing, and traffic in support of the subject applications. These technical studies have been reviewed by appropriately qualified professionals who have provided comments under separate cover.

The proposed development will have regard for adjacent cultural heritage resources, including the Part IV-designated property at 13 Evergreen Drive. The applicant has prepared a Cultural Heritage Resource Impact Assessment which proposes mitigation measures such as maintaining mature trees and establishing an appropriate setback measure, which will be implemented through the site plan approval process. As such, the proposal is in conformity with cultural heritage conservation policies as per Section 4.2.7 of the Growth Plan.

2.3 Conformity with the City of Guelph Official Plan (OPA 80 Consolidation)

The City of Guelph Official Plan is a future-oriented document that sets out a course for the desired development of Guelph to the year 2031. In July 2022, City Council adopted OPA 80 which expanded the planning horizon of the OP from 2031 to 2051. OPA 80 was approved by the Minister of Municipal Affairs and Housing on April 11, 2023. The following policies of the OP are relevant to the proposed development, inclusive of the key policy updates introduced through OPA 80.

As per Section 2.1, the SmartGuelph Principle most relevant to the proposed development is as follows:

c) Compact and Connected: a well-designed City with a vital downtown core and a commitment to mixed-use and higher density development; a safe community conveniently connected for walkers, cyclists, users of public transit and motorists.

As per Section 2.3, the relevant strategic goals from the Official Plan are as follows:

1. Planning a Complete and Healthy Community

a) Utilize an interdisciplinary approach to planning whereby decisions are made with an understanding of the ecological, social, cultural and economic interrelationships and implications for any particular course of action.

b) Ensure an appropriate range and mix of employment opportunities, local services, community infrastructure, housing including affordable housing and other land uses are provided to meet current and projected needs to the year 2031.

c) Provide for urban growth and land use patterns that support community needs and ensures efficient use of public expenditures and municipal financial sustainability over the long term.

6. Urban design

b) Build a compact, mixed-use and transit-supportive community.

c) Plan and design an attractive urban landscape that reinforces and enhances Guelph's sense of place and identity while encouraging innovative design and development opportunities.

d) Encourage intensification and redevelopment of existing urban areas that is compatible with existing built form.

As per Section 3.1, the City of Guelph OP contains policies to achieve a complete community as follows:

3.1.1 Planning to support the achievement of complete communities, as a central theme to this Plan, is focused on the achievement of a well-designed, compact, vibrant city that meets people's needs for daily living throughout their lifetime by providing:

- i) A variety of employment opportunities in appropriate locations*
- ii) A full range of housing options and densities to accommodate a range of incomes and household sizes;*
- iii) Local services and public service facilities including affordable housing and schools;*
- iv) High quality publicly accessible open space and adequate parkland opportunities for recreation including trails and other recreational facilities;*
- v) Access to healthy, local and affordable food options*
- vi) Convenient access to a range of transportation options including public transit and active transportation.*

As per Section 3.34 and 3.6, the OP directs that the City's future development to the year 2051 will be accommodated within the City's settlement area boundary, and requires that a minimum of 46% of all residential development occur within the built-up area. Intensification is promoted within the Built-Up Area, particularly within Strategic Growth Areas identified on Schedule 1a. Strategic Growth Areas are intended to accommodate higher density mixed-use development in proximity to transit services, as outlined under Section 3.6.3 and 3.6.5 of the OP.

3.6.3 Strategic growth areas will be planned and designed to:

- i) achieve increased residential and employment densities that support and ensure the viability of existing and planned transit service levels;*
- ii) be well served by transit and facilitate pedestrian and cycling traffic;*
- iii) provide mixed-use development in a higher density, compact form that supports walkable communities and live/work opportunities; and*
- iv) provide a mix of residential, office, institutional, and commercial uses that allows for a range of housing options and services.*

3.6.5 Development within intensification corridors will be directed and oriented toward arterial and collector roads.

The OP is concerned with the orderly and functional planning of large development projects, and sets out the following policies related to infrastructure systems (water, wastewater, stormwater systems).

3.12.1 Development will be planned and coordinated relative to a program for infrastructure planning, asset management and infrastructure investment that is focused on the orderly extension, repair and upgrading of municipal trunk storm and sanitary sewers and watermains.

The subject lands are abutting a property that is designated under Part IV of the Ontario Act. As such, the following policies for cultural heritage conservation apply to the proposal:

4.8.1 Cultural heritage resources shall be conserved in accordance with this Plan and all other relevant legislation.

- 1) Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated, to the satisfaction of the City, in consultation with Heritage Guelph, that the heritage attributes of the protected heritage property will be conserved. Mitigation or avoidance measures may be required to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.*

The proposed development is anticipated to be a major traffic generator for the surrounding area. The OP encourages development that supports a sustainable transportation network as per policies of Section 5.1 and 5.3. The OP generally encourages the increased use of non-auto travel modes. Development of transportation demand management (TDM) options will be an essential part of evaluating development proposals and developing a sustainable transportation system. TDM measures may include active transportation facilities, reduced parking standards, carpooling programs, or transit pass initiatives (among other things). The OP encourages shorter commuting distances through compact urban design. Section 5.4 encourages active transportation measures be implemented to support walking and cycling as priorities within the transportation system.

Both Stone Road East and Gordon Street are classified as arterial roads, which are generally intended to move large volumes of traffic over moderate distances within the City. Arterial roads are also meant to accommodate a high level of transit services. Direct access to such roads from private properties shall be limited to avoid interference with the primary function of the roadway. Traffic Impact Studies will be required for proposals which are considered significant traffic generators along arterial roads. The OP allows for reduced parking requirements to be considered, particularly within intensification corridors, where high levels of transit exist or are planned.

Section 6 of the OP outlines the general framework for the provision and extension of municipal services to new development. All new development will be required to connect to full municipal services, including sanitary, water, stormwater management, solid waste management, electrical power, and transportation networks.

Section 8 of the OP sets out the framework for good urban design within the municipality. The policies outlined under Section 8 are intended to promote the creation of a complete community and apply to all developments within the City. New developments will support sustainable design elements, including energy efficiency, water conservation, sustainable building design, low impact stormwater infiltration systems, and other similar measures. Residential uses shall be integrated and well-connected to surrounding existing neighbourhoods, featuring a mix of transportation modes and access to transit services. Pedestrian oriented streetscapes shall be promoted through the design and construction of new development. Distinctive urban design is warranted at intersections of major roads and gateways in order to define new community landmarks and establish a sense of community image and identity.

Section 8.9 requires that tall building forms (greater than six storeys) incorporate a distinctive bottom, middle, and top, as well as interesting architectural features and rooftop treatments. Parking should be provided primarily below grade, with limited surface visitor parking. Built form studies should address massing, shadows, and views which may have potential impacts to the surrounding neighbourhood. Floor plate sizes and spacing between towers should be carefully considered to minimize massing of towers and promote access to sunlight and privacy. Appropriate transition between different land uses should be established through the use of setbacks, stepbacks, terracing, among other things.

