

December 12, 2023

The City of Guelph
Planning Services
1 Carden Street
Guelph, ON
N1H 3A1



Our File: #23-700

Attention: Committee of Adjustment

Reference: **Application for Minor Variance
Reduction in Visitor Parking Requirement
Tricar Developments Inc.
1888 Gordon Street, Guelph ON**

Monteith Brown Planning Consultants (“MBPC”), on behalf of our client, Tricar Developments Inc. is pleased to submit an application for a Minor Variance **to permit the reduction of required visitor parking spaces** as part of Tricar’s development on their lands, known municipally as 1888 Gordon Street (“the subject lands”), in Guelph Ontario.

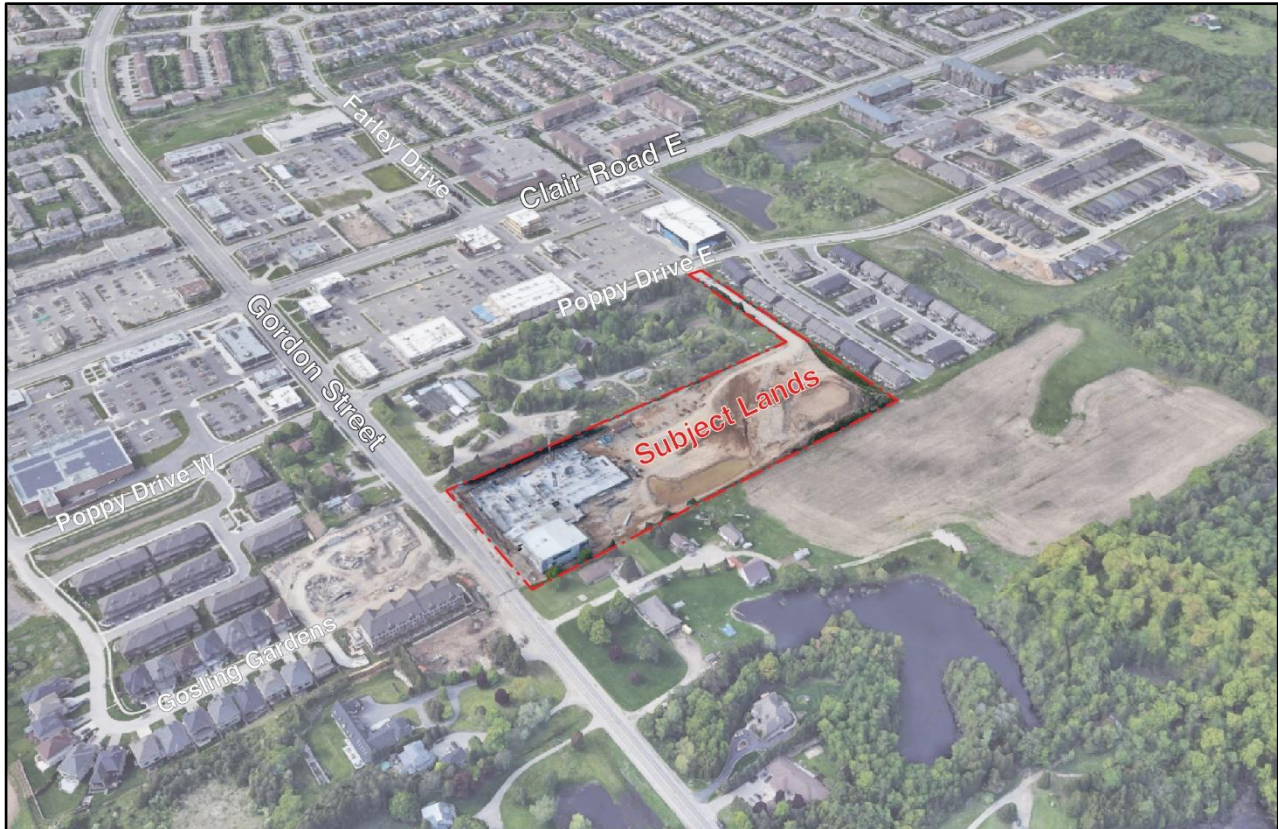
Subject Lands

The subject lands, as illustrated on **Figure 1**, are located in the southwest area of the City of Guelph and have a land area of approximately 3.4 ha (8.4 ac) with an approximate frontage of 108 metres along Gordon Street and 15 metres along Poppy Drive East. The subject lands are also known as the Gordon Square Condominiums.

