

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Environment
Date	Tuesday, January 16, 2024
Subject	<b>Decision Report 151 Bristol Street Zoning By-law Amendment File: OZS23-012 Ward 3</b>

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## Recommendation

1. That the application submitted by Van Harten Surveying Inc. on behalf of the owner, Madalikat Developments Ltd., to change the zoning from the current "Residential Single Detached" (R.1B) to "Specialized Residential Semi-Detached/Duplex" (R.2-34(H)) in the Zoning By-law (1995)-14864; and from the "Low Density Residential 1" (RL.1) to the "Specialized Low Density Residential 1" (RL.1-24(H)) in the Comprehensive Zoning By-law (2023)-20790; to permit the development of two semi-detached buildings and Additional Residential Dwelling Units on the lands municipally known as 151 Bristol Street and legally described as Lots 35 & 36, Plan 42, City of Guelph, be approved in accordance with Attachment-3 of the Infrastructure, Development and Environment report 2024-09, dated January 16, 2023.
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## Executive Summary

### Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment to permit the development of two (2) semi-detached buildings, containing 4 semi-detached dwelling units, 4 basement Additional Residential Dwelling Units, and 4 detached Additional Residential Dwelling Units on the property municipally known as 151 Bristol Street.

### Key Findings

Planning staff support the proposed Zoning By-law Amendment subject to the recommended zoning regulations and consent conditions in Attachment-3.

### Strategic Plan Alignment

The recommended Zoning By-law Amendment aligns with the approved 2024-2027 Strategic Plan theme of City Building and the Future Guelph objective of improving housing supply by providing a range of housing options for current and future residents. The proposed development application is in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly

sustainable City as Guelph grows. A review of how the proposal is in conformity with the City's Official Plan can be found in the Staff Review and Planning Analysis in Attachment-10.

## **Future Guelph Theme**

City Building

## **Future Guelph Objectives**

City Building: Improve housing supply

## **Financial Implications**

Estimated Development Charges: \$174,768 (based on current rates)

Estimated Community Benefit Charge: Not applicable under 5-storeys

Estimated Annual Property Taxes: \$20,000 - \$25,000 (estimate only, actuals may vary)

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## **Report**

### **Background**

An application to amend the Zoning By-law was received for the property municipally known as 151 Bristol Street from Van Harten Surveying Inc., on behalf Madalikat Developments Ltd., to permit the development of two semi-detached buildings containing 4 semi-detached dwelling units, 4 basement Additional Residential Dwelling Units, and 4 detached Additional Residential Dwelling Units. The application was received by the City on October 13, 2023 and deemed complete on October 30, 2023. The Statutory Public Meeting was held on November 21, 2023. Staff have requested revisions to the development proposal since the application was received and deemed complete. Submission of detailed designs will be included as conditions of future severances. To meet legislative requirements, a decision on this application must be made by January 28, 2023.

### **Location**

The subject site is located on the north side of Bristol Street between Yorkshire Street South and McGee Street (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The subject site is approximately 0.158 hectares in size and has frontage along Bristol Street and Emslie Street. The site is generally rectangular in shape with approximately 38.257 metres of frontage on the north side of Bristol Street and a depth of approximately 44.10 metres. The site is part of the former Emslie and Morrison's Quarry and currently has a 1-storey house and a garage.

Surrounding land uses include:

- To the north: Residential blocks primarily composed of one to two storey single-detached dwellings fronting onto Waterloo Avenue, Emslie street and Yorkshire Street South.
- To the south: Across Bristol Street are several four to six storey apartment buildings, further which lies an outdoor recreational field along the Speed River.
- To the east: Residential blocks primarily composed of one to two storey single-detached dwellings with further road access to Wellington Street West and a commercial area.

- To the west: Residential blocks primarily composed of one to two storey single-detached dwellings, with some occasional office and service uses.

### **Existing Official Plan Land Use Designation and Policies**

The Official Plan land use designation that applies to the subject property is “Low Density Residential”. The Low Density Residential designation applies to residential areas within the city which are currently, or planned to be, predominantly low-density in character. Detached, semi-detached, duplex dwellings and multiple residential buildings are permitted in the Low Density Residential designation. The maximum height permitted is 3-storeys, and a maximum net density of 35 units per hectare is permitted. Further details of this designation are included in Attachment-4.

### **Existing Zoning, Zoning By-law (1995)-14864**

The subject site is currently zoned “Residential Single Detached” (R.1B) Zone in Zoning By-law (1995)-14864, as amended. The R.1B zone permits single detached dwellings and other related or accessory uses. Details of Zoning By-law (1995)-14864, as amended, are shown in Attachment-5.

### **Existing Zoning, Comprehensive Zoning By-law (2023)-20790**

The subject site is zoned “Low Density Residential 1” (RL.1) Zone in the City’s new Comprehensive Zoning By-law (2023)-20790. The RL.1 zone permits single detached dwellings, semi-detached dwellings, and duplex dwellings, as well as small multi-unit residential buildings and on-street townhouses and other related or accessory uses. The Comprehensive Zoning By-law was approved by Council on April 18, 2023, to replace Zoning By-law (1995)-14864, as amended, but is not currently in force and effect as it is under appeal in its entirety to the Ontario Land Tribunal (OLT). Details of Comprehensive Zoning By-law (2023)-20790 are shown in Attachment-6.

### **Description of Proposed Zoning By-law Amendment**

An amendment is required to the 1995 Zoning By-law to facilitate the proposed development. The purpose of the proposed Zoning By-law Amendment (1995 Zoning By-law) is to change the zoning from the existing “Residential Single Detached” (R.1B) zone to a new “Specialized Residential Semi-Detached/Duplex” (R.2-34(H)) Zone. This amendment would allow the development to move forward while the 2023 Zoning Bylaw is under appeal.