Pedestrian connections to building entrances should be well articulated, safe and accessible, providing linkages to the surrounding network of walking infrastructure. Bicycle parking should be conveniently located near building entrances, or be sheltered and integrated into the built form. Driveways and private roads should be design to be safe and comfortable for pedestrians, cyclists, and vehicles. Loading areas should be located within a building where possible, or adequately screened from view. Landscaping shall be utilized to complement built forms, provide screening for surface parking and loading areas, and integrate new developments into the neighbourhood fabric.

New development should be designed to promote safety through passive surveillance, clearly defined transition between the public and private realms, and well-lit walking routes. Building design should promote accessibility in accordance with the *Accessibility for Ontarians's Disability Act* (AODA) and the *Ontario Building Code* (OBC).

The subject lands are located within a Strategic Growth Area, as per Schedule 1a of the OP. The Subject Lands are designated *High Density Residential* as per Schedule 2. Section 9.5.4 sets out policies for sites located within the High Density Residential designation.

9.5.4.1 The following uses may be permitted subject to the applicable provisions of this Plan:

i. Multiple unit residential buildings generally in the form of apartments

9.5.4.2 The minimum height is three (3) storeys and the maximum height is ten (10) storeys.

9.5.4.3 The maximum net density is 150 units per hectare and not less than a minimum net density of 100 units per hectare.

9.5.4.4 Within Strategic Growth Areas, the maximum net density is 250 units per hectare.

The subject site is subject to site-specific policies within the South Guelph area, as follows:

9.12.3.4 In spite of the provisions of policies 9.5.4.2 and 9.5.4.3, the minimum height is three (3) storeys and the maximum height is eleven (11) storeys; and the maximum net density is 156 units per hectare and not less than a minimum net density of 100 units per hectare.

2.4 Assessment of the Official Plan Amendment

General Overview

The Subject Lands are designated High Density Residential as per Schedule 2 of the OP. Permitted uses within this designation include multiple unit residential buildings such as townhouses and apartments. Site-specific policy 9.12.3.4 also applies to the site, which permits building heights ranging between 3-11 storeys and a maximum net density of 156 units per hectare.

The applicant's development proposal to introduce student-oriented apartment housing on vacant lands is generally conforms with the OP's strategic goal of developing a complete community. The proposal to develop a 6-11 storey building feature 532 units and 1,149 beds represents an appropriate use of land that is aligned with the OP's policy direction for development along an Intensification Corridor and within a Strategic Growth Area. Through OPA 80, the City increased the maximum permitted density for lands designated High Density Residential within a Strategy Growth Area to 250 units per net hectare, whereas density was previously limited to a maximum of 150 units per net hectare.

With regards to housing objectives, the introduction of a post-secondary student residence with 532 units will contribute positively towards the provision of a greater range of housing options in the City. Purpose-built rental student housing will serve the special needs of the area and represents efficient use of an underutilized lot within the built-up area. The proposal also conforms with policies that direct higher density residential development in proximity to transit, open spaces and other public amenities to optimize investments in public infrastructure.

With regards to infrastructural works, the applicant has provided relevant infrastructural studies demonstrating that the development will be appropriately serviced by municipal water, wastewater, solid waste and stormwater management facilities that can be realized in an orderly manner.

With regards to the site's adjacency to a cultural heritage resource, the applicant has provided a relevant assessment and mitigation measures to demonstrate that impacts to the Part IV-designated property 13 Evergreen Drive are mitigated.

While the proposal is generally in alignment with the urban design strategic goal of intensifying existing urban areas with a compact, attractive, transit-supportive development, certain modification are recommended the ensure the design meets the design criterion outlined under Section 8 of the OP. Please refer to the accompanying Urban Design Review for additional assessment of the design. Should the proposed Official Plan Amendment and Zoning By-law Amendment applications be approved, it is anticipated that further assessment of the development's conformity with the OP's design principles will occur through the detail design review process as part of the Site Plan Control application process.

Assessment of the Density Increase

The purpose of the proposed OPA is to amend the site-specific policy within the *High Density Residential* designation to permit a maximum net density of 676 bedrooms per hectare. The applicant is requesting that the density be calculated on a bedrooms per hectares basis, rather than units per hectare.

The Planning Justification Report provided by the applicant states that “this is to allow this development to keep up with market demands which show that students would now like to live in one-, two-, three-, and four-bedroom units instead of the previous traditional model of five-bedroom units.” The report further states that “If density is not adjusted on the site, it will likely result in larger unit sizes (five-bedroom units) that are not designed to meet the needs of students or in smaller unit sizes (one-, four-bedroom units), resulting in a lower number of bedrooms which would be an underutilization of the site”. The applicant’s justification indicates that the calculation of density on a per bedroom basis is internationally recognized as an appropriate method of calculating density and also utilized in the City of Waterloo for higher density zones in proximity to post-secondary institutions.

While we appreciate and understand the rationale provided by the applicant’s planning consultant, it is our opinion that density should continue to be calculated on a per unit basis. Although there may be some benefit to calculating density on a per bedroom basis, this is not a typical practice in the City of Guelph and most other nearby municipalities. City Staff completed a review of the Zoning By-laws for the City of Hamilton, City of Waterloo, City of London and City of Kitchener, all of which are relatively comparable nearby municipalities. It was found that of those four municipalities, only the City of Waterloo has standardized zoning which calculates density on a per bedroom basis. By deviating from the standardized practice of calculating density on a per unit basis, this creates unnecessary confusion when reviewing the proposal against both the City’s Official Plan and Zoning By-law, neither of which contemplate density on a per bedroom basis. In addition to overcomplicating density calculations, it is our opinion that there should be consistency within the site-specific policies and zoning applicable to the site. The applicant has proposed that matters such as density, parking, and amenity be calculated on a per bedroom basis, but that bicycle parking be calculated on a per unit basis. This inconsistency adds to further confusion when calculating performance standards for the proposed development. Finally, by maintaining that density be calculated on a per unit basis, this allows for greater flexibility in the future should the student apartment building ever be converted (in whole or in part) to a more traditional apartment dwelling.

Although it is our opinion that density should continue to be calculated on a per unit basis, we agree that the proposed amendment to the maximum permitted density is appropriate. Given the location of the subject lands near a major academic institution, its proximity to existing public transit routes, as well as applicable policy framework (Strategic Growth Area, Intensification Corridor), increasing the permitted density on this site is appropriate and desirable to optimize the use of the subject lands.

Accordingly, it is our recommendation that the proposed OPA be modified to permit a maximum density of 311 units per net hectare, with a maximum of 1,150 bedrooms. This approach will accommodate the proposed development, while providing clarity on the maximum density and maximum associated number of bedrooms permitted.

2.5 Conformity with the City of Guelph Zoning By-law (1995)-14864

The purpose of the proposed ZBA is to amend the existing R.4B-14 Zone in By-law (1995)-14864. A number of specialized regulations are required to accommodate the proposed development. The application proposes to add specialized regulations to permit increased maximum density, reduce parking requirements, add bicycle parking requirements, increase canopy encroachments into the front and exterior side yard setbacks, reduce front and rear yard setbacks, reduce common amenity space, and amend the Post-Secondary School Residence definition.