The lands include two already constructed apartment buildings in condominium tenure, and include Tricar’s office, sales and selections studio, a commercial gym and a hair salon. The third and final apartment building is now proceeding to construction on the lands. **Building 1** is 14 storeys in height and contains 172 dwelling units; **Building 2** is 14 storeys in height and includes 173 dwelling units; and **Building 3** is currently under construction and will be 8 storeys in height and will contain 181 dwelling units. The total number of residential dwelling units for the site will be 526.

The subject lands are located along Gordon Street which is an arterial road and the main throughfare through the City of Guelph with dedicated cycling infrastructure and established sidewalks on both sides of the street. The lands are also well served by the City’s transit system with several bus routes serving the site and 7 transit stops located within an 800-metre radius.

Figure 1| Aerial View of the Subject Lands



Source: City of Guelph Mapping, 2023 Overlay

Adjacent Uses

There is a nursery/garden centre located immediately north of the subject lands along with several large-scale commercial plazas. There is a townhouse development located to the west of the subject lands and a townhouse development located to the east of the subject lands. Lastly, to the south of the subject lands there is a golf course and scattered existing low density residential dwellings.

Proposed Parking Adjustment

Through this application, our client is proposing a reduction in the number of parking spaces that are required to be dedicated for visitors use on the site for the residential portion of the subject lands. To be clear, our client is not proposing to reduce the overall number of parking spaces provided on the site, rather, they are seeking to reduce the number of spaces that need to be signed for usage by visitors.

Under both Zoning By-Laws (the currently in-force and approved but appealed), the minimum requirement for visitor parking is 20%, and under the newly proposed Zoning By-Law (2023)- 20790 the maximum ratio of visitor parking spaces permitted is 25%. Overall, our client is seeking a 10% reduction in the number of required visitor parking spaces based on the minimum provision in both By-Laws. This amounts to a request for 78 visitor parking spaces where 135 parking spaces would otherwise be required for the total site as per the minimum required provision in both Zoning By-Laws.

The other 57 additional parking spaces are intended to be reallocated to resident parking. This request is being made based on our client’s extensive experience in delivering purpose-built residential apartment towers over the past 25+ years in cities throughout Ontario.

In accordance with the City of Guelph’s Zoning By-Law (1995)-1484, the subject lands are zoned R.4B-20. The parking provisions for the R.4B zone require 1.5 spaces for the first 20 dwelling units and a ratio of 1.25 spaces for every dwelling unit over 20. With regard to visitor parking, a minimum of 20% of the calculated total required number of parking spaces shall be provided for the use of visitors (s.s. 4.13.6).

Under the newly approved but under appeal Zoning By-Law (2023)-20790, the subject lands are zoned as RH.7-7 (PA). The PA suffix denotes that a Parking Adjustment applies to the subject lands which also requires a minimum parking ratio of 1.5 spaces for the first 20 units and a ratio of 1.25 spaces per dwelling unit in excess of 20. A minimum of 20% of the required parking spaces shall also be for the use of visitor parking. Additionally, the PA suffix also introduces parking maximums for sites that are denoted as having a PA. In this case, the maximum permitted parking ratio is 1.5 spaces per dwelling unit and a maximum of 25% of the total parking spaces to be for the use of visitors.

To assist in understanding how parking is allocated across the site **Table 1** breaks down the minimum parking requirements under both By-Laws and the maximum permitted parking provisions under the newly proposed Zoning By-Law compared to what has been provided and what is being requested for the subject lands. Although it is not explicitly clear in either Zoning By-Law whether parking ratios are to be applied per building or per lot, for the purposes of this letter, the parking ratio calculations have been done on a per building basis to produce more conservative numbers.