The proposed development conforms with the Comprehensive Zoning By-law (2023)-20790; however, staff are recommending specialized regulations to ensure the detached Additional Residential Dwelling Units facing Emslie Street are compatible with the existing setbacks of homes on Emslie Street. Therefore, an amendment is proposed to change the zoning from the current “Low Density Residential 1” (RL.1) zone to a new “Specialized Low Density Residential 1” (RL.1-24(H)) Zone.

The following site-specific regulations are being recommended to Zoning By-law (1995)-14864 and Comprehensive Zoning By-law (2023)-20790, as amended, to facilitate the development:

## R.2-34(H) Zone (1995)

- To permit a maximum driveway width of 5.0 metres, whereas Section 4.13.7.2.3 permits a maximum driveway width of 3.5 metres.
- To permit a minimum landscaped open space between the driveway and the nearest lot line of 0.5 metres, whereas Table 5.2.2, Row 15, requires the distance to be 0.6 metres.
- To permit a minimum rear yard setback from the rear lot line (Emslie Street) for detached Additional Residential Dwelling Units in a separate building, of 4.0 metres; whereas Section 4.15.1.7.8 permits an Additional Residential Dwelling Unit in a separate building on a lot shall have a minimum side and rear yard setback consistent with the side yard setback for the primary dwelling in the applicable zone.

Details of the proposed zoning under the existing Zoning By-law (1995)-14864, as amended, are included in Attachment-7.

## RL.1-24(H) Zone (2023)

- To permit a minimum setback from the rear lot line (Emslie Street), for Additional Residential Dwelling Units in a separate building, of 4.0 metres; whereas Section 4.12.1 (d) (vii) permits an additional residential dwelling unit in a separate building on a lot shall have a minimum interior side yard and a rear yard setback consistent with the interior side yard setback for the primary dwelling unit in the applicable zone.

Details of the proposed zoning under the current Comprehensive Zoning By-law (2023)-20790, as amended, are included in Attachment-8.

## **Development Proposal**

The applicant has proposed to redevelop the site by demolishing the existing 1-storey single detached dwelling and garage and constructing two (2) semi-detached buildings containing 4 semi-detached dwelling units, 4 basement Additional Residential Dwelling Units, and 4 detached Additional Residential Dwelling Units. The proposed site concept plan is shown in Attachment-9.

## **Staff Review/ Planning Analysis**

The staff review and planning analysis for these applications is provided in Attachment-10. The analysis addresses all relevant planning considerations. Final comments on the proposal from internal City departments and agencies are included in Attachment-12. The staff review and planning analysis addresses the following:

- Evaluation of the development proposal in accordance with the policies of the 2020 Provincial Policy Statement (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the development proposal's conformity with the Official Plan;
- Review of the proposed R.2 zoning (1995)-14864, including the need for specialized regulations;
- Review of the RL.1 zoning (2003)-20790, including the need for specialized regulations;
- Review of built form compatibility with adjacent and established land uses;

- Review of supporting documents submitted with the development application;
- Review how the proposed development addresses applicable sections of the Community Energy Initiative update;
- Review alignment with the City's Affordable Housing Strategy; and
- Address comments and issues raised during the review of the application.

## **Financial Implications**

Estimated Development Charges: \$174,768 (based on current rates)

Estimated Annual Property Taxes: \$20,000 - \$25,000 (estimate only, actuals may vary)

These figures are approximations only, based on the addition of twelve new residential dwelling units and are based on the current Development Charge rate. Actual numbers may vary depending on the assessed property value.

## **Staff Recommendation**

Planning staff are satisfied that the proposed Zoning By-law Amendment is consistent with the 2020 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and the specialized zoning regulations are appropriate for the site. Planning staff recommend that Council approve the Zoning By-law Amendment subject to the specialized zoning regulations and proposed conditions to be imposed through a consent application, as outlined in Attachment-3.

## **Consultations**

The Notice of Complete Application and Public Meeting was mailed on October 31, 2023, to local board and agencies, City service areas and all property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised on the City of Guelph's website and in Guelph Today (City Information section) on October 26, 2023. Notice of the applications was also provided by means of signage on the property, which was installed on October 30, 2023. All supporting documents submitted by the applicant have been posted on the City's website.

On December 22, 2023, the Notice of Decision Meeting was sent to interested parties and members of the public who spoke at the Public Meeting, provided comments on the applications, or requested to receive further notice. When a decision is made on the applications, the same interested parties and members of the public will receive further notification.

Final comments from local boards and agencies and City service areas are included in Attachment-12. A complete summary of public notifications and consultation is included in Attachment-13.

## **Attachments**

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning, Regulations and Conditions

Attachment-4 Existing Official Plan Land Use Designation and Policies

Attachment-5 Existing Zoning - Zoning By-law (1995)-14864

Attachment-6 Existing Zoning - Comprehensive Zoning By-law (2023)-20790  
Attachment-7 Proposed Zoning - Zoning By-Law (1995)-14864  
Attachment-8 Proposed Zoning - Comprehensive Zoning By-law (2023)-20790  
Attachment-9 Proposed Conceptual Site Plan  
Attachment-10 Staff Review and Planning Analysis  
Attachment-11 Community Energy Initiative Commitment  
Attachment-12 Departmental and Agency Comments  
Attachment-13 Public Notification Summary

**Departmental Approval**

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