The proposed amendments identified by the applicant are indicated in Table 1 below.

Table 1: Applicant's Proposed Zoning Amendments to 716 Gordon Street

Section 5.4 – R.4 Zone:

Section	Regulation	Required	Proposed	Compliance
5.4.2.4.1	Min Common Amenity Area	An amount not less than 30 m ² per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m ² of Common Amenity Area shall be provided and aggregated into areas of not less than 50 m ² . Required: 10,840 m ²	Common amenity area shall be a minimum of 4.9 m ² per bedroom Proposed: 5,633 m ²	No

Section 5.4.3.2.14 – Specialized R.4B-14 Zone

Section	Regulation	Required	Proposed	Compliance?
5.4.3.2.14.1.1	Definition	“Post-Secondary School Residence” means the whole of an Apartment Building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive Use of both a kitchen and a bathroom. For the purposes of the subject property, the definition of Lodging House Type 2 shall not apply.	“Post-Secondary School Residence” means the whole of an apartment building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive use of both a kitchen and a bathroom (where the unit has two or more bedrooms). For the purposes of the subject property, the definition of Lodging House Type 2 shall not apply.	No
5.4.3.2.14.2.1	Max Density	Despite Table 5.4.2, Row 5, the maximum density shall be 156 units per hectare. Maximum: 267 units/ha	Despite Table 5.4.2, Row 5, the maximum density shall be 676 b/ha. Provided: 671.6 b/ha	No
5.4.3.2.14.2.2	Min Front and Exterior Side Yard	Despite Table 5.4.2, Row 6, the minimum Front and Exterior Side Yard setback shall be 9 metres, with an exception along Gordon Street from Stone Road to a point 85 metres south of Stone Road where the Exterior Side Yard setback shall be a minimum of 7.5 metres.	Despite Table 5.4.2, Row 6, the minimum Front and Exterior Side Yard Setback shall be 9 m with the exception at the corner of Gordon Street and Stone Road East where the required setback shall be a minimum of 6.7 metres and along Gordon Street and Stone Road to a point 85 m south of Stone Road where the Exterior side Yard	No

Section	Regulation	Required	Proposed	Compliance?
		Required: 9 m (Gordon Street) 7.5 m (Stone Road)	setback shall be a minimum of 7.5 m. Provided: 9 m (Gordon Street) 6.78 m (Stone Road)	
5.4.3.2.14.2.12	Off-Street Parking	Despite Table 5.4.2, Row 14 and Section 4.13, off-street parking shall be provided at a rate of 1 Parking Space per Dwelling Unit, and in addition, a minimum of 15 visitor Parking Spaces shall be required. Required: 532 spaces 15 visitor spaces 547 total spaces	Despite Table 5.4.2, Row 14 and Section 4.13, off-street parking shall be provided at a rate of 0.25 parking space per bedroom, and in addition, a minimum of 15 visitor parking spaces shall be required. Commercial spaces not required. Provided: 288 spaces 16 visitor spaces 303 total spaces	No

Section 4 – General Provisions

Section	Regulation	Required	Proposed	Compliance?
Table 4.7	Permitted Yard Projections	Canopies (all yards) – 1.8 m maximum projection into required yard Maximum: 1.8 m	Notwithstanding Table 4.7, Row 6, the maximum permitted encroachment for a canopy is 2.9 m into the front yard setback and 3.6 m into the exterior side yard setback and 8.1 m at the corner of Gordon St and Stone Road East. Proposed: 2.88 – 5.87 m	No

2.6 Assessment of the Zoning By-law

Following an assessment of the site-specific amendments to Zoning By-law (1995)-14864 proposed by the applicant, we have no major objections to the proposed amendments in principle. However, we recommend certain modifications to the proposed amendments for greater clarity and/or to incorporate additional amendments which were not identified by the applicant. As such, Fotenn has prepared a table (below) which summarizes the recommended site-specific amendments to the Zoning By-law.

Table 2: Modified Zoning Amendments to 716 Gordon Street

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
1	5.4.2.4.1 Min Common Amenity Area	An amount not less than 30 m ² per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m ² of Common Amenity Area shall be provided and aggregated into areas of not less than 50 m ² . (10,840 m ²)	Common amenity area shall be a minimum of 4.9 m ² per bedroom (5,633 m ² total)	Minimum amenity area of 5,600 m². <i>See holding provision (Amendment #11) for additional details.</i>
2	Table 5.4.2, Row 15 Buffer Strips	Where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve	N/A	Add clarification that a minimum 6-metre-wide Landscaped Buffer Strip shall be required.

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
		Zone, a Buffer Strip shall be developed.		
3	5.4.3.2.14.1.1 "Post Secondary School Residence" Definition	"Post-Secondary School Residence" means the whole of an Apartment Building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive Use of both a kitchen and a bathroom. For the purposes of the subject property, the definition of Lodging House Type 2 shall not apply.	"Post-Secondary School Residence" means the whole of an apartment building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive use of both a kitchen and a bathroom <u>(where the unit has two or more bedrooms)</u> . For the purposes of the subject property, the definition of Lodging House Type 2 shall not apply.	Eliminate "Post Secondary School Residence" as a permitted use and classify proposed development as an "Apartment Building".
4	5.4.3.2.14.2.1 Max Density	Despite Table 5.4.2, Row 5, the maximum density shall be 156 units per hectare.	Alter the maximum density from 156 units per hectare (upha) to a maximum of 676 bedrooms per hectare (bph);	Increase max density to 311 units per net hectare, provided that the maximum number of bedrooms shall be 1,150.
5	5.4.3.2.14.2.2 Min Front and Exterior Side Yard Setback	Despite Table 5.4.2, Row 6, the minimum Front and Exterior Side Yard setback shall be 9 metres, with an exception along Gordon Street from Stone Road to a point 85 metres south of Stone Road where the Exterior Side Yard setback shall be a minimum of 7.5 metres.	9 m (Gordon Street) 6.78 m (Stone Road)	Maintain a 9m setback requirement along Gordon Street and Stone Road East, provided that a reduced setback of 6.7 metres shall be permitted to the hypotenuse of the daylight triangle.
6	5.4.3.2.14.2.12 Off-Street Parking	Despite Table 5.4.2, Row 14 and Section 4.13, off-street parking shall be provided at a rate of 1 Parking Space per Dwelling Unit, and in addition, a minimum of 15 visitor Parking Spaces shall be required. (532 + 15 visitor)	288 spaces (0.25 / bed) 16 visitor spaces 303 total spaces	Reduce required parking to 0.54 spaces per unit, plus 15 visitor parking spaces.
7	Table 4.7 Permitted Yard Projections	Canopies (all yards) – 1.8 m maximum projection into required yard	2.88 – 5.87 m	Permit a canopy projection of up to 5.9 metres into a required front or exterior side yard, provided that a minimum setback of 0.9 metres shall be maintained from any lot line.
	Table 4.7 Permitted Yard Projections	N/A	N/A	Patio wells shall be required to be setback a minimum of 7.2 metres from any lot line.
8	4.13.5.2 Special Vehicle Parking Space dimensions	Every required special Vehicle Parking Space shall be a minimum of 4.0 metres wide by 5.5 metres long.	Type A = 4.0 m x 5.5 m Type B = 3.4 m x 5.5 m Each space features 1.5m access aisle	Implement special vehicle parking space dimensions in accordance with Zoning By-law (2023)-20790, as follows: Special vehicle parking spaces shall have the following minimum dimensions: <ul style="list-style-type: none"> Type A = 4.0 x 5.5 m Type B = 3.4 x 5.5m Each special vehicle parking space shall