Table 1 | Parking Requirements Versus Parking Provided for the Subject Lands

Current Zoning By-Law (1995)-1484						
Total Required Resident Parking (incl’s Vis)	Current Provided Resident	Proposed Requested Resident	Required Visitor Parking (20%)	Proposed Requested Visitor (10%)	Required Commercial Parking	Actual Provided
674	668	725	135	78	32	33

Proposed Zoning By-Law (2023)-20790									
Min. Resident Parking Required (incl’s Vis)	Max. Resident Parking Permitted (incl’s Vis)	Current Provided Resident	Proposed Requested Resident	Min. Required Visitor Parking (20%)	Max. Visitor Parking Permitted (25%)	Proposed Requested Visitor (10%)	Min. Commercial Parking Required	Max. Commercial Parking Required	Actual Provided
674	790	668	725	135	169	78	25	33	33

As identified in Table 1 above, Tricar has provided the required resident and commercial parking for the entirety of the site as per the minimum provisions in both Zoning By-Laws. Regarding the commercial parking, Tricar is providing 33 parking spaces in total for the entirety of the site. In the newly proposed Zoning By-Law, the minimum requirement for commercial parking is only 25 spaces resulting in a difference of 8 parking spaces. Tricar has stipulated that they intend to share these 8 parking spaces between commercial uses and visitor uses for their site as well.

Review of other Municipal Parking Requirements

In assessing the requested variance, we examined and compared the parking requirements with numerous other similarly sized municipalities. In our review, we identified that the City of Guelph has one of the highest ratios of visitor parking required for apartment buildings outside of the downtown area. It is noted that the City of Guelph recognizes a reduced visitor parking provision can work effectively by permitting apartment buildings identified in the Downtown Zones to require a provision of only 0.05 (5%) visitor parking spaces per dwelling unit under Zoning By-Law (2023)-20790. Recognizing that most dwellings in the Downtown Zones are typically well-served by the transit system, this would suggest that this model can work and be applied to other newly proposed developments that are also well-served by the transit system including Tricar's development.

Extending this model of reduced visitor parking requirements to other developments well served by the transit system, including Tricar's, could be advantageous in the long-term. It promotes a shift away from single-occupancy vehicle use by visitors, encouraging the use of more sustainable transportation options such as the use of the City's transit system. This could increase the ridership of the transit system overall ensuring the continued use of transit infrastructure and encouraging the development of transit supportive densities to help the City meet its overarching goal as outlined in the City's Official Plan.

In our examination and experience in peer municipalities and their required provisions for visitor parking for apartment buildings, it appears that the City of Guelph is not in alignment with observed best practices or observed parking demand trends. For example, the City of Waterloo, visitor parking rates vary by zone and by use; however, the requirement of 0.1 (10%) visitor parking spaces per dwelling unit is the most common within their Zoning By-Law for apartment buildings. The City of London requires a minimum of 0.5 (5%) parking spaces per dwelling unit for apartment buildings within the City with no set provision for visitor parking to be included as part of the total parking spaces required. The City of Burlington requires a provision of 0.05 (5%) visitor parking spaces per dwelling unit for buildings with more than 20 dwelling units. The City of Kitchener follows suit with a required parking provision of 1.1 spaces per dwelling unit inclusive of visitor parking, meaning no set visitor parking requirements.

The City of Kingston has recently updated their Zoning By-Law to add in clauses that seek to modernize their required parking provisions. Such clauses include identifying different provisions for parking requirements for lots that are identified as being within 600m walking distance to the "Kingston Transit Route." Further, the City of Kingston has identified a maximum required parking provision of 1.0 space per dwelling unit across the entire City for apartment buildings with minimum requirements as low as 0.4 spaces per dwelling unit. The required provisions for visitor parking in the City of Kingston for apartment buildings is between 10% and 15% depending on the Parking Area the lot is located in. These ratios further showcase that similar sized Cities throughout Ontario are recognizing the changing paradigm shift regarding parking requirements and are responding accordingly through updates to their Zoning By-Laws to reflect more modern parking best practices and address issues of affordability and efficient land use.

Table 2 below has been provided by Tricar to outline the actual provided visitor parking provisions and usage for 11 of their similarly sized apartment buildings in both London and Sarnia. As shown in this table, the average visitor parking provision provided is 5.29%. In the two instances where the average visitor parking usage was observed to be 100%, the provisions for visitor parking were 1.57% for an apartment building with 240 dwelling units and 6.34% for an apartment building with 160 dwelling units respectively. Both of these apartment buildings are in London where, as mentioned above, there is no separate visitor parking provision as part of the parking requirements for apartment buildings. The average visitor parking usage for the apartment buildings with a usage number (8 buildings out of 11) equates to approximately 73%. This further solidifies Tricar's reasoning that on average, the visitor parking spaces are rarely fully utilized.

Through this application, Tricar is seeking a 10% reduction in visitor parking spaces, which is well above the average for the parking rates outlined in Table 2 below. This table thus further reiterates Tricar's

observed experience regarding visitor parking usage and provides further rationale for this request for a reduction in required visitor parking for their site.