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
				feature a minimum 1.5-metre-wide access aisle, which may be shared between two spaces.
9	Bicycle Parking - Residential	N/A	<p>Residential</p> <ul style="list-style-type: none"> • Short-term spaces (54) <ul style="list-style-type: none"> ○ 0.1 spaces per unit • Long-term spaces (532) <ul style="list-style-type: none"> ○ 1 space per unit <p>Commercial</p> <ul style="list-style-type: none"> • Short-term (2) <ul style="list-style-type: none"> ○ 2 spaces per use for restaurants • Long-term (2) <ul style="list-style-type: none"> ○ 0.1 spaces per 100 m² GFA, 2 spaces minimum <p>Proposal includes a total of 590 bicycle parking spaces.</p>	<p>Add minimum bicycle parking requirements, as follows:</p> <p>Residential Uses (min):</p> <ul style="list-style-type: none"> • 1 long-term bicycle parking space shall be provided per unit • 0.1 short-term bicycle parking spaces shall be provided per unit <p>Commercial Uses (min):</p> <ul style="list-style-type: none"> • 2 short-term spaces per commercial use • 0.1 long-term spaces per 100m² GFA, 2 spaces minimum <p>If the calculation of bicycle parking spaces results in a fraction, the required parking space(s) shall be rounded up to the next higher whole number.</p>

Holding Provision Amendment

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
10	Holding (H) Provision	N/A	N/A	<p>Implement Holding (H) Provision to ensure a noise study is completed which demonstrates that rooftop amenity area is appropriate.</p> <p>Purpose: To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. That the Owner prepare a Noise Impact Study demonstrating appropriateness of any outdoor amenity areas, to the satisfaction of the General Manager of Planning Services.

Based on the recommendations outlined in the table above, the following section provides a brief rationale for each of the recommended amendments to accommodate the proposed development.

Planning Discussion on Recommended Amendments (Fotenn)

Amendment #1: Minimum Common Amenity Area

Section 5.4.2.4 of the Zoning By-law requires a minimum common amenity area of 30 m² per dwelling unit for each unit up to 20 units, and for each additional dwelling unit not less than 20 m² of common amenity area. Based on a total of 532 units being proposed, this would result in a minimum required common amenity area of 10,840 m². In contrast, the applicant has proposed a minimum common amenity area of 4.9 m² per bedroom, resulting in a total of 5,633 m² of indoor and outdoor spaces.

It is important to note that at the previous OMB hearing for development of the Subject Lands, the concept under review featured only 267 units – roughly half the number of units that are currently proposed. However, despite the increase in total number of units, the proposed number of bedrooms has actually been slightly decreased due smaller average unit sizes.

Under the current zoning, the site is permitted up to 267 units featuring 5 beds each – resulting in a potential total of 1,335 beds. The current application proposes more units (532) but featuring only 1,149 bedrooms. As such, the applicant is actually proposing a lower overall density, despite a higher total unit count.

We accept the applicant's rationale that the proposed common amenity area is appropriate for the proposed density of the site and will adequately meet the needs of future residents. However, as was previously discussed, we do not agree that site-specific provisions be calculated on a per-bedroom basis. It is our recommendation that a flat minimum common amenity area requirement of 5,600 m² be implemented for the site. This minimum requirement will establish a clear amenity requirement and will remain appropriate for the site regardless of whether the number of units or bedrooms fluctuates.

It should be noted that a Holding (H) Provision is also recommended to be implemented, to ensure that the Owner demonstrates that any proposed outdoor and/or rooftop amenities areas will not significantly and adversely impact adjacent properties (more details below).

Amendment #2: Landscaped Buffer Strips

Table 5.4.2, Row 15, of the Zoning By-law requires that a buffer strip be developed where an R.4 Zone abuts any other residential zone or any institutional, park, wetland, or urban reserve zone. The width of the buffer strip is not defined under Zoning By-law (1995)-14864. It is therefore recommended that a site-specific amendment be implemented to provide clarity regarding the appropriate width of a buffer strip for the subject site within the context of the surrounding neighbourhood. Furthermore, the amendment shall clarify that the intent of the buffer strip is to accommodate landscaping. Accordingly, a minimum 6-metre-wide landscaped buffer strip is recommended to be required for development of the subject site.

The proposed 6-metre-wide landscaped buffer strip will ensure that appropriate buffering is provided between adjacent residential lands and any future drive aisles, parking areas, and loading areas. The landscaped buffer strip will also ensure that adequate area is available to provide meaningful plantings to provide effective visual screening between properties. The landscaped buffer strip will also maximize potential opportunities to save any existing trees on the subject site.

The proposed development does feature a buffer strip; however, the width is not dimensioned on the site plan. Accordingly, it is not clear whether the proposed development complies with the recommended 6-metre landscaped buffer strip requirement. Compliance will be determined at the Site Plan Control review stage of the planning approvals process.

Amendment #3: "Post-Secondary School Residence" Definition

Section 5.4.3.2.14.1.1 states that the definition of "Post-Secondary School Residence" means:

“the whole of an Apartment Building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive Use of both a kitchen and a bathroom. For the purposes of the subject property, the definition of Lodging House Type 2 shall not apply.”

The applicant has proposed a minor revision to the above definition to clarify that bedrooms shall not have exclusive use of both a kitchen and a bathroom only where there are two (2) or more bedrooms in a unit. One-bed dwelling units would thus be permitted to have exclusive use of a kitchen and bathroom.

We have no objection to the applicant’s proposed amendment as it provides logical clarity for any potential one-bed units. However, it is our opinion that the land use as a whole does not serve any clear function. Aside from restricting the maximum number of beds to five (5) per unit, the “Post-Secondary School Residence” is effectively an apartment building. It is therefore our recommendation that the “Post-Secondary School Residence” land use be deleted altogether, and that the proposed development be defined as an “Apartment Dwelling” for zoning purposes. While the term “Post-Secondary School Residence” implies that the dwelling is restricted to use for post-secondary students, there is no practical or legal mechanism to enforce this through zoning. Therefore, there is little purpose in using a unique dwelling definition for the proposed development. By eliminating the definition, the site-specific zoning for the Subject Lands is simplified by ensuring consistency with the terminology in the balance of the Zoning By-law. The balance of site-specific provisions remain appropriate for an apartment dwelling based on contextual and site-specific factors.

Amendment #4: Maximum Density

Section 5.4.3.2.14.2.1 states that maximum density for the subject site shall be 156 units per net hectare, whereas the applicant proposes to alter the maximum density from a units per hectare (upha) basis to a bedrooms per hectare (bph) basis.