Table 2| Actual Provided Visitor Parking and Usage for 11 of Tricar’s Apartment Buildings

Parking Summary				
Property	Number of Suites	Visitor Parking Stalls	Visitor Stalls % of Total Stalls	Average Usage
71 King St, London	266	0	0.00%	N/A
320 Thames St, London	240	4	1.57%	100%
22 Picton St, London	131	8	5.63%	95%
300 North Centre Rd, London	120	13	10.74%	35%
284 Wonderland Rd S, London	160	13	6.34%	100%
800 Wonderland Rd S, London	142	0	0.00%	N/A
325 Southdale Rd, London	148	26	10.70%	60%
335 Southdale Rd, London	195	15	6.55%	50%
315 Southdale Rd, London	164	22	8.49%	90%
392 Front St, Sarnai	125	16	8.12%	50%
275 Front St , Sarnia	123	0	0.00%	N/A
Average			5.29%	

The Four Tests for Minor Variance

When the Committee of Adjustment is considering a minor variance application, the following four tests as prescribed by Section 45(1) of the Planning Act are applied to determine whether the minor variance should be approved. The four tests are outlined below.

1. Does the requested variance maintain the intent and purpose of the Official Plan?

The subject lands are identified as being located within the 'Greenfield Area' on Schedule 1: Growth Plan Elements in the City of Guelph's Official Plan.

One of the goals in Section 3 - Planning a Complete and Health Community, includes planning for the Greenfield areas of the City to provide for a diverse mix of land uses at transit supportive densities.

Section 3.12 - Greenfield Areas, states that Greenfield areas will be planned and designed in a manner which will contribute to the City's overall vision of a diverse and complete community. Development within Greenfield areas must be compact and occur at densities that support walkable communities, cycling, and transit and promote live/work opportunities.

Some of the other main goals identified for Greenfield areas include the following:

- Create street configurations, densities, and an urban form that supports walking, cycling, and the early integration and sustained viability of transit services;
- Create high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling

Tricar has successfully adhered to the intent and purpose of the 'Greenfield Area' designation and the general intent of the Official Plan by creating a thoughtfully planned, compact and transit-supportive development that actively promotes the use of the robust transit system offered in the City.

Section 5.11 of the City of Guelph Official Plan speaks to parking specifically outlining the following provision for parking within the City:

1. The City will ensure adequate parking facilities are provided to meet the parking demands generated by various land uses.

Tricar has adhered to this provision by providing adequate parking facilities for their land use as per the City requirements for parking outlined in both Zoning By-Laws as demonstrated above in Table 1.

The requested minor variance for a reduction in visitor parking spaces does not impact the prescribed direction of the Official Plan for the subject lands, nor does it request any modifications to the directions prescribed in the Official Plan for the subject lands or a reduction in the overall number of parking spaces being provided.

For the reasons stated above, the requested variance maintains the general intent and purpose of the City of Guelph's Official Plan.

2. Does the requested variance maintain the intent and purpose of the Zoning By-law?

On April 18, 2023, City Council approved the new Zoning By-Law (2023)-20790; however, this new Zoning By-Law is currently under appeal. Any application made during the appeal period are asked to comply with both Zoning By-Laws (1995)-14864 and (2023)-20790.

As mentioned above, the subject lands are zoned as R.4B-20 under the in force and effect Zoning By-law (1995)-14864. The primary permitted use under the R.4B-20 site specific zone are apartment buildings with a maximum permitted height of 14 storeys and a maximum permitted density of 175 units per hectare for the entire site. As outlined above, the parking provisions for the R.4B zone require 1.5 spaces for the first 20 dwelling units and a ratio of 1.25 spaces for every dwelling unit over 20. Additional permitted uses under the specialized R.4B zone include a bake shop, cluster townhouses, office, personal service establishment, take out restaurant and stacked townhouses.

Under the newly proposed Zoning By-Law (2023)-20790, the subject lands are zoned as RH.7-7 (PA). The primary permitted use for the RH.7 zone is apartment buildings with the same additional permitted uses as stated above. The maximum density permitted in the RH.7-7 site specific zone is 14 storeys and the maximum density permitted is 175 units per hectare.