The proposed density is roughly double what was previously approved through the OMB, as the total number of units has increased from 267 to 532. However, as discussed above, the increased unit count reflects a modified design featuring a greater number of smaller units in response to changing market demands. Despite the increase in total number of units, the proposed number of bedrooms has actually been decreased overall due to smaller average unit sizes.

We accept the applicant’s rationale for the amended maximum density requirement. However, as was previously discussed, we do not agree that site-specific provisions be calculated on a per-bedroom basis. It is our recommendation that a maximum density of 311 units per net hectare be approved, and that a further limit of 1,150 bedrooms be implemented. This provides a clear limit to the potential density of the Subject Lands, regardless of how many bedrooms are divided amongst each of the units. The proposed increase to maximum density is appropriate given the proximity of the Subject Lands to public transit services, public service facilities, open space and recreational amenities, academic facilities, and commercial amenities.

Amendment #5: Minimum Front and Exterior Side Yard Setback

Section 5.4.3.2.14.2.2 states that the minimum front and exterior side yard setback shall be 9 metres with an exception along Gordon Street from Stone Road to a point 85 metres south of Stone Road where the exterior side yard setback shall be a minimum of 7.5 metres. In contrast, the applicant proposes a reduced 6.7 metre setback from the new lot line at the corner of Stone Road and East and Gordon Street due to a requirement for a daylight triangle land dedication. It is noted that the minimum required 9-metre setback to the front and exterior lot lines are otherwise maintained. As such, there are no objections to the applicant’s amendment in this instance, however a modified amendment is recommended to provide greater clarity regarding the reduced setback.

It is recommended to modify the applicant’s amendment by maintaining the minimum 9-metre setback to both Gordon Street and Stone Road East. However, despite those 9-metre setback requirements, a minimum setback of 6.7 metres shall be required to the hypotenuse of the daylight triangle. This approach maintains clarity that a 9-metre setback is required along both Gordon Street and Stone Road East but acknowledges the additional constraints upon the site as a result of the daylight triangle. Rather than reducing the front or exterior side yard setbacks, a reduced setback shall be permitted only to

the hypotenuse of the daylight triangle. This will help to maintain clear setback requirements, promote a logical built form, and support orderly development of the site.

Amendment #6: Off-Street Parking Requirements

Section 5.4.3.2.14.2.12 states that off-street parking shall be provided at a rate of 1 parking space per dwelling unit, with an additional 15 visitor parking spaces (547 spaces), whereas the applicant proposes a parking rate of 0.25 spaces per bedroom and 16 visitor spaces (303 spaces).

The Planning Justification Report provided by the applicant states that the reduced parking rate is supported by the findings of the Parking Study, while providing for slightly more parking than was included with the original concept plan. In principle, there is no objection to the proposed parking reduction as the site is well-served by public transit (both local and regional transit connections) and is located in proximity to good cycling and pedestrian infrastructure and other community and commercial amenities.

However, as previously discussed, we do not support calculating zoning provisions on a per-bedroom basis. Accordingly, an alternative rate of 0.54 spaces per unit plus 15 visitor parking spaces is recommended. The recommended reduced parking rate will support the City's objectives of supporting reduced reliance of private automobiles, improve the efficient delivery of public transit services, and will be sufficient to meet the needs of future residents.

Amendment #7: Projections

Canopy

Table 4.7 within the General Provisions outlines the permitted yard encroachments into the required yard setbacks. The parent zoning states that a maximum 1.8 m projection into a required yard is permitted, whereas the applicant proposes a maximum encroachment of up to 8.1 m at the corner of Gordon Street and Stone Road East for the canopy. The Planning Justification Report states that the architectural canopy extends from the third storey of the building base to accentuate the corner of Stone Road and Gordon Street and to provide a desirable pedestrian scale public realm interface without impacting the intersection sight lines. The requested encroachment is intended for building articulation to break up the massing of the building.

While we do not object to the proposed projection in principle, it is unclear where the 8.1 metre projection is measured from. In reviewing the site plan, it appears the canopy projects approximately 5.87 metres from the nearest portion of the building façade at the intersection of Stone Road East and Gordon Street. As such, it is recommended that the applicant's proposed amendment be modified to permit a maximum canopy projection of up to 5.9 metres, provided that a minimum 0.9 metre setback be maintained from any lot line.

Patio Wells

Table 4.7 of the Zoning By-law outlines the permitted yard encroachments for any development. However, it is noted that the proposed development features numerous patio wells which wrap the exterior of the building – providing light to units which would otherwise be largely below grade without access to sun. The Zoning By-law does not outline a type of encroachment which would fit the description of the proposed patio wells.

Accordingly, it is proposed that a new projection be added to limit the size and extent of patio wells. It is recommended that patio wells be permitted to project out from the main building, provided they are setback at least 7.2 metres from any lot line.

Amendment #8: Special Vehicle Parking Space

Section 4.13.5.2 states that all Special Vehicle Parking spaces must have a minimum dimension of 4.0 metres wide by 5.5 metres long. The proposed development does not comply with the minimum required dimensions for Special Vehicle Parking spaces. However, it is noted that the 4.0 x 5.5 m dimension requirement is larger than typically required as per the AODA and is intended to be updated in accordance with the Council-approved dimensions outlined under Zoning By-law (2023)-20790.

As such, it is recommended that the minimum dimensions for Special Vehicle Parking Spaces be amended in accordance with the Council-approved requirements under the new Zoning By-law (2023)-20790, as follows:

- Type A = 4.0 x 5.5 m
- Type B = 3.4 x 5.5m
- Each special vehicle parking space shall feature a minimum 2.0-metre-wide access aisle, which may be shared between two spaces.
- An even number of Type A and Type B spaces shall be provided, except that where an odd number is required the additional space may be a Type B space.

Amendment #9: Bicycle Parking – Residential / Commercial

Zoning By-law (1995)-14864 does not include any minimum requirements for the provision of bicycle parking spaces. To ensure the proposed development is in conformity with the policy direction of the Official Plan and good planning principles, the applicant proposes to implement minimum bicycle parking requirements. It is our opinion that the proposed amendment is appropriate and represents good planning. It is recommended that bicycle parking be required at the following minimum rates – in accordance with the council-approved Zoning By-law (2023)-20790:

Residential Uses (minimum)

- 0.1 short-term bicycle parking spaces per unit
- 1 long-term bicycle parking space per unit

Commercial Uses (minimum)

- 2 short-term spaces per commercial use
- 0.1 long-term spaces per 100m² GFA, provided that a minimum of 2 spaces shall be required

If the calculation of bicycle parking spaces results in a fraction, the required parking space(s) shall be rounded up to the next higher whole number.

Holding (H) Provision

In addition to the recommended site-specific zone provisions above, it is recommended that a Holding (H) Provision be applied to restrict the proposed use of land until the noise-related conditions outlined by Engineering Staff have been met. More specifically, an updated Noise Impact Study is required to demonstrate that the proposed outdoor and rooftop amenity areas are appropriate.