The PA suffix denotes a Parking Adjustment for these lands. Under the PA provisions, the minimum parking requirements for apartment buildings is as follows:

- For the first 20 dwelling units a ratio of 1.5 spaces per dwelling unit will be used and for each dwelling unit in excess of 20, the ratio of 1.25 spaces per dwelling unit will be used. A minimum of 20% of the required parking spaces shall be for the use of visitor parking.

The newly proposed Zoning By-Law introduces maximum parking provisions for lands that are denoted as having a Parking Adjustment (PA) suffix such as the subject lands. The maximum ratio permitted under the new Zoning By-Law (2023)-20790 is 1.5 spaces per dwelling unit and 0.25 spaces per dwelling unit for visitors.

As previously stated, Tricar is not proposing to reduce the overall required number of parking spaces provided on the site, rather, they are seeking to reduce the number of parking spaces that need to be signed for usage by visitors. The request for a 10% reduction in required visitor parking translates to a provision of 78 visitor spaces instead of the initially stipulated 135.

It is important to note that aside from the requested minor variance, Tricar's apartment development fully adheres to all other zoning regulations applicable to the subject lands under both Zoning By-Laws. Consequently, this request does not propose or result in any substantial modifications to the overall land use and function of the subject lands, nor does it result in any changes to the integrity of the surrounding lands uses or neighbourhood.

Based on the above, the requested variance maintains the general intent and purpose of the Zoning By-Law.

3. Is the requested variance desirable for the appropriate and orderly development or use of the land?

Reducing the amount of visitor parking and reallocating the additional 57 parking spaces to resident parking is desirable for the appropriate and orderly use of the subject lands. On average, resident parking spaces are occupied for longer periods of time than visitor parking spaces therefore resident parking spaces are used more efficiently contributing to the overall optimized use of the subject lands.

A lack of resident parking spaces normally promotes the occupation of visitor parking spaces by residents that have more than one vehicle thereby resulting in the use those spaces for resident purposes anyway. The increased availability of resident parking serves to provide additional options for residents with multiple vehicles, allowing them the convenience of acquiring an extra parking space where necessary.

Further, as mentioned, over the past 25+ years of Tricar's career as an established high-rise developer, it has been found that a majority of their high-rise development projects have required the provision of an average of 10% of visitor parking or less in which it was found that even at peak times throughout the day, the visitor parking was rarely fully utilized. Therefore, it has ultimately been the experience of our client on many occasions that there is higher demand for resident parking than for visitor parking in almost every instance. Consequently, Tricar is directly responding to market trends to provide a more efficient resident experience by allocating more resources to residents as part of their condominium amenities offered knowing that they will be utilized to the full extent.

Given the reasons stated above, the requested minor variance is desirable for the appropriate and orderly development and use of the land.

4. Is the requested variance truly minor in nature?

The proposed variance of a 10% reduction in required visitor parking for the subject lands is truly minor in nature. As previously mentioned, and outlined above, The City of Guelph has one of the highest visitor parking requirements compared to other peer municipalities of similar size in Ontario. Given that the minor variance does not propose or result in any substantial modifications to the overall land use and function of the subject lands, nor does it result in any changes to the integrity of the surrounding land uses or neighbourhood and does not serve to reduce the overall number of parking spaces being allocated on the lands, the proposal is truly minor in nature.

Summary

In summary, the requested minor variance proposes a reduction in the required visitor parking spaces for the residential portion of the subject lands, aiming to reallocate the additional spaces to resident parking without decreasing the overall number of minimum required parking spaces provided on-site. More specifically, our client seeks a 10% reduction in the required visitor parking spaces amounting to a total of 78 parking spaces where a minimum of 135 would be required by both Zoning By-Laws.

Further, as demonstrated above in the four tests for a minor variance, as prescribed by the Planning Act, the four tests have been carefully examined, and met. The requested minor variance maintains the general intent and purpose of the city of Guelph's Official Plan and Zoning By-Laws, is desirable for the appropriate and orderly development and use of the land and is genuinely minor in nature.

For your review and consideration, please find attached to the online Minor Variance Application:

- One (1) copy of the Minor Variance Cover Letter; and,
- One (1) copy of the Site Plan for the development.

The application fee for the Minor Variance Application will be submitted directly to the City by our client. We trust that the enclosed information is satisfactory to address the submission requirements and look forward to working with staff to move forward with approvals. If you have any questions regarding this matter or require any additional information, please do not hesitate to contact me.

Respectfully Submitted,

MONTEITH BROWN PLANNING CONSULTANTS



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