2.7 Conformity with Zoning By-Law (2023)-20790

Zoning By-law (2023)-20790 was approved by Council on April 18th, 2023 but is currently under appeal to the Ontario Land Tribunal (OLT). Although not yet in effect, it is anticipated that Zoning By-law (2023)-20790 will come into effect in the near future and represents the council-approved direction for zoning within the City of Guelph.

To ensure the proposed development will be in alignment with the current municipal planning direction, a matching zoning by-law amendment is also required to amend Zoning By-law (2023)-20790. In so doing, the site-specific zoning for the Subject Lands will be up to date and brought into the new Zoning By-law when it comes into effect. The recommended amendments for both Zoning By-law (1995)-14864 and (2023)-20790 are intended to generally match, with the exception of certain key terminology and references to particular Sections within the respective Zoning By-laws.

As was previously noted, the applicant did not include a review of the City's new Zoning By-law (2023)-20790 despite being requested to do so by City Planning Staff. As such, no amendments to the new Zoning By-law were proposed. Therefore, only those amendments which are required to bring the development into conformity with Zoning By-law (1995)-14864 were examined as part of this planning analysis. Once Zoning By-law (2023)-20790 comes into effect, any development of the Subject Lands will be required to conform to any new applicable regulations which have not been otherwise amended through a site-specific By-law.

3.0 Professional Planning Opinion

The proposed intensification of the Subject Lands is supported by Provincial policy and the City of Guelph Official Plan. The vision for the development appropriately introduces intensification within an area that is municipally designated as an Intensification Corridor and Built-Up Area, and proposes a mixed-use development that contributes to the social and economic needs of the existing student population. The proposed applications for Official Plan Amendment and Zoning By-law Amendment are found to meet municipal objectives in introducing additional housing options within a transit-supportive area.

While the nature of the proposed amendments to the in-force Zoning By-law are generally consistent with and conforms to the policies of the City of Guelph Official Plan, certain modifications are proposed to ensure clarity and consistency with city-wide planning standards. Through a detailed assessment of the proposed amendments, we recommend approval of the proposed Official Plan and Zoning By-law amendment applications for 716 Gordon Street, with modifications. Overall, it is our professional land use planning opinion that the subject applications are appropriate for the development of the Subject Lands and should be approved.

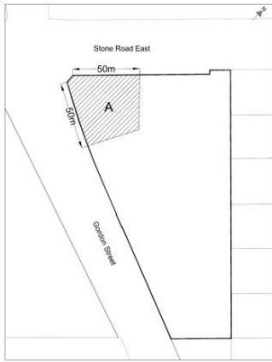
Appendix

Complete Zoning Matrix – Zoning By-law (1995)-14864

Section 5.4 – R.4 Zone

Section	Regulation	Required	Proposed	Compliance?
5.4.1.2	Permitted Uses	See 5.4.3.2.14.1	N/A	-
5.4.2.1	Min Side Yard	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.	15.0 m	Yes
5.4.2.2	Min Distance Between Buildings	See 5.4.3.2.14.2.8	N/A	-
5.4.2.4.1	Min Common Amenity Area	An amount not less than 30 m ² per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m ² of Common Amenity Area shall be provided and aggregated into areas of not less than 50 m ² . (10,840 m ²)	5,633 m ² 10.58 m ² per unit 4.9 m ² per bedroom	No
5.4.2.4.2	Min Common Amenity Area	Amenity Areas shall be designed and located so that the length does not exceed 4 times the width.	Dimensions of some amenity areas is unclear.	To be confirmed through the Site Plan Control review process.
5.4.2.4.3	Min Common Amenity Area	A Common Amenity Area shall be located in any Yard other than the required Front Yard or required Exterior Side Yard.	Complies	Yes
5.4.2.4.4	Min Common Amenity Area	Landscaped Open Space areas, Building roof tops, patios, and above ground decks may be included as part of the Common Amenity Area if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).	Complies	Yes
Table 5.4.2 – Regulations Governing R.4 Zones				
Row 3	Min Lot Area	650 m ²	17,107 m ²	Yes
Row 4	Min Lot Frontage	15 m	117.28 m (Stone Road)	Yes
Row 5	Max Density (units / ha)	See 5.4.3.2.14.2.1	N/A	-

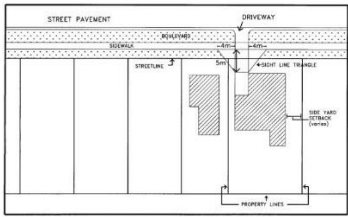
Section	Regulation	Required	Proposed	Compliance?
Row 6	Min Front and Exterior Side Yard	See 5.4.3.2.14.2.2	N/A	-
Row 7	Max Front and Exterior Side Yard	N/A	N/A	-
Row 8	Min Side Yard	See 5.4.3.2.14.2.3	N/A	-
Row 9	Min Rear Yard	See 5.4.3.2.14.2.4	N/A	-
Row 10	Max Building Height	See 5.4.3.2.14.2.5	N/A	-
Row 11	Min Distance Between Buildings	See 5.4.3.2.14.2.8	N/A	-
Row 12	Min Common Amenity Area	See 5.4.2.4	N/A	-
Row 13	Min Landscaped Open Space	See 5.4.3.2.14.2.15	N/A	-
Row 14	Off-Street Parking	See 5.4.3.2.14.2.12	N/A	-
Row 15	Buffer Strips	Where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone, a Buffer Strip shall be developed.	Width of buffer strip is unclear.	To be confirmed through the Site Plan Control review process.
Row 16	Accessory Buildings or Structures	In accordance with Section 4.5.	N/A	-
Row 17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.	N/A	-
Row 18	Floor Space Index (FSI)	See 5.4.3.2.14.2.13	N/A	-
Row 19	Fences	In accordance with Section 4.20.	N/A	-
Section 5.4.3.2.14 – Specialized R.4B-14 Zone				
5.4.3.2.14.1	Permitted Uses	Post-Secondary School Residence Restaurant Convenience Store Accessory Uses	Post-Secondary School Residence	Yes
5.4.3.2.14.1.1	Definition	“Post-Secondary School Residence” means the whole of an Apartment Building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive Use of both a kitchen and a bathroom. For the purposes of the subject property, the definition of	“Post-Secondary School Residence” means the whole of an apartment building consisting of 3 or more Dwelling Units, each providing up to 5 bedrooms for hire or gain directly or indirectly that do not have exclusive use of both a kitchen and a bathroom (where the unit	No

Section	Regulation	Required	Proposed	Compliance?
		Lodging House Type 2 shall not apply.	has two or more bedrooms). For the purposes of the subject property, the definition of Lodging House Type 2 shall not apply.	
5.4.3.2.14.2.1	Max Density	Despite Table 5.4.2, Row 5, the maximum density shall be 156 units per hectare.	310.9 u/ha (671.6 b/ha)	No
5.4.3.2.14.2.2	Min Front and Exterior Side Yard	Despite Table 5.4.2, Row 6, the minimum Front and Exterior Side Yard setback shall be 9 metres, with an exception along Gordon Street from Stone Road to a point 85 metres south of Stone Road where the Exterior Side Yard setback shall be a minimum of 7.5 metres.	9 m (Gordon Street) 6.78 m (Stone Road)	Yes No
5.4.3.2.14.2.3	Min Side Yard	Despite Table 5.4.2, Row 8, the minimum Side Yard shall be 15 metres.	15 m	Yes
5.4.3.2.14.2.4	Min Rear Yard	Despite Table 5.4.2, Row 9, the minimum Rear Yard shall be 15 metres.	20.75 m	Yes
5.4.3.2.14.2.5	Max Building Height	Despite Table 5.4.2, Row 10, the maximum Building Height shall be 9 Storeys, except for the portion of the site shown as Area 'A' in Illustration 1 below, where the maximum Building Height shall be 11 Storeys. Illustration 1: 	Complies	Yes
5.4.3.2.14.2.5.1		A mechanical Penthouse shall not be considered a storey or contribute to building height.	Noted	-
5.4.3.2.14.2.5.2		Building height in storeys shall be measured from finished grade. A floor of a building will be considered a storey and	Noted – finished grade not shown.	-

Section	Regulation	Required	Proposed	Compliance?
		contribute to building height when more than 50% of the exterior walls are above the finished grade.	<i>Finished Grade means the average elevation of the finished surface of the ground, excluding any artificial embankment, immediately adjoining the base of the exterior walls or supports of a Building or Structure</i>	
5.4.3.2.14.2.6	Max Building Floorplate	The maximum floorplate of the portion of a Building above the third Storey shall not exceed 750 square metres, except within Area 'A' as shown on Illustration 1 above, where the maximum floorplate of 750 square metres shall apply above the fourth Storey.	716 m ²	Yes
5.4.3.2.14.2.7	Max Building Setbacks	The portion of a Building above the third Storey shall be setback a minimum of 1.8 metres from the front wall of the portion of the Building closest to Gordon Street or Stone Road, except within Area 'A' as shown on Illustration 1 above, where the Building shall be setback a minimum of 1.8 metres above the fourth Storey from the front wall closest to Gordon Street or Stone Road.	Appears to comply. To be confirmed through site plan review process.	Yes
5.4.3.2.14.2.8	Min Distance Between Buildings	Notwithstanding Section 5.4.2.2 of By-law (1995)-14864, as amended, the following provisions shall apply:	N/A	-
5.4.3.2.14.2.8.1	Min distance between podiums in separate buildings	The podium of a Building is defined as the portion of a Building which is no greater than three Storeys in height (or four Storeys within Area 'A' as shown in Illustration 1). The separation distance between the face of one podium and the face of another podium in a separate Building, either of which contains windows of Habitable Rooms, shall be a minimum of 15 metres. Where the face of either such podium does not contain windows with Habitable Rooms then the minimum separation	One building, therefore no separation between podiums required.	Yes

Section	Regulation	Required	Proposed	Compliance?
		distance between such podiums shall be 10 metres.		
5.4.3.2.14.2.8.2	Min separation distance between portions of buildings above the Podiums (tower)	In this section a Tower is defined as that portion of a Building which is greater than three Storeys in height (or four Storeys in Area 'A' as shown in Illustration 1). The minimum separation distance between the face of any Tower and any other Tower, regardless of whether they are part of the same Building or not, shall be a minimum of: a) 25 metres where at least one of the Towers is greater than nine (9) Storeys in height; or b) 20 metres where both Towers are (9) Storeys or less in height.	a) 25.98 m b) 20.42 m	Yes Yes
5.4.3.2.14.2.9	Interior Side Yard Angular Plane	In addition to the provisions of 4.16, and notwithstanding 5.4.3.2.14.2.5, Building Height shall not exceed an angular plane of 30 degrees projected from the average grade of the interior Side Lot Line, except for the portion of the Building within Area 'A' as shown on Illustration 1, for which Building Height shall not exceed an angular plane of 38 degrees projected from the average grade of the interior Side Lot Line.	Appears to comply Tower A = 30° Tower D = 30°	Yes
5.4.3.2.14.2.10	Rear Yard Angular Plane	In addition to the provisions of 4.16, and notwithstanding 5.4.3.2.14.2.5, Building Height shall not exceed an angular plane of 47.5 degrees projected from the average grade of the Rear Lot Line.	Appears to comply Tower D = 26.5°	Yes
5.4.3.2.14.2.11	Front and Exterior Side Yard Angular Plane	In addition to the provisions of 4.16, and notwithstanding 5.4.3.2.14.2.5, Building Height shall not exceed an angular plane of 45 degrees projected from the Centre Line of the Street, except for the portion of the Building within Area 'A' as shown on Illustration 1 above, which may not exceed an	Appears to comply <u>Stone Road:</u> Tower A = 32.6° Tower B = 47.6° <u>Gordon Street</u> Tower B = 43.7° Tower C = 43.0° Tower D = 42.1°	Yes

Section	Regulation	Required	Proposed	Compliance?
		angular plane of 55 degrees projected from the Centre Line of the Street.		
5.4.3.2.14.2.12	Off-Street Parking	Despite Table 5.4.2, Row 14 and Section 4.13, off-street parking shall be provided at a rate of 1 Parking Space per Dwelling Unit, and in addition, a minimum of 15 visitor Parking Spaces shall be required. (532 spaces + 15 visitor)	288 spaces (0.25 / bed) 16 visitor spaces 303 total spaces	No
5.4.3.2.14.2.13	Floor Space Index (FSI)	Despite Table 5.4.2, Row 18, the maximum Floor Space Index shall be 2.5.	2.08	Yes
5.4.3.2.14.2.14	Max GFA for Commercial Uses	The maximum Gross Floor Area for the permitted commercial Uses shall not exceed a total of 300 square metres.	90 m ²	Yes
5.4.3.2.14.2.15	Min Landscaped Open Space	Despite Table 5.4.2, Row 12, the minimum Landscape Open Space shall be 35%. <i>"Landscaped Open Space" means the area of a Lot which is at grade and Used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping and includes any buffer strip, surfaced walk, surface patio, swimming pool or similar area, but does not include any access Driveway, ramp, Parking Area or any open space beneath, above or within any Building or Structure;</i>	43%	Yes
Section 4 – General Provisions				
4.5	Accessory Buildings or Structures	N/A	N/A	-
4.6.1	Sight Triangles – Corner Lots	On a Corner Lot in any Zone, within the sight line triangle formed by joining the point of intersection to points on each Street Line, measured 9 metres from that point of intersection, no Building, Structure, play	10.2 x 10.6 m triangle at intersection	Yes

Section	Regulation	Required	Proposed	Compliance?
		<p>equipment, statue or parked motor Vehicle shall be located.</p> <p>A Fence, hedge, shrub or foliage may be located within the sight line triangle provided it is maintained in such a manner that its height is not more than 0.8 metres above the level of the travelled portion of the abutting Streets. This provision shall not prevent the planting of one deciduous tree within the defined triangle, or municipal tree planting.</p>	Complies	Yes
4.6.2.1.1	General Sight Lines	<p>Commencing at each edge of the vehicular access on the Lot side of the sidewalk or curb (whichever is closer to the Lot Line) and measuring a distance of 4 metres away from such edges at a 90 degree angle and commencing at the edge of the Lot side of the sidewalk and measuring a distance of 5 metres toward the Lot at a 90 degree angle.</p> <p style="text-align: center;">ILLUSTRATION OF GENERAL SIGHT LINE TRIANGLE</p> 	4 m x 5 m sight lines provided	Yes
4.6.2.2		<p>Within any part of a sight line triangle at vehicular access area no Building, Structure, play equipment, statue, swimming pool/hot tub or parked motor Vehicle shall be located.</p>	Complies	Yes
4.6.2.3		<p>Within the sight line triangle, a Fence, hedge, shrub or foliage may be located provided it is maintained in such a manner that its height is not more than 0.8 metres above the level of the travelled portion of the Street.</p>	Complies	Yes

Section	Regulation	Required	Proposed	Compliance?
Tale 4.7	Permitted Yard Projections	Canopies (all yards) – 1.8 m maximum projection into require yard	2.88 – 5.87 m	No
		Canopies (all yards) – 0.5 m minimum setback from lot line	0.91 m	Yes
		Other projections – patio wells	Patio wells proposed within front and exterior side yards. Dimensions to be confirmed through the site plan review process.	Appears to comply with proposed amendment to implement maximum projection for patio wells.
4.9.1	Garbage, Refuse and Storage	No garbage or refuse shall be stored on any Lot in any Zone except within the principal Building or any accessory Building or Structure on such Lot or in container in a Side Yard or Rear Yard of such Lot.	Garbage storage internal and in interior side yard	Yes
4.9.2		Every garbage or refuse storage area required by this By-law, including any garbage loading or unloading area, which is visible from an adjoining site Zoned Residential, Commercial, Wetland, Institutional, or Park, or from a river or Street, shall have a visual screening consisting of fencing.	1.8 m high fence proposed along north and east property lines.	Yes
4.9.3		A dumpster or garbage container shall be regulated in the same manner as an accessory Building or Structure in the Zone in which it is located.	All waste storage is internal.	Yes
4.10	Municipal Services	No land shall be Used or built upon and no Building or Structure shall be erected, Used or expanded for any purpose unless all Municipal Services including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are Available and Adequate.	Municipal services appear to be available and adequate. To be reconfirmed at the site plan review stage.	Yes
4.13	Off-Street Parking	See 5.4.3.2.14.2.12	N/A	-
4.13.1		Every off-street Parking Area shall be located on the same Lot as the Use requiring the parking and shall not infringe on or obstruct any required Loading Spaces.	Complies	Yes

Section	Regulation	Required	Proposed	Compliance?
4.13.2.2		In a R.3A or R.4 Zone, every Parking Space shall be located in the Side or Rear Yard provided that no Parking Space is located within 3 metres of any Lot Line.	Complies	Yes
4.13.2.2.1		Despite Section 4.13.2.2, only visitor parking (not more than 25% of the minimum off-street parking required) may be located in the Front Yard or Exterior Side Yard provided it is to the rear of the required Front or Exterior Side Yard.	No parking in front or exterior side yards	Yes
4.13.2.2.2		No part of any surface Driveway or surface Parking Area shall be located within 3 metres of a Building entrance or any window of a Habitable Room.	Unclear	To be confirmed at the site plan review stage.
4.13.3		Every off-street Parking Area shall be provided with adequate means of ingress and egress to and from a Street or lane and shall not interfere with the normal public use of a Street. With the exception of Parking Areas provided for Single Detached, Semi-Detached, Duplex Dwellings or Home Occupations, Group Homes, Bed and Breakfast establishments, Additional Residential Dwelling Units and On-Street Townhouses, Parking Areas shall provide for ingress and egress of Vehicles to and from a Street in a forward motion only.	Complies – forward ingress and egress via Gordon Street and Stone Road	Yes
4.13.3.2.2		Despite Section 4.13.3.2.1, the minimum Parking Space dimensions for Single Detached, Semi-Detached and Duplex Dwellings or Home Occupations, Group Homes, Bed and Breakfast Establishments, Additional Residential Dwelling Units, Lodging House Type 1, On-Street Townhouses, Cluster Townhouses, Stacked Townhouses and R.4 Zones are 3 metres by 6 metres within a Garage or Carport. The minimum exterior Parking Space	Standard = 3 m x 6 m Exterior = 2.5 m x 5.5 m	Yes Yes

Section	Regulation	Required	Proposed	Compliance?
		dimensions are 2.5 metres by 5.5 metres		
4.13.3.2.4		Every Driveway associated with such Parking Spaces shall have a minimum width for access to a Street or lane of 3 metres.	Min 6.5 m	Yes
4.13.3.4.2		Nothing in this By-law shall prevent the location of an underground Parking Area in any part of a required Side Yard or Rear Yard on a Lot provided such underground Parking Area is not within 3 metres of a Lot Line.	Min 4.43 m	Yes
4.13.5.1		<ul style="list-style-type: none"> • 301-400 = 4 accessible spaces • 400+ = 1 additional accessible space per 100 spaces (6 accessible spaces required)	7 accessible spaces	Yes
4.13.5.2		Every required special Vehicle Parking Space shall be a minimum of 4.0 metres wide by 5.5 metres long.	Type A = 4.0 m x 5.5 m Type B = 3.4 m x 6.0 m Each space features 1.5m access aisle	Compliance to be confirmed at the site plan review stage.
4.13.7		In a R.3 and R.4 Zone, if access to required off-street Parking Spaces is by 1 Driveway or Parking Aisle only, such Driveway or Parking Aisle shall have a minimum width of 6 metres throughout its length.	Min 6.0m width drive aisle throughout	Yes
4.23	Accessory Uses	Every Accessory Use shall be located in the same Building or Structure as the permitted Use to which it is devoted and shall not occupy more than 25% of the Gross Floor Area of the said Building or Structure.	Less than 25% of GFA.	Yes
4.24	Road Allowance Requirements	Despite any other provision of this By-law except for Section 2.5.4, no Building or Structure shall be erected or located closer to the original Centre Line of any Street listed in Table 4.24 than the minimum Setback required by this By-law plus the "Specification From the Original Centre Line of the Right-Of-Way"	Appears to comply	Compliance to be confirmed at the site plan review stage.

Section	Regulation	Required	Proposed	Compliance?
		listed in Table 4.24 for that Street.		
Table 4.24	Specification From the Original Centre Line of the Right of Way	Stone Road <ul style="list-style-type: none"> • 18 metres south side, Speed River to Victoria Rd. 	Appears to comply	Compliance to be confirmed at the site plan review stage.
		Gordon Street <ul style="list-style-type: none"> • 15 metres both sides, Stone Rd. to City limit 	Appears to comply	Compliance to be confirmed at the site plan review stage.
4.28	Exterior Side Yards	Despite Table 5.1.2 Row 6a, Table 5.2.2 Row 5a and Table 5.3.2 Row 5a, 6 metres is required on existing and proposed Arterial and Collector roads as set out in Schedule 9A: Existing Road Network and Schedule 9B: Recommended Road Plan of the City of Guelph Official Plan.	6.78 m	Yes